

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**August 18, 2008**  
**6:00 P.M.**

**Time & Place** A regular City Commission meeting was held on Monday, August 18, 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 Peura, and Elsaesser were present. Commissioners Cartwright and Oitzinger were excused. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present. Others present were James Penner 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 August 4, 2008 and Executive Session minutes of July 30, 2008 were approved as submitted.

**Appointments** APPOINTMENTS:  
A. Public Art Committee  
B. Helena Regional Airport Authority

Mayor Smith asked for Commission concurrence on the following appointments:

**Public Art Committee** – Appointment of Carol Montgomery and Benjamin Pepka as Artist representatives. Ms. Montgomery's term will begin upon appointment and expire December 31, 2010. Mr. Pepka's term will also begin upon appointment and expire on December 31, 2011.

**Helena Regional Airport Authority** – Appointment of Bob Henkel. Mr. Henkel's term would begin upon appointment and expire August 31, 2011.

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

**Motion** **Commissioner Peura moved approval of the appointments to the Public Art Committee as outlined above.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Commission comment Commissioner Peura expressed concern for the appointment of Bob Henkel to the Helena Regional Airport Authority. Commissioner Elsaesser concurred. Mayor Smith indicated he would provide a new Airport Authority appointment recommendation at the September 3, 2008 Administrative Meeting.

**Consent Agenda** CONSENT AGENDA:  
A. Claims  
B. Resolution of intention to increase water rates up to or less than 5.00%

- C. Resolution of intention to increase wastewater rates up to or less than 15.70%
- D. Final passage of Ordinance No.3100 pre-zoning ten (10) parcels on Custer Avenue and Cooney Drive to R-3 (Medium Density Residential) District for eight (8) parcels of land, (Public Lands and Institutions) District for a tract of land, and R-O (Residential-Office) District for a tract of land prior to annexation into the City of Helena Montana. **Ord #3100**
- E. Final passage of Ordinance No. 3101 for a zone change from R-2 to R-3 District for three lots located in the City of Helena and amending the Official Zoning Map thereof; generally located north of Custer Avenue and south of Russell Lane. **Ord #3101**

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 through E on the consent agenda.** Commissioner Peura seconded the motion. All voted aye, motion carried.

**Communications**

**COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS**

Commissioner Peura read a letter he drafted to the Helena Regional Airport Authority Chair and Chief Executive Officer of Blue Cross/Blue Shield. This letter is included in the Commission packet as part of the official record. Commissioner Peura asked Mayor Smith and Commissioner Elsaesser if they were interested in signing the letter and noted Commissioner Cartwright had signed the letter in support.

Commissioner Elsaesser agreed with several components of the letter but indicated he did not intend to sign the letter at this time. Mayor Smith commented he agrees with concerns related to process matters but stated he would not sign the letter. He expressed appreciation for Commissioner Peura and Cartwright's work on the issue.

**Public Comment**

Mayor Smith asked for public comment.

Chris Nicholson, Helena; read a petition into the record entitled "Petition to review the Blue Cross/Blue Shield Airport move". The petition is included in the Commission packet as part of the official record.

**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. Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ending June 30, 2007

City Manager Tim Burton City Manager Burton reported the City of Helena has received their 20th consecutive Certificate of Achievement for Excellence in Financial Reporting (CAFR) for Fiscal Year Ending June 30, 2005. City Manager Burton, Mayor Smith, and the Commission members commended Administrative Services Director staff for their work on the budget.

**Report from the  
Helena Citizens  
Council**

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member Jim Penner reported the HCC VISTA Supervisory Committee has been formed and will meet every other week. He announced the HCC will hold a planning session in lieu of their September meeting to work on revitalizing the council's mission.

**SLD No. 218**

CONSIDER RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 218 ALONG THE STREETS AND AVENUES IN PARTS OF THE WILLOWS SUBDIVISION.

Staff Report

Accounting Supervisor Brandi Pierson reported a petition has been signed and filed by Mr. Robert Croft requesting a light district be created in the Willows Subdivision. The proposed facilities will consist of 10 units, with underground wiring, fiberglass or metal poles for 14-foot mounting heights, and glass enclosed acorn luminaries with 100-watt high-pressure sodium vapor lamps.

The estimated cost of maintenance, electrical energy, and administration for the first year is \$6,904 with the estimated cost being \$.0340 per square foot of property owned, said amount to be paid by the property owners. This amount includes an additional assessment to be charged by the city to establish a cash reserve and recover any costs of the district incurred prior to receipt of the first assessments. Thereafter, the annual assessment will be approximately one-half of the first year's assessment.

Ms. Pierson recommended approval of the resolution of intention as it would allow ten lights to be installed in the Willows Subdivision.

Commission comment

Mayor Smith asked if the proposed lamps would be energy efficient. Ms. Pierson explained she is unsure of their energy efficiency and stated the lamps were chosen because they comply with the historic replica portion of the city's lighting ordinance. Commissioner Peura expressed concern for the city's lighting ordinance and noted it would be reviewed by the Commission at an upcoming Administrative Meeting.

Public comment

Mayor Smith called for public comment, none was received.

**Motion**

**Commissioner Peura moved approval of a resolution of intention to create Special Improvement Lighting District No. 218 and set a public hearing date of September 8, 2008.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19586**

**SLD No. 219**

CONSIDER RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 219 ALONG THE STREETS AND AVENUES IN PARTS OF THE ASPEN PARK AT MOUNTAIN VIEW MEADOWS SUBDIVISION, PHASE A.

Staff Report

Accounting Supervisor Brandi Pierson reported a petition has been signed and filed by Mr. Greg Dahl requesting a light district be created in parts of the Aspen Park at Mountain View Meadows Subdivision, Phase A. The proposed facilities will consist of 38 units,

with underground wiring, fiberglass or metal poles for 16-foot mounting heights, and Lexington Colonial luminaries with 100-watt high-pressure sodium vapor lamps.

The estimated cost of maintenance, electrical energy, and administration for the first year is \$17,185.40 with the estimated cost being \$.0006 per square foot of property owned, said amount to be paid by the property owners. This amount includes an additional assessment to be charged by the city to establish a cash reserve and recover any costs of the district incurred prior to receipt of the first assessments. Thereafter, the annual assessment will be approximately one-half of the first year's assessment.

Ms. Pierson recommended approval of the resolution of intention as it would allow 38 lights to be installed in the Aspen Park at Mountain View Meadows Subdivision, Phase A.

Commission comment                      Commissioner Peura asked how the number of lights in a subdivision are determined? Ms. Pierson explained Northwestern Energy determines the amount of lights that are included in a lighting district in a subdivision based on the developer's choice of fixture and the height of the poles.

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

**Motion**    **Commissioner Peura moved approval of a resolution of intention to create Special Improvement Lighting District No. 219 and set a public hearing date of September 8, 2008.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19587**

**15<sup>th</sup> Street Parking Structure**                      CONSIDER THE SELECTION OF A GENERAL CONTRACTOR CONSTRUCTION MANAGER FOR THE 15TH STREET PARKING STRUCTURE.

Staff Report                                      Community Facilities Director Gery Carpenter reported the City Commission adopted detailed written finding demonstrating that an alternative project delivery contract meets the requirements of 182-502 (2), MCA, for the 15<sup>th</sup> Street Parking Structure. That action enabled the City of Helena to proceed with alternative project delivery contract method. This included a RFQ followed by a RFP, with a selection process that was followed with the preconstruction contract. The final step is the awarding of a general contractor construction management contract to the successful respondent. Four general contractors responded to the RFQ: Dick Anderson Construction, Diamond Construction, Martel Construction and Langlas & Associates. With the exception of Langlas & Associates, all of the respondents of the RFQ also responded to the RFP. A committee comprised of Jim McHugh, Carroll South, Gery Carpenter, Mark Barry, Randall Green, Ben Tintinger and Tony Houtz met on August 7, 2008 to interview the three respondents of the RFP. The result of those interviews and the submitted RFP's provided a recommended ranking of the respondents by the committee of: 1<sup>st</sup> – Dick Anderson Construction, 2<sup>nd</sup> – Martel Construction and 3<sup>rd</sup> – Diamond Construction.

Director Carpenter recommended the city negotiate a preconstruction contract with Dick Anderson Construction to provide leadership and administration services for the project, from planning and

design, in cooperation with the designers and the project owners of the 15<sup>th</sup> Street Parking Structure. The contract would provide cost estimating, value engineering, planning and scheduling of construction work and minimize significant technical complexities during the design phase that could occur during construction and provide a guaranteed maximum price for the project at contract end.

Commission comment                      Commissioner Peura asked when construction will begin?  
Director Carpenter stated January of 2009.

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

**Motion**    **Commissioner Peura moved to authorize the City Manager to negotiate a preconstruction contract with Dick Anderson Construction Inc. for services during the design of the 15<sup>th</sup> Street Parking Structure.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

**Contract Award**                              CONSIDER AWARD OF A CONTRACT FOR MEMORIAL PARK POOL RENOVATIONS WITH NEW AQUATICS COMPLEX.

Staff Report                                      Parks & Recreation Director Amy Teegarden reported two bids were received for the Memorial Park pool renovations. The low bidder was James Talcott Construction of Great Falls in the amount of \$2,653,605.00. James Talcott has recently completed the renovation of three swimming pools and the construction of two splash decks in Great Falls. Director Teegarden recommended award of the construction contract to James Talcott Construction in the amount of \$2,653,605.00.

Director Teegarden also reported the issues associated with the Department of Public Health and Human Services (DPHHS) have been resolved, other than the pool capacity (bather load). The DPHHS representative still maintains that a revised bathhouse plan with additional fixtures needs to be approved before construction begins. He states the bather load at 1,270 swimmers at one time based on surface square footage of the pool(s).

The Parks Department and consultant have determined the bather load will be limited to 750. Size limitations of 750 are based on staffing levels and historic use levels. 750 are nearly double the maximum capacity of historical levels. Signs will be posted and a system will be instituted to account for capacity. Given the limitation of 750, we argue the bathhouse plan meets State requirements. A letter from the commission or City Manager to DPHHS stating our self-imposed capacity of no more than 750 should alleviate the concerns.

Director Teegarden recommended the Commission accept the bid as recommended by the project consultant, Mr. Brian Milne, the Parks Superintendent and Parks Director and also endorse a letter to DPHHS stating the bather capacity of Memorial Park Pool and Waterpark will be 750 bathers at one time. This recommendation will allow construction to begin immediately following the seasonal closure of the pool and will ensure completion of the project in time to open for the 2009 swim season.

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

**Motion** **Commissioner Peura moved to award the bid to James Talcott Construction in the amount of \$2,653,605.00 and to endorse a letter to DPHHS stating the bather capacity of Memorial Park Pool and Waterpark will be 750 bathers at a time.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

**Public Hearings** PUBLIC HEARINGS:

A. CONSIDER A RESOLUTION ESTABLISHING CHARGES FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL GARBAGE AND REFUSE IN THE CITY OF HELENA, MONTANA, FOR FISCAL 2009.

**Staff Report** Director Magee reported the Resolution of Commission Intent for the FY2009 Annual Budget calls for Funding of Essential Services, including:

- Providing annual funding of regularly recurring Comprehensive Capital Improvement Program (CCIP) components.
- Annually reviewing rates to:
  - ensure adequate funding of operations, maintenance, and debt;
  - address capital project priorities;
  - provide for part or all of the impact of inflation; and
  - make incremental rate changes that are regular and predictable for citizens ....

Therefore, as a result of the City Commission's CCIP review, a rate increase up to 2.81% is recommended in fiscal year 2009 for charges for residential sanitation.

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

Paul Pacini, 303 State Street; spoke against the proposed rate increases. Mr. Pacini's comments are included in the Commission packet as part of the official record.

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

**Discussion** Commissioner Peura reflected on Mr. Pacini's comments.

**Motion** **Commissioner Peura moved approval for a resolution to establish charges and consider a rate increase up to 2.81% for collection and disposal of residential garbage and refuse in the City of Helena, Montana for fiscal year 2009.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19588**

B. CONSIDER A RESOLUTION TO ESTABLISH A RATE MATRIX FOR SERVICE CHARGES FOR COMMERCIAL COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE IN THE CITY OF HELENA, MONTANA FOR FISCAL YEAR 2009.

**Staff Report** Director Magee reported the Resolution of Commission Intent for the FY2009 Annual Budget calls for Funding of Essential Services, including:

- Providing annual funding of regularly recurring Comprehensive Capital Improvement Program (CCIP) components.
- Annually reviewing rates to:
  - ensure adequate funding of operations, maintenance, and debt;
  - address capital project priorities;
  - provide for part or all of the impact of inflation; and
  - make incremental rate changes that are regular and predictable for citizens ....

Therefore, as a result of the City Commission's CCIP review, a rate increase up to 2.81% is recommended in fiscal year 2009 for charges for commercial sanitation.

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 establish a rate matrix and consider a rate increase up to 2.81% for service charges for commercial collection and disposal of garbage and refuse in the City of Helena Montana for fiscal year 2009.**

Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19589**

C. CONSIDER A RESOLUTION TO LEVY AND ASSESS ANNUAL CHARGES FOR THE FISCAL YEAR 2009 STORM WATER UTILITY.

Staff Report

Director Magee reported each year the City Commission must levy and assess annual charges on the above districts in order for them to be placed on the upcoming tax bills.

Director Magee reviewed the following annual assessment:

Storm Water Utility: Storm Water Utility assessments are currently based on the square footage of impervious area as described in the resolution. A rate increase of up to or less than 6.35% will be considered. There is a revision/clarification to the method of assessment that excludes certain properties within the district as described in the proposed resolution.

Director Magee recommended approval of the resolution as it would provide the necessary funding for the annual operation of the district.

Commission comment

Commissioner Peura spoke in support of increasing the assessment for the Storm Water Utility District 6.35% in order to maintain 50% capital funding.

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 levying an assessment for the annual charges on the Storm Water**

**Utility District with a rate increase of 6.35% for fiscal year 2009.**

Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19590**

D. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR THE ANNUAL CHARGE FOR THE OPEN SPACE MAINTENANCE DISTRICT NO. 1.

Staff Report

Director Magee reported each year the City Commission must levy and assess annual charges on the above districts in order for them to be placed on the upcoming tax bills.

Director Magee reviewed the annual assessments for the following special improvement district:

Open Space District Maintenance: The proposal is to set an assessment rate of a minimum \$7.00 per parcel plus \$0.00215 per square foot of impervious area in excess of 2,222 square feet. There is no proposed rate increase. There is a revision/clarification to the method of assessment that excludes certain properties within the district as described in the resolution.

Director Magee recommended approval of the resolution as it would provide the necessary funding for the annual operation of the district.

Public Testimony

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

Tom DeYoung, 551 Diehl Drive; urged the Commission to use the maintenance fees to help with the pine beetle kill.

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

Comment

City Manager Burton explained the Open Space Maintenance District will work on the beetle issue. There are also many state and federal funding sources.

Motion

**Commissioner Elsaesser moved approval for a resolution levying an assessment on all property in the Open Space Maintenance District No. 1 for fiscal year 2009.** Commissioner Peura seconded the motion. All voted aye, motion carried. **Res #19591**

E. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR THE ANNUAL CHARGE FOR THE STREET MAINTENANCE DISTRICT NO. 1.

Staff Report

Director Tim Magee reported each year the City Commission must levy and assess annual charges on the above districts in order for them to be placed on the upcoming tax bills and reviewed the annual assessments for the following special improvement district:

Street Maintenance District #1: Street Maintenance District #1 assessments are based on square footage rates and the type of property as classified in the resolution. A rate increase will be considered of up to 11.05%.

Director Magee reviewed proposed changes to the classification of "vacant" in the resolution and recommended approval of the resolution as it would provide the necessary funding for the annual operation of the district. Attorney Nielsen commented on the proposed revisions to the definition of the words "vacant" and "commercial".

Public Testimony

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

Andy Skinner, PO Box 5447, Helena; submitted a letter for the record and gave the history of his review of the Street Maintenance District assessment. Mr. Skinner urged the Commission to exclude streets in mobile home courts from the assessment.

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

Comment

Commissioner Peura asked for the deadline for approval of the proposed resolution. Director Magee explained action needs to be taken at tonight's meeting so the assessments can be certified September 1, 2008.

Motion

**Commissioner Peura moved to amend the resolution relating to street assessments to re-define "Vacant" if they:**  
**a. do not contain affixed structures or fixtures other than fences;**  
**b. are publicly operated surface parking lots; or**  
**c. are public recreational facilities such as sport fields, athletic courts, parks, open space, or playgrounds.**

**And to re-define "Commercial" by adding:**  
**including those used for storage of business inventory or equipment in conjunction with an adjacent commercial enterprise.**

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

Motion

**Commissioner Peura moved approval of a resolution levying an assessment for the annual charges on the Street Maintenance District No. 1 with a rate increase of 4.1% for fiscal year 2009.** Commissioner Elsaesser seconded the motion.

Comment

Commissioner Peura explained his support for the rate increase amount of 4.1%. Mayor Smith commented he would like to fully fund the Street Maintenance District but would support the motion as he is aware of the financial limitations citizens are struggling with.

Vote

All voted aye, motion carried. **Res #19592**

- F. CONSIDER RESOLUTIONS TO LEVY AND ASSESS ANNUAL CHARGES ON THE FOLLOWING DISTRICTS:
- A) STREET LIGHTING DISTRICTS
  - B) TREE PLANTING AND MAINTENANCE DISTRICT
  - C) SPECIAL IMPROVEMENT DISTRICTS (SID'S)
  - D) SIDEWALK IMPROVEMENT PROGRAM

Staff Report

Director Magee reported each year the City Commission must levy and assess annual charges on the above districts in order for them

to be placed on the upcoming tax bills and reviewed the annual assessments for the following special improvement districts:

Sidewalk Improvement Program: The Sidewalk Improvement Program Resolution of Intention shows the total amount of annual assessments that will be placed on the tax bills for the 2007 and prior programs.

Special Improvement Districts (SIDs): The SID assessments are necessary to cover the annual payments for the outstanding debt.

Street Lighting Districts: Street Lighting districts assessments are based upon the anticipated cost of electric utility bills and administrative services.

Tree Planting and Maintenance District: The proposal is to keep the assessment rate the same at \$10 per GEO code or parcel.

Director Magee recommended approval of the assessments in order to provide the necessary funding for the annual operation of the districts.

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 the resolutions of intention to levy and assess annual charges on the following districts for fiscal year 2009:**

**Sidewalk Improvement Program Res #19593**

**Special Improvement Districts (SID) Res #19594**

**Street Lighting Districts Res #19595**

**Tree Planting and Maintenance District Res #19596**

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

G. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR AND APPROVING THE PROPOSED WORK PLAN AND BUDGET OF THE BUSINESS IMPROVEMENT DISTRICT (BID) FOR FISCAL YEAR 2009.

Staff Report

Director Magee reported on July 24, 2000 the City Commission passed Resolution #11542 which re-created the BID for an additional ten years. State law requires the BID to submit its budget and work plan to the City Commission for its approval and to recommend a method of levying an assessment on the property within the district to defray the cost of the work plan and budget.

Director Magee recommended approval of the resolution and noted the assessment is unchanged and outlined in the resolution.

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 the resolution levying and assessment and approving the work plan and budget for the Business Improvement District for fiscal year 2009.**  
Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19597**
- Comment** Commissioner Peura stated most of the budget items approved tonight did not result in a rate increase. The three public utilities that were increased represent a total increase of \$10.30 per year. Mayor Smith and Commissioner Elsaesser concurred with Commissioner Peura's comments.
- Annual Levy in Mills** CONSIDER A RESOLUTION PROVIDING FOR THE ANNUAL TAX LEVY IN MILLS FOR FISCAL YEAR JULY 1, 2008 THROUGH JUNE 30, 2009.
- Staff Report** Director Magee reported as required by MCA 15-10-203 the City held a public hearing before passing a resolution to Budget Additional Property Tax Revenue, a resolution to budget additional property tax revenue after the public hearing and adopted the final budget on July 21, 2008.  
MCA 7-6-4036 requires the City to fix the tax levy by the later of the 2<sup>nd</sup> Monday in August or within 45 calendar days after receiving certified taxable values. Certified taxable values were received August 5, the tax levy deadline is September 19.  
Newly taxable property growth:
- ◆ was 5.73% last year and is 3.47% this year,
  - ◆ was estimated at 5.71% or \$333,819 in the FY 2009 budgeted revenue,
  - ◆ will be \$203,100 or \$130,719 less than the FY 2009 budgeted revenue.
- Under MCA 2-9-212, Group Health Insurance tax levies may include annual increases for insurance premiums. However, the tax increase must be levied or the authority to levy in future years is lost. The city has annually levied for Group Health insurance, including annual premium increases. The fiscal year 2009 budget provides for \$916,300, or 17.696 mills, to be levied for group health insurance premiums in 2008 for FY 2009, including a premium increase of \$117,645, as allowed under MCA 2-9-212.  
Director Magee noted the FY 2009 budget provides for the full authorized tax levy to be levied.
- Discussion** Commissioner Peura stated for the record that he is a Montana Department of Revenue employee and asked if his employment would constitute a conflict? City Attorney Nielsen stated no.
- 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 providing for the annual tax levy in mills for fiscal year 2009.**

Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19598**

***Public Communications***

**PUBLIC COMMUNICATIONS**

Tom DeYoung, 551 Diehl Drive; spoke in support of Blue Cross/Blue Shield moving to the Airport property.

***Meetings of Interest***

**MEETINGS OF INTEREST**

The next Administrative Meeting is Wednesday, September 3, 2008 and the next Commission Meeting is Monday, September 8, 2008. The Joint Work Session will be held Thursday, September 4, 2008.

***Adjournment***

There being no further business to come before the Commission, the meeting was adjourned at 7:54p.m.

\_\_\_\_\_  
Mayor James E. Smith

ATTEST:

\_\_\_\_\_  
Clerk of the Commission