

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
November 4, 2002
6:00 P.M.

Time & Place A regular City Commission meeting was held on Monday, November 4, 2002, at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Jim Smith indicated for the record that Commissioners Netschert, Oitzinger, Parriman and Pouliot were present. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Jacki Pierson were present.

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 October 21, 2002 were approved as submitted.

Appointments APPOINTMENTS:
A. Helena Housing Authority
B. Golf Course Advisory Board

Mayor Smith recommended the following appointments:

Helena Housing Authority

Mary Cole - Resident Board Member

First term begins upon appointments and expires August 1, 2004

Golf Course Advisory Board

Mike Mundt - Men's Golf Association

First full term - expires October 20, 2005

Shelia Hill - Women's Golf Association

Unexpired term - expires October 20, 2004

Motion **Commissioner Netschert moved the appointments of Mary Cole for the Helena Housing Authority and Mike Mundt and Shelia Hill for the Golf Course Advisory Board.** Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Contract for architectural services - Utilities Building
C. Second passage of Ordinance 2947 - pre-zoning a 21.64-acre parcel

City Manager Tim Burton recommended approval of the claims.

Commissioner Netschert asked to have item B removed.

Motion **Commissioner Netschert moved approval of the consent agenda items A and C.** Commissioner Pouliot seconded the motion. All voted aye, motion carried.

Commissioner Netschert stated he would like to wait until a later date to discuss Consent Agenda item B. Commissioner Oitzinger asked if they had gone over this through the budgeting process? Commissioner Netschert concurred but that no action was decided.

Motion

Commissioner Netschert moved to table item B from the consent agenda until November 13, 2002 Administrative Meeting. Commissioner Parriman seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Parriman thanked the commission for tabling the subdivision regulation issued in the October 30, 2002 administrative meeting.

Mayor Smith stated he would be out of town on November 18, 2002 and Commissioner Netschert would be residing as Mayor Pro Tem on that date.

Commissioner Pouliot stated he would also be unavailable on Nov. 18th.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

City Attorney David Nielsen stated on November 25, 2002 the commission could request oral argument regarding the smoking ordinance.

Mayor Smith asked if that would be appropriate to request oral arguments? City Attorney David Nielsen stated he does not have an answer as of yet because he hasn't conferred with county council representatives to see what their decision might be on the issue.

Report of the City Manager

REPORT OF THE CITY MANAGER

City Manager Tim Burton had nothing to report.

Capital City Bowl

CONSIDER CONCERNS OF CAPITAL CITY BOWL PROPERTY OWNER.

Sara Harold, President of Capitol City Bowl, 14 W. 14th Street has come before the commission to resolve some problems the Helena Parking Commission has created on the Capitol City Bowl property as a result of the construction of their parking lot located just north of Capitol City Bowl. Ms. Harold stated she would be discussing four points:

1. The HPC refused to place all of the monuments they removed during construction.
2. The storm water swale that was constructed, as an after thought is not working.
3. The swale and the heavy trucks have damaged the Capitol City Bowl parking lot.
4. The lighting that was promised on the Capitol City Bowl parking lot is nonexistent.

Ms. Harold explained in 1995 Capitol City Bowl had to sell a portion of the property to meet the request to buy out a stockholder. They did that by creating a minor subdivision. In that process Capitol City Bowl met with the city and followed every requirement. Larry Marshall was hired to survey the land and place the property pins, as well as provide a watershed plat. All documents were filed with the city and were duly recorded. Capitol City Bowl entered into an agreement with HPC, then headed under Mike Casey, to purchase the lot created by the subdivision legally described as Lot 8A of the Chessman Davis Section. The stipulations involved with the sale would be; Capital City Bowl

would allow the HPC to use the south entrance off of 14th Street leading into their parking lot and traffic could drive across the upper east side of the property; and Capital City Bowl would share the west access to the joint property; and the new developers of Lot 8A would be required to follow the watershed plat.

In 2001, Capitol City Bowl was made aware from Helena Sand and Gravel that construction would be starting the next day. Ms. Harold viewed the plans and noticed Engineer Byron Stahly had planned a curb that completely cut off the west shared access to Capital City Bowl. Capital City Bowl hired Alice J. Hinshaw from Jackson, Murdo, Grant & McFarland, P.C. to be their attorney. There were meetings with Byron Stahly, David Nielsen, Paul Reichert, Ken Bridenbach, Alice Hinshaw and Sara Harold. Mr. Stahly agreed to fix the problem and remove some of the curbing.

Due to the heavy trucks crossing the parking lot and the construction company storing materials on the property the parking lot started to sink.

As the project progressed it became apparent that the new lot was being built higher than the previous terrain. The engineer had designed curbing that would run the total width of the property from east to west. This curbing was placed close to the property line and appeared to be a tiny wall. Capitol City Bowl noticed this wouldn't drain the water properly. Ms. Harold mentioned to Mr. Stahly to cut some openings into the wall to allow drainage. Mr. Stahly accepted the suggestion and put in one opening. It appeared that neither the city parking nor the engineer were aware of the official watershed plat on file. When this was discovered Mr. Stahly agreed to put in a gentle swale on Capitol City Bowl's property and the HPC agreed to have Helena Sand and Gravel bring in a road mix and pack it down to return the property back to the way it was prior to construction. However by November very little had been done to clean up the property.

Trees and bushes were planted on Capital City Bowl's side of the curb. When this was agreed it was made clear that the shrubbery would not interfere with the access, the traffic, or the safety of vehicles approaching the rear of the building. Capital City Bowl and Ms. Hinshaw have been trying every since last fall to determine whether the shrubbery encroaches past the center of the right away. The HPC continually refused to provide the markers for them to do so.

Ms. Harold explained the trouble Ms. Hinshaw and Capital City Bowl had in corresponding with and getting action from City Attorney David Nielsen and Paul Reichert regarding the issues. The pins were finally placed on November 4, 2002.

Ms. Harold explained the parking lot lighting problem. The HPC told Capital City Bowl that the new lighting from the new parking lot would be enough to light up Capital City Bowl's parking lot, however this is not the case. Capital City Bowl's parking lot is pitch black at night.

Ms. Harold stated she has come before the city commission to seek a reasonable solution for all concerned. Capital City Bowl is asking:

1. With the survey pins in, Capital City Bowl would like to receive an official copy of the new survey and the watershed plat, showing city engineers have signed off on it.
2. Capitol City Bowl wants the property returned back to the way it was/or close to before the construction began.
3. A light pole needs to be erected in the Capital City Bowl's parking lot.

Mayor Smith asked if any of the negotiations are getting close to being fully handled? Ms. Harold stated no word has been received from the HPC or the city attorney until tonight at 5:00 p.m.

Mayor Smith asked if this was the first time she had laid fourth the corrective actions? Ms. Harold stated many attempts have been made to speak with Paul Reichert and Mr. Nielsen. Promises have been made to take care of those specific requests and with constant struggle, partial work gets done.

City Manager Tim Burton stated he received a letter on October 22, 2002 and a phone call from Ms. Harold's council asking that this issue be on the city commission agenda. Mr. Burton stated this issue has a long history and the commission should be clear on what Capital City Bowl is asking for. Mr. Burton stated a written response would be put together for the commissions review and discussed at the administrative meeting on November 13, 2002.

Commissioner Pouliot thanked Ms. Harold for coming down and stated that the city should be responsive and responsible to the public and this issue will be monitored until the issues have been fully taken care of.

Mayor Smith suggested to Ms. Harold and others from Capital City Bowl to be aware of the discussions regarding the issues will begin on November 13, 2002.

**Prospects
Heights**

CONSIDER FINAL PLAT APPROVAL FOR A MINOR SUBDIVISION CREATING TWO LOTS FROM 1.69 ACRES IN AN R-1 DISTRICT. THE PROPERTY IS LEGALLY DESCRIBED AS LOT 6, BLOCK 3, PROSPECT HEIGHTS PUD WITH A STREET ADDRESS OF 1916 GOLD RUSH AVENUE.

Staff Report

Planner Belinda Waters reported the subject tract currently houses one single-family residence. Access to the lot is from a private 18-foot wide recorded easement that connects to Gold Rush Avenue. The lot is currently located in a PUD with no underlying city zoning. A simultaneous application has been received requesting a zone change from Prospect Heights PUD to R-1 (Single Family Residential - Large Lot) District for the entire 1.69 acres. Both lots in the proposed subdivision will meet lot area and width requirements for this zoning district.

The City Commission gave preliminary plat approval to create two lots, Lot 6A and Lot 6B on October 7, 2002. This approval was subject to the conditions listed in the Findings of Fact. These conditions have been met.

1. The conditions of approval imposed to mitigate the adverse effects on Agriculture and Agricultural Water User Facilities are as follows:
None

2. The conditions of approval imposed to mitigate the adverse effects on Local Services are as follows:

The applicant must provide and maintain the 10-foot wide turnout and glazed approach to Lot 6B as recommended by the Fire Marshall and the 18-foot wide paved access easement must be maintained.

3. The Natural Environment and Wildlife and Wildlife Habitat.
None

4. Public Health and Safety

a. A storm water drainage plan, complete with drainage calculations provided by an engineer, not allowing drainage in excess of the historical run-off, must be reviewed and approved by the City Engineer.

b. The development of this property must comply the City standards.

5. The Survey Requirements Provided for in Part 4 of this Chapter Compliance with survey requirements will be thoroughly examined and approved prior to the final plat being filed with the Clerk and Recorder.

6. Helena Subdivision Regulations
The subdivision and final plat must comply with Chapter 4 (Design Standards, Improvements) of the Helena Subdivision Regulations.

7. Easements
Access and utility easements shown on the preliminary plat must be maintained.

8. Final Plat Filing
The applicant must file the final plat for this subdivision with the County Clerk and Recorder within one year of preliminary plat approval.

Ms. Waters recommend approval of the final plat for a minor subdivision creating two lots from Lot 6, Block 3, Prospect Heights Subdivision and the variance from Section 12-4-5 of the Helena Subdivision Regulations and Title 7, Chapter 5 of City Code to allow a shared driveway in excess of 150 feet in length that will access three homes.

Motion **Commissioner Pouliot moved approval of the final plat for a minor subdivision creating two lots from a 1.69 acre parcel located in Lot 6, Block 3, Prospect Heights Subdivision, Helena, Montana (1916 Gold Rush Avenue).** Commissioner Netschert seconded the motion. All voted aye, motion carried.

Motion **Commissioner Pouliot moved variances from Section 12-4-5 of the Helena Subdivision Regulations entitled 7 Chapter 5 of City Code to allow a shared driveway in access of a 150 feet in length that will access three homes.** Commissioner Netschert seconded. All voted aye, motion carried.

HRA Minor Subdivision CONSIDER FINAL PLAT APPROVAL FOR A MINOR SUBDIVISION CREATING ONE LOT, 43.57 ACRES IN SIZE IN THE AIRPORT ZONING DISTRICT. THE PROPERTY IS LEGALLY DESCRIBED AS TRACT A, HRA MINOR SUBDIVISION AND IS GENERALLY LOCATED NORTH OF THE HELENA IRRIGATION DISTRICT MAIN CANAL AND SOUTH OF CANYON FERRY ROAD.

Staff Report Planner Belinda Waters reported the subject tract is currently vacant and undeveloped with the Main Helena Valley Irrigation Canal running east to west along the southern portion of the proposed lot. Access to the proposed subdivision will be from Canyon Ferry Road. The lot is located south of Canyon Ferry Road and east of Kelleher Lane. Only those uses outlined in the Airport Zoning District classification are allowed, such as golf courses, hangers, government offices, and flight schools. There are no restrictions for lot area, width or building coverage for this zone.

The proposal would be in favor of final plat review for a minor subdivision to create one lot, 43.57 acres in size. Proposed changes to the conditions of the preliminary plat approval, requested by the applicant, to be deferred until the site is developed and a building permit is applied for include:

1. A development plan for the installation of infrastructure, water and sewer, is required and must be submitted for review and approved by the City Engineer.
2. The developer must provide MDT and the City Engineer with a detailed site plan and trip generation for the development. The site plan should indicate

the proposed access location and a well-defined boundary location of the subdivision.

3. If the proposed subdivision is projected to generate one hundred or more new vehicle trips per day, a traffic impact study is required.

4. Appropriate fire hydrants must be installed subject to review and approval by the Fire Marshal.

5. A storm water drainage plan must be submitted for review and approval by the City Engineer.

6. Financial Guarantee: All of the following improvements must be installed or improvements must be financially guaranteed or included in a development plan when the site is developed and a building permit is applied for:

- 1) Storm water drainage improvements;
- 2) Streets, curbs, and gutters;
- 3) Sidewalks;
- 4) Water and sewer main, manholes, and fire hydrants; and
- 5) Streetlights.

Ms. Waters recommended two motions; one is to remove conditions 2, B, C, D, E, 4 and 6. The second is to approve the final plat for the minor subdivision creating Tract A of HRA Minor Subdivision.

Discussion

Mayor Smith stated the motion before the commission isn't exactly the motion that was read. Ms. Waters stated staff had decided to remove the conditions that will actually be removed instead of the entire list. Ms. Waters stated staff would want the motion to be read this way.

Commissioner Pouliot asked what conditions have been met. Ms. Waters stated the conditions that have been met are; they have to maintain the irrigation canal, provide the 20-inch water main easement, they have to comply with survey requirements, have to comply with design standards, and they have one year to file the final plat.

Commissioner Pouliot asked if everything else would be deferred and if so how long? Ms. Waters concurred and stated until the developers come in with a site plan and a building permit to develop the property.

City Attorney David Nielsen stated the motion should be tabled for further discussion. City Manager Tim Burton concurred with City Attorney David Nielsen.

Motion

Commissioner Parriman moved to table the approval for a minor subdivision-creating Tract A of the HRA Minor Subdivision until November 18, 2002. Commissioner Pouliot seconded the motion. All voted aye, motion carried.

INTERCAP Loan

CONSIDER A RESOLUTION AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA ANNUAL ADJUSTABLE RATE TENDER OPTION MUNICIPAL FINANCE CONSOLIDATION ACT BONDS (INTERCAP REVOLVING PROGRAM), APPROVING THE FORM AND TERMS OF THE LOAN AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO [FIRE TRUCK & FIRE STATION]

Staff Report

Risk Manager Liz Hirst reported the city has previously applied and been approved for a \$1,100,000 INTERCAP Loan through the Montana Board of Investments to finance a fire truck and fire station remodel.

1) The City has received, and currently needs to pay \$674,241 for the Aerial Tower Fire Truck.

2) City cash reserves are advance funding Fire Station #1 remodeling, which is nearing completion.

Ms. Hirst recommended approval to activate the INTERCAP Loan, and to start drawdowns for the fire truck and fire station remodel.

Motion

Commissioner Netschert moved approval of the resolution authorizing participation in the Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (INTERCAP Revolving Program), approving the form and terms of the loan agreement and authorizing the execution and delivery of documents related thereto. Commissioner Oitzinger seconded the motion. All voted aye, motion carried. **Resolution # 11831**

Public Hearings

PUBLIC HEARINGS

A. CONSIDER A RESOLUTION CLOSING A PORTION OF THE 500 BLOCK OF WAUKESHA AVENUE AND A PORTION OF THE 1700 BLOCK OF HARRISON.

Staff Report

City Engineer Chuck Hanson reported the residents requested closure in 2000, but have only recently decided the extent of closure of these two streets that would be desirable to them and acceptable by the city. Staff is also working with the residents to construct and pave the remaining road sections and provide positive drainage control for the storm water from Harrison Avenue. Runoff from city streets funnels to Harrison Avenue, washing out the gravel street and draining through the Benton Avenue Cemetery. This is causing sediment to build up in the Cemetery in some areas and washing out graves in other areas. Both Waukesha and Harrison avenues are currently unpaved and require frequent maintenance.

Mr. Hanson recommended approval to close the portions of Harrison Avenue and Waukesha Avenue to vehicular travel described as follows: Waukesha Avenue west of the northerly extension of the lot line between Lots 5 and 6 of Block 32 of the Broadwater Addition, and to close Harrison Avenue north of the north line of the alley between Blocks 32 and 43 of the Broadwater Addition.

Commissioner Parriman asked for clarification on forming the SID. Mr. Hanson explained the portion of road that will be closed will be turned into a storm drainage detention basin and the portion of road that will be open to access the residences will be paved.

Mayor Smith asked if the SID is being suggested to the residence or is one going to be formed within a year? Mr. Hanson stated that only the residence can form an SID and would be charged for it.

City Manager Tim Burton stated the commission and not the neighborhood would create the SID.

Commissioner Pouliot asked that the commission would do the formality of creating an SID; however, the neighborhood would have to come before the commission to request an SID? City Manager Tim Burton concurred.

Public Testimony

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

Michael Kakuk, 1717 Harrison Avenue stated he also owns the property at 1719 Harrison Avenue. Mr. Kakuk explained the neighborhood wants the road closed before attaining the SID for two reasons; maintenance of the road would stop, money would be saved and the road is an accident waiting to happen.

Kathy Van Hook, 517 Waukesha stated the conditions of the road have only gotten worse over the years and recommends closing the road.

Diana Krieger, 1716 Harrison Avenue stated this process has been ongoing for about 6 years and recommends having it closed and feels it's necessary.

With no further persons wishing to address the commission, Mayor Smith closed the public hearing.

Motion

Commissioner Pouliot moved approval of a resolution to close Waukesha Avenue west of the northerly extension of the lot line between Lots 5 and 6 of Block 32 of the Broadwater addition and to close Harrison Avenue north of the north line of the alley between Blocks 32 and 43 of the Broadwater addition. Commissioner Parriman seconded the motion. All voted aye, motion carried. **Resolution # 11832**

Zone Change

CONSIDER FIRST PASSAGE OF AN ORDINANCE FOR A ZONE CHANGE FROM CLM TO B-1 FOR THE 1500 BLOCK OF RAILROAD AVENUE/GALLATIN STREET (NORTHERN ADDITION BLOCK 48) OR A ZONE CHANGE FROM CLM TO R-3 FOR THE EASTERN PORTION OF 1500 BLOCK OF RAILROAD AVENUE/GALLATIN STREET.

Staff Report

Planner Kathy Macefield reported the applicant Kim Clark owns a 4-unit apartment building (1507 Railroad Avenue) currently located in the CLM District. This apartment building was built in 1886, and is a nonconforming use and structure in the CLM District. Due to this use nonconformity, the applicant has indicated a difficulty with refinancing to make repairs to the structure.

This proposed zone change affects an established mixed-use neighborhood that contains commercial and residential uses. This mixed-use block has historically been developed with residential and commercial uses since the late 1880's. Although the proposed zone change may address the question of nonconforming uses it may not resolve all of the other nonconformities for the existing structures related to minimum lot area or width requirements, yard setbacks, or maximum building coverages, and onsite parking and landscaping.

Ms. Macefield recommended approval for the adoption of an ordinance for a zone change from CLM (Commercial-Light Manufacturing) to B-1 (Neighborhood Business) District for multiple properties.

Discussion

Commissioner Netschert asked for clarification on whether some of the businesses could be segregated into CLM and the other residences into B-1 or R-3? Ms. Macefield explained it's possible, however, from a planning perspective, having a block with separate zones is not practical.

Commissioner Oitzinger asked if one of the businesses were sold in the current CLM zone what type of business could be put in the space? Ms. Macefield stated there are three vacant lots on the east end of the block,

simplistically, if someone were to redevelop the block they could design a

warehouse with lots of trucking activity, which wouldn't be desirable when it would be that close to residences.

Commissioner Parriman stated there are a couple of businesses negatively impacted by the change to B-1, for example if the building burned down, not being able to rebuild or expand and he asked if there would be some ways to mitigate those problems to accommodate those businesses and still accommodate everyone's goals. Ms. Macefield explained in the zoning ordinances it states if a structure is destroyed by 70% it needs to conform to the provisions of the title. It can however, rebuild the structure but in B-1 zoning there can't be any expansion of the business. Commissioner Netschert asked if this were to be changed to B-1 zone would the nonconforming uses have to pay to sit before the board of adjustments? Ms. Macefield explained that a nonconforming use could continue as is. The only time that it may be affected is when they want to expand (which they can't) or if they were going to change to another use.

Public Testimony

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

Kim Clark, 1322 Bridge Court Way, Missoula, Montana owner of 1507 Railroad Avenue; explained when she purchased the property, it was purchased privately and had no idea this would ever be a problem. Ms. Clark has had specific problems with her property because it is commercially zoned. She wanted to do some repairs and try to receive a lower interest, not only for herself but also for her neighbors.

Don Lytle, 1503 Railroad Avenue (Depot Barber Shop), 1507 (Jams Café), and 1507 (Haps Bar) he strongly opposes the zone change from the present CLM zone. Mr. Lytle stated there is no reason to put his investment of 28 years in jeopardy because of Ms. Clark's explanation.

Nelson Seeley, 563 Diehl Drive stated he owns the vacant lot at the end of the block. Mr. Seeley explained his property would be worthless in R-3 zoning.

Pat Meehan, 1519 Railroad Avenue stated he is against the zone change. Mr. Meehan stated he has noticed people doing home improvements on the block and can't see any reason why Ms. Clark can't do the same.

With no further persons wishing to address the commission, Mayor Smith closed the public hearing.

Discussion

Commissioner Parriman stated from hearing the testimony of the property owners he is against changing the zoning from CLM to accommodate one property owner in the area. Changing to R-3 would decrease value on some of the properties and although B-1 zoning would be most appropriate for the area, it is working just fine with the CLM zoning and should stay that way.

Commissioner Oitzinger stated she agrees with Commissioner Parriman that B-1 would be the proper zoning designation for the area, it's not about changing zoning to accommodate one building, it's about changing the zoning to make it more consistent with what is actually there in the neighborhood.

Commissioner Pouliot stated Mr. Seeley's opposition swayed him in that he feels his property would be made worthless and for that reason and others he is going to oppose this.

Commissioner Netschert echoes many of the concerns that have been raised. Commissioner Netschert recommended someone working with Ms. Clark to perhaps identify another solution. Commissioner Netschert stated he is against the zone change.

Motion

Commissioner Netschert moved to deny first passage of an ordinance for a zone change from CLM (Commercial-Light Manufacturing) to B-1 (Neighborhood Business) District for multiple properties. Legally described as Block 48, Northern Pacific Addition, Helena, Montana; generally located in the 1500 block of Railroad Avenue and Gallatin Street, located south of Railroad Avenue and north of Gallatin Street between Sanders and Harris Streets. Commission Parriman seconded the motion. Motion carried 4-1 with Commissioner Oitzinger voting no.

**Public
Communications**

PUBLIC COMMUNICATIONS

Jerry Hutch 1111 E. State Street, raise the issue again of vandalism in the city. Mr. Hutch commented on a news article from Sunday October 20, 2002 regarding comments from teenagers on the vandalism. One of the kids from the group commented, "Sure we carved the tables up a couple of times. But we aren't running around kicking the bears, we like the community as much as anybody else does." Mr. Hutch asked if the City Commission through the City Parks Department is going to send a bill to this individual for the carving up of the benches and the picnic tables in Anchor Park?

City Manager Tim Burton stated he understands the logic from Mr. Hutch but feels its more complicated then just billing this individual.

Commissioner Pouliot stated Mr. Hutch should attend the Administrative Meeting on November 13, 2002.

Troy Magee stated there needs to be a lot more information then just an admission to charge someone.

Commissioner Oitzinger commented that reading into an admission of that young man personally would be stretching things. He was talking with the representative "we" and that "we" could cover 3 decades or more of activity on various park benches.

Commissioner Netschert stated if a charge was hung on this individual you wouldn't find out it was "we", you'd find out whom.

Troy Magee stated there needs to be evidence and be able to prove it in court before they charge someone.

Commissioner Netschert commented on that the town meeting on vandalism was a wonderful exchange with everybody in the community and obviously there will be a lot of questions to come from it and hopefully some answers. Commissioner Netschert stated he would look towards this type of venue for future conflicts that involve the community.

***Meetings of
Interest***

MEETING OF INTEREST

Commissioner Pouliot wanted to invite the community and the commissioners to the polls on November 5, 2002.

Ms. Harold asked what time the polls open? Mayor Smith stated they would be open at 7:00 a.m.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:05p.m.

MAYOR

ATTEST:

CLERK OF THE COMMISSION

