

Regular City Commission Meeting

Mayor Kelly presiding

**CALL TO ORDER:** 7:00 PM

Commission Chambers Room 206

## **PLEDGE OF ALLEGIANCE**

**ROLL CALL/STAFF INTRODUCTIONS:** City Commission members present: Bob Kelly, Tracy Houck, Bob Jones, Bill Bronson and Fred Burow. Also present were City Manager Greg Doyon; Deputy City Clerk Darcy Dea; Public Works Engineer Dave Dobbs; Planning and Community Development Director Craig Raymond; Fiscal Services Director Melissa Kinzler; City Attorney Sara Sexe; and Police Chief Dave Bowen.

**AGENDA APPROVAL:** No Changes were proposed by the City Manager or City Commission. The agenda was approved as submitted.

**PRESENTATION:** Great Falls College MSU Director Cynthia Stevens noted that the Cuban Choir Cantores de Cienfuegos will be performing a concert at the Great Falls College MSU on July 11, 2016 at 7:00 p.m. The Commission presented Cynthia Stevens, on behalf of the Cuban Choir Cantores de Cienfuegos, with a formal welcome to the City of Great Falls.

**PROCLAMATION:** Park and Recreation Director Joseph Petrella read a proclamation for Park and Recreation Month. He noted that the movie Zootopia will be playing on July 23, 2016 at Gibson Park.

**\*\* Action Minutes of the Great Falls City Commission. Please refer to the audio/video recording of the meeting for additional detail\*\***

## **PETITIONS AND COMMUNICATIONS**

### **1. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, discussed the proposal of two solar farms in the Great Falls area. Concerning Item 7, he suggested sending out questionnaires in the water bills with regard to water pressure issues. Mr. Gessaman commented that comments from non-members of the City should not be considered regarding the ADF tax abatement.

## **NEIGHBORHOOD COUNCILS**

### **2. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

**Kathy Gessaman**, NC 3, invited all Neighborhood Council members and citizens to get involved and review Budget information on the City's website.

Mayor Kelly reminded everyone that City Commission and Work Session meetings are recorded and on the City's website.

**BOARDS & COMMISSIONS****3. REAPPOINTMENTS, BUSINESS IMPROVEMENT DISTRICT BOARD.**

**Commissioner Houck moved, seconded by Commissioner Bronson, that the City Commission table appointments to the Business Improvement District Board of Trustees until Board members are in attendance to respond to questions.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Burow noted that two were reappointments to the board. He inquired about the need to postpone action on the appointments.

Commissioner Houck responded that she reviewed the Board minutes, but needs for more information from the Board members.

Mayor Kelly asked if there were any comments from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, suggested the City Commission rescind the resolution which allows reappointments without advertising the position.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

**4. MANSFIELD CENTER FOR THE PERFORMING ARTS ADVISORY BOARD, BOARD MEMBER INTRODUCTIONS AND BOARD REPORT.**

Board members Keern Haslem, Kelly Manzer, Pamela Bennett, Patty Holmes-Myers, Carl Donovan and Allen Lanning introduced themselves. The Board discussed the foundation that the Mansfield Center has been establishing. The Board further discussed the importance, functions and the economic benefits that the Mansfield Center provides to the community. The Board meets on the third Friday of every month.

Mayor Kelly requested a copy of the Board members' comments. He also recognized Commissioner Bronson for his involvement with regard to forming tax deductible capabilities for the Board. He further recognized Board member Larry Gomoll.

The Commission recognized and thanked the Board members for their service.

**5. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS FROM BOARDS AND COMMISSIONS.**

There were no miscellaneous reports and announcements from members of boards and commissions.

**CITY MANAGER****6. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

City Manager Greg Doyon reported that a formal report will be provided with regard to the fireworks.

Police Chief Dave Bowen noted that there were other complaints that the Police department had to respond to as well as firework issues.

Manager Doyon reported that he recently attended the Association of Defense Communities Conference.

He also reported that the Human Resource and Deputy City Manager positions are currently being advertised.

Manager Doyon read a note giving kudos to the City Sanitation Department.

**CONSENT AGENDA.**

7. Minutes, June 21, 2016, Commission meeting.
8. Total expenditures of \$2,476,532 for the period of June 1 2016 through June 22, 2016, to include claims over \$5,000 in the amount of \$2,155,881.
9. Contracts list.
10. Grants List
11. Approve Great Falls Police Department/Cascade County Sheriff's Office Interlocal Agreement for division of the 2016 Byrne Justice Assistance Grant (JAG) Program Award.
12. Approve Final Payment in the amount of \$28,285.04 to Geranios Enterprises Inc and \$285.71 to the State Miscellaneous Tax Fund for the Northwest Great Falls Storm Drain Improvements Phase 5A – 4<sup>th</sup> Street NE Outfall and authorize the City Manager to make the payments. **OF 1617.2**
13. Award Construction Contract in the amount of \$85,849 to David Kuglin Construction for the 3<sup>rd</sup> Avenue South (40<sup>th</sup> Street South to Beth Drive) Handicap Ramps Phase I and authorize the City Manager to execute the construction contract documents. **OF 1697.1**
14. Set public hearing on Resolution 10143 for August 2, 2016 to levy and assess Special Improvement General Boulevard Maintenance District No. 3570.

15. Set public hearing on Resolution 10144 for August 2, 2016 to levy and assess Special Improvement Portage Meadows Maintenance District No. 1195.
16. Set public hearing on Resolution 10145 for August 2, 2016 to levy and assess the Street Maintenance District.
17. Set public hearing on Resolution 10146 for August 2, 2016 to levy and assess properties within the Special Improvement Lighting Districts.
18. Set public hearing on Resolution 10150 – Intent to Increase Property Tax for July 19, 2016.
19. Set public hearing on Resolution 10151 – Annual Budget Resolution for July 19, 2016.
20. Set public hearing for the 2016/2017 Tourism Business Improvement District Budget and Work Plan for July 19, 2016.
21. Approve agreement with Northwestern Energy to install, operate and maintain underground 3-phase primary electrical facilities in the amount of \$110,017.02 and authorize the City Manager to execute the agreement. **OF 1476.5**

**Commissioner Houck moved, seconded by Commissioner Bronson, that the City Commission remove item 9, the contracts list, and approve the remainder of the Consent Agenda as presented.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none, Mayor Kelly asked if there were any comments from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, suggested the use of Wimax capabilities with regard to Item 9A. Concerning Item 8 he inquired the amount of legal fees for New World software. He also discussed page 119 of the Minutes, Item 7, suggesting in the future the City get a commitment saying that the lessee be given a reduction in lease payments equivalent to the amount of the tax deduction.

**John Hubbard**, 615 7<sup>th</sup> Avenue South, with regard to items 14, 15, 16, 17 and 18, he expressed opposition and concerns with tax increases.

**Kathy Gessaman**, 1006 36<sup>th</sup> Avenue NE, with regard to item 19, she suggested setting aside any extra revenue for other areas of concern.

Mayor Kelly received clarification regarding the amount of legal payments to New World.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission approve item 9, the contracts list, as submitted.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Houck noted that the Paris Gibson Square Board of Directors approved contract item 9D and she reviewed the contract language.

With regard to item 9A, Commissioner Burow received clarification that the City is managing the project on behalf of Preservation Cascade. Preservation Cascade would be the entity to contact to suggest wifi capabilities.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-0-1 (Commissioner Houck abstained).

### **PUBLIC HEARINGS**

22. **ORDINANCE 3142, ASSIGNING A ZONING CLASSIFICATION OF R-6 MULTI-FAMILY RESIDENTIAL HIGH DENSITY DISTRICT TO SMELTER AVENUE APARTMENTS. (ALSO REFERRED TO AS GREAT FALLS NORTH APARTMENTS).**

Planning and Community Development Director Craig Raymond reported that a public hearing was set for July 5, 2016 on Ordinance 3142 which would assign R-6 Multi-Family zoning to certain property upon annexation into the City of Great Falls.

He noted that there was an error in the public hearing notice in the *Tribune*. Director Raymond added that, in the interest of providing due process not only to the applicant but also to any potential party of record or parties desiring to provide testimony on the annexation and zoning of the property, the public hearing date should be rescheduled to July 19, 2016 in order to provide proper notice of the public hearing.

**Commissioner Bronson moved, seconded by Commissioner Jones, that the City Commission vacate the public hearing set for July 5, 2016 and reset the public hearing on Ordinance 3142 for July 19, 2016.**

Mayor Kelly asked if there was any discussion amongst the Commissioners or comments from the public. Hearing none, Mayor Kelly called for the vote.

Motion carried 5-0.

### **OLD BUSINESS**

### **NEW BUSINESS**

23. **MINOR SUBDIVISION – SKYLINE HEIGHTS APARTMENTS, ADDRESSED AS 1420 AND 1424 36<sup>TH</sup> AVENUE NORTHEAST.**

Community and Development Director Craig Raymond reported that in 2013 the owners of the

property addressed as 1420 and 1424 36th Avenue NE annexed the 1.11 acres into the City of Great Falls and ultimately constructed two 12-plex apartment buildings.

He further noted that at this time, the owners of the subject property wish to divide the property into two separate parcels. This would create the parcels with a 12-plex on each, share parking and other maintenance requirements such as storm water pond, drive isles and landscaping for the property.

**Commissioner Burow moved, seconded by Commissioner Houck, that the City Commission approve with conditions the Amended Plat of the subject property and accept the Findings of Fact.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Mayor Kelly commended Neighborhood Council Coordinator Patty Cadwell for her efforts.

Mayor Kelly asked if there were any comments from the public. Hearing none Mayor Kelly called for the vote.

Motion carried 5-0.

24. **SOUTH GREAT FALLS STORM DRAIN IMPROVEMENTS, MISSOURI RIVER TO 6<sup>TH</sup> STREET SOUTH POND. OF 1554.2.**

Public Works Engineer David Dobbs reported that this item is a request to construct public storm drainage facilities including storm drain outfalls, pipe, inlets and a detention pond to serve an area along the southern edge of the City generally bounded by Lower River Road, 17<sup>th</sup> Avenue South, 20<sup>th</sup> Street South and 40<sup>th</sup> Avenue South.

There has been a minimal amount of storm water management facilities in the area. The result has been area flooding, especially in the housing areas adjacent to Upper River Road. The first phase of this project installed storm drains, inlets and detention facilities in the vicinity of 9<sup>th</sup> and 13<sup>th</sup> Streets at 21<sup>st</sup> and 22<sup>nd</sup> Avenues South. The project phase extends the storm drain eastward from the Missouri River and across Lower River Road, BNSF Railroad, and Upper River Road to 6<sup>th</sup> Street South.

These improvements will significantly reduce any potential flooding from upstream runoff. Planned future phases will further extend this storm drain system to connect with the previously constructed facilities and serve other sub basin areas near 24<sup>th</sup> Avenue South and the Pearson Addition.

**Commissioner Bronson moved, seconded by Commissioner Burow, that the City Commission approve a contract for the South Great Falls Storm Drain Improvements, Missouri River to 6<sup>th</sup> Street South Pond, in the amount of \$2,249,024 to Williams Civil Division, Inc. and authorize the City Manager to execute the construction contract documents.**

Mayor Kelly asked if there was any discussion amongst the Commissioners.

Commissioner Jones noted that his son is the project manager for Williams Civil Division. Mayor Kelly asked if there were any comments from the public.

**Carl Donovan**, 1509 13<sup>th</sup> Avenue South, noted that Neighborhood Council 6 supports Item 24.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, received clarification with regard to funds paid by the County. He further received clarification with regard to the project being in both the County and City.

There being no further discussion, Mayor Kelly called for the vote.

Motion carried 4-0-1 (Commissioner Jones abstained).

### **ORDINANCES/RESOLUTIONS**

25. **ORDINANCE 3143, AMENDING TITLE 12, CHAPTER 24 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS, PERTAINING TO RENAMING A STREET.**

Planning and Community Development Director Craig Raymond reported that in 2015, the City of Great Falls approved the annexation of the Thaniel Addition and Westridge phases 7-11. There was a conflict in street names within the area that was annexed and existing areas of the City which have already been annexed and developed.

It was recommended that a street name change was in order. According to the Official Code of the City of Great Falls, street names shall be changed by ordinance. Ordinance 3143 approves changing "Choteau Avenue" east of Division road to "Choteau Avenue NE."

Renaming the street will provide uniformity and avoid inconsistencies in establishing addresses for the postal service and emergency personnel.

**Commissioner Burow moved, seconded by Commissioner Houck, that the City Commission accept Ordinance 3143 on first reading and set public hearing for July 19, 2016.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. Hearing none Mayor Kelly asked if there were any comments from the public.

**Ron Gessaman**, 1006 36<sup>th</sup> Avenue NE, suggested adding a fiscal note to the agenda report regarding costs.

There being no one further to address the Commission, Mayor Kelly called for the vote.

Motion carried 5-0.

26. **ORDINANCE 3144, AMENDING TITLE 13, CHAPTER 12, SECTION 030 OF THE**

**OFFICIAL CODE OF THE CITY OF GREAT FALLS PERTAINING TO THE INDUSTRIAL PRETREATMENT PROGRAM AND PROHIBITED DISCHARGES AND LIMITATIONS.**

Public Works Engineer David Dobbs reported that Ordinance 3144 will amend Title 13.12.030 of the Official Code of the City of Great Falls pertaining to the Industrial Pretreatment Program and other prohibited discharges and limitations.

The current Montana Pollutant Discharge Elimination System (MPDES) Permit for the Wastewater Treatment Plant was renewed in 2010. The new local limits were adopted in 2011. A mixing zone study was conducted to provide better data to the State in order for the Department of Environmental Quality (DEQ) to make better informed decisions for the current permit limits. The State modified the City's permit in 2013.

Ordinance 3144 will update the Official Code of the City of Great Falls to incorporate updated pretreatment local limits to reflect the current 2013 (MPDES) permit limits.

**Commissioner Jones moved, seconded by Commissioners Bronson and Burow, that the City Commission accept Ordinance 3144 on first reading and set final reading for August 16, 2016.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. He recommended that Public Works Environmental Division Supervisor Paul Skubinna be available for the August 16, 2016 City Commission Meeting.

Mayor Kelly asked if there were any comments from the public. Hearing none Mayor Kelly called for the vote.

Motion carried 5-0.

27. **RESOLUTION 10149, JOINT RESOLUTION, SITE ADDRESSING AND ROAD NAMING POLICIES AND PROCEDURES MANUAL.**

Fiscal Services Director Melissa Kinzler reported that the City of Great Falls Mapping and Addressing Division currently is responsible for addressing within the City and County Jurisdictions. The previous Addressing Coordinators several years ago began to compile and revise a Site Addressing and Road Naming Manual, but have not officially adopted the manual into policy.

The Site Addressing and Road Naming Policies and Procedures Manual will serve as the principles in which Mapping will utilize to establish or change any address or road name within the City of Great Falls or Cascade County Jurisdictions.

**Commissioner Burow moved, seconded by Commissioner Jones, that the City Commission adopt Joint Resolution 10149 approving the Site Addressing and Road Naming Policy and Procedures Manual.**

Mayor Kelly asked if there was any discussion amongst the Commissioners. He thanked GIS Coordinator Jeff Hedstrom for his work.

Mayor Kelly asked if there were any comments from the public. Hearing none Mayor Kelly called for the vote.

Motion carried 5-0.

### **CITY COMMISSION**

#### **28. MISCELLANEOUS REPORTS AND ANNOUNCEMENTS.**

Mayor Kelly noted that he received communications with regard to the pros and cons concerning fireworks. He thanked the Police and Fire Departments.

#### **29. COMMISSION INITIATIVES.**

There were no Commission initiatives.

### **ADJOURNMENT**

There being no further business to come before the Commission, **Commissioner Jones moved, seconded by Commissioner Houck, to adjourn the regular meeting of July 5, 2016, at 8:20 p.m.**

Motion carried 5-0.

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Mayor Bob Kelly

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Deputy City Clerk Darcy Dea

Minutes Approved: July 19, 2016