

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**February 25, 2008**  
**6:00 P.M.**

***Time & Place***

A regular City Commission meeting was held on Monday, February 25, 2008 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 Elsaesser were present. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present. Others present were George Hoff 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 11, 2008 were approved as submitted.

***Consent Agenda***

CONSENT AGENDA:

- A. Claims
- B. Right-of-way use agreement for a portion of the Ewing Street right-of-way adjacent to Lots 3-5 in Block 18 of the Original Helena Townsite

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

***Communications***

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Elsaesser commented he received an email from some MT City 8<sup>th</sup> graders regarding Earth Hour 2008, which will be held on March 29, 2008 at 8:00 p.m. Earth Hour evaluates what citizens can do for the planet by turning off non-essential lights for one hour. He encouraged city government to participate.

Commissioner Peura reported he would bring information regarding Earth Hour 2008 to the Global Climate Change Task Force.

***Report of the City Attorney***

REPORT OF THE CITY ATTORNEY

No report was given.

***Report of the City Manager***

REPORT OF THE CITY MANAGER

City Manager Burton asked George Hoff to present an update on the Trolley Car #3 restoration project. Mr. Hoff gave an overview of the restoration using a power point presentation and provided the Commission with examples of the materials being restored. He noted donations could be sent to the Lewis & Clark Historical Society at PO Box 1864, Helena, MT 59624.

Commissioner Elsaesser commented he visited the restoration site and was impressed by the work being done.

**Report from the  
Helena Citizens  
Council**

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member George Hoff reported the HCC District Meetings will be held Thursday, February 28, 2007 at 6:30 p.m. at various locations.

**Contract Consultant**

CONSIDER A RECOMMENDATION FOR A CONTRACT CONSULTANT FOR THE CENTENNIAL PARK/LEGION FIELD RENOVATION PROJECT.

Staff Report

Parks & Recreation Director Randy Lilje reported the Centennial Park and Kindrick Legion Field projects are part of the parks improvements general obligation bond that was approved by Helena's voters in November 2007. After considerable input from the City/County Parks Board, Centennial Park stakeholders committee, and the general public, the Centennial Park Master Plan was approved by the City Commission last summer. The Commission also approved a number of improvements to Kindrick Legion Field including the renovation to the playing field.

To accomplish these projects, staff advertised for consultant services to provide landscape architect and engineering services. Three proposals were submitted with information required to evaluate them. The selection committee consisting of Public Works Director John Rundquist, Parks Superintendent Rich Lynd and Director Lilje evaluated the proposals based on the required criteria of the Request for Proposals. The committee recommended the firm of Carl Thuesen, landscape architect of Billings, Montana working with Great West Engineering of Helena and PRZ Sports Turf Consulting of Colorado Springs, Colorado. Director Lilje noted this recommendation was reviewed by the City/County Parks Board at its February 6, 2008 meeting and was unanimously endorsed for recommendation to the City Commission. Approval of the contract will move the city closer toward accomplishment of these two projects.

Commission comment

Commissioner Cartwright asked if the consultant would be picking out low-irrigation and no-irrigation plantings for a portion of Centennial Park? Director Lilje stated yes, part of the design is for native grasses and other types of low water required plant material. The irrigation system will be as water efficient as it can be. Also, the soil amendments that will be done will provide better water retention capabilities in the characteristics of the soil.

Public comment

Mayor Smith called for public comment, none was received.

**Motion**

**Commissioner Oitzinger moved approval of the recommendation to contract with Carl Thuesen, ASLA for landscape architecture and engineering services for the Centennial Park/Kindrick Legion Field projects and direct the City Manager and staff to negotiate the final scope of services and contract amount for final approval by the City Commission.** Commissioner Cartwright seconded the motion. All voted aye, motion carried.

**ROW Dedication** CONSIDER A RIGHT-OF-WAY DEDICATION FOR A PORTION OF BENTON AVENUE AND COONEY DRIVE FOR LOT J OF COS #436412.

**Easement Dedications** CONSIDER EASEMENT DEDICATIONS FOR A PORTION OF BENTON AVENUE, STORM WATER DETENTION AND THE CITY IRRIGATION WELL IN TRACT B OF THE COONEY HOME SUBDIVISION IN LEWIS & CLARK COUNTY.

Staff Report

City Engineer Ryan Leland reported currently, Benton Avenue is constructed to half width adjacent to the Crystal Springs Subdivision. As part of the subdivision process, the Crystal Springs Subdivision was only required to construct half of Benton Avenue because right-of-way (ROW) was created only for half the street. Lewis & Clark County and Mr. Jack Anderson need to dedicate the other half of the ROW.

As part of the Benton Avenue extension project, the City of Helena will construct the other half of Benton Avenue adjacent to Mr. Anderson's property and the Lewis & Clark County Shops. The city contacted Mr. Anderson and he agreed to dedicate the remaining ROW through his property for the extension of Benton Avenue. Lewis & Clark County also agreed to donate a public access easement to the City of Helena for the extension of Benton Avenue. During the negotiation with Mr. Anderson, he also agreed to donate ROW for the extension of Cooney Drive.

Mr. Leland recommended acceptance of the ROW dedication, as it will allow the city to construct the Benton Avenue extension and allow the construction of Cooney Drive with future land development.

Regarding the proposed easement dedications, the city drilled an irrigation well on the Lewis & Clark County Shop property and constructed line from the shop to the city golf course. Then, for the storm water detention requirements for the Pioneer Village Subdivisions, Lewis & Clark County agreed to allow the required detention to be placed on the county's shop property; however, no easement was filed.

Lewis & Clark County agreed to give the City of Helena a 30-foot wide access easement for the extension of Benton Avenue. This will allow the City of Helena to construct the other half of Benton Avenue. Then, in addition to the easement for Benton Avenue, Lewis & Clark County will grant easements for the irrigation well and the storm water detention.

Mr. Leland recommended acceptance of the dedications, as they will allow the city to construct the Benton Avenue extension and clean up past agreements for the storm water detention and the irrigation well.

Commission comment

Commissioner Elsaesser asked how much of the Benton Avenue extension is scheduled for this summer? Mr. Leland explained Benton Avenue was constructed as a half-width street with the Crystal Springs Subdivision. The city plans to finish the other half of the street and a small connection at Custer and Benton Avenue. Mr. Leland noted Stone Meadows Subdivision north of the subject area is under construction and a condition of its approval was to extend Benton Avenue.

Public comment

Mayor Smith called for public comment.  
George Hoff, 1409 Cannon; cautioned the Commission the Cooney Cemetery is located north of the Lewis & Clark County Shop.

**Motion** Commissioner Peura moved to accept a ROW dedication for a portion of Benton Avenue and Cooney Drive from Lot J of COS #436412. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

**Motion** Commissioner Peura moved to accept easement dedications for a portion of Benton Avenue, storm water detention and the city irrigation well in Tract B of the Cooney Home Subdivision in Lewis & Clark County. Commissioner Oitzinger seconded the motion. All voted aye, motion carried.

**Public Hearings** PUBLIC HEARINGS:

A. 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) AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO (\$113,836.65 FOR THE BOND FOR GRANITE STREET SID NO. 408 BOND).

**Staff Report** Administrative Services Director Tim Magee reported on July 31, 2006 the City Commission passed Resolution 19389 creating Special Improvement District No. 408 to install curbs, gutters, sidewalks, paving, storm water drains, and other appurtenances for the reconstruction of Granite Street between Knight Street and US Highway 12.

The Helena School District is the only property owner included in SID 408. Staff is requesting a loan authorization amount of \$113,836.65 to finance through the INTERCAP loan program. The amount borrowed is the actual amount spent on the project plus law mandated 5% revolving fund contribution. If approved, the special assessments for the repayment of this loan will be payable over a term not exceeding three years, in equal semi-annual payments, together with interest as set by the INTERCAP Program.

INTERCAP loans are a variable interest rate loan program with a new rate set each year in February effective for the next fiscal year. The City has participated in the INTERCAP program several times and the interest rates charged have been favorable when compared to other types of borrowings.

Director Magee recommended approval of the resolution authorizing the INTERCAP Loan and setting the terms and conditions of the loan for the Granite Street Special Improvement District No. 408.

**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 Cartwright moved approval of a resolution authorizing the INTERCAP Loan and setting the terms and conditions of the loan for the Granite Street Special Improvement District No. 408. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

**Public  
Communications**

PUBLIC COMMUNICATIONS

No public communications were given.

**Meetings of  
Interest**

MEETINGS OF INTEREST

The next Administrative Meeting is Wednesday, March 5, 2008 and the next Commission Meeting is Monday, March 10, 2008. The City/County Joint Work Session will be held Thursday, March 6, 2008.

Commissioner Elsaesser reminded everyone of the HCC Neighborhood Meetings being held on Thursday, February 28, 2008.

**Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 6:57 p.m.

---

Mayor James E. Smith

ATTEST:

---

Clerk of the Commission