

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
September 9, 2013
6:00 P.M.

Time & Place

A regular City Commission meeting was held on Monday, September 9, 2013 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, and Thweatt were present. Commissioner Haque-Hausrath was excused. 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 19, 2013 were approved as submitted.

Presentation

A. CONSIDER THE CONFIRMATION OF PROBATIONARY OFFICER ANDREW BARTON

Police Chief Troy McGee introduced Mr. Barton and gave his education, military and training history and recommended his confirmation as a Police Officer with the Helena Police Department (HPD).

Motion

Commissioner Ellison moved approval of the confirmation of Andrew Barton as a police officer with the Helena Police Department. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Police Chief McGee presented Officer Barton with a Challenge Coin and Ms. Barb Hagen gave him the book, "*I Love a Cop*". Officer Barton introduced his family members in attendance and thanked the Commission for the opportunity to serve the City of Helena.

The Commission congratulated Officer Barton and welcomed him to the HPD.

Board Appointments

BOARD APPOINTMENTS:

A. City/County Parks Board, Helena Regional Airport Authority & City Zoning Commission

Mayor Smith recommended the following board appointments:

City-County Parks Board - Reappointment of Melissa Lewis to the City-County Parks Board. Second term will begin upon appointment and expire September 30, 2016.

Helena Regional Airport Authority - Appointment of Jon Moe to the Airport Authority. The unexpired term will begin upon appointment and expire September 1, 2014.

Zoning Commission - Appointment of Michael "Mike" McCabe to the Zoning Commission. The first term will begin October 1, 2013 and expire September 30, 2016. **Note:** Mr. McCabe was recently appointed as the alternate member on the Zoning Commission; however, he has agreed to serve as a regular member.

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

Motion Commissioner Elsaesser moved approval of the board appointments to the Parks Board, Helena Regional Airport Authority and Zoning Commission as listed above. Commissioner Thweatt seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Consider a resolution declaring certain personal property to be abandoned and unclaimed (bicycles) **Res #20050**
C. Acceptance of pledged collateral for City deposits at financial institutions

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 Elsaesser spoke of attending the successful Open Streets event downtown this past Sunday. He announced the next plastics drive would be held Friday, September 13th through Monday, September 16th.
He referred to the city's Quiet Zone study and added it is now available on the city's website.
Commissioner Ellison commended the construction project on the Broadway tunnel.
Mayor Smith commented he welcomed the attendees of the Montana Association of Planners Conference to Helena today.

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. Certificate of Achievement for Excellence in Financial Reporting (CAFR)

City Manager Alles reported the City was awarded its 25th consecutive award for Excellence in Financial Reporting by the Government Finance Officers Association. He commended the Administrative Services for their consistently excellent work in financial reporting.

Mayor Smith presented the award to City Controller Glenn Jorgenson and Accounting Supervisor Liz Hirst. The Commission

congratulated Controller Jorgenson and Ms. Hirst on the receipt of another award.

Commissioner Elsaesser asked if a recent resolution of intent for an alley closure in the Washington Place Subdivision that was denied by the Commission would be reconsidered. Manager Alles confirmed the resolution of intention for the proposed closure would be placed on the September 23, 2013 Commission Meeting agenda.

**Report from the
Helena Citizens
Council**

REPORT FROM THE HELENA CITIZENS COUNCIL

No report was given.

Regular Items

REGULAR ITEMS:

- A. CONSIDER A RESOLUTION MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 306 BY ADDING ONE LIGHT AT THE NORTHWEST CORNER OF HIGHLAND STREET AND SOUTH HOBACK STREET.

Staff Report

City Controller Glenn Jorgenson reported Val Szudera, 100 S Hoback St, is requesting the City add one additional light to lighting district 306. Mr. Szudera and his neighbors have reported vandalism to their homes and persons parking at the corner after dark for illicit purposes. Mr. Szudera discussed the light with his neighbors and feels he has their support. Staff sent letters on August 28, 2013 to all properties within 300 feet of the intersection notifying owners of the proposed change. There is no legal requirement to do so, but staff felt it was best in case there were objections to the additional lighting by nearby property owners.

Light District No. 306 is a large district with 341 lights and 904 property owners (see LD306 Map attached). State law allows cities to make minor amendments if they either reduce the assessments or increase the average assessments within the maintenance district by 3% or less in a fiscal year. The district spent \$69,267 in fiscal year 2013 and the annual cost for the new light will be \$447, or 0.65%. NorthWestern Energy plans on installing one 100-watt high-pressure sodium vapor lamp on a 25 foot wooden pole.

Discussion

Commissioner Ellison asked for confirmation that two poles would be installed; one for the light and another for the electricity to power the new light. Commissioner Ellison asked who owns the property to the west and south of the proposed poles. Mr. Jorgenson stated it is under private ownership and currently vacant.

Commissioner Elsaesser asked if the modification would result in new properties being brought into the district. Mr. Jorgenson stated no, it would only approve the installation of one additional light. Commissioner Elsaesser asked if a style of light different from what is proposed could be installed. Mr. Jorgenson explained all of the lights in a district are required to be the same style and noted NorthWestern Energy does not use "motion- activated" style lights.

Discussion was held on where the light and associated power pole would be installed.

Mayor Smith disclosed he resides within the subject lighting district.

Public comment

Mayor Smith called for public comment.

Val Szudera, 100 South Hoback, applicant; urged the Commission to approve the modification and discussed the reasoning behind the proposal.

George Parisot, 901 Highland Street; spoke in opposition to the proposed location of the power pole. He noted he supports the addition of the light.

Comment

Commissioners Elsaesser and Thweatt recommended tabling the proposal to allow for discussion of where to locate the power pole and additional light. Commissioner Thweatt recommended Northwestern Energy be contacted about the possibility of locating the power lines underground.

Commissioner Ellison asked Police Chief McGee for the incidences of vandalism in the area. Chief McGee stated he was unsure and would need to look into incident reports for the area report back to the Commission.

Attorney Hindoien recommended the Commission table the proposal to properly allow staff to work with Northwestern Energy on the placement of the power pole and light.

Commissioners Ellison and Thweatt noted they would support tabling the resolution to allow for discussion of placement of the utilities and testimony from additional property owners in the district.

Motion

Commissioner Elsaesser moved to table a resolution modifying SLD No. 306 by adding one light at the northwest corner of Highland Street and South Hoback Street to the call of the City Manager. Commissioner Thweatt seconded the motion. Motion carried 3-1, with Mayor Smith voting no.

B. CONSIDER A RESOLUTION ANNEXING TRACTS A1 AND B2 SHOWN ON CERTIFICATE OF SURVEY NO. 3203658, AND ADJACENT RIGHTS OF WAY OF CUSTER AVENUE, INTERSTATE 15, AND THE FRONTAGE ROAD.

Staff Report

Community Development Director Sharon Haugen reported the applicant has completed the conditions required for annexation and has now requested the annexation of Tracts A1 and B2 shown on Certificate of Survey No. 3202658, Lewis & Clark County, Montana. The applicant wishes to annex this property to attain all city services and to utilize the property with a B-2 (General Commercial) zoning designation for the future development of the property.

At the July 25, 2011 Commission meeting, a resolution of intent to annex with conditions was passed unanimously (4-0), as well as an ordinance pre-zoning the property to B-2 (General Commercial) District.

Public comment

Mayor Smith called for public comment; none was received.

Motion

Commissioner Ellison moved approval of a resolution annexing Tracts A1 and B2 shown on Certificate of Survey No. 3203658 and adjacent rights-of-way of Custer Avenue, Interstate 15 and the Frontage Road. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #20051**

- C. CONSIDER ACCEPTING TWO DEDICATIONS TO THE CITY OF HELENA OF PROPERTY FOR PUBLIC IMPROVEMENTS, ONE FOR RIGHT-OF-WAY AND THE OTHER FOR A UTILITY PARCEL.

Staff Report

Director Haugen reported the applicant has prepared a Certificate of Survey (COS) showing the creation of right-of-way (ROW) shown as Tract A1-B, and a utility parcel shown as Tract A1-C; both will be dedicated to the City. The proposed ROW is for Queen Anns Street connecting Frontage Drive and Custer Avenue. Tract A1-C is for the existing lift station. The property is pre-zoned B-2 (General Commercial) District and is vacant and undeveloped. The property is currently in the county but will be annexed to the City prior to filing the amended COS. A boundary line relocation between Tracts B2 and A1 is also shown on the COS but does not require Commission review.

Director Haugen recommended approval of the dedications as acceptance of the ROW would prove north/south connectivity for Frontage Drive and Custer Avenue and facilitate infill development. Acceptance of the utility tract will allow the existing lift station property to be transferred to the city for better management of that city infrastructure.

Discussion

Commissioner Ellison asked if Queen Anns Street is an existing street or still needs to be constructed. Director Haugen stated it has yet to be constructed.

Public comment

Mayor Smith called for public comment; none was received.

Motion

Commissioner Ellison moved approval of the dedication to the city of property for public improvements designated as ROW Tract A1-B and utility Tract A1-C as shown on the Certificate of Survey. Commissioner Elsaesser seconded the motion. All voted aye, motion carried.

Public Hearings

PUBLIC HEARINGS:

- A. CONSIDER A RESOLUTION RENAMING HELENA'S BILL ROBERTS MUNICIPAL GOLF COURSE.

Staff Report

Parks & Recreation Director Amy Teegarden reported Helena's municipal golf course is managed as an "enterprise fund", meaning it is self-funded and expected to generate revenue to support operational expenses. The golf course business plan guides management and operational decisions. The business plan emphasizes marketability and course image. For the past year, city staff in conjunction with the Golf Advisory Board (GAB) has focused on ways to improve the image or "brand" for Helena's municipal golf course. There is a concern that people unfamiliar with the course, such as out of town visitors and resident non-golfers, may not fully appreciate or recognize the quality golf experience that the course offers, based upon the name and reference as a "municipal golf course". Because of the passage of time, it is believed there has been a loss of connection or recognition of the Bill Roberts name and the contributions he made. Very few if any golf courses in Montana are named after a specific person. Instead course names draw a direct comparison to the city where they are located or landscape features which communicate the golf setting or experience. In

addition, municipal golf courses are often viewed as providing a lesser quality service/product than private, private/public golf courses based on comments the golf pro has received from those unfamiliar with the course. Multiply this negative perception with a "non-recognizable course name", and there is little in the way of a marketing advantage and thus loss of revenue to keep the course fiscally sound.

A resolution to change the golf course name to Hidden Creek Golf Course has been endorsed by the Golf Advisory Board. The resolution also directs City staff and the Golf Advisory Board to undertake efforts to retain Bill Roberts' name and highlight his significant contributions, including but not limited to the designation of a "signature hole" and placement of a plaque at the tee box of that hole.

After much discussion, Hidden Creek Golf Course was selected based upon the course's close proximity to Last Chance Creek and the historic placer mining dredges. The placer mining operations from 1864 to 1946 supported the development of the Helena area. Along with that development came the alteration of Last Chance Creek to a subterranean flow, which now is hidden from view forever, hence the name "Hidden Creek".

City staff and the Golf Advisory Board will work with marketing professionals to incorporate the new name and logo into all aspects of course marketing and management. The new name would become effective December 1, 2013.

Director Teegarden stated there is general support from golfers who play the course for the name change. Golfers understand the importance of a course name to attract out of town golfers and new golfers to the course. The proposed name will result in a stronger marketing advantage over other local and regional golf courses. The new name will better reflect the quality product and golfing experience that is currently offered. The cost for a new logo and marketing materials has the potential to be recouped in the first year alone through merchandise sales. Successful business decisions and operations help provide financial stability and ultimately pay tribute to the contributions Bill Roberts made.

Discussion

Commissioner Elsaesser asked for more information on internal service charges paid by the golf course. Manager Alles explained approximately \$127,000 was paid by the golf course to the general fund for general service charges such as payroll, insurance, etc. These charges are applied evenly to all city departments.

Public Testimony

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

George Lane, Helena; expressed concern over what would be done to pay tribute to Bill Roberts and the cost of the name change.

Steve Kiem, 37 Cloverview; spoke in opposition to the name change.

John Pallister, GAB Chair; spoke in support of the proposal and assured the Commission Bill Roberts would be honored if the name were changed.

Pete Aspinwall, GAB Vice-Chair; spoke in support of the name change and expressed concern that it is sometimes referred to as "Billy Bob's".

John Chappius, Helena; urged the Commission to vote in favor of the name change.

Russ Grover, Helena; commended the work of the GAB and urged the Commission to support the proposal.

Larry Lopuch, Helena; spoke in support of the name change.

Ed McHugh, 9 Cloverview Drive; spoke in opposition to the proposal.

Bill Crebella, Helena; spoke in support of the name change.

Steve Kiem; suggested the name be changed to "Bill Roberts Heritage Golf Course".

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

Discussion

Commissioner Elsaesser indicated he would support changing the name to "Bill Roberts Hidden Creek Golf Course" but could not vote in favor of removing "Bill Roberts" entirely.

Commissioner Ellison spoke in support of removing "municipal" from the name but due to a strong community sentiment could not consider removing "Bill Roberts" entirely.

Commissioner Thweatt agreed with Mr. Crebella that the golf course is an enterprise fund and needs to make enough money to provide for itself. He concurred with the GAB recommendation that course needs to market itself appropriately to bring in revenue. He commented he believes Mr. Bill Roberts would feel the same way and it is in the interest of the citizens of Helena to rename the course.

Motion

Commissioner Thweatt moved approval of a resolution renaming Helena's municipal golf course. Commissioner Ellison seconded the motion.

Friendly Amendment

Commissioner Elsaesser offered a friendly amendment to page 2, Section 1 of the resolution to read: "That the Bill Roberts Municipal Golf Course may be renamed Bill Roberts Hidden Creek Golf Course effective December 1, 2013 per a decision of the Golf Advisory Board and to strike Section 3 as it would no longer apply.

Commissioner Thweatt did not accept the amendment.

Discussion was held on Commissioner Elsaesser's amendment; Attorney Hindoien explained it could be considered unweilding.

Substitute motion

Elsaesser moved to amend page 2, Section 1 of the resolution to insert "Bill Roberts" before "Hidden Creek Golf Course". Commissioner Ellison seconded the motion. Motion failed 2-2, with Mayor Smith and Commissioner Thweatt voting no.

Comment

Mayor Smith spoke of the history of fees being raised at the course and the need for funding for capital projects. Additional revenue is needed to keep the course in the shape it is in and he believes Mr. Bill Roberts would not want the city to be forced to diminish the quality of the course.

Commissioner Ellison stated he is not convinced a name change would create the additional revenue that is needed. He also commented he doesn't think it is right to assume what Mr. Bill Roberts, who is deceased, would think or do. He questioned what would happen if the name were changed, alienated the golfing public, and revenue went down? For all of these reasons he indicated he could not support the name change.

Commissioner Elsaesser stated this is always going to be a public course no matter what the name is. He recommended adding the name "Hidden Creek" to the title but retaining "Bill Roberts".

Commissioner Thweatt recommended instead of the Commission recommending a new name for the course, the GAB be charged with selecting another option for a new name.

Mayor Smith clarified if the motion to change the name fails the current name will remain.

Vote on original motion Motion failed 2-2, with Commissioners Elsaesser and Ellison voting no.

Public Communications PUBLIC COMMUNICATIONS
No public communications were given.

Meetings of Interest MEETINGS OF INTEREST
The next Administrative Meeting is September 18, 2013 and the next Commission Meeting is September 23, 2013.

Adjournment There being no further business to come before the Commission, the meeting was adjourned at 8:27 p.m.

Mayor James E. Smith

ATTEST:

Clerk of the Commission