

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
August 27, 2018 - 6:00 P.M.
City Commission Chambers, Room 330

Time & Place A regular City Commission meeting was held on Monday, August 27, 2018 at 6:00 p.m., in the City Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Collins indicated for the record that City Commissioners Farris-Olsen, Haladay, Noonan and O'Loughlin were present. City Attorney Thomas Jodoin, City Manager Dennis Taylor and City Clerk Debbie Havens were present.

Pledge of Allegiance Mayor Collins 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 August 13, 2018 and the Executive Summary of August 2, 2018 were approved as submitted.

Board Appointments BOARD APPOINTMENTS:
A. City-County Planning Board, Heritage Preservation & Tourism Council and Helena Housing Authority.

Mayor Collins recommended the following appointments:

Appointment of Patricia Dean as a city representative on the Planning Board. Unexpired term will begin upon appointment and expire September 2, 2020.

Appointment of Thomas O'Connell as the joint member on the Heritage Preservation and Tourism Council. First term will begin upon appointment and expire June 30, 2021.

Reappointment of Lanessa Littrell as a resident representative on the Helena Housing Authority. First term will begin upon appointment and expire August 2, 2020.

Public Comment Mayor Collins asked for public comment, none was received.

Motion **City Commissioner Haladay moved approval of the board appointments as outlined above.** City Commissioner Noonan seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Consider a resolution to designate the new HB473 Gas Tax Funds to the Front Street Project. **Resolution 20470**
C. Acceptance of FY17 FEMA, S.A.F.E.R. Program Grant for firefighters in the amount of \$811,410.

City Manager Taylor recommended approval of the claims and the consent agenda.

City Commissioner O'Loughlin asked what percentage of the Front Street project will be funded through the gas tax funds. Manager Taylor stated he will have to get the information to the City Commission. He spoke of the increase in gas tax that was approved last legislative session.

Public Comment Mayor Collins asked for public comment, none was received.

Motion **City Commissioner O'Loughlin moved approval of Items A - C on the consent agenda.** City Commissioner Haladay seconded the motion. All voted aye, motion carried.

Communications From City Commissioners COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS
City Commissioner Noonan recognized nine new firefighters have been hired and thanked everyone involved in writing the SAFER grant. Mayor Collins echoed the comments.
City Commissioner Haladay referenced a draft letter he is recommending be sent to the Helena-Lewis & Clark National Forest.
City Commissioners Farris-Olsen, Noonan and O'Loughlin concurred to send the letter. Mayor Collins will review the letter and let the City Commission know of his concurrence by Friday, August 31st.

Report of the City Attorney REPORT OF THE CITY ATTORNEY
City Attorney Jodoin spoke on the request for the City of Helena to file an Amicus Curiae Brief from the Montana Environmental Information Center and Sierra Club v. Montana Department of Environmental Quality and Western Energy Company.
Attorney Jodoin noted the brief is due September 9 and his office is not able to handle the request and there is not time to hire outside counsel. He does not believe this could be accomplished prior to the deadline.
City Commissioner Haladay noted he received a call today stating the Montana Environmental Information Center is no longer interested in pursuing their request. He asked staff to follow-up and report back to the City Commission.

Report of the City Manager REPORT OF THE CITY MANAGER
City Manager Taylor reminded the Commission tour on August 29th at 2:00 p.m.

Report from the Helena Citizens REPORT FROM THE HELENA CITIZENS COUNCIL
No report given.

Regular Items A. CONSIDER A RESOLUTION PROVIDING FOR THE ANNUAL TAX LEVY IN MILLS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019.

Staff Report Budget Manager Libbi Lovshin reported the City is required by 7-6-4036, MCA to fix the tax levy by the later of the 1st Thursday in September (9/6/18) or within 30 calendar days after receiving certified taxable values. Certified taxable values were dated August 2, 2018. September 1, 2018 is 30 days after receipt of certified taxable values. Therefore the later tax levy deadline is September 6, 2018. Newly taxable property growth was 2.55% last year and is 3.24% this year.
Under 2-9-212, MCA, Group Health Insurance tax levies may include annual increases for insurance premiums and are not subject to the general purpose mill levy calculation limitations provided for in 15-10-420, MCA. The FY 2019 budget provides for \$1,900,031, or 28.08 mills, to be levied for group health insurance premiums for tax year 2018 for FY 2019, which includes \$70,074 for a premium increase as allowed under 2-9-212, MCA; 7.94 mills for the General Obligation Debt 2008 GO Parks & Rec; 126.46 mills for the Limited General Levy and 7.25 mills for the Fire Department Supplemental Levy for a total of 169.73 mills.

The FY 2019 budget provides for the full authorized tax levy to be levied.

Budget Manager Lovshin recommended approval of the resolution providing for the annual tax levy in mills for the fiscal year beginning July 1, 2028 and ending June 30, 2019.

Public Comment

Mayor Collins called for public comment, none was received.

Motion

City Commissioner O'Loughlin moved approval of a resolution providing for the annual tax levy in mills for the fiscal year beginning July 1, 2028 and ending June 30, 2019, with the Fire Department Supplemental Levy to be 7.25 mills and the total mills be 169.73 mills. City Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution 20471**

- B. CONSIDER A RESOLUTION OF INTENTION TO ANNEX AND INCORPORATE WITHIN THE BOUNDARIES OF THE CITY OF HELENA THE WHOLLY SURROUNDED AREA EAST OF GRANITE STREET, SOUTH OF HIGHWAY 12 WEST AND GENERALLY WEST OF THE EXISTING CITY LIMITS AND THE ANNEXATION PLAN FOR THE AREA.

Staff Report

Director Haugen reported on December 19, 2016, the City Commission passed a Resolution 20324 annexing contiguous government property, that being portions of Granite Avenue, Cannon Street, and Hiawatha Street into the City of Helena, Montana. The main purpose of the annexation was to accommodate the installation of city water and/or wastewater into those streets to better serve and develop the area. This installation was done as part of the implementation of the Westside Infrastructure Plan.

At the July 11, 2018, city staff reviewed the Annexation Plan for Extension of Services developed in conjunction with the consideration of the annexation of the wholly surrounded properties. On July 16, 2018, the Helena Commission approved final passage of an ordinance rezoning this property to R-2 (Residential); R-O (Residential Office); and B-2 (Commercial) zoning districts, a requirement prior to annexation.

The subject properties for this annexation are designated as "Mixed Use" and "Urban" on the future land use map in the 2011 Growth Policy. The Growth Policy also identifies the Westside as an area that should be a focus of the City's annexation efforts. This property is also located within the Urban Services boundary and those areas have been given a priority for consideration of annexation and the extension of city services. A portion of the land being considered under this annexation is the area that will be benefited from the infrastructure project funded in part by the TSEP grant recently awarded to the City.

A service plan has been prepared to assist the City Commission in determining whether the City is able to provide city services. In addition to the current sewer services, municipal police protection, fire protection, street maintenance, and other municipal services to the property to be annexed on substantially the same basis and in the same manner as such services are provided within the rest of the municipality. That service plan is being considered for adoption as part of the resolution of Intent actions.

For the city of Helena to consider annexation of property under Montana Code Annotated § 7-2-4501, Annexation of Wholly Surrounded Land, the land to be annexed must be surrounded by the municipality. In this instance the entire area to be annexed is wholly surrounded on all

sides by the city of Helena. Also, according to § 7-2-4502, there is not a protest provision available to the property owners. Once intention to annex is established, the City must give notice to the registered voters in the affected area as well as publish a notice. In addition to all of the registered voters in the proposed area, the affected property owners will also be notified after the adoption of the resolution of intention to annex. The City will take written comments for a period of 20 days after first publication of the notice to the voters and the property owners within the affected area. After the 20-day notification period expires, the City Commission will hold a public hearing and consider the adoption of a resolution approving the annexation. It is proposed that the annexation will have an effective date of December 1, 2018.

The purpose of the project is to gain approval of a resolution of intention to annex the wholly surrounded property east of Granite, as described in the resolution, and to set a public hearing date to consider the annexation of the same.

The annexation of this property would be consistent with the intent of the designation of the Urban Standards boundary in the 2011 Growth Policy and would allow for a more efficient manner of providing water and wastewater services to areas not currently served by the City. It would allow for more infill development by making currently vacant properties be served in a more effective manner with regard to these services. It would help to eliminate some septic systems in the area and would limit the need for others in the Helena area as a whole.

The annexation of this property would provide land for development in more efficient urban pattern and provide an opportunity to more effectively manage the infrastructure and systems and transportation network in the area. It would also provide the opportunity and space for the development of housing that could be developed in a denser pattern than would be developed when relying on septic tanks and wells.

The current property owners will see changes in their taxing structure and the assessment that they will be required to pay.

Director Haugen recommended approval of a resolution of intention to annex the wholly surrounded area east of Granite Street as legally described in the attached resolution, approve the Annexation Plan for Extension of Services for the area, and set a public hearing date for September 24, 2018.

Public Comment

Mayor Collins called for public comment. None was received.

Motion

City Commissioner Noonan moved approval of a resolution of intention to annex the wholly surrounded area east of Granite Street as legally described in the attached resolution, approve the Annexation Plan for Extension of Services for the area, and set a public hearing date for September 24, 2018. City Commissioner O'Loughlin seconded the motion. All voted aye, motion carried.
Resolution 20472

Public Hearings

PUBLIC HEARINGS:

- A. CONSIDER A RESOLUTION CREATING A TOURISM BUSINESS IMPROVEMENT DISTRICT FOR THE PURPOSE OF PROMOTING TOURISM WITHIN THE CITY OF HELENA, MONTANA.

Staff Report

Budget Manager Lovshin reported the City created the Tourism Business Improvement District (TBID) in April 2009. TBID's have a life of

10 years according to State law. There is not a specific renewal option in State law, but the TBID may be recreated for another 10 years at the will of the City Commission.

State law requires we receive petitions from owners of at least 50% of the total square foot of the district. The TBID staff collected petitions equal to 90.2% of the total square foot of the district as shown in Exhibit A.

The current TBID expires April 20, 2019. Staff wanted to recreate the TBID prior to assessments being put on the tax rolls this tax year to ensure the May 2019 payments could be collected and remitted to a legal entity. For instance, if the hotels protested out the recreation of the district we feel we would have to collect the funds assessed and due May 30th and return them as the current TBID would end in April.

Staff advertised twice and mailed notice to all hotels within the City limits that are not in an area zoned primarily residential. The hotels could submit protests if they did not want it created. There are three protest categories that can allow for the district to fail for at least one year. We could not receive protests from more than 50% of the owners, owners of more than 50% of the taxable value, or owners that pay more than 50% of the estimated assessments. We did not receive any protests.

Budget Manger Lovshin recommended approval of a resolution to create a Tourism Business Improvement District for the purpose of promoting tourism within the City of Helena, Montana.

Public Testimony

Mayor Collins declared the public portion of the hearing open and called for any public testimony.

TBID Board Chair Jim Tucker spoke in support of the resolution to re-create the TBID for another ten years. .

There being no further public testimony, Mayor Collins closed the public portion of the hearing.

Motion

City Commissioner Haladay moved approval of a resolution to create a Tourism Business Improvement District for the purpose of promoting tourism within the City of Helena, Montana. City Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried. **Resolution 20473**

- B. CONSIDER A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR THE BUSINESS IMPROVEMENT DISTRICT (BID) AND LEVYING AN ASSESSMENT ON ALL PROPERTY WITHIN THE DISTRICT FOR FISCAL YEAR 2019. **Resolution 20474**
- C. CONSIDER A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) AND LEVYING AN ASSESSMENT ON ALL PROPERTY WITHIN THE DISTRICT FOR FISCAL YEAR 2019. **Resolution 20475**
- D. CONSIDER A RESOLUTION SETTING RATES FOR ALL CUSTOMERS OF THE CITY OF HELENA WATER SYSTEM. **Resolution 20476**
- E. CONSIDER A RESOLUTION SETTING RATES FOR ALL CUSTOMERS OF THE CITY OF HELENA WASTEWATER SYSTEM. **Resolution 20477**

- F. CONSIDER A RESOLUTION SPECIFYING THE ASSESSMENT OPTION FOR THE STORM WATER UTILITY SERVICE AREA FOR FISCAL YEAR 2019 AND LEVYING AN ASSESSMENT ON ALL PROPERTY IN THE SERVICE AREA. **Resolution 20478**
- G. CONSIDER A RESOLUTION SPECIFYING THE ASSESSMENT OPTION FOR THE STREET MAINTENANCE AND IMPROVEMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2019, LEVYING AN ASSESSMENT ON ALL PROPERTY WITHIN THE DISTRICT, AND AMENDING THE BOUNDARIES OF THE DISTRICT. **Resolution 20479**
- H. CONSIDER A RESOLUTION SETTING RATES FOR COLLECTION AND DISPOSAL OF RESIDENTIAL GARBAGE AND REFUSE FOR FISCAL YEAR 2019, AND LEVYING AN ASSESSMENT ON ALL PARCELS OF LAND RECEIVING RESIDENTIAL SOLID WASTE COLLECTION. **Resolution 20480**
- I. CONSIDER A RESOLUTION SPECIFYING THE ASSESSMENT METHOD OPTION FOR THE SPECIAL URBAN FOREST MANAGEMENT DISTRICT FOR FISCAL YEAR 2019 AND LEVYING AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT. **Resolution 20481**
- J. CONSIDER A RESOLUTION SPECIFYING THE ASSESSMENT OPTION FOR THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2019, LEVYING AN ASSESSMENT AGAINST ALL PROPERTY WITHIN THE DISTRICT AND AMENDING THE BOUNDARIES OF THE DISTRICT. **Resolution 20482**
- K. CONSIDER A RESOLUTION SPECIFYING THE ASSESSMENT OPTION FOR THE SPECIAL LANDFILL MONITORING AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2019 AND LEVYING AN ASSESSMENT ON ALL PROPERTY WITHIN THE DISTRICT. **Resolution 20483**
- L. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON PROPERTIES TO RECOVER THE AMORTIZED LOANS ISSUED UNDER THE RESIDENTIAL ENERGY EFFICIENCY AND RENEWABLE ENERGY LOAN PROGRAM FOR TAX YEAR 2018. **Resolution 20484**
- M. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR IMPROVEMENT OF SIDEWALKS, CURBS AND GUTTERS, AND ALLEY APPROACHES IN THE CITY OF HELENA, MONTANA. **Resolution 20485**
- N. CONSIDER A RESOLUTION LEVYING PROPERTY TO RECOVER THE COST OF REMOVAL OF SNOW AND ICE FROM SIDEWALKS ON THE ADJACENT PUBLIC RIGHT-OF-WAY. **Resolution 20486**

- O. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON ALL PROPERTY IN SPECIAL STREET LIGHTING DISTRICTS TO DEFRAY THE COSTS OF INSTALLING AND MAINTAINING IMPROVEMENTS IN THE DISTRICTS FOR FISCAL YEAR 2019. **Resolution 20487**

- P. CONSIDER A RESOLUTION ESTABLISHING FEES FOR EQUIPMENT PURCHASES FROM AND SERVICES PERFORMED BY THE UTILITY MAINTENANCE DIVISION, A MONTHLY CURBSIDE RECYCLING CHARGE, DAMAGE DEPOSITS FOR PERMITS TO CONSUME ALCOHOL ON PUBLIC PLACES, AND ENCROACHMENT PERMIT AGREEMENTS AND REPEALING RESOLUTION NOS. 20359, 20360, AND 20397. **Resolution 20488**

Mayor Collins announced the City Commission will listen to the staff reports for Public Hearings B-P; open the public hearing and take public testimony on items B-P and then have separate motions for each item.

BID Work Plan & Assessment

Budget Manager Lovshin reported on August 9, 2010 the City Commission adopted a resolution creating the BID for a period of ten years pursuant to 7-12-1101, MCA. State law (7-12-1132, MCA) requires the BID to submit its budget and work plan to the City Commission for approval and to recommend a method of levying an assessment on the property within the district to defray the cost of the work plan and budget. The City Commission passed a resolution of intention on July 16, 2018.

The BID is not requesting any change to the assessment methodology. The complete methodology is outlined in the attached resolution and is in accordance with the prescribed methodologies allowed by state law (7-12-1133, MCA). The BID's proposal is that, after receiving public comment, the City Commission approve the work plan and budget and levy an assessment to defray the costs thereof for fiscal year 2019 as submitted. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the district.

Approval of the resolution allows for public input on the BID's work plan and budget and allows for the assessment to be placed on the 2018 tax bills of the properties within the district to fund the BID's operations for fiscal year 2019. City Commission approval of the budget and work plan will meet state law requirements.

Budget Director Lovshin recommended approval of the resolution approving the work plan and budget for the Business Improvement District and levying an assessment on all property within the district for fiscal year 2019.

TBID Work Plan and Assessment

Budget Manager Lovshin reported on April 20, 2009, the City Commission passed Resolution 19644, which created the TBID for a period of ten years pursuant to 7-12-1101, MCA. State law (7-12-1132, MCA) requires the TBID to submit its annual budget and work plan to the City Commission for approval and to recommend a method of levying an assessment

on the property within the district to defray the cost of the work plan and budget. The City Commission passed a resolution of intention on July 16, 2018.

The TBID is not requesting any change to the assessment methodology, which is outlined in the attached resolution. The TBID's proposal is that, after receiving public comment, the City Commission approve the work plan and budget and levy an assessment to defray the costs thereof for fiscal year 2019 as submitted. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the district.

Approval of the resolution allows for public input on the TBID's work plan and budget and allows for the assessment to be placed on the 2018 tax bills of the properties within the district to fund the TBID's operations for fiscal year 2019. City Commission approval of the budget and work plan will meet state law requirements.

Budget Manager Lovshin recommended approval of the resolution approving the work plan and budget for the Tourism Business Improvement District and levying an assessment on all property within the district for fiscal year 2019.

Water System Rates

Budget Manager Lovshin reported costs of providing services, capital improvements and to meet bonded debt coverage.

The City's Financial Planning Policy resolution calls for funding of essential services, including:

- Providing timely funding of regularly recurring Comprehensive Capital Improvement Program (CCIP) components.

- Annually reviewing rates to:

- ensure adequate funding of operations, maintenance, and debt;
- address capital project priorities;
- consider the impact of inflation; and
- make incremental rate changes that are regular and predictable for citizens.

The water rates include varying rate changes as a result of the City Commission's CCIP review. The City Commission proposes increases to the base unit rate for all customers. In a desire to promote water conservation, the City Commission proposes a tiered rate structure based on usage. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will establish rates to defray the costs of the water operating and capital systems and provide an incentive towards water usage conservation.

Budget Manager Lovshin recommended approval of the resolution setting rates for all customers of the City of Helena Water System.

Wastewater System Rates

Budget Manager Lovshin reported each year the City Commission may adjust wastewater rates as necessary for inflation of costs of providing services, capital improvements and to meet bonded debt coverage.

The City's Financial Planning Policy resolution calls for funding of essential services, including:

Providing timely funding of regularly recurring Comprehensive Capital Improvement Program (CCIP) components.

Annually reviewing rates to:

- ensure adequate funding of operations, maintenance, and debt;
- address capital project priorities;
- consider the impact of inflation; and
- make incremental rate changes that are regular and predictable for citizens.

The wastewater rates include recommended rate increases as a result of the City Commission's CCIP review. The City Commission will consider an increase to the base rate for residential and commercial customers up to 10.0% and up to a 10.0% increase to the commercial usage rates. No increase to the residential usage rates is being considered. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will establish rates to defray the costs of the wastewater operating and capital systems.

Budget Manager Lovshin recommended approval of the resolution setting rates for all customers of the City of Helena wastewater system.

Storm Water Utility Service Area Budget Manager Lovshin reported each year the City Commission must levy an assessment on the Storm Water Utility District in order for the assessment to be placed on the upcoming tax bills and defray the cost to maintain services in the district. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the district. The City Commission will consider a base rate increase of up to 22.7% for residential or vacant properties and up to 28.5% for commercial properties and mobile home parks; and an impervious area assessment rate increase up to 30% for residential or vacant properties and up to 28.5% for commercial properties and mobile home parks. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy an assessment on all properties within the Storm Water Utility District to defray the costs of operations.

Budget Manager Lovshin recommended approval of the resolution specifying the assessment option for the Storm Water Utility Service Area for fiscal year 2019 and levying an assessment on all property in the service area.

Street Maintenance District #1 Budget Manager Lovshin reported each year the City Commission must levy and assess an annual assessment on the district in order for the assessment to be placed on the upcoming tax bills and provide for the maintenance and improvements of the district. The annual assessment approved by the City Commission will be placed on the calendar year 2018 property tax bills. The City Commission will consider a base assessment rate increase up to 18.14% for residential and vacant properties, up to 47.7% for mobile home parks, and up to 29.6% for commercial properties; and up to a 29.6% increase in the commercial per square foot assessment rate on all lots or

parcels within the district. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy an assessment on all properties within the Street Maintenance and Improvement District #1 to defray the costs of operations.

Budget Manager Lovshin recommended approval of the resolution specifying the assessment option for the Street Maintenance and Improvements District No. 1 for fiscal year 2019, levying an assessment on all property within the district, and amending the boundaries of the district.

Residential Solid Waste

Budget Manager Lovshin reported each year the City Commission may adjust the rates for residential solid waste collection to ensure the solid waste operating and capital systems are adequately funded.

The City's Financial Planning Policy resolution calls for funding of essential services, including:

Providing timely funding of regularly recurring Comprehensive Capital Improvement Program (CCIP) components.

Annually reviewing rates to:

- ensure adequate funding of operations, maintenance, and debt;
- address capital project priorities;
- consider the impact of inflation; and
- make incremental rate changes that are regular and predictable for citizens.

The City Commission passed a resolution of intention on July 16, 2018. The City Commission is considering no increase to the rates.

Approval of the resolution will allow the City to establish rates to fund the residential solid waste operation and capital needs for fiscal year 2019 and place the applicable charges on the corresponding residential 2018 property tax bills.

Budget Manager Lovshin recommended approval of the resolution setting rates for collection and disposal of residential garbage and refuse for fiscal year 2019, and levying an assessment on all parcels of land receiving residential solid waste collection.

Urban Forest Management

Budget Manager Lovshin reported each year the City Commission must levy and assess an annual assessment on the Urban Forest Management District in order for the assessment to be placed on the upcoming tax bills and provide for the operation of the district. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the district. The City Commission is considering no increase to the current rate of \$21 per property. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy an assessment on all properties within the Urban Forest Management District to defray the costs of operations.

Budget Manager Lovshin recommended approval of the resolution specifying the assessment method option for the Special Urban Forest Management District for fiscal year 2019 and levying and assessing all property within the district.

Open Space Maintenance

Budget Manager Lovshin reported each year the City Commission must levy and assess an annual charge on the Open Space Maintenance District in order for the charge to be placed on the upcoming tax bills and provide for the operation of the district. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the district. The City Commission will consider increasing the rate up to \$21.25 minimum charge on all lots or parcels of land plus a square foot amount of \$0.00332 for impervious area in excess of 2,222 square feet with a 50% assessment reduction for lots or parcels of land which qualify for the State of Montana Property Tax Assistance Program. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy an assessment on all properties within the Open Space Maintenance District No. 1 to defray the costs of operations.

Budget Manager Lovshin recommended approval of the resolution specifying the assessment option for the Open Space Maintenance District No. 1 for fiscal year 2019, levying an assessment against all property within the district and amending the boundaries of the district.

Landfill Monitoring District

Budget Manager Lovshin reported each year the City Commission must levy an annual assessment on the Landfill Monitoring and Maintenance District in order for the assessment to be placed on the upcoming tax bills and provide for the operation of the district. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the district. No increase to the amount of the annual assessment for fiscal year 2019 is being considered. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy an assessment on all properties within the Landfill Monitoring and Maintenance District to defray the costs of operations.

Budget Manager Lovshin recommended approval of the resolution specifying the assessment option for the special Landfill Monitoring and Maintenance District for fiscal year 2019 and levying an assessment on all property within the district.

Renewable Energy Loan Program

Budget Manager Lovshin reported each year the City Commission will levy assessments on all properties under the Residential Energy Efficiency and Renewable Energy Loan Program. Properties are assessed based on the loan agreements entered into by the property owners. Those assessments will be placed on the upcoming tax bills. The annual assessments approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties.

Approval of the resolution will allow the City to levy assessments on all participating properties in the Residential Energy Efficiency and Renewable Energy Loan Program to defray the costs of improvements.

Budget Manager Lovshin recommended approval of the resolution levying an assessment upon properties to recover the amortized loans issued under the Residential Energy Efficiency and Renewable Energy Loan Program for tax year 2018.

Sidewalk Improvement Program Budget Manager Lovshin reported each year the City Commission must levy assessments on participating properties in order for those assessments to be placed on the upcoming tax bills and recoup the cost of installation of sidewalks, curbs, gutters and alley approaches. The annual assessments approved by the City Commission will be placed on the calendar year 2018 tax bills of those participating properties. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy assessments for fiscal year 2019 for improvement of sidewalks, curbs and gutters, and alley approaches in the City of Helena, Montana to defray the costs of improvements.

Budget Manager Lovshin recommended approval of the resolution levying an assessment on property for improvement of sidewalks, curbs and gutters, and alley approaches in the City of Helena, Montana.

Sidewalk Snow & Ice Removal Budget Manager Lovshin reported each year the City Commission may levy assessments on properties to recover the costs of removal of snow and ice from sidewalks in order for those assessments to be placed on the upcoming tax bills. The annual assessments approved by the City Commission will be placed on the calendar year 2018 tax bills of the affected properties. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to levy assessments on all affected properties to defray the costs of snow and ice removal services.

Budget Manager Lovshin recommended approval of the resolution levying property to recover the cost of removal of snow and ice from sidewalks on the adjacent public right-of-way.

Special Street Lighting Districts Budget Manager Lovshin reported each year the City Commission must levy assessments on the Special Street Lighting Districts in order for the assessments to be placed on the upcoming tax bills and defray the costs of installing and maintaining improvements in the districts. The annual assessment approved by the City Commission will be placed on the calendar year 2018 tax bills of the properties within the districts. The City Commission passed a resolution of intention on July 16, 2018.

Budget Manager Lovshin recommended approval of the resolution levying an assessment upon all property in Special Street Lighting Districts to defray the costs of installing and maintaining improvements in the districts for fiscal year 2019.

Miscellaneous Fees Budget Manager Lovshin reported each year the City Commission may adjust fees for providing services or equipment to customers. The City Commission passed a resolution of intention on July 16, 2018.

Approval of the resolution will allow the City to establish the fees as shown in Appendix A and repeal unnecessary resolutions.

Budget Manager Lovshin recommended approval of the resolution establishing fees for equipment purchases from and services performed by the utility maintenance division, a monthly

curbside recycling charge, damage deposits for permits to consume alcohol on public places, and encroachment permit agreements and repealing resolution Nos. 20359, 20360, and 20397.

Public Testimony

Mayor Collins declared the public portion of the hearings open and called for any public testimony on Items B-P.

There being no public testimony, Mayor Collins closed the public hearings.

Motion

City Commissioner Haladay moved approval of a resolution approving the work plan and budget for the Business Improvement District (BID) and levying an assessment on all property within the district for fiscal year 2019. City Commissioner Noonan seconded the motion. All voted aye, motion carried. **Resolution 20474**

Motion

City Commissioner O’Loughlin moved approval of a resolution approving the work plan and budget for the tourism Business Improvement District (TBID) and levying an assessment on all property within the district for fiscal year 2019. City Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution 20475**

Motion

City Commissioner moved Noonan approval of a resolution setting rates for all customers of the City of Helena water system. City Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried. **Resolution 20476**

Motion

City Commissioner Farris-Olsen moved approval of a resolution setting rates for all customers of the City of Helena wastewater system. City Commissioner O’Loughlin seconded the motion. All voted aye, motion carried. **Resolution 20477**

Motion

City Commissioner Farris-Olsen moved approval of a resolution specifying the assessment option for the Storm Water Utility Service Area for fiscal year 2019 and levying an assessment on all property in the service area, with the base rate in Section 1.(a)(i) to be \$39.78 minimum charge per lot or parcel of land for residential or vacant properties.. City Commissioner O’Loughlin seconded the motion. All voted aye, motion carried. **Resolution 20478**

Motion

City Commissioner Haladay moved approval of a resolution specifying the assessment option for the Street Maintenance and Improvements District No. 1 for fiscal year 2019, levying an assessment on all property within the district and amending the boundaries of the district, with the proposed maximum assessment rate for vacant or residential property to be \$171.96 per lot or parcel of land, and the proposed maximum assessment rate for mobile home parks to be \$85.98 per manufactured home or mobile home site. City Commissioner Noonan seconded the motion.

Discussion

City Commissioner O’Loughlin stated she has looked at this resolution and the recommendation for the mobile home rate

is \$94.93, which is 50% of the residential rate. However, the mobile home rate has been set at 40% of the residential rate since 2010. The mobile home rate for FY18 was set at \$64.27; if the recommendation is approved, it would be a 33.3% increase for the mobile home rate compared to a 7% for the residential rate.

Amendment

City Commissioner O'Loughlin moved to amend the mobile home rate to increase by 40% with the rate being set at \$68.78. City Commissioner Haladay seconded the amendment. All voted aye, motion carried.

City Commissioner Haladay stated he is comfortable with the amendment.

Vote on amended resolution.

All voted aye, motion carried. **Resolution 20479**

Motion

City Commissioner Noonan moved approval of a resolution setting rates for collection and disposal of residential garbage and refuse for fiscal year 2019 and levying an assessment on all parcels of land receiving residential solid waste collection. City Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried. **Resolution 20480**

Motion

City Commissioner Haladay moved approval of a resolution specifying the assessment method option for the Special Urban Forest Management District for fiscal year 2019 and levying and assessing all property within the district. City Commissioner Noonan seconded the motion. All voted aye, motion carried. **Resolution 20481**

Motion

City Commissioner O'Loughlin moved approval of a resolution specifying the assessment option for the Open Space Maintenance District No. 1 for fiscal year 2019, levying an assessment against all property within the district and amending the boundaries of the district, with the minimum charge in Section 1.(a) to be \$17.78 per lot or parcel of land. City Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried. **Resolution 20482**

Motion

City Commissioner Farris-Olsen moved approval of a resolution specifying the assessment option for the special Landfill Monitoring and Maintenance District for fiscal year 2019 and levying an assessment on all property within the district. City Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution 20483**

Motion

City Commissioner Haladay moved approval of a resolution levying an assessment upon properties to recover the amortized loans issued under the Residential Energy Efficiency and Renewable Energy Loan Program for tax year 2018. City Commissioner Noonan seconded the motion. All voted aye, motion carried. **Resolution 20484**

Motion

City Commissioner Noonan moved approval of a resolution levying an assessment for improvement of sidewalks, burbs and gutters, and alley approaches in the

City of Helena, Montana. City Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution 20485**

Motion **City Commissioner Farris-Olsen moved approval of a resolution levying property to recover the cost of removal of snow and ice from sidewalks on the adjacent public right-of-way.** City Commissioner O'Loughlin seconded the motion. All voted aye, motion carried. **Resolution 20486**

Motion **City Commissioner O'Loughlin moved approval of a resolution levying an assessment upon all property in Special Street Lighting Districts to defray the costs of installing and maintaining improvements in the districts for fiscal year 2019.** City Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution 20487**

Motion **City Commissioner Noonan moved approval of a resolution establishing fees for equipment purchases from and services performed by the utility maintenance division, a monthly curbside recycling charge, damage deposits for permits to consume alcohol on public places, and encroachment permit agreements and repealing resolutions 20359, 20360 and 20397.** City Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried. **Resolution 20488**

City Commission Comments City Commissioner Haladay noted the City Commission has had several meetings on these rates at the administrative meetings and developed the recommendations with staff prior to the actual public hearings.

Public Communications PUBLIC COMMUNICATIONS
Jenna Bernstein, Tampa Florida addressed the City Commission regarding the removal of the Confederate Fountain.

Meetings of Interest MEETINGS OF INTEREST
The Administrative Meeting is scheduled for September 5, 2018; the Joint Work Session is scheduled for September 6, 2018 and the next City Commission Meeting is September 10, 2018.

Adjournment There being no further business to come before the City Commission, the meeting was adjourned at 7:10 p.m.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE CITY COMMISSION