

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
May 23, 2011
6:00 P.M.

- Time & Place** A regular City Commission meeting was held on Monday, May 23, 2011 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.
- Members Present** Mayor Smith indicated for the record that Commissioners Cartwright, Ellison, Thweatt and Elsaesser were present. City Manager Ron Alles, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present. Others present were Roy Henry representing the Helena Citizens Council.
- Pledge of Allegiance** Mayor Smith asked those persons present to please stand and join him in the pledge of allegiance.
- Minutes** The minutes of the regular City Commission meeting of May 9, 2011 were approved as submitted.
- Proclamation** PROCLAMATION:
A. Buddy Poppy Week
- Mayor Smith read the proclamation designating May 23-29, 2011 as Buddy Poppy Week. Former Commissioner Tom Pouliot and Ms. Shirley Pouliot accepted the proclamation and spoke of the history and importance of buddy poppies.
- Consent Agenda** CONSENT AGENDA:
A. Claims
B. Final passage of Ordinance No. 3144 amending City of Helena Ordinance No. 2359 and amending the official zoning map, for a zone change from CLM (Commercial Light Manufacturing) District to B-2 (General Commercial) District **Ord #3144**
C. Acceptance of the April pledged collateral report
D. Selection of General Contractor Construction Manager for the MRTP Project
- City Manager Ron Alles recommended approval of the claims and the consent agenda.
- Public Comment** Mayor Smith asked for public comment, none was received.
- Motion** **Commissioner Ellison moved approval of items A through D on the consent agenda.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried.
- Communications** COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Cartwright referred to another raid on a local medical marijuana provider. He stated he knew no industry is made up entirely of angels so he had no comment on this specific case, but he encouraged the Department of Justice to spend as much time investigating and prosecuting the banking industry after what it did to the economy.

Commissioner Elsaesser spoke of attending events for Serve Montana Day as part of Americorps Week. He announced the grand opening of the HATS Facility will be held on Wednesday, May 25, 2011 at 10:00a.m.

Mayor Smith spoke of participating in many ceremonial/ambassadorial events recently, such as the AFL-CIO convention, Rocky Mountain Development Council All Staff Day, Global Youth Service Day and AERO convention. He announced there will be a Memorial Day ceremony at the Veterans Memorial in Memorial Park at 3:00p.m. on Monday, May 30, 2011.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

Mayor Smith asked for an update on issues related to permitting coffee kiosks. Attorney Nielsen reported a letter was sent to the concerned parties late last week addressing their questions and concerns.

Report of the City Manager

REPORT OF THE CITY MANAGER

Manager Alles reported the Sanders Street project is moving along and should be complete by the end of June. Also, the LeGrande Cannon Project is underway and will be active over the next month and a half.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member Roy Henry reported the HCC approved the MOU for the HCC/City Board & Committee Integration proposal. The next HCC meeting is this Wednesday, May 25, 2011 at 7:00p.m.

Public Hearings

PUBLIC HEARINGS:

- A. CONSIDER A RESOLUTION ANNEXING CONTIGUOUS GOVERNMENT PROPERTY BEING A PORTION OF THE FULL WIDTH OF BENTON AVENUE INTO THE CITY OF HELENA.

Staff Report

City Planner Dustin Ramoie reported the City of Helena wishes to annex a portion of the Benton Avenue right-of-way (ROW) to better facilitate emergency services, provide contiguous roads and access to properties in the City of Helena, and to provide consistency in the city's boundary. For the City of Helena to consider annexation of contiguous government land, the owner of the property to be annexed must request annexation. The Helena City Commission passed Resolution #19825 on April 25th, 2011, which was a resolution of intent to annex the described ROW.

Mr. Ramoie recommended approval of the resolution of annexation and noted it is consistent with city policy.

Public Testimony

Mayor Smith declared the public portion of the hearing open and called for any persons wishing to address the Commission.

There being no persons wishing to address the Commission, Mayor Smith closed the public hearing.

Motion

Commissioner Elsaesser moved approval of a resolution annexing the full width of a portion of Benton Avenue into the City of Helena as shown on Exhibit A. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19829**

- B. CONSIDER A RESOLUTION ANNEXING CONTIGUOUS GOVERNMENT PROPERTY BEING THE FULL WIDTH OF PORTIONS OF WOODWARD AVENUE, COONEY DRIVE, BLAINE STREET, BILLINGS AVENUE, AND 20TH STREET RIGHTS-OF-WAY INTO THE CITY OF HELENA.

Staff Report

City Planner Dustin Ramoie reported the City of Helena wishes annex the above listed rights-of-way (ROW) to better facilitate emergency services, provide contiguous roads and access to properties in the City of Helena, and to provide consistency in the city's boundary. For the City of Helena to consider annexation of contiguous government property, the owner of the property to be annexed must request annexation. Lewis & Clark County passed Resolutions #2011-50, #2011-51, #2011-52 and #2011-53 requesting the annexation of portions of Woodward Avenue, Cooney Drive, Blaine Street, Billings Avenue and 20th Street. Also, the City Commission passed Resolution #19826 on April 25, 2011, which was a resolution of intent to annex the described ROW.

Mr. Ramoie recommended approval of the annexation and noted it is consistent with city policy.

Public Testimony

Mayor Smith declared the public portion of the hearing open and called for any persons wishing to address the Commission.

There being no persons wishing to address the Commission, Mayor Smith closed the public hearing.

Motion

Commissioner Thweatt moved approval for a resolution annexing the full width of portions of Woodward Avenue, Cooney Drive, Blaine Street, Billings Avenue, and 20th Street into the City of Helena, as shown on Exhibit A. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19830**

Public Communications

PUBLIC COMMUNICATIONS

No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST

The next Commission Meeting is June 13, 2011. Budget Work Sessions will be held on May 25, June 1, June 6 and June 8, 2011. The City/County Joint Work Session is scheduled for June 2, 2011.

Commissioner Cartwright noted some of the budget meetings to be held after June 1st may be rescheduled.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:33 p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission

