



MINUTES OF THE MEETING OF THE CITY COMMISSION
BOZEMAN, MONTANA

October 15, 2012

The Commission met in the City Commission Room, City Hall at 121 North Rouse on Monday, October 15, 2012. Present were Mayor Sean Becker, Deputy Mayor Jeff Krauss, Commissioner Chris Mehl, Commissioner Cyndy Andrus, Commissioner Carson Taylor, Assistant City Manager Chuck Winn, City Finance Director Anna Rosenberry, City Attorney Greg Sullivan, and City Clerk Stacy Ulmen.

**These minutes are not word for word and should be considered along with the audio recording.*

0:00:00 A. Reception Celebrating the Designation of Main Street as a 2012 Great Street in America- 5:30 p.m. Lobby, City Hall, 121 North Rouse

0:00:03 B. Call to Order – 6 p.m. – Commission Room, City Hall, 121 North Rouse
Mayor Becker called the meeting to order at 6:08 p.m.

0:00:27 C. Pledge of Allegiance and a Moment of Silence

0:00:59 D. Changes to the Agenda
Mayor Becker asked City Manager Chris Kukulski if there were any changes to the Agenda.

0:01:02 E. Public Service Announcement – Aquatics and Recreation Facilities Feasibility
City Clerk Stacy Ulmen gave a Public Service Announcement regarding the Aquatics and Recreation Facilities Feasibility Study Public Meeting on October 23rd.

0:01:48 F. Consent

1. Authorize Payment of Claims (LaMeres)
2. Authorize Mayor Becker to sign a letter Establishing the Director of Economic Development as the City of Bozeman's Representative to the Northern Rocky Mountain Economic Development District (Fontenot)
3. Approve Mayoral Proclamation Declaring October National Disability Employment Awareness Month (Brunckhorst)
4. Approve Resolution No. 4415, Annexing Lot 4A, Minor Subdivision 35C and directing the City Manager to sign the Annexation Agreement for application A-12004, from Mahar Homes on Good Medicine Way (Saunders)

5. Provisionally Adopt Ordinance No. 1845, Adopting Zoning Designation of R-S (Residential Suburban District) for Lot 4A, Minor Subdivision 35C, application Z-12068 from Mahar Homes, 3601 Good Medicine Way (Saunders)

0:01:54 Public Comment

Mayor Becker opened public comment on the Consent agenda.

No person commented.

Mayor Becker closed public comment.

0:02:14 **Motion and Vote** to approve Consent Items 1-5 as submitted.

It was moved by Cr. Taylor, seconded by Cr. Mehl to approve Consent Items 1-5 as submitted.

Those voting Aye being Crs. Taylor, Mehl, Andrus, Deputy Mayor Krauss and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

0:02:51 **G. Public Comment**

Mayor Becker opened general public comment.

No person commented.

Mayor Becker closed public comment.

0:03:09 **H. Special Presentation and Mayoral Proclamation – Award Ceremony and Recognition of the Designation of Main Street as a 2012 Great Street in America (Brekke and Mayor Becker)**

Mayor Becker gave the special presentation regarding the Mayoral Proclamation – Award Ceremony and Recognition of the Designation of Main Street as a 2012 Great Street in America.

0:05:25 **I. Policy Discussion**

0:05:43 **1. Joint Meeting between the Bozeman City Commission and Bozeman School District 7 to Discuss an Interlocal Agreement and the Creation of a Technology Tax Increment Financing District (Kukulski)**

The School Board called their meeting to order so that the Joint Meeting between the Bozeman City Commission and Bozeman School District 7 to discuss an Interlocal Agreement and the Creation of a Technology Tax Increment Financing District could commence.

0:06:17 Chris Kukulski, City Manager

Mr. Kukulski began the discussion with highlighting the Interlocal Agreement in regards to future school projects, new schools and the creation of a financing district.

0:08:42 Discussion regarding Interlocal Agreement

The School District and the Commission discussed future Tax Increment Financing Districts, growth and economic viability, working together in a formal setting, infrastructure, collaboration and transportation

0:22:24 Discussion on Tax Increment Financing Districts

The School District and the Commission discussed the process for TIF districts in the Interlocal agreement, addressing infrastructure deficiencies, development in the City and technology development, high intensity uses, the basics of TIFs, responsibility of tax payers, encouraging private investment, cap amounts, legislative changes, other examples of TIF districts in other communities, obligations of the district, bonds, long term expectations, time frames of TIFs and revenue, long term investments, indirect benefits, helping downtown and Board composition.

1:33:07 Public Comment

Mayor Becker opened public comment.

No person commented.

Mayor Becker closed public comment.

1:33:23 Continued discussion

The School district and Commission expressed their desire to continue to have meetings like this.

1:34:25 Brit Fontenot, Director of Economic development

Mr. Fontenot gave an overview of the TIF setup.

1:35:29 Short Break

1:35:33 **J. Action Items**

1:35:47 **1. Sundance Apartments at Baxter Meadows, Conditional Use Permit Application Z-12220, 2450 Vaquero Parkway (Saunders) Quasi-Judicial**

1:36:20 Chris Saunders, Assistant Planning Director

Mr. Saunders gave the staff presentation regarding the Sundance Apartments at Baxter Meadows, Conditional Use Permit Application Z-12220, 2450 Vaquero Parkway.

1:40:57 Commission Questions for Staff

The Commission and Staff spoke regarding roads, sidewalks and curbs and gutters and parkland requirements.

1:41:54 Applicant Presentation

Applicant representative Dave Skelton gave the applicant presentation regarding Sundance Apartments at Baxter Meadows, Conditional Use Permit Application Z-12220, 2450 Vaquero Parkway.

1:42:20 Questions for Applicant

1:42:43 Public Comment

Mayor Becker opened public comment.

1:42:53 **Janet Hoops, Public Comment**

Ms. Hoops 2241 Gallatin Green Boulevard stated that she was just informed about the project. She would like to propose some more time before a decision is made.

1:45:29 Steve Broadband, Public Comment

Mr. Broadband stated that he is the owner of property and purchased the property because of the zoning.

1:52:29 Public Comment closed

Mayor Becker closed public comment.

1:52:38 Commission questions for Staff

The Commission and staff discussed internal circulation and the B2 zoning.

1:57:02 **Motion** that having reviewed application materials, public comment, and all information presented, I hereby adopt the findings presented in the staff report for application Z-12220 and move to approve the conditional use permit with conditions and subject to all applicable code provisions.

It was moved by Cr. Mehl, seconded by Cr. Taylor that having reviewed application materials, public comment, and all information presented, I hereby adopt the findings presented in the staff report for application Z-12220 and move to approve the conditional use permit with conditions and subject to all applicable code provisions.

1:57:23 Commission discussion on the Motion

The Commission discussed buffer patterns, the lack of western connections, intensity and use.

2:03:02 **Vote on the Motion** that having reviewed application materials, public comment, and all information presented, I hereby adopt the findings presented in the staff report for application Z-12220 and move to approve the conditional use permit with conditions and subject to all applicable code provisions.

Those voting Aye being Crs. Mehl, Taylor, Andrus, Deputy Mayor Krauss and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

2:03:14 2. **Amendment to the North Seventh Avenue Urban Renewal Board Fiscal Year 2013 Work Plan and Budget (Thorpe)**

2:03:35 Keri Thorpe, Planner

Ms. Thorpe gave the staff presentation regarding the Amendment to the North Seventh Avenue Urban Renewal Board Fiscal Year 2013 Work Plan and Budget.

2:10:37 Questions for staff

The Commission and Staff spoke regarding the timing, bids, estimation differences, the painting costs, banner costs, investment and consolidation of lighting districts and connectivity.

2:26:28 Public Comment

Mayor Becker opened public comment.

2:26:46 **Chris Wilcox, Public Comment**

Mr. Wilcox stated that the bridge on North 7th needs to be fixed and urged that the City embrace the MSU student assistance for painting.

2:29:54 Public Comment closed
Mayor Becker closed public comment.

2:29:59 **Motion** that having reviewed application materials, public comment, and all information presented, I move to approve the North Seventh Avenue Urban Renewal Board's amendment to their Annual Work Plan and Budget for Fiscal Year 2013 as presently recommended by staff.

It was moved by Cr. Taylor, seconded by Cr. Andrus that having reviewed application materials, public comment, and all information presented, I move to approve the North Seventh Avenue Urban Renewal Board's amendment to their Annual Work Plan and Budget for Fiscal Year 2013 as presently recommended by staff.

2:30:21 Discussion on the Motion

2:33:25 **Vote on the Motion** that having reviewed application materials, public comment, and all information presented, I move to approve the North Seventh Avenue Urban Renewal Board's amendment to their Annual Work Plan and Budget for Fiscal Year 2013 as presently recommended by staff.

Those voting Aye being Crs. Taylor, Andrus, Deputy Mayor Krauss, Cr. Mehl and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

2:33:37 3. North Seventh Avenue Lighting Improvements 2012 Contract Award with Yellowstone Electric (Johnson)

2:34:03 Dustin Johnson, Engineer

Mr. Johnson gave the staff presentation regarding the North Seventh Avenue Lighting Improvements 2012 Contract Award with Yellowstone Electric.

2:36:07 Public Comment
Mayor Becker opened public comment.
No person commented.
Mayor Becker closed public comment.

2:36:22 **Motion** to authorize the City Manager to sign a contract with Yellowstone Electric Company in the amount of \$574,485 for the North Seventh Avenue Lighting Improvements Project.

It was moved by Cr. Andrus, seconded by Deputy Mayor Krauss to authorize the City Manager to sign a contract with Yellowstone Electric Company in the amount of \$574,485 for the North Seventh Avenue Lighting Improvements Project.

2:36:43 Discussion on the Motion

2:36:52 **Vote on the Motion** to authorize the City Manager to sign a contract with Yellowstone Electric Company in the amount of \$574,485 for the North Seventh Avenue Lighting Improvements Project.

Those voting Aye being Cr. Andrus, Deputy Mayor Krauss, Crs. Mehl, Taylor and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

2:37:00 4. **Resolution No. 4413, Creation of Special Improvement Lighting District No. 714 for Southbridge Subdivision Phase 1 (Rosenberry)**

2:37:52 Anna Rosenberry, Director of Administrative Services

Ms. Rosenberry gave the staff presentation regarding Resolution No. 4413, Creation of Special Improvement Lighting District No. 714 for Southbridge Subdivision Phase 1.

2:39:37 Questions for Staff

The Commission and Staff discussed installation, maintenance, districts, financial models, the brand of the lights.

2:42:21 Public Comment

Mayor Becker opened public comment.

No person commented.

Mayor Becker closed public comment.

2:42:26 **Motion and Vote** to approve Resolution No. 4413, Creating Special Improvement Lighting District No. 714 for Southbridge Subdivision Phase 1.

It was moved by Deputy Mayor Krauss, seconded by Cr. Mehl to approve Resolution No. 4413, Creating Special Improvement Lighting District No. 714 for Southbridge Subdivision Phase 1.

Those voting Aye being Deputy Mayor Krauss, Crs. Mehl, Taylor, Andrus and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

2:43:07 5. **Appointment to the Downtown Bozeman Improvement District / Tax Increment Finance Board (Brunckhorst)**

2:43:17 **Motion and Vote** to confirm the Mayoral appointment of Scott Lee as a non-voting member of the Downtown Bozeman Improvement District, Tax Increment Finance Board.

It was moved by Cr. Andrus, seconded by Deputy Mayor Krauss to confirm the Mayoral appointment of Scott Lee as a non-voting member of the Downtown Bozeman Improvement District, Tax Increment Finance Board.

Those voting Aye being Cr. Andrus, Deputy Mayor Krauss, Crs. Mehl, Taylor and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

2:43:29 **6. Appointment to the Audit Committee (Brunckhorst)**

2:43:30 **Motion and Vote to appoint Perry Solheim to the Audit Committee.**

It was moved by Deputy Mayor Krauss, Cr. Mehl to appoint Perry Solheim to the Audit Committee.

Those voting Aye being Deputy Mayor Krauss, Crs. Mehl, Taylor, Andrus and Mayor Becker.

Those voting No being none.

The motion passed 5-0.

2:43:47 **K. FYI/Discussion**

2:43:58 1. City Award for Support of National Guard

2:44:56 2. Noise issues

Attorney Greg Sullivan gave an update regarding noise complaints. We will work with Fairground on the Noise ordinance.

2:51:13 3. November Commission Meeting scheduling

2:51:53 4. Executive Session-City Manager Evaluation

3:02:44 5. Green space maintenance

3:03:39 **L. Adjournment**

Mayor Becker adjourned the meeting at 9:35 p.m.

Sean A. Becker, Mayor

ATTEST:

Stacy Ulmen, CMC, City Clerk

PREPARED BY:

Stacy Ulmen, CMC, City Clerk

Approved on _____