

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
February 27, 2012
6:00 P.M.

Time & Place

A regular City Commission meeting was held on Monday, February 27, 2012 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 Elsaesser, Ellison, Thweatt and Haque-Hausrath were present. City Manager Ron Alles, Acting City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. Others present were Tia Hunter 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 13, 2012 were approved as submitted.

Board Appointments

BOARD APPOINTMENTS:

- A. City Commission Appointment to the Helena Chamber of Commerce Board of Directors

Mayor Smith asked for Commission concurrence to appoint Commissioner Matt Elsaesser to the Helena Chamber of Commerce Board of Directors.

Public comment

Mayor Smith called for public comment; none was received.

Motion

Commissioner Ellison moved approval of the appointment of Commissioner Elsaesser to the Helena Chamber of Commerce Board of Directors. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Acceptance of the January 2012 pledged collateral report

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

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Mayor Smith announced he would be traveling to Washington D.C. with Public Works Director John Rundquist to visit with Montana's Congressional Delegation regarding funding for the city's water distribution system February 28 – March 1, 2012.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

Attorney Thomas Jodoin reported the City of Helena had been served with a complaint by the estate of Mr. Wayne Fisher.

Report of the City Manager

REPORT OF THE CITY MANAGER

Manager Alles invited Police Chief Troy McGee to report on a recent promotion within the Police Department. Chief McGee introduced newly promoted Captain Corey Livesay, gave his work history and listed several notable accomplishments performed by Officer Livesay while in employment with the HPD. Captain Livesay thanked the Commission, Manager Alles and Chief McGee for supporting him throughout his career with the HPD. Mayor Smith and the Commission members congratulated Captain Livesay on his promotion.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

Helena Citizens Council member Tia Hunter gave an overview of the February 22, 2012 council meeting.

Mayor Smith recognized the recent passing of HCC District 5 member Bruce Albert Clark and asked that a moment of silence be held to honor his memory.

Regular Items

REGULAR ITEMS:

A. CONSIDER THE PRELIMINARY PLAT FOR THE MINOR SUBDIVISION OF LOT 1, BLOCK 2 OF THE SLEEPING GIANT SUBDIVISION CREATING TWO LOTS FROM 1.19-ACRES; GENERALLY LOCATED SOUTH OF TRICIA STREET AND HIGHWAY 12 EAST, AND WEST OF LOLA STREET WITH A PROPERTY ADDRESS OF 800 LOLA STREET.

Staff Report

City Planner Lucy Morell-Gengler reported the property contains 1.19 acres and would be divided into Lot 1-A containing .642 acres and Lot 1-B containing .548 acres. The existing Subway Restaurant will be located on Lot 1-B. The property is located on the southwest corner of Tricia (frontage road) and Lola streets and is zoned B-2 (General Commercial) District. Primary access to the subdivision will be provided via Lola Street and water and wastewater mains are currently located adjacent to the property.

Ms. Gengler recommended approval of the proposed two-lot minor subdivision of Lot 1 A, Block 2, of the Sleeping Giant Addition creating one additional lot. She noted the subdivision would encourage growth within the city that would utilize municipal water and wastewater and lower some of the pressure to develop property in the county and, as a result, reduce sprawl and vehicle miles traveled.

Public comment

Mayor Smith called for public comment.

Kale Wetherell, applicant; urged the Commission to support the proposal and offered to answer any questions.

Motion

Commissioner Ellison moved approval of the preliminary plat for the minor subdivision of Lot 1, Block 2, Sleeping Giant Addition, creating two lots and to adopt the Findings of Fact for the property legally described therein. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

B. CONSIDER PROPOSED FY 2013 HELENA AREA TRANSIT SERVICE (HATS) PRELIMINARY BUDGET, PRELIMINARY FY 2013 BUDGETS FOR HEAD START, MONTANA MDT SECTION 5311 TRANSPORTATION ASSISTANCE, THE JOB ACCESS REVERSE COMMUTE (JARC), AND THE FY 2013 COORDINATION PLAN.

Staff Report

HATS Supervisor Steve Larson reported The FY 2013 Section 5311 Transportation Assistance grant is a primary funding source for the HATS bus system. In FY 2013 HATS will be requesting \$604,931 of 5311 operating funds and \$74,000 capital funding for a new bus. Additionally, the service is requesting \$17,600 in funding for two shelters, one for the B&B Market stop and one for Food Share. Also, HATS will be requesting \$70,050 in Job Access Reverse Commute grant funds for the East Valley bus service. As the state designated lead agency for the Helena area, HATS will also include requests for grant funding from other agencies- Rocky Mountain Development Council will be applying for a New Freedoms Grant of \$86,745.00. Applications are due by March 1st, 2012. Public notice of the grant requests were advertised on February 1st and 9th, 2012.

This preliminary budget covers the cost of operations for HATS, East Valley Bus, Rimrock, Neighborhood Transportation and contracted services for FY2013. The proposed total budget for FY 2013 is \$1,373,358.00. The requested federal match for the projected budget is \$682,981.00.

Supervisor Larson recommended approval of the proposed preliminary budgets as it would allow the HATS program to complete and submit the FY 2013 Section 5311 Transportation Assistance, Job Access reverse Commute and the New Freedoms grant applications. He noted approval of the proposed preliminary budget would be for grant submittal purposes only and does not indicate final Commission approval of the transit budget. Those budgets will be reviewed and may be changed by the Commission during the regular budget process.

Discussion

Commissioner Elsaesser commented he looks forward to ongoing improvements to the HATS program.

Public comment

Mayor Smith called for public comment; none was received.

Motion

Commissioner Haque-Hausrath moved approval of the proposed preliminary operating budget for the Helena Area Transit Service, the FY2013 Coordination Plan and authorize staff to complete and submit the FY2013 Section 5311 Transportation Assistance, Job Access Reverse Commute, and New Freedoms Grant applications. Commissioner Ellison seconded the motion. All voted aye, motion carried.

Public Hearings

PUBLIC HEARINGS:

A. CONSIDER A RESOLUTION ESTABLISHING FEES TO BE CHARGED FOR PARK USE AND RECREATION SERVICES AND PROGRAMS IN HELENA'S CITY PARKS.

Staff Report

Parks & Recreation Director Amy Teegarden reported the City of Helena's Parks & Recreation Department has developed a comprehensive methodology for establishing park use and recreation

activities fees. The proposed fees are based on a framework of combining cost-recovery principles, community benefits, comparative rate pricing, and actual costs.

The methodology that was used to come up with the proposed fees provides a connection between the types of uses that occur in city parks and the fees that are charged in relation to the city's cost of providing services and those who benefit from the use or service. The fees are proposed as a mechanism to recover a portion of the costs associated with providing parks and recreation services.

She recommended the following language be added to the resolution under a new Section 4: Park reservations are required for Benefit Level 4 and 5 uses only. The applicable use fee must be paid at the time of reservation for all uses. She explained this language will clarify that reservations are not optional for level 4 and 5 uses.

Director Teegarden recommended approval of the resolution as it would establish a framework for which fees are set for services that previously there was no formal approval for fee rates, and fees for park use policies and categories. Park use and recreation fee revenues will be deposited into a "Park Improvement Fund" for the development and improvement of park and recreation facilities and/or services.

Discussion

Commissioner Elsaesser asked if the term "baseball fields" also applies to softball fields. Director Teegarden stated yes and explained most of the organized use of softball fields is covered under special use agreements with those organizations. She noted staff is currently working to negotiate new use agreements and fees for the softball fields at Centennial Park.

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 Haque-Hausrath moved approval of a resolution establishing fees to be charged for park use and recreation activity fees and to insert a new Section 4 which states "Park reservations are required for Benefit Level 4 and 5 uses only. The applicable use fee must be paid at the time of reservation for all uses." Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19902**

B. CONSIDER A RESOLUTION ESTABLISHING FEES TO BE CHARGED FOR THE LAST CHANCE SPLASH WATERPARK AND POOL

Staff Report

Parks & Recreation Director Teegarden reported the City of Helena has completed its third operational season of the Last Chance Splash Waterpark and Pool. Based on evaluation of operational programming, hours of operation and fee options that were instituted for the 2009 through 2011 seasons, staff is recommending changes to the fee schedules and the establishment of fees for new programs.

Staff is proposing to restructure how some fees are assessed; establish fees for new programs; and establish the ability to give "safety vouchers" for when the pool or waterpark must be closed during operating hours due to lightning.

Director Teegarden recommended approval of the resolution as the proposed changes would result in improved customer service and satisfaction. She noted staff is striving to be responsive to customer feedback and evaluation.

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.

Discussion

Commissioner Ellison commended Director Teegarden for proposing "safety vouchers" be given in the event of lightning.

Motion

Commissioner Ellison moved approval of a resolution establishing fees to be charged for the Last Chance Splash Waterpark and Pool. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19903**

Public Communications

PUBLIC COMMUNICATIONS

No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is March 7, 2012 and the next Commission Meeting is March 12, 2012. The next City/County Joint Work Session will be held March 1, 2012.

A work session on updates to the parking ordinance will be held February 29, 2012.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:46 p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission