

ADMINISTRATIVE MEETING

July 8, 2015

4:00 p.m. to 6:00 p.m.

Room 326

AGENDA

1. **Call to order, introductions, opening comments**
2. **June 24, 2015 Administrative Meeting summary**
3. **Commission comments, questions**
 - Upcoming appointments
 - Discussion: Rededicate the Confederate Memorial Fountain
4. **City Manager's Report**
5. **Department discussions**
 - City Attorney**
 - Street Improvement Ordinance within Street Maintenance District
 - **Consensus Direction to Manager:**
 - Community Development**
 - Green Energy Loan Program
 - **Consensus Direction to Manager:**
 - Public Works**
 - Resolution of Intention to increase fares and charges for all customers of the City of Helena Transit System.
 - **Consensus Direction to Manager:**
6. **Committee discussions**
 - a) Audit Committee, City-County Board of Health, Civic Center Board, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns
– Mayor Jim Smith
 - b) Audit Committee, Board of Adjustment, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee
– Commissioner Dan Ellison
 - c) Non-motorized Travel Advisory Board, Transportation Coordinating Committee
– Commissioner Matt Elsaesser
 - d) ADA Compliance Committee, Business Improvement District/Helena Parking Commission, City-County Parks Board, Montana Business Assistance Connection
– Commissioner Andres Haladay
 - e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee
– Commissioner Haque-Hausrath
 - f) Helena Citizens Council
7. **Review of agenda for July 13, 2015 Commission meeting**
8. **Public comment**

City of Helena, Montana

9. Commission discussion and direction to City Manager

10. Adjourn

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(406) 447- 8490

TTY Relay Service 1-800-253-4091 or 711

citycommunitydevelopment@helenamt.gov

316 North Park, Avenue, Room 440, Helena, MT 59623

City of Helena, Montana

Confederate Memorial Fountain

The fountain was designed in 1916 by George H. Carsley, a Helena architect, and is made of Montana granite. The original cost of the fountain was \$2000. Dedication of the fountain took place on September 5th, 1916 at Hill Park and was donated by Helena's Winnie Davis Chapter of the Daughters of the Confederacy ("DOC").

- ❖ The Women's Park Association and the DOC had great involvement in the landscaping of Hill and Women's Parks reflecting the leading role of women in public service throughout Helena's history, and their commitment to the developing aesthetic and cultural institutions in Helena during the town's early years
- ❖ The DOC dedicated the fountain as "A Longing Tribute to Our Confederate Soldiers"
- ❖ Historian Ken Robison explains in his book *Montana Territory and the Civil War* that the DOC wanted to build a monument as a token to their new home and a way to symbolize the new relationship between the North and South. They saw it as a fitting memorial and a way to beautify Hill Park.
- ❖ 1997 the Helena Parks Department restored the old fountain. Restoration to the fountain included:
 - new pumps, timer, supply lines, replace drain pipes, planting fresh vegetation, and a new sidewalk design
- ❖ Received a Historical Preservation Award in 1998 after restoration
- ❖ The fountain is on the National Register of Historic Places under the Helena Historic District
- ❖ One of the Northernmost Monuments of the Confederacy
- ❖ The design of the fountain was inspired by the Butt-Millett memorial fountain dedicated to two victims of the Titanic, who gave up their life preservers to women
- ❖ Design
 - The fountain has two basins with drinking fountains on the north and south side of the monument.
 - The upper basin has an octagon shaft that is inscribed with who dedicated the fountain
 - The upper basin has four bronze spouts that pour from the octagon shaft into the upper basin, which spills to the lower
 - There is a bronze lantern that sits atop the octagon shaft. The height of the fountain is about 9 feet.

July 2, 2015

TO: Ronald J. Alles, City Manager

FROM: Thomas J. Jodoin, City Attorney 

Subject: Consider first passage of an ordinance to provide and pay for street improvements within the existing Street Maintenance District No. 1 by amending Chapter 7 of Title 8 of the Helena City Code.

Present Situation: Section 7-1-8 of the Helena City Code established the existing Street Maintenance District No. 1 that encompasses the entire city. That ordinance was adopted in 2004 pursuant to the authority granted in §7-12-4401, MCA. Because the provisions of city code only include street maintenance, state law does not allow street maintenance district funds to be used on street improvements within the street maintenance district. However §§7-12-4405 and 7-12-4428 MCA, specifically authorized the expenditure of street maintenance district funds on street improvements within the district if the city commission adopts an ordinance for that specific purpose.

Proposal: Adopt an ordinance that specifically authorized street maintenance funds to be used to fund street improvements within Street Maintenance District No. 1.

The ordinance must go through the city's normal process of first passage (or "reading") which sets a date for a public hearing and final passage. However, state law does allow protest by owners of property within the district before final passage of the ordinance. The following are the three scenarios that would prevent the commission from acting on final passage of the proposed ordinance to include street improvements in Street Maintenance District No. 1. The protests must be in writing and be filed by:

1. Owners of property within the district having a taxable valuation, when aggregated, representing not less than 50% of the total taxable valuation of the property within the district;
2. At least 50% of the owners of property within the district; or
3. Owners of property within the proposed maintenance district having projected assessments, when aggregated, representing not less than 50% of the total projected assessments for property within the district.

Unlike special districts, the city clerk does not need to send out protest cards. Rather, notice of the introduction of the proposed ordinance and the time for public comment and final adoption simply needs according to normal notice procedures in §7-1-4127, MCA.

The commission would not need to consider and approve the assessment rate for the Street Maintenance District No. 1 during this ordinance process. Instead that would be determined during the annual assessment resolution process.

City of Helena, Montana

Objective: Authorize street improvements within the citywide street maintenance district to be funded by street maintenance district funds.

Advantage: Provides the city with a reliable and independent source of revenue for improving failed streets within the city.

Notable Energy Impact: None noted.

Disadvantage: None noted.

Notice of Public Hearing: N/A

Recommended Motion: Move to APPROVE first passage of an ordinance providing and paying for street improvements within Street Maintenance District No. 1 by amending Chapter 7 of Title 8 of the Helena City Code, and set a public hearing date of _____, 2015.

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 7-1-8 OF THE
HELENA CITY CODE TO PROVIDE AND PAY FOR STREET IMPROVEMENTS
WITHIN STREET MAINTENANCE DISTRICT NO. 1

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA that Section 7-1-8 of the Helena City Code is hereby amended
by adding the following:

7-1-8: **STREET MAINTENANCE AND IMPROVEMENTS:**

A. The city's method of providing maintenance and improvements in
street maintenance districts is as follows:

1. Maintenance and improvements may be accomplished by city
employees, through contract for services by outside parties,
or any combination thereof.

2. City may purchase, rent, lease, or borrow any equipment
necessary to perform the maintenance and improvements.

3. City may procure necessary materials, supplies, or other
goods necessary to perform the maintenance and improvements.

4. Maintenance and improvements consists of any of the
tasks, and repairs, and improvements defined by Sections 7-12-
4401 and 4405, Montana Code Annotated, as being appropriate
for street maintenance and improvements.

5. The level and types of maintenance and improvements are
determined in accordance with priorities established by the

ORDINANCES OF THE CITY OF HELENA, MONTANA

Ord. _____

- city and to the extent of the availability of adequate
- B. The city's method of paying for street maintenance and improvement costs will be an assessment against all assessable real property within the city that receives the benefit of the maintenance or improvement. The assessment will be based upon an assessment option or combination of options provided for by Section 7-12-4422, Montana Code Annotated, for street maintenance and improvement assessments. The improvement costs may be assessed in a single year, assessed over multiple years to match project completion timing, or assessed over multiple years for scheduled debt payments incurred to finance the improvements. The selected assessment methodology and the assessment rate will be set annually by resolution adopted by the city commission.
- C. During the annual budget development as provided in Title 7, Chapter 6, Part 40, Montana Code Annotated, street maintenance district improvements shall be determined, listed, and included in the Street Maintenance and Improvement District
- D. Any remaining improvement budget may be carried over from year to year as necessary for the completion of the improvements.

ORDINANCES OF THE CITY OF HELENA, MONTANA

Ord. _____

EE. No change. (Ord. 2993, 6-21-2004; amd. Ord. _____, ___-___-2015)

FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,
THIS _____ DAY OF JULY 2015.

MAYOR

ATTEST:

CLERK OF THE COMMISSION

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS _____ DAY OF _____, 2015.

MAYOR

ATTEST:

CLERK OF THE COMMISSION

July 2, 2015

TO: Ron Alles, City Manager

FROM: Thomas Jodoin, City Attorney *TJ*
Glenn Jorgenson, Acting Administrative Services Director
Sharon Haugen, Community Development Director *AJ*

Subject: Green Energy Loan Program

Present Situation: The above-referenced subject has been briefly discussed in the context of allocating the telecommunications tax settlement funds during the FY2016 budget process. \$200,000 has tentatively been "allocated" to fund a loan program where the city would loan funds to property owners within the city for the purposes of installing "green" infrastructure on their property.

We have developed the attached outline of the various "decision points" for the commission to consider in developing a "green" energy loan program. The main issues to be decided can be distilled down to the following:

- Who is eligible for a loan?
- What projects can the loan funds be used for?
- How to secure the city' interest in the repayment of the loan?
- Terms of the loan?

Objective: In light of the above, our objective is to secure guidance on these "decision points" so that staff can begin to develop the administrative procedures necessary to implement the loan program once funds are formally allocated. This guidance will inform city staff as to what additional work will be needed with respect to this particular policy issue.

City of Helena, Montana

City of Helena Revolving Loan Program

Who is eligible for a loan?

Criteria for loan eligibility

1. Must own real property with improvements in the City limits of Helena _____
2. Can be single family _____
Can be multifamily _____
Can be commercial _____
3. Can be existing _____
Can be new construction _____

What can the loan funds be used for ?

1. Purchase of photo voltaic systems _____
 - a. Equipment _____
 - b. Installation _____
 - c. Permits _____
 - d. Structural changes to home _____
2. Purchase of Geo thermal/Ground source heat pump _____
 - a. Equipment _____
 - b. Installation _____
 - c. Permits _____
 - d. Structural changes to home _____
3. Greywater systems _____
 - a. Equipment _____
 - b. Installation _____
 - c. Permits _____
 - d. Structural changes to home _____
4. Other _____

What Loan Security/Other Security must I offer?

1. first mortgage or a junior position on a home mortgage, should the applicant have adequate equity in the home _____.
2. The installed alternative energy system components purchased through the program may be acceptable loan security with a lien on the equipment _____
3. None _____.
4. Any payback provisions if house is sold before the end of loan _____
5. Assessment on tax bill _____

How long are the terms?

1. Loan terms are a maximum of ten years or may be adjusted to a shorter term _____
2. Other _____

What is the maximum amount of the loan?

1. Ten Thousand ((\$10,000)_____
2. Twelve Thousand (\$12,000)_____
3. Fifteen Thousand (\$15,000)_____

How is the application processed? (proposed)

1. Application is made to participate in the program by property owner
2. Once approved, property owner's installer presents plans, complete with contractor bid, to the City Building Division
3. Application is reviewed and approved and final cost is established
4. Property owner is notified of final cost and approves final cost
5. Upon approval; project is installed according to approved plans
6. Final inspection completed
7. Payment is made directly to contractor
8. Final amount of the loan is provided to Admin Services who places it on the tax bill for collection

Location	Eligible activity	Interest Rate	Term	Security	Process	Other	
State of Montana							
City of Boulder							
City of Aspen							
City of Pendleton							

Location	Eligible activity(ies)	Interest Rate	Term	Amount	Process	Security	Other
Haladay Proposal	Photovoltaic systems and possible solar panels for hot water and/or space heating	0%	10 years	Up to 12,000	<ol style="list-style-type: none"> 1. Property owner applies for program 2. Contractor presents plans to the City 3. Building Dept reviews and approves the plans and final cost is established 4. Property owner approves final costs 5. Upon plan approval, contractor installs the project 6. City pays the contractor directly 7. Final loan amount is applied to property tax bill 	If not paid Delinquent taxes (MCA 15-17-121)are a lien on real property	
State of Montana	Photovoltaic systems, solar panels for hot water and/or space heating small wind generators, small hydro plants biomass heating applicants and ground source heat pumps (and associated costs for installation)	3% (changes each year)	Up to ten years	Up to \$40,000	<ol style="list-style-type: none"> 1. DEQ analyzes the request, reviews the project's technical merit, and sends the application packet to the financial contractor for financial review. 2. DEQ's financial contractor, MBAC, analyzes credit and repayment history, debt-to-income ratio, and loan security. 3. The financial contractor recommends qualified applicants for loan approval to DEQ. 4. Technical aspects of the project are reviewed in greater detail by DEQ who approves applications that qualify both technically and financially. 5. MEPA requires a review of the proposed 	A first mortgage or a junior position on a home mortgage	

					<p>project's impact on surrounding environmental and cultural resources. This review will be provided by DEQ.</p> <p>6. Upon approval by the financial contractor and DEQ, qualified applicants are issued loan and security documents.</p> <p>7. Final loan documents are signed and MBAC deposits loan proceeds into the borrower's bank account.</p> <p>8 Borrowers are required to keep records of expenditures and to document phases of construction and installations. Photographic records are required.</p> <p>9. Loan payments are made to MBAC and returned to DEQ to revolve out to new loans.</p>	Lien on property	(loans offered thru a local credit union, loan loss reserves provided thru a DOE grant)
Boulder Co CO City of Denver	Solar Photovoltaic, solar hot water , geothermal	Starting at 2.75%	36, 60,64, 120, or 180 month term	Minimum loan \$500	<ol style="list-style-type: none"> 1. Enroll in local program 2. Apply for the loan thru local credit union 3. Obtain bids and select a contractor 4. City/County approves scope of work 5. After approval, contractor approves work 6. Approved contractor submits Lien Waiver to credit union certifying work 7. Loan closes and applicant gets the funds 		

Energy Smart Colorado Eagle, Garfield, Gunnison, Pitkin and Lake Counties	solar electric systems homeowners energy efficiency improvements for homeowners	Fixed rate 3.75% up to 8.5% (based on FICO score and term)	Loans < \$7500 7 yrs Loans . \$7500 10 years	Minimum \$1000 Maximum \$25,000	<ol style="list-style-type: none"> 1. Apply for financing (loan application) 2. Work with contractor to design an eligible project scope of work and submit with closing documents 3. Once work is complete , verification of completion and contractor is paid 	Loan amounts in excess of \$15,000 to be secured by a deed of trust.	Loan amount, combined with all other mortgage obligations may not exceed 115%
City of Pendleton	Solar electric (PV- photovoltaic) and solar water heating systems	0%	4 yrs	Maximum \$9000	<ol style="list-style-type: none"> 1. Get a free solar site assessment from your choice of contractors 2. Schedule a free Home Energy Review with Energy Trust 3. Submit an application for a City of Pendleton interest-free solar loan 4. Sign your contract with the chosen contractor who will coordinate permits, equipment purchases, the installation schedule and inspections 5. System gets installed 	Lien placed on the property	For commercial the loan amount is equal to the Federal Tax credit to be received maximum amount \$75,000
Helena Sidewalk Program	ADA ramps, driveway approaches on public ROW	0%	10 yrs	Actual amount of project	<ol style="list-style-type: none"> 1. Property owner signs application 2. Staff does inspection with property owner to determine scope of work 3. Property owner is presented with preliminary estimate (plus 10%) 4. Property owner signs estimate 5. City hires contractor and does project 6. Actual costs is given to Admin services to place on property tax bill 	If not paid Delinquent taxes (MCA 15-17-121)are a lien on real property	Only listed program that has improvement installed on public right of way

L & C County Septic Program	Costs associated to repair or replace failed septic system including connection to a municipal sewer system	3%	10 years or may be adjusted to a shorter term	Maximum \$10,000	<ol style="list-style-type: none"> 1. Applicant makes request 2. Request is analyzed technically by the I & C Environmental Health Dept and then application is sent to MBAC for financial review and approval 3. MBAC evaluates financial information recommends approval or denial 4. Health Dept makes final determination 5. Approval is given and final documents are signed 6. Certified install, upon completion and approval of system submits itemized statement to MBAC 7. MBAC pays installed directly 8. Installations will be documented to assure that loan funds are proposed 	First or second mortgage on property
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Memo

To: Ronald J. Alles
From: Sharon Haugen, Director
CC: File
Date: July 1, 2015
Re: Sustainable Loan Program

The City Commission has expressed interest in establishing a loan program so that individual property owners can invest in photovoltaic systems, solar panels for hot water and or space heating, and other renewable energy improvements or other improves that would be considered sustainable such as grey water systems. This proposal is intended to encourage Helena citizens in making energy efficiency improvements to these homes and to create an environmental in the community that encourages this and other sustainable practices. This program, along with the incentives for solar panels as they relate to the building permit process and the improvements that the city has made to its own facilities shows Helena's commitment to providing a sustainable community for its current and future citizens.

Other communities have conducted similar programs. The State of MT DEQ has a similar program that ran by the MBAC. There are no other programs similar programs ran by any other MT city at this time. I have put together some information for the commission to consider as they are making decisions regarding the best options for moving ahead with this program. I have included a table that compares similar programs to the one that has been currently prosed by the Commission. I also included information about the sidewalk program and the County's septic program as comparisons of loan program ran by City and the County. I have also enclosed a decision sheet that is intended to help further discussions better refine the program so that we could move forward with implementation, should it be adopted. At the end of this is memo are some links regarding some of the programs ran by other local governments and others that also provide further information and description of other program.

If the Commission decides to move forward with the program and with the discussion concerning the perimeters for the program, staff will be able to finalize all the elements of the program and move forward with its implementation when appropriate.

<http://www.deq.mt.gov/Energy/Renewable/altenergyloan.mcpx>

<http://ilsr.org/wp-content/uploads/files/ilsr%20-%20municipal%20energy%20financing.pdf>

<http://www.nrel.gov/docs/fy14osti/61936.pdf>

<http://swenergy.org/publications/documents/Innovative%20Local%20EE%20Projects%20in%20the%20Southwest.pdf>

<http://aspencore.org/energy-improvements/financial-assistance>

<http://www.bouldercounty.org/env/sustainability/pages/cslp.aspx>

<http://pendleton.or.us/energy/solarize>

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. _____

A RESOLUTION OF INTENTION TO INCREASE FARES AND CHARGES FOR ALL CUSTOMERS OF THE CITY OF HELENA TRANSIT SYSTEM

WHEREAS, Transit customers pay fares for bus services that contribute toward covering the costs of providing those services; and

WHEREAS, fare increases are necessary to adjust for inflation in the cost of providing this service; and

WHEREAS, it appears to be in the best interests of the City of Helena and the inhabitants thereof that the fares and charges imposed upon transit customers be increased.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. It is the intention of the Helena City Commission to consider increasing fares and charges imposed upon all transit customers to cover current costs of providing such services or equipment.

Section 2. The new proposed charges are shown in the following table:

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Res. No. _____

<u>Type of Charge</u>	<u>Current Charges</u>	<u>Proposed Charges</u>
One-Way Fares:		
Age 6 and Under	Free	Free
Fixed Routes	\$0.85	\$1.00
ADA Para-Transit (In advance)	\$0.85	\$2.00
ADA Para-Transit (same day)	\$0.85	\$4.00
* ADA Para-transit eligible customers ride fixed route for free with eligibility card.		
One-Way Passes:		
10 Punch Pass	\$0.00	\$10.00
20 Punch Pass	\$0.00	\$20.00
30 Punch Pass	\$0.00	\$30.00
All Day Fixed Route Pass	\$0.00	\$3.00
One-Way Tokens		
Tokens (Usable on all services)	Various	\$1.00
Monthly Per Bus Advertising Rates		
Interior/Exterior (Per Sq Ft)	Various	\$10.00

Section 3. A public hearing on this resolution of intention will be held on the 24th day of August, 2015, at 6:00 p.m. in the Commission Chambers at the City-County Building, 316 North Park Avenue, Helena, Montana, so that all interested parties may appear and express their opinions of approval or disapproval.

Section 4. Notice of the passage of this Resolution of Intention shall be given by publishing as required in §69-7-111, MCA. The City Clerk is authorized and directed to make publication of this Resolution of Intention in the Independent Record, the official newspaper of the City of Helena.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Res. No. _____

**PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS
27th DAY OF JULY, 2015.**

MAYOR

ATTEST:

CLERK OF THE COMMISSION