

**Minutes Neighborhood Council  
District 3 (NC3)  
Thursday, October 4, 2012  
Riverview Music Room  
7:00 p.m.**

**Call to Order:** John Sturgeon, Chair, called the meeting to order at 7 p.m. Lori Faye was absent. A quorum of Council members was present.

**Attendees:** Council members: John Sturgeon, Kathleen Gessaman, Ron Gessaman, and Johnathan Kenneway. Patty Cadwell, Neighborhood and Youth Council Coordinator. Jana Cooper, Great Falls Community Development. Guest speakers: Officer Brian Smail, Community Policing; Craig Nowak and Lynda Adams, ASI Senior Housing; Dexter Busby and Tony Houtz, representing MT Refining Co.; Greg Pinski, candidate for District Court Judge; Eric Bailey, candidate for Cascade County Justice of Peace. About nine other members of the public were in attendance.

**Minutes: Johnathan K. moved to accept the September 6, 2012 Neighborhood Council Three minutes; Ron G. seconded.** John S. asked for public comment; there was none. **The motion passed unanimously.**

**Committee Reports:** Johnathan K. reviewed what happened at the last two City Commission meetings - some items he mentioned were: a list of recycling opportunities in Great Falls was sent out in the latest City water bill mailing and the City Commission voted 4-1 (Mayor dissenting) to table the Agri-Tech Park (East) rezoning until Nov. 6<sup>th</sup> to give the Commissioners time to study some of the issues. Johnathan attended the last Planning & Zoning Board meeting to listen to the Harvest Springs remodeling presentation. Johnathan said the Phase I plans were adopted as presented with the addition of the recommendation to repaint the blue/primer sections to match the Phase I color design; the concerns brought up about parking will be addressed in Phase III. Minutes of City meetings with more information can be found at <http://www.greatfallsmt.net/meetings>

Patty C. reported on the Leadership Great Falls Class of 2011/2012's project to raise funds for playground equipment in Jaycee and Skyline Parks. Patty said five trees (three are memorial trees) and all the playground equipment for Skyline Park has been installed. Patty noted all the playground equipment has been installed in Jaycee Park but they still have two memorial trees to plant; she said the kids are playing. Johnathan asked about the Skyline Park development plan presented at earlier NC3 meetings. Patty explained that there are two groups working on the parks - the Leadership Great Falls group worked on acquiring playground equipment and a few benches and tables for both parks, and the other group (led by Sue Steichen) is a Park Committee working to develop Skyline Park. Sue has some medical issues and was unavailable to give an update at tonight's meeting on the committee's activities. Patty said nothing is set in stone regarding Skyline Park development.

**New Business:** Officer Brian Smail, Community Policing, reported the Neighborhood Watch program is still activity and is now operating under Carol Bronson. Officer Smail requested that people interested in participating in Neighborhood Watch contact Patty C. Officer Smail reported the following police statistics for the last three months in NC3's area: 4 reported burglaries, 8 domestics, a few fires, 19 fireworks over 4<sup>th</sup> of July weekend, 29 traffic accidents (a large amount), 11 injury accidents, 6 cell phone tickets in just the last week (people seem to be ignoring the cell phone ordinance), 94 shoplifting (a lot for the summer months), 39 thefts, only 1 MIP, 9 narcotics events, 22 people called in as drunk drivers, 1 robbery, 203 traffic stops, 76 suspicious calls, and 21 vandalism with graffiti or property damage. Officer Smail

answered questions: Pete Dascoulias, 320 36<sup>th</sup> Ave NE, asked who had the right of way at intersections without signals or signs - Officer Smail said the person on the right has the right of way at uncontrolled intersections but at the new roundabout (to be built by the Highway Dept), the person on the left will have the right of way. At a T-intersection if you are coming up to the T you must yield right of way.

Craig Nowak, with Morrison-Maierle Engineers and representing Distyle Design, discussed the Accessible Space, Inc. (ASI) proposal to build a 38-unit affordable senior rental housing development just west of their Meadow Lark Apartment site and just north of the Great Falls Medical Clinic Northwest. The units will be available to low income and frail elderly (55 years and older). Craig described the shared common areas including a dining room with kitchen, community rooms, library, computer lab, exercise room, spa, etc. in addition to the fully equipped rental apartments. Lynda Adams passed out brochures and plans for the proposed Elder Housing Development. The project is contingent on receiving tax credits before the development can go forward. Craig, Lynda, and Jana Cooper answered questions about the development.

**Toward the end of the meeting Johnathan K. moved to approve of the ASI Great Falls Elder Housing Development as presented. Kathleen G. seconded; there was no discussion. The motion passed unanimously.**

Dexter Busby, a Montana Refinery Co. (MRC) representative, stated that MRC wanted to rezone a portion of the Westgate Mall property they purchased a year ago from commercial (C-2) to heavy industrial (I-2) and then introduced Tony Houtz of CTA Architects to provide further details. Tony, who lives in the NC#3 area, passed out maps and drawings of the Westgate Development master plan and made a presentation using a large artist's rendering. Tony said MRC plans to develop five landscaped commercial lots along 3<sup>rd</sup> Street NW adjacent to the privately owned Pizza Hut and Dimitri's Restaurant lots. Tony pointed out that a road south of these lots would provide more access, but a continuous, decorative wall (similar to the wall on the north side of the current MRC facility) would separate the road and the commercial lots from the remainder of the mall property. The old Westgate Mall building is currently being used by MRC for storage. Tony said MRC wants the area with the building and the empty land to the south and east to be rezoned I-2 as part of the plan to develop the five commercial lots. A previously planned connection through the property to the River's Edge Trail would go forward. Tony ended this presentation by stating that MRC wanted the property development to be an asset to the community.

Tony asked for questions. Kathleen G. asked why an I-2 designation was required for a storage facility and were they storing hazardous material – Tony said they weren't storing hazardous material but needed the I-2 zoning because of City rules. Jana C. said the City required I-2 zoning for outside industrial pipe storage. Kathleen asked why I-1 zoning couldn't be used for this storage facility and the undeveloped area since I-2 would allow for essentially anything to be developed and there were nearby businesses, a church, Sacajawea Elementary and North Middle schools, etc., just north of the proposed I-2 zoned areas. Tony said MRC is land locked and needs to rezone the outlined areas. Tony went on to say the properties south of Westgate are all zoned I-1, the proposed I-2 zoning is just an extension of that area, and the proposed commercial lots (north of Westgate) would separate the heavy industrial area from the community. Johnathan K. asked if the commercial lots would be leased or sold and Tony said that was still undecided. Johnathan asked if the new owner of MRC was on board with this project; Dexter said the new owners said to proceed. Johnathan asked if MRC had plans for the proposed I-2 zoned areas. Dexter replied that presently MRC only plan to use the areas for storage and a major facility turnaround is scheduled next year that will require lots of heavy equipment storage. Ron G. asked why the two areas to be zoned I-2 were different colors on the artist's rendition; Tony said one area was paved and the other was grassed. Ron said he was unwilling to approve an I-2 zoning without knowing what MRC future plans are because once zoning is established citizens have no say in future development. Ron said part of his concern about the

rezoning was due to the Sept. 26<sup>th</sup> *Tribune* article about MRC being fined \$307,000 for air quality violations and the rumors that MRC was also recently fined \$50,000 for not reporting stored hazardous waste. Problems like this affect the public's faith that MRC will do what's right for the community. Dexter said he would discuss the fines if the council wanted but hoped to keep those issues separate from the rezoning.

Patty C. said different businesses come to the Neighborhood Councils to hear their comments. The Neighborhood Council comments go to the Zoning and Planning Board so they can take them into consideration. Jana C. said MRC applied last week for the rezoning and their application will come before the Planning and Zoning Board in November. Patty said the City Commission would make the ultimate decision on rezoning the Westgate Mall area. Patty reminded the Board to vote on the ASI proposal after the MRC zoning issue was completed.

**Johnathan K. moved to approve the MRC proposal. The motion died for lack of a second.**

Tony H. said if the MRC property has to stay C-2 then the property development wouldn't go forward. Kathleen G. said the development plans looked good on the surface but her hesitation to approve the I-2 zoning is related to the lack of information on MRC's future plans – if they extend the refinery into the Westgate area then the affect on the neighborhood north of the development could be significant. She stated that she and others presently suffer health related issues from the current refinery's emissions when the wind is from the south.

**Ron G. moved NC3 forward this project to the Planning and Zoning Board with no recommendation. John S. seconded. John asked for public comment on the motion.** Dexter said the most likely use for the land is for storage tanks and materials storage - not processing units because of the distance involved. Someone asked if MRC could comment further on future plans for the Westgate area; Dexter reiterated there were currently no plans. Dexter said the refinery did not grow for over eighty years and only began expanding westward in about the past 15 years. Greg Pinski, 3405 11<sup>th</sup> St NE, noted the area around Genco was zoned light industrial (I-1) and wondered why MRC couldn't use I-1 for the Westgate Mall area. Jana C. said that since MRC does not know what their future plans are, an I-2 rezoning gives them more flexibility. She also said the City might be able to work with an I-1 zoning too. Regarding the distance issue, Ron G. pointed out that Hunt Oil refinery in Tuscaloosa, AL was also landlocked but expanded via pipe racks extending about a mile from the main plant to a new secondary processing facility. Using a similar approach, MRC could build not just storage tanks but a secondary processing facility in the Westgate Mall area just like Hunt Oil. Jana said expanding fuel tank storage into the mall area would require I-2 zoning. Ron asked Dexter if MRC had done any core drilling at Westgate; Dexter replied no but they did do pre-purchase sampling to see if there was any major subsurface contamination. Bonnie Sturgeon, 121 2<sup>nd</sup> St NW, stated she would like to see more of the health concerns that Kathy brought up addressed. Melissa Dascoulias, 3509 5<sup>th</sup> St NE, said her children's health was her top concern; she wasn't concerned about the look of Westgate Mall. Ron agreed with Dexter that the MRC had not grown for nearly 80 years. He added that in less than twenty years the refinery throughput has doubled from about 4,000 barrels/day to about 10,000 bpd. (Dexter corrected him - the initial throughput was 2,500 bpd.) Ron said we have had a shift in the wind from the 1980s and we are getting more sulfur dioxide and hydrogen sulfide from the refinery. Ron noted he and his wife are chemical engineers and after many years of refinery experience, he can tell the difference between the refinery, the MRC sewer pretreatment facility, the City sewer plant, and the MT Specialty Mills emissions. Ron said without a specific plan from MRC he couldn't see approving I-2 zoning for the Westgate Mall area. He stated his motion forward the request to the plan to the Planning Board without a recommendation was actually quite generous. **The motion passed with three yes and one no vote.**

Greg Pinski, a candidate for District Court Judge and a resident of NC3, spoke about his candidacy. Greg discussed his background (he was an Eagle Scout), family (raising a fifth generation of Pinskis in Great Falls), education and law experience. Greg noted District Judge McKittrick, who is retiring from the position, endorses him. Greg considers himself to be even-handed, firm, and decisive. He stated he has deep roots in the community and would like to serve the community as a District Court Judge. He asked for people's votes.

Eric Bailey, a candidate for the Cascade County Justice of Peace, introduced himself and said he too was a Great Falls native. After going through school here, he joined the US Marine Corp and served two tours. Eric discussed his family (his wife is Jamie Bailey, the County Treasurer) and his career advancements to his present position with the Cascade County Sheriff's Office. Eric said he served as coroner for eight years and for the past two and a half years has been the District Court Bailiff. Eric said he is well versed in court procedures and rules of law – experiences that will make him an effective Justice of Peace immediately. Eric said the Cascade County Deputy Attorney's Association and the Cascade County Deputy Sheriff's Association have endorsed him. He would appreciate people's support in this election.

**Issues of Neighborhood Concern:** Melissa Dascoulias, 3509 5<sup>th</sup> St NE, stated she was happy she attended the meeting and then brought up Skyline Park development. Melissa asked if the sign at the north end of Skyline Park is an accurate rendition of the final park development design as there is neighborhood concern about the addition of the indicated parking lot and other items. Melissa said Park Committee members told her that the Skyline Park plan was final. Melissa said she really appreciated Sue Steichen's involvement in improving Skyline Park but is worried especially about the parking lot proposal. Melissa said she plans to attend the upcoming Park and Rec. Dept. meeting to discuss the concerns of her neighbors.

Patty said the City owns Skyline Park, and the Park and Rec. Department has yet to make a final decision about the future development of Skyline Park. Patty suggested NC3 stay in the loop, listen to the concerns of neighbors, and perhaps Sue will be able to report to the Council about her Committee activities in a month or two. There was group discussion on the topic.

Tom Jacobsen, candidate for HD 25, spoke briefly about his campaign, how much he has learned about the people in the Riverview-Valleyview area during his campaign, and how impressed he is by the people. Tom said most people want their concerns to be heard; have safe neighborhoods, good public schools, and streets; and be able to enjoy the outdoors. Tom said he was honored to be part of the election process. Tom spoke a little about his background and answered questions.

Ron G. asked Patty C. about the plans for Smelter Ave over the winter. Patty said she would check and report back.

**Johnathan K. moved to adjourn, Kathleen G. seconded, the motion passed. The meeting adjourned at 8:40 p.m.** The next meeting is scheduled for November 1, 2012 at 7 p.m. at Riverview School.

Respectfully submitted, Kathleen Gessaman, NC3 Secretary.

The NC3 Board would like to thank Riverview School for providing our meeting spot at the school.