

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
May 6, 2019 - 6:00 P.M.
City Commission Chambers, Room 330

Time & Place A regular City Commission meeting was held on Monday, May 6, 2019 at 6:00 p.m., in the City Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Collins requested City Clerk Havens call roll call: Attorney Jodoin, City Manager Cortez, Commissioner Haladay, Commissioner Noonan, Commissioner O'Loughlin and Mayor Collins all responded present. Commissioner Wicks was excused.

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 April 22, 2019 were approved as submitted.

Presentation PRESENTATION:
A. 5-Point Intersection Multimodal Study Award (Tabled on April 8, 2019)

Staff Report Public Works Director Camp and Engineer Leland reported the Business Improvement District Board and the 6th Ward Neighborhood Association approached the City Commission and requested examination of the 5-Point intersections for 2-way traffic on Last Chance Gulch and for better access into the 6th Ward Area. Community leaders noted that inadequate access was negatively affecting economic activity and neighborhood cohesion. The two intersections were combined into one study recognizing mutual impact of unsound road configurations and shared benefits of community improvements.

The focus of this study is to gather data and ideas to facilitate access to efficient transportation systems and to foster economic development through improved road and sidewalk infrastructure and better regional connectivity. For this reason, focal points of the study include Montana Avenue, Downtown Helena, 6th Ward as well as adjacent arteries and streets.

The study is a needed first step to make the City competitive for a Better Utilizing Investment to Leverage Development (BUILD) grant from the U.S. Department of Transportation (DOT). BUILD funding is imperative for transformative projects to revitalize the 6th Ward and Downtown. The study will produce recommendations for City Commission consideration on potential BUILD proposals to DOT. Better multi modal access to both the 6th Ward and Downtown will be an economic benefit for both areas; improvements seek to reenergize community development by outlining viable options for traffic and access, traffic flow, pedestrian traffic promotion, bicycle traffic safety and community cohesion.

Through an RFP process, staff selected RPA to complete a traffic study for the 5- Point Intersections in Helena. As part of developing the scope and fee for the project, RPA and City Staff conducted two public meetings and submitted the study's scope to MDT to better identify the needs of the multimodal study. Based on the two public meetings and MDT comments, RPA developed the attached scope and fee.

The study will present options of short-term projects such as signage and striping, as well as, long-term projects such as reconstruction of one or both of the intersections. The Commission will provide policy direction on how to proceed with identified options. MDT's agreement and support are important because recommendations from the plan may involve MDT routes and will need MDT approval. RPA will work closely with MDT. City Staff and RPA have negotiated the scope and fee for the proposed study. The fee is

estimated not to exceed \$244,941. The study is budgeted and will be funded with Gas Tax Funding.

Discussion

Commissioner Noonan asked if there is any funding through enterprise zoning. Director Camp stated he is not aware of funding; however, the enterprise zoning will be an asset when looking at applying for a BUILD Grant.

Commissioner Haladay asked if the city were to get identified projects ready to go and it is only city funding; however, all three are under MDT, who designs and manages the projects. Engineer Leland noted if the city funds the project, MDT only has the plan approval process and the city oversees the projects. The city received certification on smaller projects to oversee MDT projects.

Manager Cortez stated one of the reasons to increase the street assessment is to have \$1-million set aside for projects. The \$1-million could be used to fund five smaller projects or to incur debt for larger projects. MDT is a partner; however, if we fund their role is minimal.

Commissioner O'Loughlin asked who on city staff would oversee the project. City Engineer Leland will do so. Manager Cortez noted it is important to expand the engineering staff to handle housing development while Mr. Leland concentrates on infrastructure.

Commissioner O'Loughlin noted the commission tabled this on April 8 and asked if this is informational or does it need a motion. Manager Cortez stated this is informational; the commission has given authority to enter into a contract up to the amount of \$244,941.

Commissioner O'Loughlin stated the commission has not taken formal action after it was tabled and asked if formal vote is needed. Manager Cortez noted there would be no financial or in-kind funding from MDT. At this point staff is ready to move forward unless we are told otherwise. She has received direction to move forward.

Motion

Commissioner O'Loughlin moved to direct staff to move forward with the negotiated Scope of Services and Fees with Robert Peccia & Associates in an amount not to exceed \$244,941.

Commissioner Noonan seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0.**

Proclamation

PROCLAMATION:

A. Buddy Poppy Month

Mayor Collins presented a proclamation in honor of Buddy Poppy Month to Tom and Shirley Pouliot.

Tom Pouliot addressed the commission and presented each a buddy poppy.

Commissioner Noonan thanked Mr. Pouliot for coming each year to accept the proclamation. He also recognized the members of his family who served in the military.

Board Appointments

BOARD APPOINTMENTS:

A. Civic Center Board, Helena Open Lands Management Advisory Committee, Heritage Preservation and Tourism Council, Helena Pre-Release Screening Committee

Civic Center

Mayor Collins recommended the following appointments:

Appointment of Bridget Holland to the Civic Center Board. The first term will begin upon appointment and expire March 1, 2022.

- Helena Open Lands Management Advisory Committee** Reappointment of Karen Reese to a second term on HOLMAC. Term will begin upon appointment and expire June 30, 2022.
- Heritage Preservation and Tourism Council** Reappointment of Patrick Rieley to a second term on the Heritage Preservation and Tourism Council. Term will begin upon appointment and expire June 30, 2022.
- Pre-Release Screening Committee** Appointment of Troy McGee to the Pre-Release Screening Committee as a community representative. NOTE: There is not a specific term for members of the Pre-Release Screening Committee.

Public Comment Mayor Collins asked for public comments. None was received.

Motion **Commissioner Haladay moved approval of the board appointments as outlined above.** Commissioner O'Loughlin seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0.**

Consent Agenda CONSENT AGENDA:
A. Claims
B. Resolution emphasizing the 2020 United States Census and forming the Complete Count Committee. **Resolution 20520**
C. Resolution granting the Railroad Urban Renewal District Tax Increment Financing funds for a demolition project at 1513 National Avenue. **Resolution 20521**

City Manager Cortez recommended approval of the consent agenda, items A - C.

Discussion Commissioner O'Loughlin asked what the next step would be after the adoption of the Complete Count Committee resolution. Manager Cortez spoke on the importance of the complete count committee and noted a group is already meeting.

Commissioner O'Loughlin referred to Item C and noted she is not clear on the total amount in the account, is there \$40,000 available in the TIF Fund and the recommendation is to approve the resolution for the 1513 National Avenue project in the amount of \$4,000. Community Development Director Haugen stated the account balance is approximately \$60,000 and the recommendation is for \$4,000 for the property at 1513 National Avenue.

Commissioner O'Loughlin noted the TIF Advisory Board met in December to approve the recommendation and asked why it has taken so long to move forward. Director Haugen stated the applicant had not made a final decision on the demolition of the building at 1513 National Avenue.

Commissioner O'Loughlin noted staff has asked for suggestions on how to get the word out on the TIF funding and the best use of the funds; she asked what has the feedback from the TIF Board been on how this projects fits into the whole of the district and how can we better solicit projects.

Director Haugen noted four projects were presented to the TIF Advisory Board and they recommended this project. Initially we thought the fund would generate \$100,000 per year; however, that is not the case. The Mid-Towne group has advertised the available funding and by

word of mouth. Director Haugen stated for every dollar of TIF funds received, an applicant has to match it. Staff has been in conversation with the owners of the Memorial Park Apartments and Helena Industries regarding demolition, infrastructure and sidewalks needs.

Public Comment Mayor Collins asked for public comment. None was received.

Motion Commissioner Noonan moved approval of the claims and consent agenda items B - C. Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0.**

Bid Award BID AWARD:
A. South Airport Sewer Upsizing, City Project #18-14

Staff Report Public Works Director Camp and Engineer Leland reported the current and future development south of Highway 12 and east of the Interstate necessitates increasing the size of the existing sewer transmission main that goes from Centennial Drive to the airport lift station. The existing 8" and 10" mains must be upsized to a 24" line in order to provide capacity for continued development. The Mountain View Meadows Subdivision has upsized a portion of the sewer at Centennial Drive and the project will connect to that main and continue to the lift station. The project will mainly stay at the existing alignment and will have to cross the railroad. The project will be approximately 6,500 lineal feet of 24" PVC sewer main.

The City of Helena hired Morrison Maierle to design and manage the project. The City of Helena received seven bids on March 13, 2019. The lowest responsible bidder was Williams Civil Construction, Inc. of Bozeman, MT with a bid of \$1,549,122.50. The City budgeted \$2,100,000 from the Wastewater Service Fund (531) for the project.

Director Camp recommended awarding the South Airport Sewer Upsizing, City Project #18-14 to Williams Civil Construction in the amount of \$1,549,122.50.

Public Comment Mayor Collins asked for public comment. None was received.

Discussion Commissioner Haladay asked if apprentices would be used on this project. City Engineer Leland stated the use apprentices is not in the bid documents; however, the contractor will use apprentices. Commissioner O'Loughlin commented this project was budgeted at \$2.1 million and the bid is \$1.5 million. Director Camp concurred.

Motion Commissioner Haladay moved to award the South Airport Sewer Upsizing, City Project #18-14 to Williams Civil Construction in the amount of \$1,549,122.50. Commissioner O'Loughlin seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0.**

Communications from City Commissioners COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS
No reports given.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

No report given

Report of the City Manager

REPORT OF THE CITY MANAGER

Manager Cortez referred the commission to the Downtown Parking information on their desks. She then reviewed the changes to the parking and the benefits available with the new system. Manager Cortez noted the city is looking at having a table at Farmers Market to educate the public on the new parking system and to answer any questions on city related issues.

Commissioner O'Loughlin asked what the timeline for installation of the kiosks is. Manager Cortez stated the Parking Division has put together a schedule of all the steps for 2019. As of now, the equipment will be delivered and installed in May-June. There will be on-site training and a soft-roll out in the middle of June and will implement the full program July 1, 2019.

Commissioner Noonan clarified on May 15; he will go to Farmers Market Board to get permission regarding the city of Helena having a table.

Commissioner Haladay thanked Manager Cortez for the information and the outreach that has been done.

Report from the Helena Citizens

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member John Andrews reported the HCC has been having discussions on recycling and have submitted a recommendation to the city. The HCC is also recommending additional research be completed on the Reduce, Reuse and Recycle policy. The HCC plans to tour some of the city's recycling facilities in the next month or so.

Regular Items

- A. CONSIDER A RESOLUTION OF INTENTION TO DECLARE REAL PROPERTY OWNED BY THE CITY, LOCATED AT 630 NORTH LAST CHANCE GULCH AS SURPLUS REAL PROPERTY AND AUTHORIZE THE SALE OF THE PROPERTY THROUGH A REQUEST FOR PROPOSAL PROCESS AND SET A PUBLIC HEARING DATE

Staff Report

Community Development Director Haugen reported the property in question is located at 630 N. Last Chance Gulch. The City first purchased the property in 1984. The site consists of two structures and other site improvements on a 24,987 SF lot. This City property was identified in the Downtown Neighborhood Plan as an underutilized parcel owned by the City and would be an excellent candidate for redevelopment. The site was a former gas station, and the City purchased this property for use as a storage and vehicle maintenance site. The City built a bus garage on the property in 1984. In 1995, the main building began its use as an office building for the Helena Area Transit Service. The City removed the gasoline and used oil tanks from the site in 1995. The building has been used as the home for the County's 24/7 sobriety program since 2010 and as storage for both police and fire department vehicles.

The City Commission through City staff may request proposals on how to best reuse this parcel through a Request for Proposal (RFP) process. The RFP process would have two connected but independent steps. The first step is an advertisement for "Request for Proposal for sale by the City of Real Property." The purpose of this RFP is to garner proposals leading to strategic redevelopment of the site. The proposals

will be evaluated according to the criteria outlined in the RFP: a) downtown impact; b) mixed use with commercial space on the ground floor and a possible housing component; c) community benefit; and d) capacity. The top three proposals would then be invited to submit a full proposal. A review committee consisting of MBAC representatives; HBID representatives; other economic intermediaries and City staff will review the proposals make a recommendation to the City Commission for final approval.

The sale of this City property would help fulfill some of the goals of the Downtown Neighborhood Plan; possibly help spur redevelopment in the Downtown area; possibly increase the tax base and potential tax increment for further projects; and save general fund dollars by not maintaining the property and paying any assessments.

The proposed RFP process ensures greater inclusion of diverse sectors, transparency and innovation.

Director Haugen recommended approval the resolution of intention to declare real property owned by the City, located at 630 North Last Chance Gulch, and located at the south-west corner of Last Chance Gulch and E. Thirteenth Street as surplus real property and authorize the disposal by soliciting requests for proposals for redevelopment and set a public hearing date for June 10, 2019.

Discussion

Commissioner O'Loughlin referenced the criteria a-d listed in the staff report and noted the commission had discussed the criteria at an administrative meeting, particularly housing. She asked if the intent is to maintain that level of criteria or have they changed since the commission originally discussed them. Director Haugen stated the criteria listed in the staff report was generally talked about at the administrative meeting; the specific criteria is included the RFP.

Commissioner O'Loughlin noted originally, there was five criteria and one of them was housing, which is not listed. If housing is included, the proposal should include mixed income housing with at least 25% affordable housing. She asked if that is still included. Director Haugen noted criteria b addresses mixed use with commercial space on the ground floor and a possible housing component. The 25% was left out of the staff report; however, it is in the RFP language. Discussion was held on the RFP language and the importance of the housing component being included, specifically the 25% affordable housing.

Commissioner O'Loughlin suggested having a commission member be on the review committee once the proposals are received. She noted in the past, staff has invited a commission member be on an RFP review committee. Manager Cortez concurred and noted the intention is to make sure whatever concepts we move forward are consistent with the commission's vision.

Public Comment

Mayor Collins called for public comment. None was received.

Motion

Commissioner O'Loughlin moved approval of a resolution of intention to declare real property owned by the City, located at 630 North Last Chance Gulch, and located at the south-west corner of Last Chance Gulch and E. Thirteenth Street as surplus real property and authorize the disposal by soliciting request for proposal for its redevelopment and set a public hearing date for June 10, 2019. Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted

aye, and Mayor Collins voted aye. **The motion carried, 4-0. Resolution 20522**

B. CONSIDER CITY OF HELENA'S CONTRIBUTION IN FY20 FOR HELENA AREA FRIENDS OF PETS AND WILD ABOUT CATS RESCUE & SANCTUARY

Staff Report

Finance Director Glenn Jorgenson reported the preliminary budget includes \$3,500 each for Helena Area Friends of Pets (HAFP) and Wild About Cats Rescue & Sanctuary (WAC). The City Commission requested a formal vote on whether to leave the fiscal year 2020 budget the same or increase the amounts.

Three options requested of staff for consideration are:

1. \$3,500 each, the same as prior years for a total allocation of \$7,000
2. \$4,000 each, for a total allocation of \$8,000
3. \$4,500 for HAFP and \$4,000 for WAC for a total allocation of \$8,500

Public Comment

Mayor Collins asked for public comment, none was received.

Motion

Commissioner Noonan moved to include \$4,500 for Helena Area Friends of Pets and \$4,000 for Wild About Cats Rescue & Sanctuary for a total allocation of \$8,500 in the budget, subject to final approval of the preliminary budget as amended at a later date.

Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0.**

Public Hearings

PUBLIC HEARINGS

- A. CONSIDER A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW EIGHTY-FIVE DWELLING UNITS IN THE R-2 ZONING DISTRICT; FOR PROPERTY LEGALLY DESCRIBED IN DEED DOCUMENT NUMBER 3095749; BOOK-M33; PAGE 4325 ON FILE WITH LEWIS AND CLARK CLERK AND RECORDER; ADDRESSED AS 2200 HENDERSON STREET.

Staff Report

Community Development Director Haugen reported the property is generally located at the southwest corner of the intersection between Brady Street and Henderson Street, addressed as 2200 Henderson Street.

The applicant/property owner is seeking to obtain a Conditional Use Permit (CUP) to allow multiple-dwelling units to be located on a property that is zoned R-2 (Residential). City Code requires a Conditional Use Permit (CUP) be obtained to establish this use in an R-2 zoning district. This is a 9.7-acre lot that is almost completely vacant, with the exception of three small existing utility buildings. The proposed lot has an allowed density of two dwelling units per lot, with no minimum lot size by right. There is no minimum lot area in the R-2 zoning district. An initial analysis of this lot shows that if the lot were subdivided, based on 3,912 square feet per dwelling unit the 9.7-acre parcel could accommodate approximately 108 units outright without a conditional use permit. The applicant proposes 85 residential units consisting of 40 one-bedroom units, 31 two-bedroom units, and 14 three-bedroom units. This proposal includes duplexes, triplexes, and four-plexes, and it allows for

approximately 4,970 square feet of lot area per unit. Additionally, water and sewer utilities will be extended from the existing mains in Brady Street and electric and gas utilities will be placed underground. The storm water drainage will be designed in compliance with City engineering standards.

A public hearing was held before the Zoning Commission regarding this application on March 12, 2019 at 6:00p.m. Due to an error in neighbor noticing, the neighbors were noticed that the meeting was scheduled at 6:30p.m. In order to fully vet the application in a public hearing the application was rescheduled to go before the Zoning Commission a second time at the April 9, 2019 meeting at 6:00p.m. At the April 9, 2019 meeting the Zoning Commission voted 5-0 to approve the proposal with three conditions. The objective for the resolution is to grant approval to allow eighty-five (85) dwelling units on property currently zoned R-2 through the conditional Use process.

The proposal includes 85 units that will serve persons at the 50%-80% of the Areas Median Income (AMI). The Area Median Income for a family of four is \$76,000 and 80% of that would be \$60,800. The AMI for a family of two is \$60,813 and 50% of that AMI would be \$30,400. These units are consistent with the City's goal to increase workforce housing for teachers, first responders and other members of the Helena community.

The City of Helena Growth Policy identifies as a goal that the City work with local non-profits on providing more housing options in the community. This project also represents an example of infill development in a location that is close to the transportation network and other similar amenities, such as schools.

Director Haugen recommended approval of a resolution granting a conditional use permit to allow eighty-five (85) multiple-dwelling units in a R-2 (Residential) District for property legally described in Deed Document Number 3095749 Book-M33 Page 4325 on file with Lewis and Clark County Clerk and Recorder, property addressed as 2200 Henderson Street, subject to the following conditions:

1. Landscaping is required to mitigate noise impacts to the west along the coincident border with the existing residential neighborhood.
2. Duplexes and triplexes are required to mitigate the type and size of structure impacts to the west along the coincident border with the existing residential neighborhood.
3. A lock on the gate on the connection to Larson Street is required to mitigate pedestrian, vehicular, and bicycle traffic impacts.

Discussion

Commissioner Haladay referenced the comments from the Fire Department and noted the applicant is okay with; however, how does the city deal with private roads and how do we enforce engineering standards and fire codes. Director Haugen stated the city has the ability to regulate the private roads when an applicant applies for a building permit. When someone applies for a building permit, they submit plans for the buildings and a site civil plan, which is then reviewed by Public Works staff to assure they meet the engineering standards, and the Fire Department assures access to get around the property.

Commissioner Haladay stated the number of units being proposed for this lot is below the number of units if the parcel was split into individual lots. Director Haugen concurred and noted the density is less than what could be. Commissioner Haladay asked if we were going through the standard subdivision process on this property and Larson Street is on the west, would it be a standard discussion to close a platted city street into a subdivision, although we need legal access. Director

Haugen noted under the subdivision regulations; the city has broader powers to require public streets. It is the intent with the engineering standards and the subdivision regulations that there be connectivity and Larson Street would continue through the subdivision. This is a piece of private property and it will be private roads within the development.

Commissioner Haladay stated he understands if the decision was RMDC's to close access from Larson Street; however, the city is requiring it. He then asked have we required this with other subdivisions, when does the city require the property owner not to use a public platted street. Director Haugen stated in regards to the discussion with this access, it was not so much about the locked gate; the lock part was to assure the fire department would have access. It is not normal practice; however, there have been other instances where access has been limited. She noted this was a way to mitigate the concerns of the neighborhood.

Commissioner Haladay stated for future uses, how do we re-visit this issue. He recognized there are problems on how we are doing access onto this property; there may be people who want to access the development through Larson Street. Why would we want to shut off a public access. If this is a mitigation measure for the neighborhood, maybe at some point it terminates. Director Haugen stated one option would be to re-visit the engineering standards and how they work with the fire codes and to assure there are standards for roads and access, whether it is for a subdivision or a multi-building lot.

Commissioner Haladay commented would we be talking about a condition like this if it were not the Red Alder project with the characteristics of the project.

Commissioner O'Loughlin asked who drafts the conditions. Director Haugen stated staff normally drafts the conditions with advice from the city attorney. The conditions for mitigation on this proposal came from RMDC to address the concerns from the neighborhood and staff concurred.

Commissioner Noonan stated one of the concerns is tied to low income housing; however, this development is based on the median income. This is work force housing and not low-income housing. Director Haugen concurred with Commissioner Noonan's comments.

Public Testimony

Mayor Collins declared the public portion of the hearing open and called for any public testimony. The following persons addressed the commission:

Liz Mogstad, Director of Affordable Housing with Rocky Mountain Development Council (RMDC), spoke in support of the resolution and project. She noted RMDC has received the signed contracts for the federal funding for the project. She also noted this would be a mixed income housing project.

Ms. Mogstad noted RMDC invited the neighborhood to be part of the design and the recommended conditions is a way to mitigate the concerns of the neighbors. Ms. Mogstad thanked the commission for the support on this project.

Greg Wirth, Stahly Engineering, spoke in support of the project and highlighted the traffic impact study, fire flows, private access streets, connectivity to non-motorized facilities, density of the project and concerns of the adjacent neighborhood.

Gretchen Crumm, Mosiac Architects, spoke in support of the project and offered to answer any questions. Ms. Crumm reiterated the CUP request is a desire for better planning and not more density.

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

Discussion

Commissioner O'Loughlin spoke on public transportation and asked if Capital Transit currently goes down Henderson and will a bus stop be installed near this development. Director Haugen stated the Capital Transit staff is currently reviewing what it would take to expand the route to include this development. Manager Cortez noted staff will address the Red Alder project, at this time staff does not have a definite answer.

Commissioner O'Loughlin noted the commission has had a broad discussion on affordable housing and ways the city could help, particularly related to fees, either waiving or mitigating them. She asked where we are on putting together that policy. Director Haugen stated staff is recommending the three-pronged approach, which includes land use regulations impediments, red tape and funding. This is on the May 7 joint work session agenda. City staff has met with Building Division and Public Works to review current fee structure, look at the implications and what other jurisdictions are doing. Most other cities use impact fees; however, staff will continue to look at ways to assist with low income housing developments.

Motion

Commissioner Noonan moved approval of a resolution granting a conditional use permit to allow eighty-five (85) multiple-dwelling units in a R-2 (Residential) District for property legally described in Deed Document Number 3095749 Book-M33 Page 4325 on file with Lewis and Clark Clerk and Recorder, property addressed as 2200 Henderson Street. 1. Landscaping is required to mitigate noise impacts to the west along the coincident border with the existing residential neighborhood. 2. Duplexes and triplexes are required to mitigate the type and size of structure impacts to the west along the coincident border with the existing residential neighborhood. 3. A lock on the gate on the connection to Larson Street is required to mitigate pedestrian, vehicular, and bicycle traffic impacts. Commissioner O'Loughlin seconded the motion.

Discussion

Commissioner Haladay addressed the pedestrian and vehicular traffic generated by this development and noted the Traffic Impact Study shows no major impact. A private development on this property would have more impact than this project. The layout works with the design of the internal trails system and the fact the applicant has bent over backwards to avoid impacts on adjacent property owners. Commissioner Haladay stated he would support condition #3; however, he has problems with the city imposing the lock on the gate. If RMDC wants to take on that obligation, that is fine. He noted the elephant in the room is the low-income housing development. Commissioner Haladay stated he will vote for the motion, as this is a very good development.

Commissioner Noonan stated this project is trying to get ahead of the problem of not having enough work force housing. We are addressing this before it becomes a real problem in the city. He too questioned the lock on the gate, however, with the applicant is agreeing to it, he will support the condition.

Commissioner O'Loughlin echoed her appreciation to RMDC, Engineer Wirth and Architect Crumm for the community outreach. The commission has had a number of conversations on the lack of affordable housing stock and the need for it. This is a great project and will be an asset to the community.

Vote

City Clerk Havens called a roll call vote, as follows:
Commissioner Haladay voted aye, Commissioner Noonan voted aye,
Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. Resolution 20523**

B. CONSIDER A RESOLUTION TO VACATE A PORTION OF THE SOUTH HOWIE STREET RIGHT OF WAY.

Staff Report

Engineer Leland reported Kathryn Wright, applicant, owner of residence at 301 South Howie, is requesting the City of Helena to vacate a portion of South Howie Street. The portion requested is located adjacent to Helena Townsite 1869 Block 4 Lot 9 and the west 25-feet of lots 11-14. (COS# 3065974).

The applicant wishes to vacate the subject right of way as described above to build an addition to the 718 square foot home located at 301 South Howie. The applicant is also planning to construct a garage. The proposed closed and vacated portion of Howie by the applicant as shown on the exhibit provided is 2,548 square feet. The average market value is \$8.49 per square foot for a total of \$21,632.52. The proposed amended plat and easement exhibit shows the required City of Helena water main easement and easements for the utilities that currently occupy or may occupy in the future is included in the request. The utility companies have released objections as long as the easements are included in the amended plat. The requested vacation will allow applicant to build the addition and garage as stated on the application.

Engineer Leland recommended approval of the resolution to vacate a portion of Howie Street located adjacent to Helena Townsite 1869 Block 4 Lot 9 and the west 25-feet of lots 11-14 (COS# 3065974).

Public Testimony

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

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

Motion

Commissioner O'Loughlin moved approval of a resolution to vacate a portion of Howie Street located adjacent to Helena Townsite 1869 Block 4 Lot 9 and the west 25-feet of Lots 11-14 (COS# 3065974). Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 4-0. Resolution 20524**

Public Communications

PUBLIC COMMUNICATIONS

Mike Shields, Chair of the Lewis and Clark Heritage Preservation and Tourism Council appeared before the commission to request that they review the recommendation for the revision on the historical demolition ordinance that the Preservation Commission has submitted.

Kevin Hamm, President of Big Sky Pride, reported Helena would host the event again this year and invited the commission and staff to join the celebration, June 19-23, 2019.

Adjournment

There being no further business to come before the City Commission, the meeting adjourned at 7:50 p.m.

Meetings of Interest MEETINGS OF INTEREST

Joint City-County Work Session – May 7, 2019 – 4:00 p.m. – Room 326, City-County Building

Administrative Meeting – May 15, 2019 - 4:00 p.m. - Room 326, City-County Building

Regular City Commission Meeting – May 20, 2019 - 6:00 p.m. - Commission Chambers,
City-County Building

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE CITY COMMISSION