

**CITY OF HELENA
REGULAR CITY COMMISSION MEETING
December 6, 2010
6:00 P.M.**

Time & Place

A regular City Commission meeting was held on Monday, December 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, Thweatt and Elsaesser were present. Commissioner Ellison was excused. City Manager Ron Alles, City Attorney David Nielsen and Deputy City Clerk Robyn Brown were present.

Pledge of Allegiance

Mayor Smith asked the members of Boy Scout Troop #218 to lead those persons present in the pledge of allegiance.

Minutes

The minutes of the regular City Commission meeting of November 15, 2010 were approved as submitted.

Appointments

APPOINTMENTS:

- A. Helena International Affairs Council
- B. Bill Roberts Golf Course Advisory Board

Mayor Smith asked for Commission concurrence on the following appointments:

Bill Roberts Golf Course Advisory Board – Appointment of Dave Shors to a first term on the Bill Roberts Golf Course Advisory Board; term will begin upon appointment and expired October 30, 2010.

Helena International Affairs Council – Appointment of Rebecca Hargis and Wilmot Collins to first terms on the International Affairs Council; terms will begin upon appointment and expire October 28, 2013.

Public comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Elsaesser moved approval of the appointments to the Bill Roberts Golf Course Advisory Board and Helena International Affairs Council as outlined above. Commissioner Cartwright seconded the motion. All voted aye, motion carried.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Utility bill insert - street and sidewalk snow removal
- C. Accept a Project Incentive Grant from Northwestern Energy in the amount of \$220,000 to reimburse the City of Helena for a portion of the water source heat pump and heat recovery system at the Ten Mile Water Treatment Facility
- D. Accept an American Recovery and Reinvestment Act (ARRA) Grant in the amount of \$24,999 to reimburse the City of Helena for a portion of the water source heat pump and heat recovery system at the Tenmile Water Treatment Facility

- E. Change Order for Knight Street Sidewalk CTEP project – Project No. 09-2
- F. Final passage of Ordinance No. 3141 amending Title 1 of the Helena City Code (General Provisions) by adding a new Chapter 7 entitled Hazardous Materials Incident Cost Recovery

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

Mayor Smith thanked Northwestern Energy for the funding for consent agenda item C. Commissioner Elsaesser concurred with Mayor Smith's comments and also thanked DEQ for their assistance on the water source heat pump and heat recovery system project.

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

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

Bid Award

BID AWARD:

- A. Street Division – all wheel drive backhoe-loader

Fleet Manager Ed Robinson reported bids were received for one (1) new all wheel drive backhoe-loader to replace #334, a 1993 Caterpillar 446B backhoe-loader. The city was required to remove Unit #106 from service due to hydraulic failure and other pending high-cost maintenance problems. This bid is for a scheduled replacement. The low bid meeting specifications was received from Titan Machinery. A Titan Machinery bid a 2010 Case 590SM with an extended warranty package at a cost of \$80,561 after trade. The FY2011 budget appropriation for this unit is \$110,000.

Staff is recommending the purchase of the new unit at the bid price of \$80,561 for the replacement of our existing Unit #334. Unit #334 will be traded in on the new unit. This transaction will allow the Street Division to continue regular maintenance operations and provide long term planning and completion of various special improvements to the city's streets and pathways. The purchase of this unit will allow the city to continue to upgrade its street maintenance fleet providing reliable equipment and reducing maintenance costs.

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

Motion Commissioner Cartwright moved to award the bid to Titan Machinery for one (1) new all wheel drive backhoe-loader for the bid price of \$80,561. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Cartwright thanked citizens for shoveling their sidewalks.

Commissioner Elsaesser reiterated his support for the water source heat pump and heat recovery system project at the Tenmile Water Treatment Facility on the consent agenda.

A. Certificate of Recognition – Mr. David Blade

Mayor Smith thanked Mr. David Blade for his nine years of service on the Pre-Release Screening Committee and presented him with a Certificate of Recognition. He also thanked Mr. Blade for his service in the Navy and assistance with the U.S.S. Helena visit in the fall of 2010.

Mr. Blade thanked the Commission for their support of the Screening Committee and noted it was a pleasure to serve on the board.

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. Green Blocks Program recognition

City Manager Alles invited Community Development Director Sharon Haugen to introduce Northwestern Energy representatives in attendance and speak about the Green Blocks Program. Director Haugen updated the Commission on the program and thanked former HCC VISTA Bonnie O'Neill and A.E.R.O. VISTA Kelsey Bauer for their work on the project.

Mr. Howard Skjervem, Northwestern Energy; expressed his support for the program. He introduced K.E.M.A. representatives in attendance and thanked them for their work.

Danni Williams, Northwestern Energy; spoke to the success of the program.

Taffy Miller, K.E.M.A.; spoke in support of the program.

Mayor Smith and the Commission members thanked Northwestern Energy for their support of the program.

B. Insurance Services Organization (ISO) fire protection rating

Manager Alles asked Fire Chief Steve Larson to speak on the city's most recent ISO rating.

Chief Larson noted the city has again received a #4 ISO rating. The ISO rating evaluates the city's emergency response system, water system and fire department when determining the rating. He gave the history of the city's ranking of #4 and explained how it has been achieved and maintained over the past decade. Chief Larson thanked city staff for their work in maintaining the rating.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

No report was given.

Holly Street

CONSIDER A RESOLUTION OF INTENTION TO VACATE THE HOLLY STREET RIGHT-OF-WAY IN THE ANTELOPE TRACE PHASE OF CROSSROADS AT MOUNTAIN VIEW MEADOWS AND SET A PUBLIC HEARING DATE.

Staff Report

City Engineer Ryan Leland reported Holly Street ROW was dedicated as part of the final plat of the Antelope Trace Phase of

Crossroads at Mountain View Meadows Final Plat to provide access to the dedicated parkland.

The property owner is requesting to relocate the ROW and the access to the parkland to Ascent Avenue as part of the proposed Craftsman Village Phase I of the Crossroads at Mountain View Meadows final plat.

The Department of Revenue (DOR) value for the adjacent property is at less than one cent (\$.01) per square foot, so the transfer fee for the portion of the ROW that is not relocated is \$6.59. The total area vacated is 14,472.85 square feet with 12,780.60 square feet being relocated as new dedicated ROW. The resulting additional vacated ROW is 1,692.25 square feet.

Mr. Leland recommended approval of the resolution of intention to vacate the property as it will allow the owners of the property to comply with the City Park Board recommendations.

Discussion Commissioner Elsaesser asked if the vacation is recommended by the Parks Department. Mr. Leland stated yes.

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

Motion Commissioner Elsaesser moved approval of a resolution of intention to vacate Holly Street ROW of the Antelope Trace Phase of Crossroads at Mountain View Meadows Final Plat and set a public hearing date of December 20, 2010. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Res #19795**

Custer Interchange CONSIDER A RESOLUTION OF INTENTION TO AUTHORIZE THE CONVEYANCE OF SURPLUS REAL PROPERTY (CUSTER INTERCHANGE RIGHT-OF-WAY) OWNED BY THE CITY OF HELENA AND SET A PUBLIC HEARING DATE.

Staff Report Public Works Director John Rundquist reported Interstate widening associated with the Custer Interchange will require the Montana Department of Transportation (MDT) acquire a small sliver of additional ROW on the east side of the city's K-Mart ponds property and adjacent to existing I-15 ROW.

MDT proposes to purchase 18,760 square feet of city property for the amount of \$48,650. The additional ROW would not impact the existing stormwater storage and treatment facilities and staff proposes to use the revenue from the sale to assist in completion of planned improvements to the K-Mart ponds.

Director Rundquist recommended approval of the ROW conveyance as it will assure that adequate width is available to construct a third travel lane between Custer Avenue and Cedar Street.

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

Motion Commissioner Cartwright moved approval for a resolution of intention to convey surplus real property owned by the City of Helena to the Montana Department of Transportation and set a public hearing date of December 20, 2010. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19796**

Fire Dept. Fees

CONSIDER A RESOLUTION OF INTENTION TO ESTABLISH FEES FOR PROVIDING A DEDICATED FIRE UNIT AT SPECIAL EVENTS AND COST RECOVERY AT A HAZARDOUS MATERIALS EVENT AND SET A PUBLIC HEARING DATE.

Staff Report

Fire Chief Steve Larson reported the Fire Department is currently operating under an outdated fee structure. The proposed fees for providing a dedicated fire unit at special events and cost recovery at hazardous materials events would reimburse the city at the actual costs incurred.

Chief Larson gave an overview of changes to the fee structure and recommended approval of the resolution of intention.

Discussion

Commissioner Cartwright spoke in support of the fee structure.

Public Comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Elsaesser moved approval for a resolution of intention to establish fees to provide a dedicated fire unit at special events and cost recovery at a hazardous materials event and set a public hearing date of December 20, 2010. Commissioner Cartwright seconded the motion. All voted aye, motion carried. **Res #19797**

Public Communications

PUBLIC COMMUNICATIONS

No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is December 15, 2010 and the next Commission Meeting is December 20, 2010.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:44 p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission