

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
May 3, 2010
6:00 P.M.

Time & Place A regular City Commission meeting was held on Monday, May 3, 2010 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, Ellison, Thweatt and Elsaesser were present. City Manager Ron Alles, 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 April 19, 2010 were approved as submitted.

Board Appointments BOARD APPOINTMENT:
A. Civic Center Board

Mayor Smith asked for Commission concurrence on the following appointment:

Civic Center Board – Appointment of Sherry O'Donnell to the Civic Center Board. First term will begin upon appointment and expire March 1, 2013.

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

Motion **Commissioner Ellison moved approval of the appointment to the Civic Center Board as listed above.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Amended 2010-2011 Helena Open Lands Biennial Work Plan
C. Youth Connections Transit Program

City Manager Ron Alles recommended approval of the claims and the consent agenda.

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

Motion **Commissioner Cartwright moved approval of items A through C on the consent agenda.** Commissioner Ellison seconded the motion. All voted aye, motion carried.

Bid Award

BID AWARD:

A. Centennial Park Project

Parks & Recreation Director Amy Teegarden reported a bid opening for the construction of Centennial Park was held on April 27, 2010. Three qualified bids were received. The bids included base bids with alternates. Alternates 2, 5 and 11 were eliminated from the project by staff at this time due to long term maintenance costs and potential user conflicts. Director Teegarden gave an overview of the design considerations and future amenities for the park. The base bids and alternate prices combined were as follows:

1. Phillips Construction, LLC - \$4,363,905.00
2. Coleman Construction - \$3,877,920.85
3. Helena Sand & Gravel - \$3,365,752.00

Director Teegarden recommended award of the bid Helena Sand & Gravel. Contract award at this time will allow construction to begin this spring and ensure expenditures of the "stimulus funds" before September 2010. Construction of the long-awaited Centennial Park-Phase I will be realized.

Discussion

Commissioner Elsaesser asked how much the irrigation costs will be for the irrigated portion of the park. Director Teegarden explained the estimated annual cost is \$60,000 due to the incorporation of native vegetation and non-irrigated areas in the design.

Commissioner Thweatt referred to the decomposed granite trail desired by runners that was removed from the bid award and asked if runners would be able to run adjacent to the asphalt trail if additional grading were provided? Director Teegarden explained the design team indicated additional grading could provide a running surface and additional costs could be covered by a change order and contingency funds.

Commissioner Cartwright asked if there is any room on the golf course to put a long-distance trail around the perimeter. Director Teegarden stated she would have to evaluate the idea and noted currently the golf course does support cross-country events for the high schools.

Mayor Smith asked why the project would not forego the asphalt trail for the crushed granite? Director Teegarden stated the Non-Motorized Transportation Advisory Council felt very strongly about asphalt trails for commuter routes and safety, as they can be plowed and brushed. They will also allow for inline and roller skating. She added asphalt trails are not unusual for larger density parks and will allow for more credibility when applying for CTEP funding.

Mayor Smith asked if the Commission could fund the granite trails by using contingency funding or future funding for phases II and III. Director Teegarden stated yes and commented installation of the crushed granite trails would result in higher maintenance costs and may hinder the installation of amenities such as playground equipment, picnic shelters and basketball courts.

Commissioner Cartwright noted he may support using contingency or phase II funding for the granite trails after the

Commission gets a better idea of what's actually on the ground.

Discussion was held on safety concerns related to parallel trails. Commissioner Elsaesser asked if it is anticipated that the asphalt trails will be kept clear year-round. Director Teegarden stated yes and noted all asphalt trails are currently maintained year-round.

Public Comment

Mayor Smith asked for public comment.

Patrick Judge, 409 Dearborn, Helena Vigilante Runners; urged the Commission to include parallel crushed granite trails and submitted written testimony for the record. He alternately asked the Commission to delay the granite trails to phase II to allow for more public input.

Chris Colberg, 800 Expedition Trail, Helena Vigilante Runners; urged the Commission to install a mixed-use parallel trail and submitted written testimony for the record.

Discussion

Commissioner Cartwright asked for information on the recent Custer Avenue trail re-build. City Engineer Ryan Leland stated he thought it had been 20 years between build and re-build and estimated the asphalt is 2 ½ to 3 inches thick. Commissioner Cartwright commented the asphalt trails in Centennial Park should be 2-4 inches thick to increase their long-term durability; there are ways to design the trails to get them to last longer than 5 years.

Commissioner Thweatt asked Mr. Judge how the running group would feel about running on grass. Mr. Judge stated his initial reaction is it isn't as desirable as crushed granite; grass tends to be not quite as smooth and have water saturation issues. Commissioner Thweatt asked if the running club would be using the trails in the winter. Mr. Judge stated no, the club only holds workouts March through October.

Commissioner Elsaesser urged staff to incorporate alternate paths into future phases of the park and expressed general concern for the asphalt trails.

Commissioner Ellison thanked citizens for their participation in the project and urged the Commission to support the long-term goal of creating this park and the phase I bid.

Motion

Commissioner Ellison moved to award the bid to Helena Sand & Gravel based on the bid price of \$3,365,752 for the construction of Centennial Park- Phase I. Commissioner Thweatt seconded the motion.

Discussion

Commissioner Cartwright indicated he would support the motion because of the stimulus funding timeframe but would like to explore the granite trail option for future phases of the project or another location.

Commissioner Elsaesser asked if this bid is approved without Alternative 5, would that create design issue that would prevent the granite trails in the future? Community Facilities Director Gery Carpenter stated no, the trails could be bid in phase II or III.

Mayor Smith spoke in support of awarding the bid as presented by staff. He encouraged the running club to work on fundraising for the trail and its maintenance so it could be included in a future phase of the project.

Vote

All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Ellison thanked the Police Department for successful completion of the most recent Deer Reduction Project. He encouraged citizens to vote in the school election on May 4, 2010. Commissioner Ellison also spoke of the future deployment of 163rd Cavalry Regiment/145th Forward Support Company and expressed concern and admiration for the affected soldiers; concern that those men and women will be leaving their families and community to be far away from home protecting our way of life, and admiration for those soldiers for the sacrifices they make on our behalf. Mayor Smith encouraged Commission members to attend events related to deployment of the soldiers.

Commissioner Cartwright concurred with Commissioner Ellison's comments on Deer Reduction Program. He noted he would soon be reporting a comparison between the Gulf of Mexico oil leak and non-motorized transportation.

Commissioner Elsaesser spoke of a recent meeting with the Yellowstone Business Partnership (YBP) and announced he would be proposing the city provide one-time financial support of the YBP to benefit Helena. He thanked the Vigilante Running Club for their recent fundraiser for MT Historical Society Museum.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

City Attorney David Nielsen announced today was the kickoff of the 24/7 Sobriety Pilot Project and gave an overview of the program.

He also reported on April 23, 2010 the City was awarded a certificate of appreciation for adoption of the Social Host Ordinance and free youth HATS services by Youth Connections.

Report of the City Manager

REPORT OF THE CITY MANAGER

City Manager Alles invited Natural Resources Coordinator Brad Langsather to report on the city's fuel mitigation projects. Mr. Langsather explained the city's involvement with the LIEAP Program and announced the creation of the Helena Firewood Distribution Task Force (HFDTF) to better serve needy families in the Helena area. Coordinator Langsather thanked the organizations involved with the Task Force for their work and noted their goal is delivery of 500 chords to needy families before Christmas. The group has turned an unfortunate natural occurrence into a positive community gain by taking time and funding to help citizens with their needs.

Commissioner Cartwright noted the pine-beetle projects have turned out better than expected and thanked HOLMAC and Mr. Langsather for their work. Commissioner Thweatt noted the project on the north side of Mount Helena looks very good and commended Mr. Langsather on his work. Commissioner Elsaesser concurred the treatment has gone well and thanked all the volunteer groups that help with city parks and open space.

Mayor Smith stated certificates of appreciation would be sent to the volunteer groups involved with the HFDTF.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC Chair Dan Bernhardt gave overview of April HCC Meeting. The HCC did agree to partner with NorthWestern Energy on the Green Blocks Pilot Program and will be submitting recommendations to the City Commission related to the Global Climate Change Task Force Report.

He noted Facebook proved very useful as a social media format for the HCC and would be used for promotion.

Pool Fees

CONSIDER A RESOLUTION OF INTENTION TO ESTABLISH FEES FOR THE LAST CHANCE SPLASH WATER PARK AND POOL FOR THE 2010 SEASON AND SET A PUBLIC HEARING DATE.

Staff Report

Parks & Recreation Director Amy Teegarden reported after the completion of the 2009 swim season, city staff gathered public comments, and analyzed visitation and program participation at the Last Chance Waterpark and Pool. Valuable lessons were learned in the management of the site, and staff and customer use of the programs and facility after completing the first summer season. The following changes are recommended as an effort to increase revenues and decrease operating (staff) expenses and improve customer satisfaction.

Hours of Operation: Based on review of the 2009 use records, open swim customers were fewer on weekends and weekday evening hours. As a result hours of operation will be changed to the following:

- ◆ Seasoning opening date – June 16, 2010
- ◆ Closed on Sundays in June (2 Sundays)
- ◆ Weekend hours: shorten open swim by three hours, Saturday and Sunday from 1-5 p.m. instead of 1-8 p.m. and offer discounted weekend rates
- ◆ Weekday hours: shorten open swim by one hour, Monday – Friday 1-7 p.m. instead of 1-8 p.m.

Programming: Discontinue three water aerobics classes that were not well attended. This will eliminate 165 hours of instruction costs (\$2,215.95).

Fee Structures: Overall objective is to increase visitation via the following recommendations:

- ◆ Offer option to purchase season passes for open swim and water activities. Price of a season pass is based on a 25 visit cost
- ◆ Offer option to purchase an “Adult Companion Pass” (with the purchase of one regular season pass)
- ◆ Continue to offer 10-punch cards, discontinue the 30 and 50 punch cards since season passes will be offered
- ◆ Eliminate the \$1 re-entry fee
- ◆ Offer a “spectator entrance” fee of \$1 for non-swimmers, rather than charging the full swim entrance fee
- ◆ Offer discounted weekend open swim rates since the hours have decreased
- ◆ Increase private rental fee to \$375 for a 2-hour period; the increased rate will ensure cost-recovery of staff/facility costs

Director Teegarden recommended approval of the proposed resolution of intention as changes in hours will ensure that staff is not working when typically there are few to no patrons. Eliminating classes that were not well attended will decrease the cost of staff fees. By offering season pass options, discounts are increased and this may increase visitation. These changes are responsive to public comments

and also reflect opportunities to improve efficiency from what was learned from the first season of operation of the new waterpark.

Discussion Commissioner Cartwright asked if the proposed season pass would cover lap swimming. Director Teegarden stated yes.

Public Comment Mayor Smith asked for public comment.
Jennifer Sheehy, Helena; encouraged the waterpark to stay open until 8:00 p.m. to allow increased use by families and lap-swimmers at a discounted rate.

Motion Commissioner Ellison moved approval of a resolution of intention to establish fees to be charged for the Last Chance Splash Waterpark and Pool for the 2010 season and set a public hearing date for May 17, 2010. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19730**

CDBG Grant CONSIDER A RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC FACILITIES GRANT ON BEHALF OF INTERMOUNTAIN CHILDREN'S HOME AND AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS RELATING TO THE GRANT.

Staff Report Community Development Director Sharon Haugen reported Intermountain Children's Home (Intermountain) is a nationally recognized Montana non-profit specializing in the treatment of children under severe emotional distress. Intermountain has requested the City Commission consider sponsoring a CDBG public facilities application for the construction of new cottages for their residential treatment program. The existing cottages, constructed in 1970, do not meet current Youth Group Home codes but have been grandfathered for the purposes of these codes. In addition, the firm cited significant deficiencies for many items including ADA accessibility, fire safety, plumbing and electrical, asbestos and energy efficiency. Intermountain's project is designed to create a viable urban community by providing decent housing and a suitable living environment for traumatized and at-risk children here in Montana. Since nonprofits cannot directly apply for CDBG grants, they are requesting the city apply for the grant in the amount of \$450,000 to help finance the project. The total cost of the project is \$2.4 million.

Intermountain has met with the neighboring property owners to discuss the project and they have indicated their support. Director Haugen recommended approval to submit the grant and noted the new cottages will be built to meet current youth home standards and will provide a better environment for the children receiving treatment. She added the cottages will be constructed under the new 2009 Energy Code and will be more energy efficient than the current cottages.

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

Terry Chaney, Director of Intermountain Children's Home; urged the Commission to approve the grant submission.

Matthew Dale, 610 Dearborn; spoke in support of the grant submission.

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

Discussion Mayor Smith and the Commission members spoke in support of Intermountain's mission and the grant submission.

Motion **Commissioner Cartwright moved approval of a resolution authorizing the submission of the CDBG Public Facilities Grant application for Intermountain and authorized the City Manager to sign all documents related to the grant.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19731**

Public Communications PUBLIC COMMUNICATIONS
No public communications were given.

Meetings of Interest MEETINGS OF INTEREST
The next Administrative Meeting is May 12, 2010 and the next Commission Meeting is May 17, 2010. The City/County Joint Work Session will be held May 6, 2010 and there are Budget Work Sessions scheduled for May 5 and 10, 2010.

Adjournment There being no further business to come before the Commission, the meeting was adjourned at 7:33 p.m.

/S/ James E. Smith
Mayor James E. Smith

ATTEST:

/S/ Debbie Havens
Clerk of the Commission