

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
May 7, 2007
6:00 P.M.

Time & Place A regular City Commission meeting was held on Monday, May 7, 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, and Throssell were present. Commissioner Peura was excused. City Manager Tim Burton, City Attorney David Nielsen and City Clerk Debbie Havens were present. Others present were Ken Saunders and Marshall Gingery 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 April 23, 2007 were approved as submitted.

Appointments APPOINTMENTS:
A. Helena Housing Authority
B. City-County Consolidated Planning Board

Mayor Smith made the following board appointment recommendations:
City-County Planning Board - Appointment of Kelly A. Casillas to the City-County Planning Board. This is a joint city-county appointment. The unexpired term will begin upon appointment and expire on September 1, 2009.

Helena Housing Authority - Appointment of Richard C. Brink to the Helena Housing Authority. The unexpired term will begin upon appointment and expire on August 1, 2008.

Appointment of Anita L. Varone to the Helena Housing Authority. The unexpired term will begin July 1, 2007 and expire August 1, 2011.

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

Motion **Commissioner Oitzinger moved approval of the appointments outlined above to the City-County Consolidated Planning Board and the Helena Housing Authority.** Commissioner Throssell seconded the motion. All voted aye, motion carried.

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 (solid waste containers) **Resolution 19462**

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

Public Comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Throssell moved approval of items A & B on the consent agenda. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Throssell said hello to his granddaughter Havannah.

Commissioner Oitzinger commented on the Helena Education Foundation's insert in the Independent Record recognizing the educators and scholars.

Commissioner Cartwright reported there has been a lot of concern with the proposed development of the Reber PUD; he then clarified Prickly Pear Land Trust's role in the discussion of the land acquisition. As a non-profit organization, they can't get involved in political fights like this. Prickly Pear Land Trust simply offered technical advice: if the City is going to build a water tank, the location that was chosen was as good as it was going to get.

Mayor Smith noted Human Resource Director Harry Payne has officially submitted his resignation letter effective August 31, 2007. He thanked Mr. Payne for his years of service. Commissioner Oitzinger stated this news is bittersweet news for her, Mr. Payne's level of professionalism will be missed.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

City Attorney Nielsen reported the city has been involved in litigation over a subdivision the commission approved called Aspen Trails. The plaintiffs in that case had made a motion for summary judgment and the court ruled against them on all the legal basis that they argued. At this point, the city will evaluate to see where we go from here and he will keep the commission informed.

Report of the City Manager

REPORT OF THE CITY MANAGER

City Manager Burton stated he received information from Public Works Director John Rundquist that Montana Avenue railroad crossing will be closed on Thursday, May 10, 2007 from 8:00 a.m. until 5:00 p.m. Montana Rail Link will do the Public Service Announcements. Tabbert Construction will be doing the traffic control efforts.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC Representative Ken Saunders reported on the HCC District meetings. The subjects discussed at the meetings included the quality of life survey; city zoning; urban wildlife committee recommendations; urban wildfire interface area; community gardens; downtown visioning partnership; mandatory recycling of glass; plowing of streets; and the complaint driven ordinances.

The next district meetings are July 19th. On June 10th the HCC will be doing some clean-up work on the walking mall.

Commissioner Oitzinger asked if the sign-in sheets from the district meetings are available for review. A copy will be given to the

commission members. Mayor Smith thanked Mr. Saunders for the report and for the feedback the HCC members give the commission.

**Fiscal Year 2008
Preliminary Budget**

PRESENTATION OF CITY MANAGER'S FISCAL YEAR 2008
PRELIMINARY BUDGET

Staff Report

City Manager Burton presented the City of Helena's Fiscal-Year 2008 Preliminary Budget. Manager Burton recognized and thanked Administrative Services Director Tim Magee, Budget Manager Robert Ricker and Administrative Services Administrative Assistance Julie Krause for their work on the development of the preliminary budget.

The commission budget work sessions have been scheduled for May 14, May 30, June 6 and June 11, 2007. The following budget development steps are proposed:

1. A budget overview by the City Manager at the May 7th city commission meeting.
2. A detailed budget review by the city commission at the scheduled meetings in May and June.
3. Notice of public hearings to be published on June 8 and 15, 2007.
4. Hold the annual hearing on the preliminary budget at the June 18, 2007 city commission meeting.
5. Identify all commission budget amendments to be made as a result of the hearing.
6. Adopt the amended budget as the FY08 Annual Budget, preferably also at the June 18th meeting.

Commission Comments

Commissioner Cartwright asked if a citizen wants to see a copy of the preliminary budget, where would one be available. City Manager Burton stated it would be posted on the city's web page and copies would be available in the Admin Services office, City Clerk's office and the Lewis & Clark Library.

Public Comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Cartwright moved to acknowledge the receipt of the Fiscal Year 2008 Preliminary Budget, set the public hearing for June 18, 2007, and order notice of the public hearing. Commissioner Throssell seconded the motion. All voted aye, motion carried.

Downtown Visioning

CONSIDER ENDORSEMENT OF THE DOWNTOWN VISIONING
PARTNERHSIP FINAL REPORT

Staff Report

City Manager Burton stated the commission has discussed the Downtown Visioning Partnership Report at the last two administrative meetings. There are representatives in the chambers who were involved in the development of the report.

City Manager Burton stated if the commission endorses the plan, it will become a guiding document for the Business Improvement District and their strategic issues. There are some commitments the City of Helena would partner with the various groups on the visioning plan; which would include a financial obligation.

Public Comments

Mayor Smith asked for public comment, none was received.

Commissioner Cartwright stated a portion of this report calls for reactivating the Helena Improvement Society, which was started over 100 years ago and Growing Friends used that as a basis for their effort.

Motion

Commissioner Cartwright moved the endorsement of the Downtown Visioning Partnership Final Report. Commissioner Throssell seconded the motion. All voted aye, motion carried.

Public Hearings

PUBLIC HEARINGS

A. CONSIDER A RESOLUTION RESCINDING RESOLUTION NO. 11603 AND REOPENING THE EAST/WEST ALLEY BETWEEN BLOCKS 1 AND 2 IN THE STORY ADDITION

Staff Report

City Engineer Ryan Leland reported Ms. Jean White lives at 420 North Benton. She supported the closure of the east/west alley between Blocks 1 and 2 in the Storey Addition in 1999 for her neighbors across the alley at 428 North Benton who had small children and used the side door of their house for ingress/egress most of the time. Since the alley runs right next to the house at 428 North Benton, it was considered dangerous for the children. The alley was closed by Commission action and was marked as a dead end. The owners of 428 North Benton allowed Mrs. White and others to drive across their concrete garage approach to the west to access a north/south alley so that they didn't have to back out into traffic on Benton Avenue. This worked for a few years. Then the owners of 428 North Benton sold the property. Mrs. White now has macular degeneration and cannot drive. She would use the HATS bus, but the driver says he can't pick her up at her door, which is part way up the closed alley, because he is not supposed to back out into traffic. The current owners of 428 say they do not want anyone using their concrete garage approach to access anything. They rarely if ever use the side door next to the alley for access and they do not have any small children. Because of her age and vision restrictions, and because she has fallen a few times and broken some ribs, she is afraid to try to walk down to the street where the bus could pick her up.

Mr. Leland recommended rescinding Resolution No. 11603 and re-opens the east/west alley between Blocks 1 and 2 in the Story Addition, as it would provide a safe and secure means of transportation for the applicant at no cost to the city.

Public Testimony

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

There being no persons wishing to address the commission, the public portion of the hearing was closed.

Motion

Commissioner Throssell moved approval of a resolution rescinding Resolution No. 11603 and reopening the east/west alley between Blocks 1 and 2 in the Story Addition. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.
Resolution 19462

B. CONSIDER FIRST PASSAGE OF AN ORDINANCE AMENDING CITY OF HELENA ORDINANCE NO. 2359 AND AMENDING THE OFFICIAL ZONING MAP THEREOF IN REFERENCE TO

PROPERTY LEGALLY DESCRIBED AS LOTS 29 AND 30,
BLOCK 134, MING ADDITION, FOR A ZONE CHANGE FROM
R-O TO B-2-T #33 DISTRICT.

Staff Report

Planner Kathy Macefield reported on April 10, 2007 the Helena Zoning Commission recommended approval for the adoption of an ordinance amending City of Helena Ordinance 2359, and amending the Official Zoning Map thereof in reference to those multiple properties, for a zone change from R-O (Residential-Office) to B-2-T #33 (General Business) District with restrictions. Legally described as Lots 29 and 30, Block 134, Ming Addition, Helena, Montana; generally located north of Euclid Avenue and south of the alley between Garrison and Mountain View Streets.

The B-2-T #33 District located between Henderson and Glendale Streets was established in 1984. At that time, the owner of Lots 29 and 30 of Block 134 of the Ming Addition was an out-of-state owner. Attempts to contact those property owners to discuss including these lots in the commercial zone change failed. As a result, the existing R-O District is part of "remnant" from that previous zone change.

The applicant's objective is to obtain approval for a zone change from R-O to B-2-T #33 District for vacant Lots 29 and 30, Block 134, Ming Addition.

This 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 change criteria and is compatible with the surrounding land uses. She then showed a map of the surrounding land uses.

Ms. Macefield stated there has been one letter of opposition received.

Ms. Macefield recommended first passage of an ordinance amending City of Helena Ordinance No. 2359 and amending the official zoning map thereof in reference to those multiple properties, for a zone change form R-O (Residential-Office) to B-2-T #33 (General Business) District with restrictions as legally described as Lots 29 & 30 in Block 134 of the Ming Addition in the City of Helena, Montana.

Commission Comments

Commissioner Cartwright asked what would the impact of this zone change have on the residential areas; does the city have adequate regulations for screening and light projection in place that would minimize the impact? Ms. Macefield stated all the uses in the B-2 Districts requires screening when they are abutting a residential zoning district; which is the case here. There is a lighting code in affect, Title 10, and all land uses are required to comply with Title 10. Any development of this property will need to have on-site parking, on-site landscaping, and stormwater drainage will have to be addressed.

Mayor Smith stated he is puzzled this change was not made in 1984; is it the city's policy to make contact with every landowner prior to making a zone change? Ms. Macefield explained whenever there is a zone change proposal, staff always contacts the property owners surrounding the zone change. At that time, the desire was to include this property; but the city commission expressly said they did not want to zone something without the knowledge of the property owner. Mayor Smith then asked if the commission could re-zone property without notifying a property owner? Ms. Macefield reviewed the criteria staff uses when a zone change is being considered.

Public Testimony

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

There being no persons wishing to address the commission, the public portion of the hearing was closed.

Motion

Commissioner Cartwright moved first passage of an ordinance amending City of Helena Ordinance No. 2359 and amending the official zoning map thereof in reference to those multiple properties, for a zone change from R-O (Residential-Office) to B-2-T #33 (General Business) District with restrictions as legally described as Lots 29 & 30 in Block 134 of the Ming Addition in the City of Helena, Montana. Commissioner Throssell seconded the motion. All voted aye, motion carried. **Ordinance 3085**

- C. CONSIDER A RESOLUTION VACATING A PORTION OF MISSOULA AVENUE RIGHT-OF-WAY (ROW) ADJACENT TO LOT 4 IN BLOC 118 AND LOT 1 IN BLOCK 117 OF THE NORTHERN PACIFIC SECOND ADDITION.

Staff Report

City Engineer Leland reported Doyle Davis, owner of D&D RV Storage LLP, has petitioned to vacate the remaining portion of the Missoula Avenue ROW adjacent to Lot 4 in Block 118 and Lot 1 in Block 117 of the Northern Pacific Second Addition. This is the only remaining portion of Missoula Avenue east of the interstate adjacent to owner's property that has not been vacated. A large portion of the Missoula Avenue ROW was vacated for the construction of the interstate and Lewis & Clark County vacated the remaining ROW adjacent to the owner's property, outside the City limits, in 2006.

The vacation would be approximately 1750 square feet of Missoula Avenue ROW. The fee for the vacation is approximately \$1,312.50 and the square foot value for the ROW, as determined by the Montana Department of Revenue, is \$0.75.

Mr. Leland recommended approval of the proposed vacation, as it will allow the owner the use the remaining isolated piece of ROW adjacent to his property.

Commission Comments

Mayor Smith asked if there would be any changes to this portion of property when the Capitol Interchange is re-done. City Engineer Ryan Leland stated he does not believe there would be any change to this portion of property.

Public Testimony

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

There being persons wishing to address the commission, the public portion of the hearing was closed.

Motion

Commissioner Throssell moved approval of a resolution vacating portions of Missoula Avenue ROW adjacent to Lot 4 in Block 118 and Lot 1 in Block 117 of the Northern Pacific Second Addition. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Resolution 19464**

D. CONSIDER A RESOLUTION GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A CASINO TO BE LOCATED IN THE B-2 (GENERAL COMMERCIAL) DISTRICT FOR PROPERTY GENERALLY LOCATED NORTH OF EAST LYNDAL AVENUE AND WEST OF NORTH MONTANA AVENUE WITH A PROPERTY ADDRESS OF 1100 EAST LYNDAL AVENUE.

Staff Report

Elroy Golemon, City Zoning Officer, reported on April 10, 2007, the Helena Zoning Commission recommended approval for a resolution granting a conditional use permit to allow a casino with up to 20 gaming machines, plus alcohol sales, to be located in the B-2 (General Commercial) District for property legally described as Grand Avenue Addition Block 1 Lots 1, 2, 3, 4, 5, and PT closed Dodge Street, Helena, Montana; generally located north of East Lyndale Avenue.

Staff noted the proposal generally conforms to some of the objectives of the 2001 Growth Policy. The proposed casino would affect nearby properties and their occupants, due to inadequate parking, which results from a lack of ownership or an access agreement and staff recommended denial.

Mr. Golemon showed the adjacent property uses; addressed the traffic on Lyndale Avenue, Montana Avenue and Helena Avenue. He also showed the applicant's proposed parking. The Montana Department of Transportation (MDT) was unable to submit a report addressing this location and traffic for the Zoning Commission public hearing. However, MDT submitted an email for the city commission's consideration stating some of their concerns about this proposal. Mr. Golemon stated Police Chief McGee has also expressed concerns with the traffic and access to the property and the difficulty of making a left hand turn out onto Lyndale Avenue.

The applicant's objective is to obtain approval from a resolution granting a CUP to allow a casino with up to 20 gaming machines, plus alcohol sales, to be located in the B-2 District.

The identified advantage is this proposal would allow development of a vacant building located in the B-2 District. The disadvantage as submitted is this CUP application does not meet the onsite parking and access requirements outlined in Section 11-21-3-B of the Helena Zoning Ordinance. The proposed casino would have an adverse affect on nearby properties and their occupants due to inadequate parking which results from a lack of ownership or access agreement for 8 parking spaces and access drive lane located on BNSF right of way property.

The applicant has submitted a variance request to aid in the parking requirement of the proposal. The variance has not been presented to the Board of Adjustment.

The Helena Zoning Commission recommended the following motion: Move approval of a resolution granting a conditional use permit (CUP) to allow a casino with up to 20 gaming machines to be located in a B-2 (General Commercial) District for property legally described in the staff report, subject to the following conditions:

- A. The applicant must obtain adequate parking and access for parking.
- B. The parking area must meet the minimum requirements for landscaping.

- C. All conditions and required improvements must be completed within one year and before utilizing property for the new use.

Alternate Motion: Move to deny a resolution granting a conditional use permit (CUP) to allow a casino with up to 20 gaming machines to be located in a B-2 (General Commercial) District for property legally described in the staff report, this denial results from conditions identified in the staff report.

Commission Comments

Commissioner Throssell asked Mr. Golemon to explain the required number of parking spaces and the reduction the applicant is asking for. Mr. Golemon explained there are 31.1 spaces required for the property; of which 2.8 are ADA required and are on the plan; there are 3 bicycle spaces that are required. The applicant, on this current plan shows a reduction in parking using an additional 8 bicycle spaces to reduce another four spaces; two racks are equivalent to one parking space. There would be an additional 6.22 parking space reduction due to the 400 square foot common area that would be placed out in front of the property. These reductions are allowed through the ordinance for parking reductions.

Commissioner Throssell asked if the bicycle reduction for parking is available regardless of the intended use of the building? Mr. Golemon concurred.

Commissioner Cartwright asked what percentage of the patrons of a casino bike to the business. Mr. Golemon stated he does not have that data.

Public Testimony

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

Mike Casey, TRIMAC Group, 25 Neill Avenue, representative for applicant 80 Proof LLC, spoke in favor of the proposal and asked the commission to vote favorably subject to the conditions.

There being no further persons wishing to address the commission, the public portion of the hearing was closed.

Commission Comments

Commissioner Throssell asked Police Chief McGee to comment on left turns being allowed from this location. Chief McGee stated he does have concerns with vehicles turning left from this location; it doesn't matter what type of business is in there. Commissioner Throssell asked if this is an enforcement issue or could it be designed so vehicles could not turn left. Chief McGee stated currently vehicles can turn left; however, at this time there is not a design prohibiting it.

Commissioner Oitzinger stated there are 31.1 parking spaces required? Mr. Golemon concurred and noted four spaces were reduced because of the bike racks and 6.22 were taken into account because of the common area. Commissioner Oitzinger stated that brings it down to 21 spaces and asked if there was still a shortage of parking spaces? Mr. Golemon stated there still would be 8-spaces short to be in compliance the required parking spaces.

Mayor Smith asked if the CUP is granted, then the applicants would continue to work with BNSF and other parties and come back with a variance request at a later date through the Board of Adjustment? Mr. Golemon stated he understands the applicant is going to attempt to gain access through cross-access agreements or some type of ownership

with the BNSF right-of-way or with UBC. If that doesn't work out or they cannot achieve those access agreements within one-year they would then come before the Board of Adjustment to ask for a variance to reduce the parking requirements. Mayor Smith asked if the commission approves the CUP tonight, would the commission see it back again? Mr. Golemon stated if the commission approves the CUP, the applicant would not need to come back before the commission. The next step would be before the Board of Adjustment for a variance on the parking, if needed.

Commissioner Cartwright stated he does have concerns with the vehicular access to the property; especially with the sale of alcohol. Those concerns are heightened by the concerns expressed by the Chief of Police and the Montana Department of Transportation. Commissioner Cartwright stated he does not believe this is an appropriate use for the area, as it is presently configured. The commission had the same concerns with a casino on Custer Avenue; however, those concerns were addressed and worked through. At this time he would be hesitant to approve the CUP.

Commissioner Oitzinger asked if the commission tables this, would the applicant be able to come back after securing the required parking. City Attorney Nielsen stated there is no legal impediment to tabling it; we are not under any time constraints or time restrictions.

Mayor Smith asked if the CUP is tabled, could the applicant come back at a later date with the variance request and re-request the CUP? City Attorney Nielsen stated yes.

Commissioner Cartwright stated he would be amendable to a tabling motion if the applicant would; however, his concern is less the parking than the access onto Euclid.

Mayor Smith stated he is inclined to support the CUP; the volume of traffic is probably an attractive feature for the applicant. He expressed concerns on how long it takes to get a traffic study completed.

Motion

Commissioner Oitzinger moved table a resolution granting a conditional use permit (CUP) to allow a casino with up to 20 gaming machines to be located in a B-2 (General Commercial) District for property legally described in the staff report. Commissioner Cartwright seconded the motion. Motion failed 2-2 with Commissioner Throssell and Mayor Smith voting no.

Motion

Commissioner Throssell moved table a resolution granting a conditional use permit (CUP) to allow a casino with up to 20 gaming machines to be located in a B-2 (General Commercial) District for property legally described in the staff report, to the call of the City Manager. Commissioner Cartwright seconded the motion. Motion carried 3-1 with Mayor Smith voting no.

E. CONSIDER A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HELENA, HELENA PARKING COMMISSION, MONTANA BOARD OF INVESTMENTS AND MONTANA STATE FUND FOR THE CONCURRENT CONSTRUCTION OF ANEW PARKING STRUCTURE ON PARKING LOTE #15 WITH A NEW OFFICE BUILDING FOR STATE FUND AT FRONT STREET AND WEST 15TH STREET

Staff Report

City Attorney David Nielsen reported the Montana State Fund needs a larger building to accommodate its operations currently located

at 3 South Last Chance Gulch. It is looking at moving its operations to a new building proposed to be constructed on a site located at the northeast corner of Front Street and West 14th Street. This site is south of Parking Lot #15, jointly owned by the Helena Parking Commission (HPC) and the City. The HPC administers and operates Parking Lot #15, one of the parking facilities in the parking district. The proposed new building on the Front Street site would need about 350 parking spaces. Parking Lot #15, as a surface parking lot, has 168 parking spaces.

The proposal is the Montana Board of Investments would acquire the property on Front Street and construct an office building that it would lease to Montana State Fund. This would be contingent upon the City and the HPC constructing a parking structure on Parking Lot #15 that would increase the number of parking spaces to a total of no less than 350 spaces. The financing of the construction of a parking structure would be through City-issued revenue bonds. The Montana Board of Investments would agree to purchase no less than 350 monthly parking permits over the life of the revenue bonds. The HPC will have to pledge revenues from its total parking district operation for the revenue bonds and may have to increase parking fees district-wide to satisfy the debt coverage obligations of the revenue bonds. The parties have negotiated a Memorandum of Understanding that details the obligations of the City, HPC, Board of Investments and Montana State Fund. The HPC has approved the MOU and the City's approval is requested to consummate the provisions. The parties agree to coordinate the design and construction of the new Montana State Fund Building and the parking structure to achieve complimentary structures that will be usable at nearly the same time.

The advantage of this MOU is it retains the Montana State Fund operations in the central business district of Helena. The MOU guarantees a long-term revenue source to help pay the revenue bonds.

The risks inherent in issuing revenue bonds and constructing and maintaining an economically viable parking structure. Guaranteeing 350 parking spaces on Parking Lot #15 may reduce availability of current parking for Federal employees using Parking Lot #15.

City Attorney Nielsen recommended approval of the Memorandum of Understanding between the City of Helena, Helena Parking Commission, Montana Board of Investments and Montana State Fund for the concurrent construction of a new parking structure on Parking Lot #15 and West 15th Street with a new office building for State Fund on Front Street.

Commission Comments

Commissioner Cartwright stated the bond will be a revenue bond based on the Board of Investment, he then asked City Attorney Nielsen if he believes there is any way the Board of Investment would not be able live up to this commitment? City Attorney Nielsen explained the Board of Investment is not going to buy the revenue bonds; the city would be issuing the bonds through the normal process of bond purchasers.

Commissioner Cartwright asked if this would be a good investment to other people, would the pledge by the Board of Investment for 30-years be something that is bankable. City Attorney Nielsen stated he has spoken to bond counsel and parking structure bonds are challenging bonds; however, having a guaranteed revenue source for the life of the bonds is definitely a plus.

Public Testimony

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

HCC representative Marshall Gingery, 2522 Primrose Lane, stated he believes this MOU seems to be an excellent idea. He recommended the commission review the overall parking of the 10-20-block area of the proposed parking garage.

There being no further persons wishing to address the commission, the public portion of the hearing was closed.

Motion

Commissioner Cartwright moved approval of the Memorandum of Understanding between the City of Helena, Helena Parking Commission, Montana Board of Investments and Montana State Fund for the concurrent construction of a new parking structure on Parking Lot #15 and West 15th Street with a new office building for State Fund on Front Street. Commissioner Oitzinger seconded the motion.

Commissioner Throssell stated he too would encourage the Helena Parking Commission to review all the parking needs in the area. He noted this garage is not the only opportunity where State Fund employees would be able to park.

Vote

All voted aye, motion carried.

Public Communications

PUBLIC COMMUNICATIONS – No comments were received.

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is May 16, 2007 and the next Commission Meeting is May 21, 2007. City Commission Budget Work Session is May 14, 2007 at 3:00 p.m.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission