

**CITY OF HELENA  
REGULAR CITY COMMISSION MEETING  
November 18, 2013  
6:00 P.M.**

**Time & Place** A regular City Commission meeting was held on Monday, November 18, 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, 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 November 4, 2013 were approved as submitted.

**Board Appointments** BOARD APPOINTMENTS:  
A. Business Improvement District (BID) / Helena Parking Commission (HPC)

Mayor Smith recommended the following appointment:

BID/HPC – Appointment of Linda Reed to an unexpired term. Term will being upon appointment and expire October 31, 2016.

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

**Motion** **Commissioner Thweatt moved approval of the appointment to the BID/HPC as outlined above.** Commissioner Ellison seconded the motion. All voted aye, motion carried.

**Consent Agenda** CONSENT AGENDA:  
A. Claims  
B. Utility Bill Inserts for 2014  
C. Grant for SWAT & Patrol Entry Ballistic Protection in the amount of \$50,800 from DES (Disaster & Emergency Services).  
D. Professional Services Agreement Amendment for Centennial Trail Phase I

City Manager Ron Alles recommended approval of the claims. He asked that item D be removed from the consent agenda in order to provide the Commission with an update on Centennial Trail.

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

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

- Item D** D. PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR CENTENNIAL TRAIL PHASE I
- City Engineer Ryan Leland provided the Commission with an update on the status of Centennial Trail Project- Phase I.
- Motion** **Commissioner Haque-Hausrath moved approval of item D on the consent agenda.** Commissioner Thweatt seconded the motion.
- Comment** Commissioner Elsaesser indicated he would support the motion; however, he expressed concern that the Henderson Bridge Project has still not been completed.  
Commissioner Ellison voiced concern for the cost of the amendment and noted he would be wary of approving additional amendments/change orders.
- Vote** All voted aye, motion carried.
- Bid Award** BID AWARD:  
A. One (1) new 2014 truck chassis (tandem axle) with (1) new 4200 gallon sprayer body for the Wastewater Treatment Division
- Staff Report** Fleet Superintendent Ben Sautter reported bids were received for one new 2014 truck chassis (tandem axle) with (1) new 4200 gallon sprayer body for the Wastewater Treatment Division. The lowest responsible bid was received from Motor Power Great Falls, Inc. in the amount of \$176,500.00 for a 2014 Kenworth T800 Series Conventional chassis with a Marengo fabricated steel tank. The analysis of the bid indicates the submitted item meets specification and is a reasonable bid. The submitted price of \$176,500.00 will not exceed the Wastewater Treatment Division's budget appropriation.  
Staff is recommending the purchase of the 2014 truck chassis (tandem axle) with (1) new 4200 gallon sprayer body for the Wastewater Treatment Division at the bid price of \$176,500.00. This purchase will allow the Wastewater Treatment Division to continue regular maintenance operations with reliable equipment.  
Supervisor Sautter noted this piece of equipment will replace Units 474/475, a Freightliner truck with a Beall semi-tank trailer and Unit 477, the 1982 Big A sludge injector. The cost savings of purchasing this one vehicle to eliminate three pieces of equipment is approximately \$400,000.00. The purchase of this equipment will allow the City to continue to upgrade the Wastewater Treatment Division fleet providing reliable equipment and reducing maintenance costs.
- Public comment** Mayor Smith asked for public comment, none was received.
- Motion** **Commissioner Haque-Hausrath moved approval to award the bid for one (1) new 2014 truck chassis (tandem axle) with (1) new 4200 gallon sprayer body for the Wastewater Treatment Division to Motor Power Great Falls, Inc. in the amount of \$176,500.00.** Commissioner Ellison seconded the motion. All voted aye, motion carried.

**Communications**

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Elsaesser commented he was pleased to see the opening of the Broadway Tunnel.

Commissioner Haque-Hausrath discussed how happy she was to read the Adoption Awareness proclamation at the Capitol last week.

Commissioner Ellison congratulated Andres Haladay on his success at winning one of the vacant seats on the City Commission in the November 5<sup>th</sup> election and thanked former City Attorney David Nielsen for running. He commented on how he will miss serving with Commissioner Thweatt when his term is up December 31, 2013. He also congratulated Mayor Smith on his re-election.

Mayor Smith announced a reception would be held for Commissioner Thweatt on December 17<sup>th</sup>. Also, the swearing-in ceremony for Commissioner Ellison, Mayor Smith and Andres Haladay will be held January 6, 2014.

**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 (HCC)

There was no member of the HCC present to provide a report.

**Regular Items**

REGULAR ITEMS:

- A. CONSIDER A RESOLUTION OF INTENTION TO ESTABLISH FEES TO BE CHARGED FOR THE BILL ROBERTS GOLF COURSE (BRGC), 2014 SEASON.

**Staff Report**

Parks & Recreation Director Amy Teegarden reported with continued rising costs and the need for capital improvements, city staff strives to operate the course within a financial strategy that can meet operational and capital improvement goals. Annually city staff and the Golf Advisory Board (GAB) review the season's expenses, revenues, and trends in comparison to budget projections.

Even with a revenue profit at the end of the 2013 season, city staff and the GAB are recommending fee increases to cover the cost of rising nondiscretionary expenses (internal service charges, the cost of fuel, fertilizer, etc.) The increases are for specific fees, rather than an across the board percent increase. Using the 2013 counts (rounds played), the recommended rate increases would yield approximately \$13,330 in additional revenue.

Director Teegarden recommended approval of the resolution of intention and requested the Commission set a public hearing date of December 2, 2013 to adopt the fee schedule for golf course fees for the 2014 season.

**Public comment**

Mayor Smith called for public comment; none was received.

Motion

**Commissioner Elsaesser moved approval of the resolution of intention to establish fees to be charged by the Bill Roberts Golf Course for the 2014 season, and set a public hearing date for December 2, 2013.** Commissioner Thweatt seconded the motion. All voted aye, motion carried. **Res #20056**

- B. CONSIDER A RESOLUTION OF INTENTION TO VACATE A PORTION OF THE PLATTED, UNCONSTRUCTED ALLEY BETWEEN LOTS 12-17 AND LOTS 18-23 IN BLOCK 8 OF THE COURTHOUSE ADDITION IN THE CITY OF HELENA.

Staff Report

City Engineer Ryan Leland reported Rhonda Strainer, the primary applicant, has submitted a petition to vacate a portion of the platted, unconstructed alley to allow the construction of a new single family dwelling for the potential buyers of the subject property.

The potential buyers have requested a land exchange that would allow the City to reconstruct and expand the Beattie Street trailhead parking lot. The square foot value for the north half of the alley is \$4.63 per square foot and the south half of the alley is \$7.85 per square foot. The value of the north half of the alley is \$5,556.00 and the value for the south half is \$9,420.00. The total calculated value to vacate the alley would be \$14,976.00.

Engineer Leland noted this vacation would allow enough room for the construction of a new single-family dwelling at the subject location plus allow for the needed extra square footage for the parking lot expansion.

Discussion

Commissioner Thweatt spoke of the difference in value from one portion of the alley to the other. Engineer Leland explained those values are taken from the Department of Revenue (DOR) database and there could be many reasons for the differing amounts.

Public comment

Mayor Smith called for public comment; none was received.

Motion

**Commissioner Elsaesser moved approval of a resolution of intention to vacate a portion of the platted, unconstructed alley between Lots 12-17 and Lots 18-23 in Block 8 of the Courthouse Addition in the City of Helena and set a public hearing date of December 2, 2013.** Commissioner Thweatt seconded the motion. All voted aye, motion carried. **Res #20057**

- C. CONSIDER APPLICATION FOR ENLARGEMENT OF WASTEWATER SERVICE AREA FOR COURTHOUSE ADDITION, BLOCK 8, LOTS 12-17.

Staff Report

Engineer Leland reported the above referenced lot is within the city limits and is in the water service area boundary but not in the wastewater service area boundary. Access to the lot is from Beattie Street which is a platted but unimproved street. Water and sewer mains are located in Beattie Street and connected to water and sewer mains in Iowa Street west of Beattie Street.

Rhonda Strainer, owner, is requesting enlargement of the wastewater service area to build a single family house. With this proposal the city will have to change the pressure zones in the area.

Area residents will see an increase of approximately 30 to 35 PSI. This pressure zone change was identified by Public Works as a long term change in the area.

Engineer Leland noted staff has no recommendation on the proposal.

Public comment

Mayor Smith called for public comment; none was received.

Motion

**Commissioner Thweatt moved approval of the application to enlarge the wastewater service area to the Courthouse Addition, Block 8, Lots 12-17 subject to the following conditions:**

**1. A new 8" main on the east-end should be installed across the lot frontage in Iowa Street.**

**2. Extend the 8" PVC sewer main to the south to allow for perpendicular tie-in with a new sewer service per City of Helena Engineering Standards.**

Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried.

D. CONSIDER A RESOLUTION OF INTENTION TO VACATE A PORTION OF THE PLATTED, UNCONSTRUCTED ALLEY BETWEEN LOTS 7-11 AND LOTS 24-28 IN BLOCK 8 OF THE COURTHOUSE ADDITION IN THE CITY OF HELENA.

Staff Report

Engineer Leland reported Neil Templeton and Erin McMahon, applicants, have submitted a petition to vacate a portion of the referenced platted, unconstructed alley to allow the construction of a new single family dwelling for the applicants. This alley vacation was previously approved, with conditions, by the City Commission on April 6, 2009. However, the approval expired when the applicant did not complete the conditions within the one year timeframe.

The square footage of the alley to be vacated is 2000 square feet. The square foot value for the north half of the alley is \$5.50 per square foot and the south half of the alley is \$8.46 per square foot. The value of the north half of the alley is \$5,500.00 and the value for the south half is \$8,460.00. The total calculated value to vacate this portion of alley is \$13,960.00. Both the applicant and the city are requesting to do a land exchange for the alley for the same square footage along the drainage on the east side of the lot.

Engineer Leland recommended approval of the resolution of intention and requested the Commission set a public hearing date of December 2, 2013.

Public comment

Mayor Smith called for public comment.

Neil Templeton, applicant, 410 S. Fee Street; spoke in support of the resolution of intention and commented he would be willing to discuss additional land exchanges with the city.

Motion

**Commissioner Elsaesser moved approval of a resolution of intention to vacate a portion of the platted unconstructed alley between Lots 7-11 and Lots 24-28 in Block 8 of the Courthouse Addition in the City of Helena and set a public hearing date of December 2, 2013.**

Commissioner Thweatt seconded the motion. All voted aye, motion carried. **Res #20058**

- E. CONSIDER A RESOLUTION OF INTENTION TO ANNEX INTO THE CITY OF HELENA THE FULL WIDTH OF THE DISCONTINUED PORTION OF MISSIOULA AVENUE RIGHT-OF-WAY (ROW) ADJACENT TO BLOCK 21, BOYCE ADDITION, HELENA, MONTANA; GENERALLY LOCATED BETWEEN BLAINE AND MARKET STREETS.

Staff Report

City Planner Kathy Macefield reported Property owner Ed Maronick has petitioned to annex the discontinued portion of Missoula Avenue adjacent to Block 21 located east of Blaine Street in the CLM District to obtain all city services. With the annexation, the water and wastewater service boundary will automatically be extended.

On July 6, 2013 the Board of Lewis and Clark County Commissioners conditionally approved discontinuing the Missoula Avenue ROW located adjacent to Block 21 and the east portion of Block 20 with Resolution 2013-95 (filed with the County Clerk and Recorder, M47 Page 7682).

On July 8, 2013 the City Commission conditionally approved a Resolution of Intention to Annex the full width of the Missoula Avenue right-of-way adjacent to the east portion of Block 20, Boyce Addition, along with east portion of Block 20 (Resolution No. 20026).

The former ROW was subsequently aggregated with Block 21 and the east portion of Block 20 with an amended plat that created Block 21-A, Boyce Addition as shown on COS #3249720. The amended plat also includes additional Blaine Street ROW that was dedicated to the City between Billings and Missoula Avenue and Blaine Street.

Ms. Macefield recommended approval of the resolution of intention as the vacant and undeveloped property is adjacent to the City of Helena and is located within the "Urban Standards Boundary Area" of the City's Growth Policy "which should be given priority for future annexations and extensions of water and wastewater service area" so the proposed annexation is in accordance with the 2011 Growth Policy.

Water and sewer mains and fire hydrants will be installed in the former Missoula Avenue ROW. Infrastructure plans have been approved with construction beginning November 4, 2013. Additional Blaine Street ROW has been dedicated to the City between Billings and Missoula Avenue and Blaine Street (COS #3249720) and will be constructed to City standards within a 60-foot wide ROW to provide access to the property.

Public comment

Mayor Smith called for public comment.

Jeff Larson, representing the applicant; spoke in support of the resolution of intention.

Motion

**Commissioner Thweatt moved approval for a resolution of intention to annex the full width of discontinued Missoula Avenue ROW subject to the conditions in the resolution.** Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried.  
**Res #20059**

**Public  
Communications**

PUBLIC COMMUNICATIONS

No public communications were given.

***Meetings of  
Interest***

MEETINGS OF INTEREST

The next Commission Meeting is December 2, 2013.

***Adjournment***

There being no further business to come before the Commission,  
the meeting was adjourned at 7:11 p.m.

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Mayor James E. Smith

ATTEST:

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Clerk of the Commission