

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
June 22, 2009
6:00 P.M.

- Time & Place** A regular City Commission meeting was held on Monday, June 22, 2009 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 and Peura were present. Commissioners Shropshire and Elsaesser were excused. City Manager Tim Burton, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present. Others present were Dan Bernhardt 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 June 8, 2009 were approved as submitted.
- Consent Agenda** CONSENT AGENDA:
A. Claims
B. Request to accept Gold West Country grant for \$3,500
C. ~~Consent to allow advertising on the Granite Hartwig building located at 28 North Last Chance Gulch for First Community Bank~~
D. Contract for City review of new water / sewer extensions for the Montana Department of Environmental Quality
E. RFP for printing, stuffing and mailing of utility statements
F. Consider authorizing staff to void stale dated checks
- City Manager Tim Burton recommended approval of the claims and the consent agenda. He noted item C had been withdrawn at the applicant's request.
- Public Comment** Mayor Smith asked for public comment, none was received.
- Motion** Commissioner Cartwright moved approval of items A, B, D, E and F on the consent agenda. Commissioner Peura seconded the motion. All voted aye, motion carried.
- Communications** COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Peura expressed regret that he cannot attend the Last Chance Splash Waterpark grand opening. He also spoke of City Manager Burton's resignation, thanked him for his service to the community and congratulated him on his new position with the Attorney General's Office. Mayor Smith and Commissioner Cartwright congratulated Manager Burton on his new position.
Commissioner Cartwright spoke of the national debate over healthcare and urged citizens to water their trees.
- Report of the City Attorney** REPORT OF THE CITY ATTORNEY
No report was given.

Report of the City Manager

REPORT OF THE CITY MANAGER

No report was given.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC Chair Dan Bernhardt thanked City Manager Burton for his service to the City of Helena and wished him luck in his new position.

Chair Bernhardt encouraged citizens to file for election to the HCC and gave an overview of the June 24, 2009 HCC Meeting agenda.

Commissioner Peura asked the HCC to provide comment and feedback about their upcoming presentation by Youth Connections.

Commissioner Cartwright spoke of other issues the HCC could work on for the city.

Public Hearings

PUBLIC HEARINGS:

- A. CONSIDER A RESOLUTION CREATING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 220.

Staff Report

Administrative Services Director Tim Magee reported a resolution of intention to create Special Improvement Lighting District (SLD) No. 220 was passed by the City Commission on May 18, 2009.

The proposed facilities will consist of 42 units, with underground wiring, fiberglass or metal poles for 14-foot mounting heights, and Star-Shield acorn luminaries with 100-watt high-pressure sodium vapor lamps. The proposed luminaries do comply with the city's Dark Skies Ordinance.

The estimated cost of maintenance, electrical energy, and administration for the first year is \$29,398.28 with the estimated cost being \$.0175 per square foot of property owned, 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.

Director Magee recommended approval of the resolution as it would allow the installation of 42 lights in the Stone Meadows Subdivision.

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 creating Special Improvement Lighting District No. 220.

Commissioner Peura seconded the motion. All voted aye, motion carried. **Res #19650**

- C. CONSIDER A RESOLUTION TO BUDGET ADDITIONAL PROPERTY TAX REVENUE OF UP TO 2.86% FOR FISCAL YEAR 2010.

Staff report

Director Magee reported state statute requires the city hold a public hearing before budgeting any increase in total property tax revenues. The city intends to budget tax revenue increases over the total property tax revenue levied in the prior year, as follows:

\$ 67, 165	0.87%	for the CPI-U Inflation Factor of 1.11%
\$ -	0.00%	for the tax revenue authorized but not levied in the prior year
\$137,800	1.78%	for the increase in group benefit premiums
\$ -	0.00%	for the projected State Personal Property Tax Reimbursement decrease
<u>\$204,965</u>	<u>2.65%</u>	Subtotal
\$(66,536)	-0.86%	for the increase in voter-approved 1997 general obligation bond levies
\$ 83,175	1.07%	for the increase in voter-approved 2008 general obligation bond levies
<u>\$221,604</u>	<u>2.86%</u>	Total increase over the property tax revenue levied in the prior year

The total property tax revenue levied in the prior year was \$7,748,002.

Director Magee recommended approval of the resolution as the increases are necessary to preserve the present level of services to the community.

B. CONSIDER A RESOLUTION RELATING TO FINAL BUDGETS, BUDGET AUTHORITIES AND ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010, AS AMENDED.

Staff Report

Director Magee reported the Local Government Budget Act, MCA 7-6-4 requires the city to develop and adopt an annual budget. The annual budget development process has encouraged public participation and included the City Manager's presentation of the Preliminary Budget to the City Commission on April 20, 2009; a series of City Commission work sessions in which the entire Preliminary Budget was reviewed; public hearing notices published in accordance with MCA 7-1-4124; and a list of amendments to the Preliminary Budget which was included in the Commission packet and will be attached to the resolution for the record.

Director Magee recommended the Commission adopt the annual budget resolution for the final budget, as amended, as its approval enhances the city's ability to conduct business in a timely and efficient manner, while maintaining effective budgetary controls.

Commission comment

Commissioner Peura referred to open space land financing and noted an amendment for the possible purchase of Bompert Hill property had been added to the list of proposed amendments. Commissioner Cartwright asked why the inflationary increase of 1.11% is different than the cost-of-living-adjustment (COLA)? Director Magee explained the COLA was 0.9%, however; the previous year it was 4.1% and two years ago it was around 2.5%. The average of the three year COLA is 2.2% and the city is allowed an inflationary increase at half of the average resulting in 1.1%.

Discussion was held on the proposed Commission Resolution of Intent for FY2010; there was consensus to complete the resolution.

Commissioner Peura spoke of the city's new health insurance plan and the possibility of the city funding increases to the premiums in

the future. He also commented on projects that have been completed under constraint budgeting.

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 of a resolution to budget additional property tax revenue of up to 2.86% for fiscal year 2010. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Res #19652**

Motion

Commissioner Peura moved approval of a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2009 and ending June 30, 2010, as amended. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Res #19651**

D. CONSIDER A RESOLUTION SETTING FEES CHARGED FOR DISPOSAL OF GARBAGE AND REFUSE AT THE CITY OF HELENA TRANSFER STATION FOR FISCAL YEAR 2010.

Staff Report

Administrative Services Director Tim Magee reported the Commission passes a resolution annually establishing charges for the Transfer Station. The Public Works Department is recommending a fee increase not to exceed \$7.50 per ton for fiscal year (FY) 2010. Director Magee recommended approval of the resolution as it will allow the Public Works Department to cover the costs of operation at the Transfer Station enterprise for FY2010.

Commission comment

Discussion was held on the city's Recycling Program Report. Further review of the report needs to be completed before fee adjustments can be recommended. Attorney Nielsen noted it is legally possible to increase the fees mid-year. Manager Burton cautioned the Commission that a mid-year increase would cause a lot of difficulty administratively and commented he is not sure how the Commission could choose a fee amount until it decides the level of service to provide and staff researches the available legal assessment methodologies.

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 of the resolution setting fees charged for disposal of garbage and refuse at the City of Helena Transfer Station for FY2010. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Res #19653**

Motion

Commissioner Peura moved to amend the resolution to set the Recycling Tipping Fee at \$9.25 and the Total Tipping Fee at \$61.25/ton. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

**Public
Communications**

PUBLIC COMMUNICATIONS

Walt Tadicka, 546 Breckenridge; expressed concern for taxi service in the city of Helena; specifically long wait times, patrons being overcharged related to specific "zones" within the city, and the absence of meters in the taxis.

Mayor Smith recommended Mr. Tadicka report his concerns to the Public Service Commission. There was Commission concurrence to send a copy of the minutes with a cover letter to Public Service Commissioner Ken Toole; Mr. Tadicka will be sent a copy of the letter.

**Meetings of
Interest**

MEETINGS OF INTEREST

The next Administrative Meeting is July 1, 2009 and the next Commission Meeting is July 6, 2009.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:15p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission