

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
December 22, 2014
6:00 P.M.

- Time & Place** A regular City Commission meeting was held on Monday, December 22, 2014 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 Ellison, Elsaesser, Haque-Hausrath and Haladay were present. Acting City Manager Police Chief Troy McGee, City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. Others present were Dick Sloane 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 December 8, 2014 were approved as submitted.
- Board Appointments** BOARD APPOINTMENTS:
A. Board of Adjustment, Civic Center Board & Tenmile/South Helena Forest Restoration Collaborative Committee
- Mayor Smith recommended the following board appointments:
- Board of Adjustment – Anna Lindstrand as the alternate member on the Board of Adjustment; unexpired term will begin upon appointment and expire October 1, 2015.
- Civic Center Board – Bonnie Lorang and Tim Andridge to the Civic Center Board; unexpired terms will begin upon appointment and expire March 1, 2015.
- Tenmile/South Helena Forest Restoration Collaborative Committee – Angela Grove, representing local recreational user organizations; term will begin upon appointment.
- Public comment Mayor Smith asked for public comment, none was received.
- Motion** **Commissioner Ellison moved approval of the appointments to the Board of Adjustment, Civic Center Board and Tenmile/South Helena Forest Restoration Collaborative Committee as listed above.** Commissioner Haladay seconded the motion. All voted aye, motion carried.
- Consent Agenda** CONSENT AGENDA:
A. Claims
- Acting City Manager Chief McGee recommended approval of the claims.
- Public comment Mayor Smith asked for public comment, none was received.

Motion

Commissioner Haladay moved approval of item A on the consent agenda. Commissioner Ellison seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Haque-Hausrath referred to an email she had sent to the Commission prior to tonight's meeting regarding concerns by historic preservationists that the city may make it more difficult/expensive for the School District to repair Central School. An excerpt from the email detailing her concerns is inserted below; the email in its entirety is included in the Commission Packet as part of the official record.

"Since Central School closed due to seismic issues in spring of 2013, the School District has retained a consultant to assess the repairs needed to seismically reinforce the building. The City building department has the responsibility to review building projects within city limits, and in this case to ensure that proper codes are met on the seismic improvements, and that necessary life safety items, such as egress for fire, etc. be addressed. In the interest of the community, and the displaced families of the Central neighborhood, our Commission can encourage City staff to work with the School District to explore feasible scenarios for repair of Central School and the Seventh Avenue gym, and to employ International Existing Building Code standards and phased implementation of needed repairs, where possible, when reviewing proposals by the District for repairing the buildings. Families in our community and our School District staff are enduring an ongoing hardship, and if the City has the latitude to help to relieve that hardship, I hope we can exercise that ability in the interests of everyone affected.

On Monday, I plan to request that City staff confirm at the next Admin meeting that the City will require use of International Existing Building Code standards, rather than more stringent code for new buildings. I also hope that the City will work with the School District to use phased implementation of needed repairs where possible. "

Commissioner Haque-Hausrath requested this be discussed at the January 7th Administrative Meeting, prior to the Commission's January 8th meeting with the School Board. Commissioner Haladay concurred with Commissioner Haque-Hausrath's concerns and request. He commented discussion of this item on the 7th would result in a more constructive dialogue with the School Board representatives.

Acting Chief Magee stated he had read the email and had asked City Attorney Jodoin to review it as well. He cautioned the Commission there are several sizeable items scheduled for discussion on the January 7, 2015 Administrative Meeting agenda.

Attorney Jodoin stated he had reviewed the email with Chief Building Official Jon Pallister. To date, the City has not received any plans from the School District so no review has been done. Ultimately, the City will need to know what the School District plans to do before it can apply the appropriate Building Codes.

Commissioner Haladay asked of the Board of Adjustment has any discretion to deviate from the International Building Code or existing Building Code. Attorney Jodoin stated the Building Board of appeals is used if a person seeking a building permit disagrees with determinations made by Building Department staff; however, the City is committed to following the code in relation to what is required.

There was Commission consensus to discuss this item on January 7, 2015. Commissioner Haladay referred to the scheduled

presentation on the sidewalk snow removal ordinance and suggested it be moved to a later date since it would not be implemented this year and will free up space on the Admin Meeting agenda. Acting Manager Chief McGee indicated he would discuss the agenda items with City Manager Alles.

Commissioner Haladay announced there is a buyer for the Caird property and an agreement has been reached. He spoke of the process for the clean-up of the property and commended the City's financial role in the project, which resulted in economic development within the City of Helena. Commissioner Haladay commended Montana Business Assistance Connection (MBAC) Executive Director Dr. Shove for his work on the project and invited him to speak on the purchase.

MBAC Director Dr. Chris Shove announced they have a signed Buy/Sell Agreement with Mr. Alan Nicholson for the purchase of the Caird property. He stated it was a massive team effort between MBAC, the Montana Department of Environmental Quality, Environmental Protection Agency, Historical Society, citizens of the 6th Ward, Lewis & Clark County and the City of Helena to clean-up the site, and thanked City staff and the Commission for their work on the project and being willing to take a risk. He noted that Mr. Nicholson will be requested a zone change to B-2 and the City of Helena's Revolving Loan Fund (RLF) to finance the sale and all of the terms and conditions contained in the agreement are in accordance with MBAC's loan policy.

Commissioner Elsaesser commented the purchase is great news and he is very glad the property was cleaned up to residential standards. Mayor Smith thanked Dr. Shove for his work on the project. Commissioner Haladay commended the process and the city's involvement with the sale of the property as it facilitates economic development and can be more flexible than a bank loan.

Commissioner Elsaesser reported the Transportation Coordinating Committee (TCC) is continuing its work on the long-range transportation planning process. He spoke in support of the installation of an underpass on Montana Avenue and discussed reducing that section between Cedar and Helena Avenue to two lanes.

He commented the Caird project has brought forward some enlightening visioning processes; one issue that keeps coming forth is people want to be able to walk in that area. He then spoke of creating a Tax Increment Finance District (TIF) or Targeted Economic Development District (TEDD) for the area for a better value for residents and meet all transportation needs.

Commissioner Elsaesser stated he stated he is excited for the projects the Commission will be working on in 2015 and briefly listed some of the subject matter.

Commissioner Ellison referred to his initial skepticism of the Caird Project due to the amount of clean-up that was originally going to be done. Once the City received news that the property would be cleaned up to a level that would put no restrictions on the deed, he was excited about what could happen with the property, and stated he is now excited that MBAC has an agreement in-hand to sell the Caird property; this is very good news for Helena.

Commissioner Ellison wished everyone in the in the greater Helena area happy holidays and stated he too looks forward to a busy 2015. He also congratulated Commissioner Haladay on the recent birth of his daughter.

Mayor Smith echoed Commissioner Ellison's congratulations to Commissioner Haladay and wished the citizens of Helena a Merry Christmas and Happy New Year.

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 member Dick Sloane reported the HCC supports the City's decision to put out an RFP for recycling and requested the council be allowed to review the Scope of Services before it is put out.

Mayor Smith requested the revised version be sent to the HCC once it is finalized.

Commissioner Elsaesser thanked the HCC for their work and participation in 2014. Commissioner Haladay concurred with Commissioner Elsaesser's comments and thanked them for their input on various city issues.

Public Communications

PUBLIC COMMUNICATIONS
No communications were given.

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is January 7, 2015 and the next Commission Meeting is January 12, 2015. The City/County Joint Work Session will be held January 8, 2015.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:34 p.m.

/S/ James E. Smith

Mayor James E. Smith

ATTEST:

/S/ Debbie Havens
Clerk of the Commission