

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
August 20, 2012
6:00 P.M.

Time & Place A regular City Commission meeting was held on Monday, August 20, 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, City Attorney Jeff Hindoien and Deputy City Clerk Robyn Brown were present.

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 6, 2012 were approved as submitted.

Board Appointments BOARD APPOINTMENTS:
A. Helena Housing Authority

Mayor Smith asked for Commission consensus on the following appointment:

Helena Housing Authority – Appointment of Ann Bauchman to the Helena Housing Authority; first term will begin upon appointment and expire August 1, 2017.

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

Motion **Commissioner Haque-Hausrath moved approval of the appointment to the Helena Housing Authority as listed above.** Commissioner Ellison seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Final passage of Ordinance No. 3160 amending the Official Zoning Map for a zone change from a R-3 to a R-O District for 812 Abbey Street (Stewart Homes) **Ord #3160**
C. Resolution declaring tangible personal property owned by the City of Helena to be surplus property and authorizing the sale of that property (vehicles and miscellaneous equipment) **Res #19946**

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

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Ellison thanked the Independent Record for their recent editorial about the economic benefits of coal.

Commissioner Elsaesser thanked all the firefighters working throughout the state and region. He spoke of attending the recent Watershed Festival and noted it was a good event.

Mayor Smith reported the city was awarded an occupant safety protection grant in the amount of \$48,000 from the National Highway Transportation Safety Administration.

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

No report was given.

Regular Items

REGULAR ITEMS:

- A. CONSIDER VARIANCES FOR A CURB CUT AND ANGLE PARKING FOR SUMMIT OPTICAL LOCATED AT 1620 ASPEN STREET.

Staff Report

City Engineer Ryan Leland reported Summit Optical, owners of the property, are proceeding with a project to expand their current facility on Aspen Street. As a result of the expansion the parking lot will be redesigned and relocated. The applicants are requesting two variances, one to allow a curb cut for the existing parking lot closer than 10-feet to the property line; and a second to allow angle parking on Aspen Street for eight (8) spaces. The new design of the on-site parking will accommodate 31 parking spaces. The 8 angle parking spaces on Aspen Street will be additional parking not required in zoning for the property. The applicants would like the extra spaces to limit the impact on area residents.

Mr. Leland noted staff has no recommendation on the proposal.

Discussion

Commissioner Elsaesser asked if the sidewalk in front of the angled parking would still be public ROW? Mr. Leland explained staff would require an easement to run in front of the parking spots.

Commissioner Ellison asked for examples of other areas of town where the Commission has approved the curb cut right at the property boundary. Mr. Leland stated he cannot recall any since he has been with the city and explained it would eventually be used as a shared access and gave Lowes as an example of shared access.

Commissioner Ellison asked Mr. Leland if he as an engineer has a problem with approving the curb cut right at the property boundary. Mr. Leland stated no, he sees no problem.

Commissioner Haque-Hausrath asked why a variance is required to locate a curb cut where the applicant desires. Mr. Leland explained the requirement to be 10-feet from the property line allows for landscaping strips and the set-back requirement for a building is 10-feet so there is not one curb cut after another. He noted by requiring a

variance the city can review and better manage pedestrian and/or vehicle conflicts.

Public comment

Mayor Smith called for public comment.

Jeff Larson, representing the applicant; explained the reasons Summit Optical is requesting the variances and urged the Commission to support both requests.

Discussion

Commissioner Elsaesser thanked the applicant for working with the surrounding businesses regarding parking in the neighborhood. Commissioner Haque-Hausrath asked if the easement should be required via motion. Mr. Leland explained the easement can be required as part of the building permit and the minutes of tonight's meeting would also reflect it as a condition of approval.

Motion

Commissioner Thweatt moved to approve a curb cut variance to install a curb cut closer than 10-feet to the property line for 1620 Aspen Street. Commissioner Elsaesser seconded the motion.

Friendly Amendment

Commissioner Elsaesser offered a friendly amendment to add the language "conditional upon public sidewalk along the modified parking" following the property address. Commissioner Thweatt accepted the amendment.

Vote

All voted aye, motion carried.

Motion

Commissioner Thweatt moved to approve a curb cut variance to allow angle parking for 8 parking spaces on Aspen Street. Commissioner Elsaesser seconded the motion.

Friendly Amendment

Commissioner Elsaesser offered a friendly amendment to add the language "conditional upon public sidewalk along the modified parking" following the property address. Commissioner Thweatt accepted the amendment.

Vote

All voted aye, motion carried.

B. CONSIDER THE FINAL PLAT FOR COMMERCIAL PHASE I OF CROSSROADS AT MOUNTAIN VIEW MEADOWS SUBDIVISION CREATING 5 PARCELS FROM 87 ACRES, GENERALLY LOCATED EAST OF CROSSROADS PARKWAY AND SOUTH OF ALICE STREET.

Staff Report

City Planner Lucy Morell-Gengler reported on May 7, 2012, the Helena City Commission gave conditional preliminary plat approval for the Crossroads Amendment at Mountain View Meadows Subdivision. The applicant is now requesting approval of the final plat for the first phase of the commercial portion. This final plat for Commercial Phase I of Crossroads at Mountain View Meadows will create Lot 1 containing 14.46 acres, Lot 2 containing 7.14 acres, and Lot 3 for stormwater facilities and open space containing 4.95 acres; all in Block 5 and zoned B-2 (General Commercial) District.

Platting these lots resulted in splitting the existing Tract 1 into two additional parcels; it is anticipated these parcels will be further subdivided in the future in accordance with the approved preliminary plat.

These two parcels are identified as Tract 1-B containing 13.53 acres zoned B-2 and Tract 1-A containing 44.24 acres zoned B-2, PLI (Public Lands and Institutions), R-4 (Residential) and R-2 (Residential) Districts. Although zoning allows residential uses, Lots 1 and 2 and Tracts 1-A and 1-B are over 5 acres so no parkland is required per state law. Lot 3 is restricted by a stormwater easement to the City so it is "nonresidential" thus no parkland is required per state law.

Alice, Elouise Cobell and Jeannette Rankin streets have been installed adjacent to Lots 1, 2, and 3. Water and wastewater mains have been installed to serve development of these lots and a stormwater easement to the city has been established for Lot 3. Although water, sewer and streets have been installed; some items not been completed such as chip seal. Therefore, the applicant has provided a financial guarantee to the City for the remaining items.

The approval of the preliminary plat was subject to the conditions stated in the Findings of Fact which have been completed for this phase. For reference, a list of the original subdivision conditions and their status was included in the Commission packet.

A lighting district will be established after the final plat is filed to accommodate street lights for the subdivision. The parameters of that lighting district will be established at that time.

Ms. Morell-Gengler recommended approval of the final plat as it would allow for the sale of the lots and would encourage the development of property in this area with city services including municipal water and wastewater.

Public comment

Mayor Smith called for public comment.

Tyler Emmert, Stahly Engineering, representing the applicant; spoke in support of the final plat approval.

Motion

Commissioner Ellison moved approval of the final plat of Commercial Phase I of Crossroads at Mountain View Meadows Subdivision and accept the dedication to the City of property for public improvements designated thereon. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

C. CONSIDER A RESOLUTION FOR THE ANNUAL TAX LEVY FOR FISCAL YEAR 2013 (FY13)

Administrative Services Director Tim Magee reported as required by MCA 15-10-203 the City held a public hearing and subsequently adopted a resolution to budget additional property tax revenue on June 18, 2012 along with the final budget.

MCA 7-6-4036 requires the City to fix the tax levy by the later of the 1st Thursday in September (9/6/12) or within 30 calendar days after receiving certified taxable values. Certified taxable values were received August 6, 2012. September 4, 2012 is 30 days after receipt of certified taxable values; therefore the later tax levy deadline is September 6, 2012. Newly taxable property growth was 1.76% last year and is 1.90% this year.

Under MCA 2-9-212, Group Health Insurance tax levies may include annual increases for insurance premiums and are not subject to the general purpose mill levy calculation limitations provided for in MCA 15-10-420. The FY 2013 budget provides for \$1,272,313, or 21.30 mills, to be levied for group health insurance premiums in 2012 for FY 2013,

which includes \$72,331 for a premium increase as allowed under MCA 2-9-212.

Director Magee recommended approval of the resolution and noted the FY 2013 budget provides for the full authorized tax levy to be levied.

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

Motion Commissioner Ellison moved approval of a revised resolution providing for the annual tax levy in mills for FY2013 beginning July 1, 2012 and ending June 30, 2013. Commissioner Thweatt seconded the motion. All voted aye, motion carried. **Res #19947**

Public Hearings PUBLIC HEARINGS:
A. CONSIDER FINAL PASSAGE OF ORDINANCE NO. 3159 AMENDING CHAPTER 14 OF TITLE 3 OF HELENA CITY CODE REGULATING DEVELOPMENT IN THE FLOODPLAIN

Staff Report Chief Building Official Brandt Salo reported on July 23rd, 2012, the City Commission first passed Ordinance No. 3159 amending Chapter 14 of Title 3 of Helena City Code regulating development in the floodplain, and set a public hearing date for August 20th, 2012. The amended ordinance recognizes the existing floodplains within the city as depicted upon FEMA's new 'digitized-format' floodplain maps and as described in the accompanying Flood Insurance Study (both with an effective date of September 19th, 2012). Periodic update of adoptive ordinance language and standards is required by FEMA of participating communities as a condition of maintaining eligibility for residents and businesses to purchase flood insurance through the NFIP (National Flood Insurance Program). The City of Helena is responding to that requirement by replacing the former 1981 maps and study, the 1991 ordinance, and revising the floodplain from the former 500-year and 100-year areas to just those areas designated as 100-year floodplains. The existing 100-year floodplain areas include Last Chance Gulch from the storm drainage intake 'upstream' of the Claimstake Apartments south to the city limit lines of Grizzly and Oro Fino Gulches and a sliver of property west of Spring Meadow Lake on the city's border. Both FEMA and the state of Montana DNRC Floodplain Management Division must give approval of the city's ordinance, to assure compliance with federal and state floodplain management provisions.

Mr. Salo recommended approval of final passage of the ordinance as its update implements ongoing efforts by FEMA and the State of Montana DNRC Floodplain Management Division to regulate activity in the floodplain. This improves public safety and helps mitigate exposure to property loss from flood hazards within the community. The new maps employ state-of-the-art GIS technology that enhances the accuracy of floodplain mapping.

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 final passage of Ordinance No. 3159 amending Chapter 14 of Title 3 of Helena City Code regulating development in the floodplain.

Commissioner Ellison seconded the motion.

Motion Commissioner Ellison moved to amend final passage of Ordinance No. 3159 amending Chapter 14 of Title 3 of Helena City Code regulating development in the floodplain as recommended by staff per the Community Development Department memo dated August 10, 2012. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Motion Commissioner Haque-Hausrath moved to amend final passage of Ordinance No. 3159 to incorporate the changes outlined in Deputy City Attorney Thomas Jodoin's email dated July 23, 2012.

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

Motion Commissioner Ellison moved to amend final passage of Ordinance No. 3159, Section 3-14-17 to delete the term "floodplain administrator" and substitute "the department". Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Motion Commissioner Haque-Hausrath moved approval of final passage of Ordinance No. 3159 amending Chapter 14 of Title 3 of Helena City Code regulating development in the floodplain, as amended. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Ord #3159**

B. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR THE BUSINESS IMPROVEMENT DISTRICT (BID) FOR FISCAL YEAR 2013

C. CONSIDER A RESOLUTION APPROVING THE PROPOSED WORK PLAN AND BUDGET OF THE BUSINESS IMPROVEMENT DISTRICT (BID) FOR FISCAL YEAR 2013

Administrative Services Director Tim Magee reported on August 9, 2010, the City Commission adopted a resolution creating the BID for a period of ten years pursuant to 7-12-1101, MCA. State law (7-12-1132) requires the BID to submit its budget and work plan to the City Commission for 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.

The BID is not requesting any change to the assessment methodology. The complete methodology is outlined in the resolution and is in accordance with the prescribed methodologies allowed by state law (7-12-1133, MCA). The BID's proposal is, after receiving public comment, that the City Commission approve both the resolution levying an assessment to defray the costs of the budget and work plan for FY2013 as submitted and a resolution approving the work plan of the BID for FY2013.

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 Elsaesser moved approval of a resolution levying an assessment for the BID for FY2013. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #19948**

Motion Commissioner Elsaesser moved approval of a resolution approving the work plan and budget for the BID for FY2013. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19949**

D. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) FOR FISCAL YEAR 2013

E. CONSIDER A RESOLUTION APPROVING THE PROPOSED WORK PLAN AND BUDGET OF THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) FOR FISCAL YEAR 2013

Staff Report Director Magee continued on April 20, 2009, the City Commission passed Resolution #19644 which created the TBID for a period of ten years pursuant to 7-12-1101, MCA. State law (7-12-1132) requires the TBID to submit its budget and work plan to the City Commission for 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.

The TBID's proposal is that after receiving public input the Commission approve a resolution levying an assessment to defray the costs of the TBID for fiscal year 2013. The annual assessment approved by the City Commission will be placed on the calendar year 2012 tax bills of the properties within the district.

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

Jeff Kurtz, TBID Chair; spoke in support of the budget and work plan for the district.

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

Motion Commissioner Ellison moved approval of a resolution levying an assessment for the TBID for FY2013. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19950**

Motion Commissioner Ellison moved approval of a resolution approving the work plan and budget for the TBID for FY2013. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #19951**

- F. CONSIDER A RESOLUTION AMENDING THE BOUNDARIES AND LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2013
- G. CONSIDER A RESOLUTION LEVYING ASSESSMENTS FOR FISCAL YEAR 2013 FOR IMPROVEMENTS MADE TO PROPERTIES IN THE SIDEWALK IMPROVEMENT DISTRICTS
- H. CONSIDER A RESOLUTION LEVYING AND ASSESSING A TAX ON ALL PROPERTIES IN THE SPECIAL IMPROVEMENT DISTRICTS TO DEFRAY THE COST OF MAINTAINING IMPROVEMENTS FOR FISCAL YEAR 2013
- I. CONSIDER A RESOLUTION AMENDING THE BOUNDARIES AND LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE STORM WATER UTILITY DISTRICT FOR FISCAL YEAR 2013
- J. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON ALL PROPERTIES IN THE SPECIAL STREET LIGHTING DISTRICTS TO DEFRAY THE COST OF INSTALLING AND MAINTAINING IMPROVEMENTS FOR FISCAL YEAR 2013
- K. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE URBAN FOREST MANAGEMENT DISTRICT FOR FISCAL YEAR 2013
- L. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE LANDFILL MONITORING AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2013
- M. CONSIDER A RESOLUTION ESTABLISHING CHARGES FOR COLLECTION AND DISPOSAL OF RESIDENTIAL GARBAGE AND REFUSE IN THE CITY OF HELENA, MONTANA, FOR FISCAL YEAR 2013
- N. CONSIDER A RESOLUTION SPECIFYING THE ASSESSMENT OPTION, AMENDING THE BOUNDARIES AND LEVYING AND ASSESSING THE ANNUAL CHARGE FOR STREET MAINTENANCE DISTRICT #1 FOR FISCAL YEAR 2013

Director Magee reported each year the Commission must levy and assess an annual charge on the above listed districts. For FY2013 the following assessment changes are being recommended:

Special Districts:

Open Space Maintenance	no change
Sidewalk Improvement Program	annual debt
Special Improvement Districts	annual debt
Storm Water Utility	up to 3.0% increase
Street Lighting	cost based
Urban Forest Management	no change
Landfill Monitoring	no change

Residential Solid Waste	up to 2.0% increase
Street Maintenance	up to 5.0% increase

Approval of the above listed resolutions will allow the city to levy an assessment on all properties in the districts and defray the costs of operation.

- Motion** **Commissioner Haque-Hausrath moved approval of a resolution amending the boundaries and levying an assessment upon all property in the Open Space Maintenance District No. 1 for FY 2013.** Commissioner Thweatt seconded the motion. All voted aye, motion carried. **Res #19952**
- Motion** **Commissioner Haque-Hausrath moved approval of a resolution levying assessments for improvement of sidewalks, curbs, gutters and alley approaches in the City of Helena.** Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19953**
- Motion** **Commissioner Elsaesser moved approval of a resolution levying and assessing a tax upon all property in special water, sewer and paving improvement districts to defray the cost of maintaining improvements in said special improvement districts for FY2013.** Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #19954**
- Motion** **Commissioner Ellison moved approval of a resolution amending the boundaries and levying an assessment upon all property in the Storm Water Utility District to defray the cost of maintaining services in the district for FY2013 at the rate of 2.5%.** Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19955**
- Motion** **Commissioner Elsaesser moved approval of a resolution levying an assessment upon all property in special street lighting districts to defray the cost of installing and maintaining the improvements in said districts for FY2013.** Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19956**
- Motion** **Commissioner Elsaesser moved approval of a resolution specifying the assessment method option for the special Urban Forest Management District for FY2013 and levying and assessing all property within the district.** Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #19957**
- Motion** **Commissioner Haque-Hausrath moved approval of a resolution specifying the assessment method option for the special Landfill Monitoring and Maintenance District for FY2013 and levying and assessing all property within the district.** Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19958**
- Motion** **Commissioner Ellison moved approval of a resolution establishing charges for collection and disposal of residential garbage and refuse in the City of Helena, Montana for FY2013, at an**

increased rate of 2%. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #19959**

Director Magee gave the history of the Street Maintenance budget, based on discussions held regarding its assessment. At the August 15, 2012 Administrative Meeting Commissioner Elsaesser proposed earmarking a percentage of the proposed 5% increase for FY2013 for trail crossing/improvement reserve. Discussion was held on the proposal.

Motion **Commissioner Haque-Hausrath moved approval of a resolution specifying the assessment method for Street Maintenance District No. 1 for FY2013, levying and assessing all property in the district and amending the boundaries of the district, at an increased rate of 5%**. Commissioner Ellison seconded the motion.

Motion **Commissioner Elsaesser moved that 2.5%, the amount of \$73,250, half of the increase, be dedicated to trail and sidewalk crossings in conjunction with Centennial Trail and establishment of a railroad quiet zone.** Commissioner Haque-Hausrath seconded the motion.

Discussion Mayor Smith spoke in support of reducing the proposed rate increases to the Street Maintenance District and water and wastewater rates by 50%. He noted a reduction of 50% would result in the average citizen's assessments being increased annually by \$20.00 instead of \$33.00.

Commissioner Elsaesser gave an overview of what could be funded by his amendment and urged the Commission to vote in support of it.

Mayor Smith referred to the expense for implementation of a quiet zone and asked if it is Commissioner Elsaesser's intent to begin a fund for these projects and add to it year after year. Commissioner Elsaesser stated yes and noted he is comfortable with specific allocations of funding as they represent a commitment by the Commission.

Commissioner Ellison spoke in support of increased ADA and bike/pedestrian projects but expressed hesitation toward Commissioner Elsaesser's amendment being also earmarked for quiet zone implementation because of the great expense of the project.

Commissioner Haque-Hausrath noted one improvement that could be performed through the amendment as part of a quiet zone is pedestrian refuges to keep cars from swerving into the other lane; this improvement would be dual-purpose.

Vote on amendment Motion carried 3-2, with Mayor Smith and Commissioner Ellison voting no.

Motion **Commissioner Haque-Hausrath moved approval of a resolution specifying the assessment method for Street Maintenance District No. 1 for FY2013, levying and assessing all property in the district and amending the boundaries of the district, at an increased rate of 5%, as amended.** Commissioner Ellison

seconded the motion. Motion carried 4-1, with Mayor Smith voting no.

Res #19960

- O. CONSIDER A RESOLUTION SETTING WASTEWATER CHARGES FOR ALL CUSTOMERS
- P. CONSIDER A RESOLUTION INCREASING WASTEWATER RATES UP TO 4.0% FOR ALL CUSTOMERS
- Q. CONSIDER A RESOLUTION SETTING WATER CHARGES FOR ALL CUSTOMERS
- R. CONSIDER A RESOLUTION INCREASING WATER RATES UP TO 3.0% FOR ALL CUSTOMERS

Staff Report

Director Magee further reported each year the City Commission may adjust wastewater charges for services or equipment to customers. The City's Financial Planning Policy Resolution calls for funding of essential services, including providing annual funding of regularly recurring Comprehensive Capital Improvement Program (CCIP) components; and annually reviewing rates to ensure adequate funding of operations, maintenance, and debt; address and consider funding up to 50% of the annual CCIP schedule of 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.

For FY2013 the following rate changes are being recommended:

Wastewater Rates	increase of up to 4.0%
Water Rates	increase of up to 3.0%

Motion

Commissioner Haque-Hausrath moved approval of a resolution setting wastewater charges for all customers of the City of Helena wastewater system. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19961**

Motion

Commissioner Ellison moved approval of a resolution setting the wastewater rates for all customers of the City of Helena wastewater system with a rate increase of 3%. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #19962**

Motion

Commissioner Elsaesser moved approval of a resolution setting water charges for all customers of the City of Helena water system. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #19963**

Motion

Commissioner Ellison moved approval of a resolution setting water rates for all customers of the City of Helena water system with a rate increase of 2%. Commissioner Elsaesser seconded the motion.

Discussion

Commissioner Thweatt noted during budget discussions the need to increase water rates by 3.0% in order to perform major capital improvements was discussed and very important. Commissioner Haque-Hausrath concurred with Commissioner Thweatt's comments and

noted the rates should be raised by at least the rate of inflation which is almost 3.0%.

Commissioner Elsaesser noted he would support raising the water rates at a level less than 3%. Mayor Smith commented on how the Commission has acted responsibly when raising rates now and in the past.

Substitute motion

Commissioner Thweatt moved approval of a resolution setting water rates for all customers of the City of Helena water system with a rate increase of 2.5%. Commissioner Haque-Hausrath seconded the motion. Motion carried 3-2 with Mayor Smith and Commissioner Ellison voting no. **Res #19964**

Public Communications

PUBLIC COMMUNICATIONS
No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST
The next Administrative Meeting is September 5, 2012 and the next Commission Meeting is September 10, 2012. The City/County Commission Joint Work Session will be held September 6, 2012.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:36 p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission