

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
March 8, 2010
6:00 P.M.

Time & Place A regular City Commission meeting was held on Monday, March 8, 2010 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 Bonnie O'Neill representing the Helena Citizens Council.

Pledge of Allegiance Mayor Smith asked the members of Boy Scout Troop #208 to lead those persons present in the pledge of allegiance.

Minutes The minutes of the regular City Commission meeting of February 22, 2010 were approved as submitted.

Appointments APPOINTMENTS:
A. Non-motorized Travel Advisory Council

Mayor Smith asked for Commission concurrence on the following appointments:

Non-motorized Travel Advisory Council – Reappointment of Greg Olson to the Non-motorized Travel Advisory Council; term will begin upon appointment and expire March 13, 2013.

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

Motion Commissioner Cartwright moved approval of the appointment to the Non-motorized Travel Advisory Council as outlined above. Commissioner Thweatt seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Utility bill insert – Prickly Pear Land Trust
C. Cooperative Weed Management Agreement between the City of Helena and Lewis and Clark County

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 C on the consent agenda. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

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| Communications | <p>COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS</p> <p>Commissioner Elsaesser spoke in support of consent agenda Item C.</p> <p>Commissioner Cartwright spoke of a recent trip to Vancouver, British Columbia.</p> <p>Mayor Smith acknowledged the passing of Dave Duensing, longtime owner of the Parrot Confectionary.</p> |
| Report of the City Attorney | <p>REPORT OF THE CITY ATTORNEY</p> <p>No report was given.</p> |
| Report of the City Manager | <p>REPORT OF THE CITY MANAGER</p> <p>City Manager Alles reported the city's deer reduction program was completed this morning.</p> <p>Pat McKelvey, Tri-County FireSafe Working Group, presented the Commission and city staff with the Dedicated Community Award from FireSafe Montana. The Commission thanked staff for their work with wildland/urban interface and fuel hazard reduction.</p> |
| Report from the Helena Citizens Council | <p>REPORT FROM THE HELENA CITIZENS COUNCIL</p> <p>HCC Coordinator Bonnie O'Neill reported the HCC's Neighborhood Fair will be held March 24, 2010 at 6:00p.m. at the Civic Center. She announced the HCC's weekly segment on HCTV is available for viewing via the Helena Citizen's Council website.</p> |
| Public Hearings | <p>PUBLIC HEARINGS:</p> <p>A. CONSIDER A RESOLUTION VACATING THE FULL WIDTH OF AN ALLEY EAST OF LOTS 7-12 AND 29, AND WEST OF LOTS 19-27, ALL IN BLOCK 37 OF THE CENTRAL ADDITION NO. 2.</p> |
| Staff Report | <p>Public Works Director John Rundquist reported the applicant, First Interstate Bank, is requesting the vacation of an alley east of Lots 7-12 and 29 and west of Lots 19-27 in Block 37 of the Central Addition No. 2. Qwest, Bresnan, and Northwestern Energy all have existing utilities in the portion of the alley ROW proposed for vacation. All the utilities and the other property owner adjacent to the rest of the alley have been contacted and none have objections. The square footage of the alley to be vacated is 3,288, with the square foot value ranging from \$3.83 per square foot to \$7.50 per square foot for a total value of \$20,082.96. Vacation of this alley will provide some of the area necessary to construct a new First Interstate Bank building on the property.</p> <p>Director Rundquist recommended approval of the alley vacation as the city will receive revenue from the vacation and the bank will have enough property to install its parking area and drive-through facility.</p> |
| Public Testimony | <p>Mayor Smith declared the public portion of the hearing open and called for any persons wishing to address the Commission.</p> <p>Tim Bury, Morrison-Maierle Engineering, representing First Interstate Bank; requested the fee for the vacation be waived or possibly trading fill from the construction of the bank for use in the Centennial Park Project in lieu of the fee.</p> <p>There being no further persons wishing to address the Commission, Mayor Smith closed the public hearing.</p> |

Motion Commissioner Ellison moved approval of a resolution vacating the full width of the alley east of Lots 7-12 and 29 and west of Lots 19-27, all in Block 37 of the Central Addition No. 2.

Commissioner Elsaesser seconded the motion. All voted aye, motion carried. Res #19726

Commission comment Commissioner Cartwright stated he is hesitant to waive the fee as the Commission has not done it for anyone else and the nation is in tough economic times. For the city to give money to a bank with \$6.7 billion in assets would be hard to explain to the community. He indicated he would be interested in receiving the fee in value, such as fill, if it would result in savings for the Park's & Recreation Department budget.

Motion Commissioner Cartwright moved to require \$20,082.96 in value for the vacated alley. Commissioner Ellison seconded the motion.

Commission comment Commissioner Thweatt asked if the city would purchase fill for the Centennial Park Project. Director Rundquist stated yes. Commissioner Thweatt commented the city may want to purchase some fill from First Interstate Bank for Centennial Park but recommended keeping the transactions separate.

Motion withdrawn Commissioner Cartwright withdrew his motion; Commissioner Ellison withdrew his second.

Public Communications PUBLIC COMMUNICATIONS
No public communications were given.

Meetings of Interest MEETINGS OF INTEREST
The next Administrative Meeting is March 17, 2010 and the next Commission Meeting is March 22, 2010.
Commissioner Thweatt announced Plan Helena is holding a meeting on March 23, 2010 in the lobby of The Placer at 7:00p.m. regarding growth policies and how Lewis & Clark County and the City of Helena plan to cooperate to update both their growth policies.

Adjournment There being no further business to come before the Commission, the meeting was adjourned at 6:29p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission