

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
February 12, 2007
6:00 P.M.

Time & Place

A regular City Commission meeting was held on Monday, February 12, 2007 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 Throssell were present. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present. Others present were George McCauley 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 January 29, 2007 were approved as submitted.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Resolution declaring tangible personal property owned by the City of Helena to be surplus property and authorizing the disposal of that property (KATO generator at Wastewater Treatment Plant Facility) **Resolution #19445**
- C. Amendment to Memorandum of Understanding, Signal Upgrade-MDT Project CM 5899(22)
- D. Construction agreement - SFCU 5809(25) Montana Avenue Lyndale to Cedar UPN 5955, and SFCU 5908(24) Montana Avenue Cedar to Custer UPN 5954
- E. Utility bill insert – Growing Friends of Helena

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

Commissioner Oitzinger asked that item C be removed for discussion. Commissioner Throssell asked that item E be removed for discussion.

Public Comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Peura moved approval of items A, B and D on the consent agenda. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

Commission comment

Commissioner Oitzinger stated item C will coordinate the city's traffic signals and allow for greater energy conservation and cleaner air. She asked for the timeline and more information on the funding of the project. Public Works Director Rundquist explained the project originated in 2002 and was originally funded by Montana Air & Congestion Initiative (MACI) grants; however, the budget was woefully short to provide for completion and was tabled awaiting funding; funding has now been secured. Regarding the timeline, the Montana Department of Transportation (MDT) is still in the design phase but

would like to begin construction this year. The number of upgrades has been decreased but the main routes such as 11th and Prospect Avenues, Lyndale and Euclid Avenues, Montana Avenue, and one city owned signal will be upgraded. Commissioner Oitzinger thanked staff for their work on the project. Commissioner Throssell asked for clarification of the city match. Director Rundquist clarified the city match only applies to the city owned signal; the rest of the project is funded entirely by the State of Montana. Commissioner Cartwright thanked public works staff for including countdown timers at three pedestrian crossings. City Manager Burton added this project addresses many of the city's ADA issues at crosswalks.

Motion Commissioner Oitzinger moved approval of item C on the consent agenda. Commissioner Throssell seconded the motion. All voted aye, motion carried.

Commission comment Commissioner Throssell stated he would abstain from voting on the water bill insert, as he is president of Growing Friends of Helena. Commissioner Cartwright noted he is also on the Board of Growing Friends of Helena and would also abstain.

Motion Commissioner Peura moved approval of item E on the consent agenda. Commissioner Oitzinger seconded the motion. Motion carried 3-0, with Commissioners Throssell and Cartwright abstaining.

Communications COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Cartwright announced the Transportation Coordinator position has been approved and would be advertised this coming Sunday, February 18, 2006.

Report of the City Attorney REPORT OF THE CITY ATTORNEY
No report was given.

Report of the City Manager REPORT OF THE CITY MANAGER
A. TIF projects report

City Manager Tim Burton invited Community Facilities Director Gery Carpenter to give an overview of Tax Increment Finance (TIF) project history.

Director Carpenter gave a summary of Tax Increment District projects in the Great Northern Town Center area, such as construction of the Lewis & Clark Experience and Exploration Works Building; Central area, such as improvements to the Civic Center, Fire Department, and Grandstreet Theatre; and Southern area, such as the Last Chance Gulch 400 Block Project, Walking Mall improvements, Commission Chamber murals, Jackson Street Parking Structure and downtown signage project. He explained the TIF District is a success due to realistic prospects for increased financial development of real property and strong public and private partnerships.

Director Carpenter noted the Exploration Works Building and Jackson Street Parking Structure all won 1st place awards from the Montana Contractors Association.

Commissioner Peura thanked Director Carpenter for his informative presentation and spoke about how important Tax Increment

Financing is to communities. Mayor Smith referred to the Downtown Business Improvement District and commented on how important the role of the BID was to the TIF District. He asked if it would be possible to create another TIF district? Director Carpenter spoke about the successful components TIF districts, the key to TIF is the area must be have room to, and be destined to, grow. Commissioner Oitzinger asked for more information on the energy conservation components of the Exploration Works Building. Director Carpenter spoke on the energy-saving features of the building.

***Report from the
Helena Citizens***

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member George McCauley reported the Midtown/6th Ward Neighborhood Association would hold meetings at HCT on February 15, 2007 from 5:30 to 7:00pm and March 1, 2007 at 7:00pm; for more information contact HCC Chair Justin Trafton. He announced HCC Executive Officers and District Chairs will begin meeting with City Manager Burton monthly. Mr. McCauley noted Helena Fire Department Lieutenant Kelly Tuck is attending the HCC meetings as the Firefighter's Union representative, not as a member of the Fire Department. Lt. Tuck invited the HCC to advertise on the City of Helena fire trucks. There will be a Quality of Life Survey meeting on February 19, 2007 at 10:00a.m at the Pattern House. Mr. McCauley also noted Commissioner Peura suggested the HCC try to obtain a VISTA Volunteer to assist in revitalization of the neighborhood council structure. This volunteer would be funded by grants and city matching funds.

Public Hearings

PUBLIC HEARINGS:

A. CONSIDER A RESOLUTION INCREASING POLICE SERVICES (EXTRA WORK) FEE.

Police Chief Troy McGee reported a number of years ago, the Helena Police Department (HPD) required that all organizations/sponsors of events that requested extra duty services sign a contract, which effectively guaranteed reimbursement for our services. The majority of our extra work is derived from the School District Athletic Office, the State of Montana, the Civic Center, Carroll College and the high schools, although requests have expanded to include Helena College of Technology activities, Alive at Five, the Montana Club, Festival of Trees, etc.

A flat rate is charged for our services, but the officers working the events are paid their appropriate overtime rate. In some cases, the flat rate exceeds the officer's overtime rate, which results in cash carryover. However, because of the recent union negotiations, the HPD is no longer able to maintain a positive cash balance in our fund, which has been used in past years to offset the overtime salaries of higher ranked officers, i.e., Lieutenants, Captains and the Assistant Chief. Our current rate of \$35.00 per hour with a three-hour minimum has been in place since July 1, 2005. To date, the HPD has been successful in breaking even or accumulating a small nest egg, but we are anticipating a shortfall by the end of the current fiscal year mainly because of union increases.

Chief McGee recommended a \$10 per hour increase to \$45.00 per hour be instituted effective July 1, 2007; this increase should be sufficient until June 2009. He noted raising rates periodically every two to three years will result in smaller one-time increases rather than one or two large increases. A letter of intention to raise rates would be mailed

to those event sponsors who will be most impacted by this change, particularly the school district Athletics Division, Carroll College, and the high schools (dances, prom, graduation, etc.). This notice will give them sufficient time to increase their budgets accordingly.

Commission comment Commissioner Cartwright asked if any comments were received about the proposed increase? Police Chief McGee, City Manager Burton and City Clerk Havens noted they did not receive any responses. Commissioner Throssell asked how the officers are scheduled for these events? Chief McGee explained officers voluntarily sign up for the extra work at the events. Commissioner Throssell asked how the number of officers per event is determined? Chief McGee stated the Police Department works with the sponsors to determine the appropriate number of officers.

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

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

Motion Commissioner Peura moved approval for a resolution to increase the work rates for police services from \$35.00 per hour to \$45.00 per hour. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Resolution #19446**

Public Communications PUBLIC COMMUNICATIONS
No public communications were received.

Meetings of Interest MEETINGS OF INTEREST
The next Administrative Meeting is Wednesday, February 21, 2007 and the next Commission Meeting is Monday, February 26, 2007.
The City/County Joint Work Session will be held Thursday, March 8, 2007.

Adjournment There being no further business to come before the Commission, the meeting was adjourned at 7:07p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission