

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
April 19, 2004
6:00 P.M.

Time & Place

A regular City Commission meeting was held on Monday, April 19, 2004, at 6:00 p.m., in the Old Supreme Court Chambers, Room 303, State Capitol Building.

Members Present

Mayor Smith indicated for the record that Commissioners Oitzinger, Cartwright, Parriman, and Pouliot were present. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Jacki Pierson were present. Others present were Anne Pitchette representing the Youth Advisory Council and Jerry Hutch 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, April 5, 2004 were approved as submitted.

Appointment

APPOINTMENT:

- A. Civil Service Commission

Mayor Smith asked for commission concurrence for the following appointments:

Civil Service Commission

Jeff Miller – Reappointment

Motion

Commissioner Oitzinger moved approval of Jeff Miller for appointment to the Civil Service Commission. Commissioner Parriman seconded the motion. All voted aye, motion carried.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Second passage of Ordinance #2990 – amending Sections 1-4-10 of the Helena City Code to correctly show new boundaries of the Helena Citizens Council Districts.
- C. Second passage of Ordinance #2991 – amending Sections 11-23-2, 11-23-9 and 11-23-10 of the Helena City Code regarding temporary signs and the regulation of signs in Residential Zoning Districts.

City Manager Tim Burton recommended approval of the claims.

Public Comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Parriman moved approval of items A through C on the consent agenda. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Mayor Smith extended his thanks to the State of Montana, Department of Administration, and to Facilities Manager Doug Olson for making these chambers available to the city of Helena.

Commissioner Pouliot stated he noticed this past weekend how many people were enjoying the What Dreams May Come Fun Town, which was built last September, he thanked everyone involved and that it was much needed for the community.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

City Attorney David Nielsen reported on ex-parte communications and stated he was comfortable with the commission's actions, during the last city commission meeting, when Mayor Smith and Commissioner Parriman disclosed they had spoke to specific developers related to the CUP agenda item.

Report of the City Manager

REPORT OF THE CITY MANAGER

City Manager Tim Burton thanked the State of Montana for accommodating the city's needs for a meeting room while the Commission Chambers are under remodeling. He also mentioned he received a call from the Chief Justice of the Montana Supreme Court and she on behalf of the court extended the use of the Montana Supreme Court Chambers free of charge.

HCC Communications

HELENA CITIZENS COUNCIL COMMUNICATIONS

HCC member Jerry Hutch had no report but mentioned the next regular scheduled HCC meeting is Wednesday, 7:00 p.m. in room 326 in the City/County Building.

Charles Van Hook Wetlands

CONSIDER A RECOMMENDATION FROM OSBAC AND THE CITY-COUNTY PARKS BOARD TO NAME AN OPEN SPACE ACQUISITION THE CHARLES VANHOOK WETLANDS

Staff Report

Parks Superintendent Rich Lynd reported on February 1, 2002 the city of Helena acquired a 2.7-acre parcel of land near the Lewis & Clark County Fairgrounds. The land was acquired with funds from the Open Space Bond, and contributions from the Last Chance Audubon Society, the Montana Audubon society, the Mikal Kellner Foundation, the Prickly Pear Land Trust, and an anonymous private donor. The land was acquired for its value as a natural wetland.

In consideration for all the efforts that Mr. Charles Van Hook has done in the Helena area, as well as, Montana to educate us about the value of wetlands and efforts to preserve them, OSBAC voted unanimously to recommend to the City-County Parks Board and the city commission to name the wetland, the Charles Van Hook Wetland.

Mr. Lynd recommended approval of the recommended motion.

Public Comment

Mayor Smith asked for public comment.

Tom Palmer, 1913 Flowerree, explained Charles Van Hook is legendary for his attempts to get people to preserve wetlands across Montana and he should be acknowledged for his efforts.

Kathy Van Hook, thanked the commission for its consideration of this proposal.

Discussion Commissioner Oitzinger stated she would not have expected any less from the husband of Kathy Van Hook and expressed the esteem that this community has for Charles Van Hook regarding the wetland issues.

Motion Commissioner Oitzinger moved to approval the naming of the 2.7-acre parcel of land legally described as Lots 5 through 21 and 29 through 28, Block 7 in the Woodlawn Park Addition, Section 13, T10N, R4W in Lewis & Clark County, Montana as the Charles van Hook Wetland. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

Library Parking CONSIDER THE RELEASE OF ADDITIONAL FUNDING FOR THE LEWIS & CLARK LIBRARY AREA PARKING IMPROVEMENTS

Staff Report Community Facilities Director Gery Carpenter reported the city commission approved this project for the Lewis & Clark Library Area Parking Improvements in Ordinance #2963 at a funding level of \$250,000.00 and released \$50,000.00 in Resolution #11987 for development of project plans. The remaining \$200,000.00 of project funding is contingent upon the availability of tax increment funds. The bids were opened for the remodel of the Lewis & Clark Library on November 4, 2003. Wadsworth Builders from Great Falls was the low bidder with a total bid of \$1,289,687.94. This includes the cost for the Civil Engineering work (parking lot and Park Avenue) of \$149,387.94. the Civil Engineering fees are \$42,000.00, which together with the bid cost shows the parking lot portion of this project at a budget of \$191,387.94. Due to current weather conditions this work is now moving forward.

Mr. Carpenter recommended approval of the recommended motion.

Public Comment Mayor Smith asked for public comment, none was received

Motion Commissioner Pouliot moved to acknowledge the satisfaction of conditions and, therefore, release previously authorized funds in the amount of \$150,000 for the Lewis & Clark Library Area Parking Improvements Project. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

Public Communications PUBLIC COMMUNICATIONS
No report given.

Meetings of Interest MEETINGS OF INTEREST
Mayor Smith stated the next Administrative Meeting would be held on April 28, 2004 at 4:00 p.m. in room 326 at the City/County Building and the next regular City Commission Meeting would be held on May 3, 2004 at 6:00 p.m. in the Old Supreme Court Chambers, room 303, State Capitol Building. He also mentioned the 5th meeting to discuss the improvements on the pedestrian mall, scheduled for April 21, 2004, 6:00 p.m. at the Civic Center ballroom.

City Manager Tim Burton stated this Thursday at 4:00 p.m. the city commission will meet in joint session with the Lewis & Clark and Jefferson counties to discuss a project implementation for the I-15 record of decision regarding those projects, as well as, discuss the engagement

at the Transportation Commission Meeting on April 27, 2004 in Butte, Montana.

Commissioner Pouliot announced the public meetings concerning the Helena Area Transportation Plan. The updated plan will be called the "Greater Helena Transportation Plan", once it is completed. The first meeting will be held April 22, 2004 at 7:00 p.m. at the Civic Center and the second meeting will be held at April 28, 2004 at 7:00 p.m. at Jim Darcy School.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:30 p.m.

Mayor Smith

ATTEST:

CLERK OF THE COMMISSION