

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**February 10, 2014**  
**6:00 P.M.**

***Time & Place***

A regular City Commission meeting was held on Monday, February 10, 2014 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

***Members Present***

Mayor Pro Tem Elsaesser indicated for the record that Commissioners Ellison, Haque-Hausrath and Haladay were present. Mayor Smith was excused. City Manager Ron Alles, City Attorney Jeff Hindoien and Deputy City Clerk Robyn Brown were present. Others present were Aimee Fausser representing the Helena Citizens Council.

***Pledge of Allegiance***

Mayor Pro Tem Elsaesser 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 January 27, 2014 were approved as submitted.

***Board Appointments***

BOARD APPOINTMENTS:

- A. Business Improvement District/Helena Parking Commission, Civic Center Board and Non-Motorized Travel Advisory Council

Business Improvement District/ Helena Parking Commission (BID/HPC) - Appointment of Kathleen Harrington to the BID/HPC. The unexpired term will begin upon appointment and expire October 31, 2014.

Civic Center Board - Reappointment of Riley Johnson, Brad Culver, Trevor Parrish, Judy Kline and Kathleen Pace to the Civic Center Board. Terms will begin upon appointment and expire March 1, 2017.

Non-Motorized Travel Advisory Council (NMTAC) - Reappointment of Kyla Maki to NMTAC. The second term will begin upon appointment and expire March 31, 2017.

***Public comment***

Mayor Pro Tem Elsaesser asked for public comment, none was received.

***Motion***

**Commissioner Ellison moved approval of the board appointments to the BID/HPC, Civic Center Board and Non-Motorized Travel Advisory Council as outlined above.** Commissioner Haladay seconded the motion. All voted aye, motion carried.

***Consent Agenda***

CONSENT AGENDA:

- A. Claims  
B. Memorandum of Agreement (MOA) between the Montana Department of Transportation (MDT) and the City of Helena for the purchase of a new flush truck

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

Public comment Mayor Pro Tem Elsaesser asked for public comment, none was received.

**Motion** Commissioner Haque-Hausrath moved approval of items A and B on the consent agenda. Commissioner Ellison seconded the motion. All voted aye, motion carried.

***Bid Award***

BID AWARD:

A. Consider approval of the Parks Department/Bill Robert's Golf Course's purchase of a prefabricated irrigation pump as a part of the overall Irrigation Replacement and Improvement Project.

**Staff Report**

Parks & Recreation Director Amy Teegarden reported the irrigation system at Bill Roberts Golf Course has been in operation for 21 years on the back nine and 34 years on the front and in many ways is approaching the end of its life cycle and is not capable of meeting the demands and expectations of maintenance and patrons. The City hired an irrigation consultant and landscape architect to analyze the current system and provide specific recommendations/options and designs for replacement. It was determined that the "below ground" components still are useable and should withstand another 10 years of use. Of greater concern are the "above ground" components of the system such as the pump stations, control clocks and main line. Analysis revealed that these components are poor and the current system is not operating to the designed intent.

City staff will serve as the general contract on this project with the exception of the irrigation pump station and installation. In January the Parks Department requested bids for a prefabricated irrigation pump station. A bid opening was held on January 28, 2014. Two bids were received. The bid from Precision Pumping Systems was the low bid and met all the requirements.

The overall purpose of the irrigation improvement project and the required pump station is to reduce the risk of a failure and eliminate internal delivery system (underground piping and sprinkler head) damage of the irrigation system.

City staff recommends contract award of the prefabricated pumping station so the project can begin. Meetings held between Administrative Services and City Manager Alles focused on the financial "picture" and how the irrigation project could be funded. Based on financial forecasting (revenue, expenses, capital projects, debt services and cash flow), it was determined that a debt service level of \$500,000 would be acceptable. Administrative Services applied for, and received, approval for an InterCap Loan in the amount of \$500,000.

The cost to maintain the existing system is excessive and monies spent repairing an inefficient system could be better utilized by renovating the irrigation system. A renovated irrigation system and pump station will contribute to a more efficient system, which may result in: improved playing conditions; improved turfgrass appearance with few wet or dry spots; decrease in water use; cost saving through a reduction in water and power use; decreases in runoff, labor operations and maintenance efforts and costs, amount of water lost below the root zone through leaching, amount of fertilizer and chemicals applied; and a decrease in pump station operation and maintenance efforts and costs.

Director Teegarden recommended approval of the bid award for the prefabricated irrigation pump station and added that weather

permitting the project will begin in February and may be completed by early June.

Discussion

Mayor Pro Tem Elsaesser asked how long Precision Pumping Systems would provide service for the pump station. Golf Course Superintendent Larry Kurokoua stated there would be a one-year warranty on the equipment and in addition they will provide service calls and maintenance.

Public comment

Mayor Pro Tem Elsaesser called for public comment; none was received.

Motion

**Commissioner Haladay moved approval of the purchase of a prefabricated irrigation pump station from Precision Pumping Systems at the quoted purchase price of \$161,557, and approval of the related issuance of debt through the Intercap Loan Program.** Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried.

**Communications**

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Ellison praised the Public Works Department and Streets Division for their work clearing a large amount snow from the streets after a recent storm.

Commissioner Ellison reported this past week an outstanding meeting and tour was held on the Tenmile Water Treatment Plant. He stated many federal, state and local officials and staff attended and thanked Governor Bullock, Department of Natural Resources and Conservation Director Tubbs, United States Department of Agriculture Assistant Secretary Bonnie and Helena/Lewis & Clark National Forest Supervisor Avey and District Ranger DeGeest for their involvement. He noted all three County Commissioners and three members of the City Commission attended, as well as numerous conservation organizations and media. He commended the amount of participation in the event and commented that it elevated attention to the need to protect the Tenmile Watershed. In addition, Commissioner Ellison applauded City Manager Alles, Public Works Director Randall Camp and Natural Resources Coordinator Brad Langsather for their work on the event.

Commissioner Elsaesser noted Assistant Secretary Bonnie had stated that Helena was a flagship model of collaboration.

**Report of the City Attorney**

REPORT OF THE CITY ATTORNEY

No report was given.

**Report of the City Manager**

REPORT OF THE CITY MANAGER

City Manager Alles thanked the staff of the Water Utility Division for working on several water main breaks during the past week while temperatures fell below zero.

**Report from the Helena Citizens Council**

REPORT FROM THE HELENA CITIZENS COUNCIL (HCC)

HCC Chair Aimee Fausser stated the Council is very pleased that a new HCC Coordinator has been hired and will start in March. She also conveyed congratulations from the Council to the city on receiving a \$500,000 grant for sidewalk improvements.

Commissioner Ellison thanked Ms. Fausser for volunteering to sit as Chair of the HCC and attending and providing reports at City Commission meetings.

**Regular Items**

REGULAR ITEMS:

A. CONSIDER A RESOLUTION CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A LOCAL GOVERNMENT REVIEW STUDY COMMISSION.

Staff Report

City Attorney Jeff Hindoiien reported Article XI, Section 9 of the Montana Constitution and Mont. Code Ann. §§ 7-3-171 *et seq.* require that each unit of local government conduct an election once every ten (10) years to determine whether the local government will undertake a local government review procedure.

In order to implement those Constitutional and legislative mandates, the Helena City Commission intends to call for an election, to be held on the primary election on June 3, 2014, on the question of conducting a local government review and establishing a local government review study commission.

Attorney Hindoiien recommended approval of the proposed resolution as it would implement the aforementioned constitutional and statutory mandates.

Discussion

Commissioner Ellison noted he supports this question being placed on the ballot and he is anxious to see what the voters decide.

Public comment

Mayor Pro Tem Elsaesser called for public comment; none was received.

Motion

**Commissioner Ellison moved approval of a resolution calling for an election on the question of conducting a Local Government Review and establishing a Local Government Review Study Committee.** Commissioner Haladay seconded the motion. All voted aye, motion carried. **Res #20067**

B. CONSIDER A RESOLUTION OF INTENT TO ESTABLISH A CONSOLIDATED LISTING OF ALL CURRENT RESIDENTIAL PARKING DISTRICTS, TO ESTABLISH THE CRITERIA AND FEES FOR THE CREATION AND DESIGNATION OF ANY NEW RESIDENTIAL PARKING DISTRICTS, AND TO SET THE FEE AMOUNT FOR RESIDENTIAL PARKING PERMITS.

Staff Report

Parking Commission Director Dave Hewitt reported in accordance with Helena City Code § 8-14-7, the City Commission has created and designated numerous Residential Parking Districts over time, in each instance by separate resolution. That circumstance has created difficulties in inventorying and managing all of the districts. In addition to that, the City has received multiple requests to create new districts, and we do not have standardized criteria and fees for that process. As of January 2014, residents in these districts are expected to purchase permits for on street parking each year at the annual rate of \$20 (usually two vehicles per property), and pay for guest permits at the rate of \$5 per permit for use by friends, service providers, etc. The income from permit purchases recovers a small portion of the costs for

patrolling and enforcing the parking restrictions. In many districts, however, no permits are purchased and for others only small minorities of property owners acquire permits. The Helena Parking Commission (HPC) presently manages permit purchases and processes citations for violations of the parking restrictions.

Staff recommends creating a consolidated listing of all Residential Parking Districts, and establishing clear criteria and fees related to the process of creating and designating any new Residential Parking Districts. An additional objective is to request the Commission act to increase the current fees for the cost of parking permits in those districts located outside the present boundaries of the Helena Parking Commission.

Director Hewitt recommended approval of the resolution of intention as the consolidated listing of all current Residential Parking Districts will facilitate a regular review process concerning the efficiency and desirability of maintaining such districts. The establishment of criteria for the creation of any new Residential Parking Districts will promote consistency and uniformity in the processing of any new petitions, and the establishment of fee rates for permits in districts outside of the HPC boundaries will also promote consistency across all districts.

Discussion

Commissioner Ellison spoke in support of the proposal as it could bring clarity to issues associated with the districts.

Public comment

Mayor Pro Tem Elsaesser called for public comment; none was received.

Motion

**Commissioner Haque-Hausrath moved to approve a resolution of intention to establish a consolidated listing of all current Residential Parking Districts, to establish the criteria and fees for the creation and designation of any new Residential Parking Districts, set the fee amount for residential parking permits and set a public hearing date for February 24, 2014.** Commissioner Haladay seconded the motion. All voted aye, motion carried. **Res #20068**

**Public Hearings**

PUBLIC HEARINGS:

- A. CONSIDER FIRST PASSAGE OF AN ORDINANCE FOR A ZONE CHANGE FROM R-2 (RESIDENTIAL) DISTRICT TO R-4 (RESIDENTIAL-OFFICE) DISTRICT.

Staff Report

Planner Lucy Morell-Gengler reported on January 14, 2014 the Helena Zoning Commission unanimously recommended approval (3:0 vote) for the adoption of an ordinance, amending the Official Zoning Map described in Section 11-1-3 of the Helena Zoning Ordinance, for a zone change from R-2 (Residential) District to R-4 (Residential–Office) District for Antelope Trace Phase 3 of Crossroads at Mountain View Meadows.

The property contains 25 lots on approximately 4.96 acres and is generally located north of Runkle Parkway, west of Alice Street and south of Twilight Street. A single dwelling unit is being constructed on Lot 10 of Block 27. Lot 11 of Block 28 is designated as private open space and would not be developed.

Ms. Morell-Gengler recommended approval of the zone change as the subject property is located in the city and is served by city water, wastewater and other city services. The proposed R-4 zoning would

promote higher density development which would facilitate more efficient use of these city services. The proposal is consistent with the 2011 Helena Growth Policy and Zoning Ordinance, and will support creating an urban/mixed-use development. She noted the proposed zoning works in conjunction with the entire Mountain View Meadows development to create a relatively high density mixed-use community which could reduce the number of vehicle miles traveled when compared to the original lower density zoning.

Discussion

Commissioner Haque-Hausrath asked who originally requested the property be zoned R-2 (Residential) District. Ms. Morell-Gengler explained during the annexation process the applicant pre-zoned the entire subdivision.

Commissioner Haladay asked if there is a specific reason the applicant is requesting the zone change. Ms. Morell-Gengler deferred the question to the applicant.

Commissioner Ellison asked if it is commonplace for large developments such as this subdivision to request zone changes as various phases of development occurs. Ms. Morell-Gengler explained it is not unusual for large developments to request zoning be changed and gave examples of other large subdivisions in the city that have done the same.

Public Testimony

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

Brett Megard, Stahly & Associates, representing the applicant; spoke in support of the zone change and noted he was available to answer questions about the proposal.

There being no persons wishing to address the Commission, Mayor Pro Tem Elsaesser closed the public hearing.

Motion

**Commissioner Ellison moved approval for first passage of an Ordinance for a zone change from R-2 (Residential) District to R-4 (Residential-Office) District for property legally described in the attached Ordinance.** Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Ord #3188**

**Public Communications**

PUBLIC COMMUNICATIONS

No public communications were given.

**Meetings of Interest**

MEETINGS OF INTEREST

The next Administrative Meeting is February 19, 2014 and the next Commission Meeting is February 24, 2014.

**Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 6:39 p.m.

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Mayor James E. Smith

ATTEST:

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Clerk of the Commission