

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
February 27, 2006
6:00 P.M.

Time & Place

A regular City Commission meeting was held on Monday, February 27, 2006 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present

Mayor Smith indicated for the record that Commissioners Cartwright, Oitzinger, Peura, and Pouliot were present. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present. Others present were Thom Warsinski representing the Helena Citizens Council.

Pledge of Allegiance

Mayor Smith asked those persons present to please stand and join him in the pledge of allegiance.

Minutes

The minutes of the regular City Commission meeting of February 13, 2006 were approved as submitted.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Airport-Police Extension Agreement
- C. Final passage of Ordinance No. 3052 amending City of Helena Ordinance No. 2359 and amending the official zoning map thereof for a zone change from R-2 (Single Family Residential) District to B-2 (General Business) District for property generally located between 11th and 12th Avenues and between Montana Avenue and Dakota Street. **Ordinance #3052**

City Manager Tim Burton recommended approval of the claims and consent agenda.

Public Comment

Mayor Smith asked for public comment, none was received.

Motion

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

Bid Award

Bid Award:

- A. Hi-cube diesel pipe television system with optional equipment – Water Utilities

Staff Report

Utility Maintenance Superintendent Kevin Hart reported the City of Helena has operated its current pipe inspection system since the 1980's, operating from a 1984 Ford van with components that were individually purchased and installed in a custom package. The inspection system is old, worn out and does not provide modern computerized tools that are now available for inspection and maintenance purposes. Many of the components are at their useful life and replacement is necessary for continued operations.

Staff is recommending the purchase of a new 2006 16 foot Hi-cube van with a built-in pipe inspection system including new and update computer equipment, software and pipe inspection cameras. In addition

to the base bid staff recommends that the city purchase optional equipment such as lateral line launcher and inspection system, and the inclinometer package.

Mr. Hart recommended approval of the bid award and noted it would allow the division to continue inspection of sewer and storm mains in much the same way as we have in the past with more modern equipment. Option 1, the lateral line evaluation system (LETS), an additional camera system integrated with the main computer and software, will allow inspection from the sewer main of any connection to the main to determine problems such as blockages or to investigate whether connections are live and to determine which direction the service line approaches the main. This would increase inspection and diagnostic capabilities of the division's maintenance programs. Option 2, the inclinometer will allow the gradient of sewer and storm pipes to be determined during any inspection, aiding in verification of the proper installation of pipelines and determining flow restrictions. This information will be more valuable in updating and verifying various flow models developed for the city under master plans for wastewater and storm systems.

Commission comment Commissioner Pouliot asked if the bid award includes a warranty? Mr. Hart stated there is a standard two-year warranty on the equipment; staff determined an extended warranty was not a worthwhile investment.

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

Motion **Commissioner Pouliot moved to award the Hi-cube Diesel Pipe Television System, Lateral Evaluation TV system, and Inclinometer system to the lowest responsible bidder, Aries Industries, in the amount of \$145,010 that includes cash value trade-in for the existing TV system of \$15,000.00.** Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

Communications COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Peura expressed concern for proposed funding cuts to various federal programs. He noted Indian Health funding is one of the programs identified for budget cuts, which would cause Helena's Leo Pocha Clinic to close. The closure of the clinic would mean that 2,400 Helenan's would have to return to reservations for health care services.

Commissioner Peura moved to send a letter to the Montana congressional delegation stating the Commission's concerns and opposition to funding cuts. Commissioner Pouliot seconded the motion. All voted aye, motion carried.

Mayor Smith noted a draft of the letter would be sent to Commission members in the morning.

Commissioner Cartwright spoke of quality of life issues in the community. Mr. George McCauley called Commissioner Cartwright and expressed his concern that the city is not enforcing its noise ordinance. In addition, he received a call from a woman who is down on her luck and caring after a sick parent, and has been notified by the city that her property is in violation of the community decay ordinance. He spoke of including discretion in law, while still enforcing law. Mr. McCauley's theory is that too much time is being spent on growth issues and not

quality of life and growth is hurting the quality of life in Helena. Commissioner Cartwright encouraged citizens to attend the HCC meeting in March to attempt to work out solutions for quality of life issues. Mayor Smith noted he spoke with Mr. McCauley regarding the same issue and stated he is open to looking at the noise ordinance to see if it needs amending.

Commissioner Oitzinger thanked the HCC for the productive meeting on February 22, 2006.

Mayor Smith referred to the proposal to move the Helena post office hub to Great Falls and stated he would be sending a letter to postal officials in opposition of the move.

***Report of the City
Attorney***

REPORT OF THE CITY ATTORNEY

City Attorney Nielsen referred to a letter he received from an attorney representing the Timberline/Crestview subdivision. He gave the history of subdivision proposal. He explained the developer had requested two variances, which were denied twice. He noted city staff has worked with the developer to try to bring their amended preliminary plat into compliance. In the letter, the developer states they will sue the city if their variances are not granted. City Manager Burton has decided to not put it on the agenda for reconsideration as there is no new information, just requests for variances that have already been denied.

Commissioner Cartwright asked if the variances were denied unanimously? Commissioner Pouliot stated no. Commissioner Cartwright asked who would bear the cost if the lawsuit succeeds or fails? City Manager Burton stated it is too early to tell who would pay. If they file suit, it will be submitted to the Montana Municipal Insurance Authority. Commissioner Oitzinger added the Montana judicial system entertains frivolous lawsuit considerations. City Attorney Nielsen stated he would provide the Commission with correspondence related to the letter.

***Report of the City
Manager***

REPORT OF THE CITY MANAGER

City Manager Burton reported because of timeframe issues, he signed an application for a Justice Assistance Grant (JAG) and asked for approval after the fact. Police Chief McGee explained the grant; one of the provisions is that the governing body be aware that the Police Department is applying for it. Also, the grant award of \$24,286 would be split 50% - 50% with Lewis and Clark County. If the HPD is awarded the grant, a public hearing will come forward for Commission consideration and acceptance.

Police Chief McGee gave an overview of an incident on Friday, February 25, 2006 where the city/county tactical team was called in to provide assistance while HPD officers were serving a warrant.

City Manager Burton asked Utility Superintendent Kevin Hart to explain a recent article in the Independent Record regarding leaking water meters. Mr. Hart gave an overview of the situation and explained staff is working with the meter installers and suppliers to correct the problems. He assured the Commission the problem is fairly small in magnitude. He also gave an update of the meter replacement project.

Commissioner Peura asked if residents should check their meters for leaks and what to do if one is found? Mr. Hart stated it doesn't hurt to check and residents should look for small drips off the bottom of the meter; the utility maintenance number is 447-1567. Commissioner Peura asked if the manufacturer would cover any

additional costs borne by the City of Helena? Mr. Hart explained when the city awarded the bid for the meters, both companies were committed to a long-term investment with the city and have advised him verbally to keep track of the problems and they will make it right.

**Report from the
Helena Citizens
Council**

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member Thom Warsinski thanked City Manager Burton, Mayor Smith, Commission members, and staff for attending the HCC meeting on Wednesday, February 22, 2006. He also reported the HCC-sponsored methamphetamine awareness town meeting will be held on Tuesday, May 9, 2006 at the Civic Center. HCTV will broadcast the meeting.

Softball Field Naming CONSIDER NAMING THE WEST SOFTBALL FIELD AT KATHLEEN RAMEY PARK "FRANK D. MIHELISH FIELD".

Staff Report

Parks & Recreation Director Randy Lilje reported at its December 7, 2005 meeting the Parks Board heard a request from Mr. John Hawe and Mr. Clayton Linebarger representing the parents booster club of the Helena High School Girls Softball Teams to do some improvements at the two softball fields at Ramey Park. The work that they are proposing to do includes removing old material off of the infields, installing a new infield mixture of sand and loam soil, and fine grade the infields. They would also install new dugouts like the ones at Northwest Park, install electronic scoreboards, and a new flagpole at the west field. Eventually they hope to construct a new restroom concession building.

The project would be accomplished through the efforts of the parents' organization and its supporters, with assistance of the Operating Engineers Union and funding through a donor that wishes to remain anonymous. In consideration for this, the donor and the parents' organization are asking that the west field be named "Frank D. Mihelish Field".

After discussion, the Parks Board unanimously approved a motion to recommend to the City Commission that the west field at Ramey Park be name "Frank D. Mihelish Field". Director Lilje noted the park name would remain Kathleen Ramey Park after the former Mayor and longtime teacher in the City of Helena. All work would be done to the approved standards and specifications of the City of Helena, Department of Parks & Recreation. The park would receive needed improvements to the softball fields at no cost to the city.

Public comment

Mayor Smith called for public comment.

John Hawe, head coach of the Helena High softball team; spoke in support of the name change.

Commission comment

Commissioner Pouliot thanked the volunteers for their work to secure the improvements to the field.

Motion

Commissioner Pouliot moved approval to name the west field at Kathleen Ramey Park, "Frank D. Mihelish Field", in consideration of the above described improvements. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

ROW Use Agreement CONSIDER A RIGHT-OF-WAY USE AGREEMENT FOR A PORTION OF HAUSER STREET AND THE ALLEY AT 902 NORTH PARK AVENUE.

Staff Report

City Engineer Ryan Leland reported this site is located at the corner of Hauser Street and North Park Avenue. There was an existing garage that had an encroachment agreement with the City of Helena for the alley encroachment. During the process of re-roofing the garage the entire building collapsed. The owner would like to re-build the collapsed garage. However, since the existing garage collapsed, the existing encroachment is no longer valid and the owner must receive a right-of-way (ROW) use agreement in order to re-construct the garage. The ROW use agreement would be for three feet four inches of north/south alley ROW and two feet of the Hauser Street ROW. This would be an additional four inches into the alley and two feet into the Hauser ROW than the original encroachment agreement.

Mr. Leland recommended approval for the ROW use agreement, as it would allow for the garage to be re-built on the existing foundation.

Public comment

Mayor Smith called for public comment.

Brian Michelotti, applicant; spoke in support of the ROW use agreement.

Motion

Commissioner Oitzinger moved to approve a ROW Use Agreement with Mr. and Mrs. Michelotti for a portion of Hauser Street and the North/South Alley. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

Final Plat- Capital Hill Addition CONSIDER THE FINAL PLAT FOR THE AMENDED PLAT OF BLOCKS 2 AND 3 OF THE CAPITAL HILL ADDITION; FOR PROPERTY GENERALLY LOCATED NORTH OF LYNDALE AVENUE AND EAST OF BENTON AVENUE.

Staff Report

City Planner Belinda Waters reported the applicant is requesting approval of the final plat for the amended plat of Capital Hill Addition, Blocks 2 and 3, creating 5 lots from 7.040 acres. On April 7, 2003, the City Commission gave preliminary plat approval subject to the conditions stated in the Findings of Fact and listed on pages 3, 4, and 5 of this transmittal memo. All the conditions of preliminary plat have been met or are financially guaranteed.

State law (76-3-305 MCA) states the title for the vacated right-of-way (ROW) can be reverted to one or more of the adjacent property owners. City Code, 7-1-7 (B), states the owners shall present an amended plat to the City Commission for approval, showing the new lots resulting from the revision of the vacated ROW.

On April 11, 2005, the City Commission passed Resolution #19209 that vacated:

1. The 60-foot wide right-of-way of Park Avenue west of and adjacent to Lot 1 and Lot 64 in Block 3 in the Capital Hill Addition;
2. The 30-foot wide right-of-way of Ralph Street adjacent to Lots 1 through 24 in Block 3 in the Capital Hill Addition;
3. The north/south alleys in Blocks 2 and 3;
4. The east/west alley in Block 2; and

5. The 60-foot wide right-of-way of Henry Street north of and adjacent to Lots 1 through 20 in Block 2 and south of and adjacent to Lots 45 through 64 in Block 3 in the Capital Hill Addition.

The applicant is proposing final plat approval of the amended plat that:

1. Aggregated Lots 9 through 24, Lots 38 through 49 of Block 2, thereby creating Lot 9A (.239 acres), Lot 13A (1.696 acres with vacated Henry Street and alleyway) and Lot 24A (.245 acres with vacated alley);
2. Aggregated Lots 1 through 32, Lots 35 through 64 of Block 3, thereby creating Lot 1A (3.514 acres with vacated Park Avenue and Ralph Street) and Lot 25A (1.018 acres with a portion of vacated Ralph Street); and
3. Established a new 65-foot right-of-way for Getchell Street.

Ms. Waters recommended approval of the final plat and stated the growth policy promotes more intense and efficient use of land and facilities. The proposed subdivision would encourage more intense development of the property as well as facilitate in-fill development. The proposal also represents an efficient use of land due to existing infrastructure (water, sewer, storm water drainage and streets). The plat will also satisfy the plat requirements of Section 7-1-7 of the Helena City Code.

Public comment

Mayor Smith called for public comment.
John Sullivan, 1400 Charlie Russell Drive, spoke in support of the final plat.

Motion

Commissioner Cartwright moved approval of the final plat of the Amended Plat of Blocks 2 and 3, Capital Hill Addition, and to accept the dedication to the City of property designated thereon for public improvements. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

CUP- HCT parking lot

CONSIDER A RESOLUTION GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW CONSTRUCTION OF A PARKING LOT WITH 153 PARKING SPACES; GENERALLY LOCATED EAST OF HARRIS STREET AND SOUTH OF TOWNSEND AVENUE.

Staff Report

City Planner Kathy Macefield reported on January 10, 2006, the Helena Zoning Commission unanimously recommended approval for a Resolution granting a Conditional Use Permit (CUP) to allow construction of a landscaped and lighted parking lot with 153 parking spaces to serve the Helena College of Technology. The CUP approval was subject to two conditions (parking and financial guarantee). The parking lot is to be located on a tract of land, legally described as Tract B-1 of St. Mary's Minor subdivision as shown on COS #517897E, Helena, Montana; generally located east of Harris Street and south of Townsend Avenue.

On February 13, 2006, the Helena City Commission held a public hearing to consider a zone change for this property from R-2 to PLI and the CUP. Initially the application was for a zone change from R-2 to PLI and the CUP was based upon 11-21-(K)(2). When the zone

change failed to pass by a supermajority vote, the City Attorney opined that the CUP could not be granted since it needed the appropriate underlying zoning. Initially staff did not consider that the CUP could be granted for a parking lot use in an R-2 district under 11-21-5(C)(2) because they did not believe that a PLI zone was a "business district" for purposes of 11-21-5(C)(2). Since researching that issue, the City Attorney's opinion is that a PLI zone is a business district for purposes of allowing a parking lot in an R-2 district by a CUP. In reviewing the Zoning Ordinance as to what is needed by HCT to locate a parking lot in the R-2 district that is adjacent to the PLI district to the west, the City Attorney now finds that a parking lot is allowed in an R-2 district by a CUP pursuant to 11-21-5(C)(2).

Since the Commission did not vote on the CUP, and there is no difference in the review for a CUP with an underlying R-2 versus a PLI, the issue can be placed on this Commission agenda for its consideration. Since the public hearing was already held, no public hearing or additional notice for a public hearing is necessary.

Originally the applicant had requested a request for temporary variances from the paving and landscaping requirements in order to delay those improvements for a year. The applicant has subsequently withdrawn the requests for the variances.

Ms. Macefield noted the proposal represents infill development, and efficient use of energy, infrastructure and resources. This proposal is consistent with the 2001 Helena Growth Policy and Zoning Ordinance, and is compatible with the surrounding land uses.

Commission comment

Commissioner Peura asked for clarification that the proposed CUP would only allow the 153-space parking lot? Ms. Macefield concurred.

Public comment

Mayor Smith called for public comment.

MC Beeby, 1620 Townsend; thanked the Commission and city staff for working with the neighborhood to resolve issues with the proposal.

Ella Vonada, 1610 Townsend; spoke in support of the parking lot.

Sue Dalby, 926 North Lamborn, President of Bryant School Alliance; thanked the Commission and city staff for working with the neighborhood. Ms. Dalby spoke in opposition to the parking lot because of its proposed location.

Joe Maronick, 1000 North Lamborn; spoke in opposition to the CUP because of traffic issues.

Naomi Miller, 1106 North Lamborn; spoke in opposition to the CUP because of traffic issues.

Daniel Bingham, HCT Dean; spoke in support of the CUP. He reiterated the HCT is committed to finding solutions for the traffic issues in the area.

Jim Whaley, 1716 5th Avenue; urged the Commission to approve the proposed CUP.

Leroy Beeby, 1620 Townsend; spoke in support of the CUP application.

Discussion

Commissioner Peura asked Mr. Bingham to give the timeline of the college expansion project. Mr. Bingham stated construction for

immediate needs at the Donaldson campus would start in late May and the parking lot is estimated to be ready for use next year.

Commissioner Pouliot asked Mr. Bingham if citizens using the parks and sports facilities adjacent to the area could use the parking lot? Mr. Bingham stated yes, they would be welcome to use the lot at night and on weekends but daytime use would be for students.

Commissioner Peura gave an overview of a meeting held today between the Helena Legislature delegation, HCC members, neighborhood members, staff from the Commissioner of Higher Education's office, representatives from HCT, himself, and City Manager Burton. There was consensus between group members that there are parking needs that must to be met and the project needs to move forward. The group agreed to meet again to address traffic issues in the neighborhood and the location for the Office of Higher Education.

Motion

Commissioner Peura moved approval for a resolution granting a Conditional Use Permit (CUP) to allow construction of a landscaped and lighted parking lot with 153 parking spaces to serve the Helena College of Technology.

The CUP approval is subject to the following conditions:

1. Parking

- A. **Paved onsite parking and related landscaping shall be installed in accordance with chapter 22 of the Helena Zoning Ordinance and prior to its sue**
- B. **Screening, which may include a landscaped berm, must be installed along the north and east sides of the parking lot**

2. Sidewalk

A sidewalk must be installed along the south side of Townsend Avenue between Harris and Sanders Streets, and along the north and west sides of the parking lot to maintain pedestrian safety from the college to the parking lot and to minimize potential conflicts with the adjacent residential properties

3. Financial Guarantee

All of the following improvements shall be installed, or the improvements shall be financially guaranteed in accordance with Section 11-21-3-G of the Helena Zoning Ordinance:

- A. **If required by the stormwater drainage plan, any necessary drainage improvements and appurtenances:**
- B. **Landscaping and screening;**
- C. **Paved on-site parking**
- D. **Sidewalk**

Commissioner Cartwright seconded the motion.

Comment

Commissioner Pouliot indicated he would not vote in support of the CUP because of traffic safety issues in the area.

Vote

Motion carried 4-1, with Commissioner Pouliot voting no.
Resolution #19321

MOA- Colonial Drive CONSIDER A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HELENA, NOB HILL PROPERTIES AND MONTANA DEPARTMENT OF TRANSPORTATION, REGARDING ACCESS TO COLONIAL DRIVE.

Staff Report

Public Works Director John Rundquist reported the Montana Department of Transportation (MDT) has asked that the city participate in an agreement for control of street access with the Nob Hill Subdivision and the future Colonial Drive extension leading to the new South Helena Interchange. The intent of the agreement is to assure the developer of street access to Colonial Drive for each lot with certain provisions and limits on traffic generation. Director Rundquist recommended approval of the MOA and stated the agreement will help assure that access to the future Colonial Drive does not cause congestion or traffic safety problems.

Commission comment

Mayor Smith asked what section of Colonial Drive would have restricted access? Director Rundquist stated just the stretch of Colonial Drive that fronts the commercial lots of the Nob Hill Subdivision. Commissioner Peura asked staff to be mindful of connectivity issues as new subdivisions are developed. City Manager Burton gave an update on connectivity issues between Target and Hastings.

Public comment

Mayor Smith called for public comment, none was received.

Motion

Commissioner Pouliot moved approval for a Memorandum of Agreement between MDT, City of Helena and Nob Hill Properties, LLC; describing access to the Nob Hill Subdivision properties adjacent to the future Colonial Drive. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

Public Hearings

PUBLIC HEARINGS:

A. CONSIDER A RESOLUTION TO SUBMIT AN APPLICATION TO THE HOME INVESTMENT PARTNERSHIP GRANT PROGRAM ON BEHALF OF ROCKY MOUNTAIN DEVELOPMENT COUNCIL FOR THE CONSTRUCTION OF A 30-UNIT SENIOR AND DISABLED PERSON'S LIVING FACILITY.

Staff Report

City Planner Belinda Waters reported Rocky Mountain Development Council (RMDC) proposes to construct a three-story, 30-unit housing project for senior and disabled residents to be known as Eagles Manor III. This project will provide needed housing for senior and low-income residents in a facility that encourages interaction with other residents in small and large groups in a variety of activities. The project would add to the already successful Penkay Eagles Manor and Eagles Manor II facilities, and residents of the new facility would be able to take advantage of the services and social activities offered by the other facilities.

Public Testimony

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

Jeff Miller, 210 South Cooke, representing RMDC; spoke in support of the resolution and grant application. He explained the proposed application, including the proposed area of the project, activities and budget by the City of Helena and RMDC.

There being no further persons wishing to address the Commission, Mayor Smith closed the public hearing.

Commission comment Mayor Smith asked for the status of HOME grant funding related to the recent federal funding cuts? Community Development Director Sharon Haugen explained the HOME program will see a slight decrease but is fairing better than some other programs. She indicated that staff would prepare a report for the Commission listing funding changes for federal grants.

Mayor Smith asked if neighborhood meetings had been held regarding the project? Mr. Miller stated RMDC has held three neighborhood meetings.

Commissioner Cartwright urged RMDC to provide adequate landscaping at Eagles Manor III.

Commissioner Peura requested the HCC become involved in neighborhood discussions regarding the project.

Motion Commissioner Peura moved approval for an amended resolution to sponsor a HOME Investment Partnership Grant application on behalf of Rocky Mountain Development Council in the amount of \$500,000 to construct a three-story, 30-unit housing project for senior and disabled residents to be known as Eagles Manor III. Commissioner Oitzinger seconded the motion. All voted aye, motion carried. **Resolution #19322**

B. CONSIDER THE AMENDED PLAT FOR A SUBSEQUENT MINOR SUBDIVISION OF THE ANDERSON BUSINESS PARK MAJOR SUBDIVISION, CREATING TWO RESIDENTIAL LOTS (LOTS 38A AND 38B) FROM ONE LOT; GENERALLY LOCATED WEST OF HUMMINGBIRD COURT AND SOUTH OF PTARMIGAN LANE.

Staff Report City Planner Belinda Waters reported the applicant is requesting approval of the preliminary plat to subdivide a lot into two lots that are zoned R-3 (Medium Density Residential) District. On January 17, 2006, the Planning Board recommended approval of the proposed subdivision/preliminary plat (6:0 vote) subject to the condition listed in the Findings of Fact.

The applicant proposes to subdivide the existing Lot 38 into two lots. Lot 38A will consist of 5,386 square feet and Lot 38B will consist of 6,880. The property is legally described as Lot 38, Anderson Business Park Subdivision, Helena, Montana; generally located west of Hummingbird Court and south of Ptarmigan Lane.

Ms. Waters recommended approval of the amended plat and stated the proposed subsequent minor subdivision would encourage more intense development of the property as well as facilitate in-fill development. The proposal also represents an efficient use of land due to existing infrastructure (water, sewer, storm water drainage and streets).

Commission comment Commissioner Cartwright asked if the Fire Department has concerns with access to the second lot? Ms. Waters stated no. Commissioner Cartwright asked staff to look for a type of old-fashioned light that would come closer to complying with the city's dark skies ordinance.

Public Testimony

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

Ray Brekke, 5925 Lincoln Road, spoke in support of the subdivision.

There being no further persons wishing to address the Commission, Mayor Smith closed the public hearing.

Motion

Commissioner Cartwright moved approval for the amended plat of the Anderson Business Park Major Subdivision, a subsequent minor subdivision, creating two lots (Lots 38A and 38B) from one lot located in a R-3 (Medium Density Residential) District, and to adopt the Findings of Fact and the conditions contained therein for property legally described in the Findings of Facts.

Commissioner Pouliot seconded the motion. All voted aye, motion carried.

Public Communications

PUBLIC COMMUNICATIONS

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is March 8, 2006 and the next Commission Meeting is March 13, 2006. The City/County Joint Work Session will be held on Thursday, March 2, 2006.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 8:20p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission