

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
August 24, 2015
6:00 P.M.

Time & Place A regular City Commission meeting was held on Monday, August 24, 2015 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, Haque-Hausrath and Haladay were present. City Manager Ron Alles, City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. Others present were Dick Sloan 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 August 10, 2015 were approved as submitted.

Board Appointments BOARD APPOINTMENTS:
A. ADA Compliance Committee, Helena Regional Airport Authority and Helena Housing Authority

Mayor Smith recommended approval of the following board appointments:

ADA Compliance Committee -
Appointment of Chuck Granger, community at large representative, to the ADA Committee. First term will begin on September 2, 2015 and expire September 2, 2018.

Helena Regional Airport Authority (HRAA) -
Reappointment of Elizabeth (Jane) Fournier to the Helena Regional Airport Authority. Second term will begin upon appointment and expire September 1, 2018.

Helena Housing Authority (HHA) -
Appointment of Melissa Lesmeister to the Helena Housing Authority. First term will begin upon appointment and expire August 1, 2020.

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

Motion **Commissioner Haladay moved approval of the appointments to the ADA Compliance Committee, HRAA and HHA as listed above.** Commissioner Haque-Hausrath seconded the motion.

Comment Commissioner Ellison announced he would abstain from voting on the proposed board appointments.

Vote Motion carried 4-0, with Commissioner Ellison abstaining.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Consultant selection for ADA Bus Stop Audit

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

Commissioner Haque-Hausrath requested Item B be removed for discussion.

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

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

Item B B. CONSULTANT SELECTION FOR ADA BUS STOP AUDIT

Commissioner Haque-Hausrath gave a brief description of the ADA bus stop audit to be performed. She announced staff is recommending Recreational Ability Consultants be hired for the project and asked for additional information on the selection process.

Manager Alles explained the City advertised for a Request for Proposals (RFP) for the ADA bus stop audit and two firms submitted qualified proposals. A selection committee made up of HATS Supervisor Steve Larson, Assistant Public Works Director Phil Hauck, ADA Coordinator Elroy Goleman, ADA Committee member Al Tompkins and MDT regional planner Tom Stuber evaluated the proposals and selected Recreational Accessibility Consultants as the top ranked firm. Approval of Recreational Accessibility Consultants as the consultant for the project will allow him to negotiate a contract with the firm.

Manager Alles added the ADA bus stop review will include field trips to the preferred stop locations. If a site is deemed unusable, for a host of possible reasons, alternative sites will be considered. The audit is expected to be completed this fall/winter in order for staff to develop preliminary budget considerations for FY 2017.

Public comment Mayor Smith asked for public comment.

Patrick Johnson, Helena; asked if existing stops will be audited, in addition to new locations.

Lloyd Sparks, Montana Independent Living Project (MILP), Helena; urged the Commission to direct a review of all City bus stops, existing and proposed, and offered MILP's assistance with the project.

Discussion City Manager Alles explained the scope of the audit is only for bus stops that will be used with the new fixed routes; the intent is to look at the future of the HATS program.

Commissioner Haque-Hausrath asked how the public can become involved in the audit. HATS Superintendent Larson explained the scope of services includes two public meetings. He indicated the amount of public hearings may be increased and he will make sure to discuss the issue with the consultant and Manager Alles.

Commissioner Elsaesser asked if the review will include stops in East Helena and along the East Valley route. Superintendent Larson stated no, except for a couple locations on the East Valley route that are located in the Helena City limits.

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

Bid Award BID AWARD:
A. Gallatin Avenue Walks, City Project #14-24

Staff Report City Engineer Ryan Leland reported the existing sidewalks in the project area are in various stages of deterioration or do not exist at all and pedestrians have difficulty crossing Helena Avenue due to the width of the roadway. The City allocated \$55,000 of Helena's CTEP allocation to construct curb extensions (bulb-outs) at the intersection of Helena Avenue and Roberts Street. There were also other projects in the immediate vicinity that were bid together with the CTEP project.

The City received two bids for the project. The apparent low bidder was Rod Tabbert Construction Inc. of Helena with a bid of \$89,323.81.

Engineer Leland recommended approval of the bid award as it will enhance pedestrian safety and upgrade sidewalks and connectivity in the area.

Discussion Commissioner Haladay asked if staff is concerned with the low price of the bid in relation to the contractor's ability to perform the work required, as it is significantly below the engineer's estimate. Engineer Leland stated he does not have any concerns as the contractor is consistently low on bid prices and has worked on many sidewalk projects for the City with no cost-related issues.

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

Motion **Commissioner Haladay moved approval to award the Gallatin Avenue Walks, City Project #14-24 to the lowest responsible bidder, Rod Tabbert Construction Inc., in the amount of \$89,323.81.** Commissioner Elsaesser seconded the motion.

Comment Commissioner Elsaesser commended the project.

Vote All voted aye, motion carried.

Communications COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Elsaesser reported he had sent written comments via email to the Commission and City staff regarding several items. A copy of this communication in its entirety is included in the Commission Packet as part of the official record. Note: All attachments referred to are available by viewing the Commission packet as they were not inserted into these minutes.

Comments from Commissioner Elsaesser's emails have been inserted below.

From: Matthew Elsaesser
To: mayorandcommission
Date: 8/24/2015 5:26 PM
Subject: Commission Comments/Proposals This Evening // Fwd: Cost saving concepts for Helena's Streets
CC: Hunthausen, Andy; Murray, Mike; Bryson, Eric; James Schell; Geise, Susan
Attachments: Cruse-Cutler-Concept.jpg; GreenInfra_BoulevardAmend_version3.pdf

Dear Mayor and Commissioners,

I would like to submit the following and attached for the record this evening.

I will also ask that we formally direct the manager to add the Transfer Station resolution to our agenda this fall for the purpose of either amending the resolution to allow 30 visits per six months or suspending the trip restriction for permit holders use of the transfer station for the current fiscal year (hopefully by the time we hear the resolution, we'll know what technical options there are for implementing such a proposal). Doing so will allow more time for the blue ribbon committee to focus on a long-term arrangement for "pay as you throw (PAYT)" or other concepts being explored. In doing so, the committee and/or staff should also be exploring PAYT for residential collection, starting with a default option for residents to elect for trash collection every other week if they'd prefer to have curbside recycling twice a month.

Further, I will mention that I support the establishment of local project based and/or a citywide special improvement district that can be used to finance sidewalks for initial construction and long-term replacement, possibly with the initial funds for such a district coming from InterCAP loan funds. Utilizing such a financing mechanism would help advance the city's long standing sidewalk, boulevard landscaping, and storm water ordinances. Given the recent realization that resurfacing of streets will trigger ADA requirements, exploring such a district is timely.

Thank you very much!

See you all soon,

Matt E

From: Matthew Elsaesser <melsaesser@helenamt.gov>
To: mayorandcommission <mayorandcommission.citypo.lcdomain@helenamt.gov>
Date: 8/21/2015 5:08 PM
Subject: Cost saving concepts for Helena's Streets
Attachments: Cruse-Cutler-Concept.jpg; GreenInfra_BoulevardAmend_version3.pdf

Dear Mayor and Commissioners,

I have attached two documents.

The first is a conceptual design provided by the city's non-motorized transportation engineer for the South Helena Gateway Project. This project would allow for safety and quality of life improvements to South Cruse and the Cruse/State (Cutler?) Intersection using existing pavement and a median already nicely maintained by our parks department.

The project would establish a safe, accessible non-motorized connection along Cruse all from Park/West Main all the way through the intersection with State/Cutler, allows for a new park (and hopefully an accessible dog park), and can continue to provide space for a recycling drop-off area (through the bins might be moved slightly to allow ADA parking for the park).

The second document has had slight revisions and was first provided to illustrate opportunities for green infrastructure during our update of the boulevard tree and landscaping ordinance.

We clearly need to find a more affordable, effective way to address failed streets, complete sidewalk networks, and meet other infrastructure deficits in Helena such as curbs and storm water. Changing how the City utilized public right of way on a case by case basis would be a good start. We can make better use of public lands and rights of way and reduce the amount of pavement that has be maintained.

In the case of the South Helena Gateway Project, Helena has excess public land that includes pavement and a park maintained media that was setup for a highway bypass that no longer existing the Helena Area Long Range Transportation Plan. Some of the streets the City of Helena plans to resurface are wider than they need to be for residential areas. Putting full Boulevard sidewalks in those areas would cut into existing driveways, remove existing landscaping and trees, a likely have other complications.

I look forward to further discussion on the matter.

Thank you very much!

Sincerely,

Matt E

Commissioner Ellison spoke of attending several of the First Special Service Force (FSSF) Reunion events held over the past weekend and praised Mayor Smith for the speech he gave at the memorial service held for fallen members of the FSSF.

Commissioner Haladay referred to the City's recent proposal to annex several properties on the Westside of Helena, which was tabled to April 2016 in order to allow the affected property owners to investigate options other than what was proposed by the City. When the Commission agreed to table the project, it was done so under the impression and requirement that the residents of the Westside would provide regular updates to the Commission and City staff on their progress. He expressed concern and disappointment over a recent application for annexation approved by the Commission for a small group of Westside property owners that had not been contacted by included in the working group. Commissioner Haladay noted the Commission has not received any updates from the group in quite some time and requested discussion be held with Lewis & Clark County on the issue since they were supposed to assist the working group in investigating their options.

There was agreement by the Commission to direct Manager Alles to discuss the issue with the County and the Westside group. Manager Alles agreed to do so and report back to the Commission.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

No report was given.

Report of the City Manager

REPORT OF THE CITY MANAGER

Manager Alles announced the City's Last Chance Splash Park and Pool was recently awarded the Golden Buoy Award for the overall quality of the pool and commended Parks Department staff on the achievement. Mayor Smith congratulated staff on receiving the award.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member Dick Sloan reported the Council is supportive of the Commission setting priority areas for the installation of sidewalks. He also spoke in support of the Commission's desire to work with the Helena School District on creating a new facility improvement bond proposal.

Regular Items

REGULAR ITEMS:

- A. CONSIDER A RESOLUTION SETTING THE ANNUAL TAX LEVY FOR FISCAL YEAR (FY) 2016.

Staff Report

Budget Manager Bob Ricker 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 29, 2015. The Commission also adopted the final FY2016 budget on June 29, 2015.

MCA 7-6-4036 requires the City to fix the tax levy by the latter of the 1st Thursday in September (9/3/15) or within 30 calendar days after receiving certified taxable values. Certified taxable values were received August 3, 2015. September 2, 2015 is 30 days after receipt of certified

taxable values. Therefore the latter tax levy deadline is September 2, 2015.

Newly taxable property growth was 1.35% last year and is 2.27% 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 2016 budget provides for \$1,582,621, or 25.84 mills, to be levied for group health insurance premiums in 2015 for FY 2016, which includes \$93,501 for a premium increase, as allowed under MCA 2-9-212.

The FY 2016 budget provides for the full authorized tax levy to be levied. Manager Ricker recommended approval of the resolution in order to set the annual mill levy in compliance with state law.

Public comment

Mayor Smith called for public comment; none was received.

Motion

Commissioner Elsaesser moved of a resolution providing for the annual tax levy in mills for the fiscal year beginning July 1, 2015 and ending June 30, 2016. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #20194**

- B. CONSIDER A RESOLUTION OF INTENTION TO ANNEX INTO THE CITY OF HELENA, LOT 4A OF COS# 3035465 AND ADJACENT GREEN MEADOW RIGHT-OF-WAY (ROW), LEWIS AND CLARK COUNTY, MONTANA; GENERALLY LOCATED EAST OF GREEN MEADOW DRIVE, NORTH OF BENTON AVENUE AND ANDESITE AVENUE, AND ESTABLISH CONDITIONS FOR ANNEXATION.
- C. CONSIDER THE PRELIMINARY PLAT FOR THE GREEN MEADOW MINOR SUBDIVISION CREATING THREE LOTS AND STREET RIGHT-OF-WAY (ROW) FROM LOT 4A OF COS# 3035465; GENERALLY LOCATED EAST OF GREEN MEADOW DRIVE AND NORTH OF ANDESITE AVENUE AND BENTON AVENUE.

Public Hearings

PUBLIC HEARINGS:

- A. CONSIDER FIRST PASSAGE OF AN ORDINANCE PREZONING TO R-3 (RESIDENTIAL) DISTRICT PRIOR TO ANNEXATION INTO THE CITY OF HELENA PROPERTY LEGALLY DESCRIBED AS LOT 4A, COS #3035465; GENERALLY LOCATED EAST OF GREEN MEADOW DRIVE AND NORTH OF BENTON AVENUE AND ANDESITE AVENUE.

Staff Report

Planner Lucy Morell-Gengler reported on May 1, 2015, applications for annexation of Lot 4A of COS# 3035465, rezoning to R-3 (Residential) District, and a three lot minor subdivision were submitted to the City by Green Meadow Helena, LLC and the property owner. Lot 4A contains approximately 20 acres and is undeveloped. If the R-3 zoning is approved, the property could be developed with any use permitted in the R-3 District.

The property is bordered by the City to the south and is located within the City of Helena 2011 Growth Policy "Urban Standards

Boundary Area.” With annexation, extension of the water and wastewater service boundary will automatically occur. The adjacent Montana Department of Transportation (MDT) Green Meadow Drive ROW will also be annexed.

Planner Gengler noted annexation of this property would promote the orderly extension of City services and infrastructure and encourage higher density development near an urban area; higher density residential development near an urban area may reduce vehicle miles traveled. She recommended approval of the proposed resolution of intention to annex the property.

The applicant is also requesting preliminary plat approval for the Green Meadow Subdivision, a three-lot first minor subdivision of Lot 4A of COS# 3035465. The subject 20-acre undeveloped property would be divided into proposed Lot 1 containing 5.69 acres, Lot 2 containing 3.90 acres, Lot 3 containing 9.73 acres, and street ROW.

The property is bisected by Crystal Springs thus a 200-foot stream setback is provided on both sides of the creek and over 6 acres is proposed to be donated to the city for open space. Green Meadow Drive, Benton Avenue and Sandstone Way will provide access to the proposed lots. Water and wastewater will be provided by extending existing city infrastructure.

Planner Gengler recommended approval of the preliminary plat, as subdivision of this property would promote the orderly extension of city services and infrastructure within the Urban Standards Boundary. It would promote urban density development in close proximity to services and employment opportunities. Moderate density development close to services, shopping, and employment could reduce vehicle miles traveled.

Planner Gengler further reported on Tuesday, June 14, 2015 the Helena Zoning Commission unanimously (4:0 vote) recommended approval for the adoption of an ordinance rezoning to R-3 (Residential) District Lot 4A of COS #3035465.

The subject property could be developed with any use permitted in the R-3 District if the R-3 rezoning is approved and the property is annexed into the City; it is designated as “Urban” use within the City Growth Policy “Urban Standards Boundary Area” and “Urban” use designation. The property is currently undeveloped.

Planner Morell-Gengler recommended approval of the proposed R-3 rezoning for the property.

Discussion

Commissioner Haque-Hausrath asked for an explanation of the access to the property. Planner Morell-Gengler stated the applicant is required to provide access via public right-of-way (ROW), which will be met through access from Benton Avenue and Green Meadow Drive. She indicated the internal street network will be addressed with the building permit and it is not anticipated they will be dedicated to the City. It will be a private street network maintained by the owners of the apartment complex. Commissioner Haque-Hausrath asked if the applicant will be allowed to build their private drives in a fashion that does not comply with city code. City Attorney Jodoin explained the City does not have the authority to require sidewalks on private drives or MDT-owned streets, which Green Meadow Drive is.

Commissioner Haque-Hausrath asked if the Commission could require the internal street network be constructed consistent with City Code in the Conditions for Annexation. Attorney Jodoin stated he would be hesitant for the Commission to require the developers to comply with

City Code when constructing infrastructure for the subdivision as the proposed property use may change from the current plan to construct apartment buildings. There could be a condition bound with the annexation that may result in issues once the use is finalized and the applicants apply for a building permit.

Mayor Smith asked if the Commission would be able to discuss their concerns with the applicant once they apply for a building permit. Attorney Jodoin stated no, explaining building permits are not usually reviewed by the Commission.

Commissioner Ellison asked how much parkland would typically be required for a subdivision this size and what the developers have offered to donate as open space to the City. Planner Gengler explained the applicants have proposed a donation of six (6) acres, which greatly exceeds the amount of parkland required to be donated, which is 0.097 acres.

Commissioner Elsaesser asked how access to the parkland would be provided. Planner Gengler stated the proposed parkland is adjacent to existing parkland with an existing trail. The applicants propose to extend that trail through their parkland to connect the two areas.

Commissioner Haque-Hausrath asked if the applicant would be allowed to provide less parking than what is required by City Code, in relation to the street network surrounding the proposed parkland. Planner Gengler explained access to the trail would be available south of the parkland and there is also public ROW, existing City streets, in the adjacent subdivision adjacent to the development that would provide access.

Commissioner Haque-Hausrath asked how the different portions of the subdivision, private versus those portions dedicated to the City, would be taxed/assessed. Manager Alles referred to the annual mill levy and explained the assessment would be based on the valuation of the property and the responsibility of the owner. The City's various assessments use different methodology and would be applied accordingly; he noted the property would be charged as three separate lots when indicated.

Mayor Smith requested clarification of whether the proposed extension of Benton Avenue would be a City street with boulevard sidewalks. Planner Gengler confirmed so.

Public Testimony

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

Lloyd Sparks, Montana Independent Living Project (MILP); expressed concerns that the applicant will not be required to install sidewalks and adhere to City accessibility standards on the private streets in the proposed subdivision.

Mike Schoff, representing Peoples First Action Club; asked if the apartments and/or parkland would be ADA accessible.

Marc Parriman, representing the applicant and Project Manager for the development; explained they have been working with City staff on how to comply as best the property will allow with City Code. He indicated there will be sidewalks there; however, the streets will not be built to City standards due to the narrowness of the tract of land proposed for subdivision. They are working their best to install sidewalks on at least one side of the private drives in the subdivision. He added the apartments are designed to meet ADA requirements. He spoke in

support of the project and urged the Commission to vote for approval of the proposal.

Mark Brooke, Morrison-Maierle Engineering, representing the applicant; gave an overview of the proposed development. He explained the private streets will be similar to a private driveway and are there to provide access for the residents of the apartments. Mr. Brook stated the development meets all City requirements and urged the Commission to support the project. In addition, he thanked staff for their assistance with the proposal.

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

Motion

Commissioner Ellison moved approval of a resolution of intention to annex Lot 4A and adjacent Green Meadow ROW as legally described in the resolution and establish conditions for annexation as set forth in the resolution. Commissioner Elsaesser seconded the motion.

Discussion

Commissioner Elsaesser asked which actions under consideration tonight will return to the Commission for final approval, and additional expressed concern over the proposed design. Attorney Jodoin indicated all three actions being considered regarding the development will return in the following forms: a resolution annexing the property, consideration of the final plat and final passage of the ordinance rezoning the property. He stated he does not feel the Commission has the authority to disallow private drives, noting City Code does not require developers to install driveways to each lot within their development; it requires legal access be provided to the edge of the property, not within the property. He reminded the Commission that a definitive use for the property won't be identified until a building permit is applied for.

Commissioner Haque-Hausrath asked if a condition for approval could be to make all streets in the subdivision, private and public, be constructed to meet all City requirements, including sidewalks. Attorney Jodoin explained the Commission would have to tie such a condition to an action being considered tonight in relation to the impacts trying to be mitigated. He then listed the provisions used for review and decision on proposals for annexation, preliminary plat approval and zoning designations.

Commissioner Haque-Hausrath stated she is very concerned to annex this development as proposed with numerous private streets and noted the lots are so large further subdivision could occur in the future. She commented the proposal looks like an attempt to circumvent the City's subdivision regulations and could negatively affect the future. She indicated she would not vote for approval of the resolution of intention to annex because the proposed development is bad public policy and the type of growth the community wants to see occur.

Commissioner Haladay asked how large the development could be if it were approved through Lewis & Clark County. Attorney Jodoin commented it relates to issues associated with "buildings for lease or rent" falling under county jurisdiction and subject to subdivision laws set by the Legislature establishing the allowable number of dwelling units per lot and subject to limitations on water and septic service. Commissioner Haladay commented City water and sewer service appears it would make the subject property much more valuable than if it was developed using County regulations.

Attorney Jodoin reminded the Commission that due to the proximity of the property to city water and sewer lines, DEQ would most likely require the applicant to hook into city services, unless the City Commission specifically declined to allow them to hook up.

Mayor Smith also expressed concern with approving a subdivision that will not be required to install sidewalks throughout the entire development, especially since the Commission has established sidewalk installation as a main priority, and has yet to hear any practical reason why it is not possible to do so.

Commissioner Ellison commented intent to annex the subject property is what is under consideration by the Commission tonight so he is confused by all of the discussion on matters other than annexation. He pointed out this is private property; the Commission does not have the authority to design private portions of the subdivision and he does not feel discussion of doing so is appropriate. A government body did not regulate the design of the driveway that leads to his house, nor any other Commission member's house. He indicated he supports the development and would vote to approve the resolution of intent to annex.

Commissioner Elsaesser agreed with Commissioner Ellison's statements about private property rights; however, he also shares the concerns of other members of the Commission related to allowing sidewalks to not be installed according to the requirements of City Code. He suggested the Commission table the proposal to allow more time for the developer to work with City staff on the issues discussed tonight.

Attorney Jodoin reported there is a 35-day limit for consideration of minor subdivision applications and tonight's hearing is right up against that deadline. He cautioned that the Commission could be fined for not acting within the set timeframe.

Vote

Motion failed 2-3, with Mayor Smith and Commissioners Haque-Hausrath and Haladay voting no.

Motion

Commissioner Haque-Hausrath moved to table consideration of the preliminary plat for the Green Meadow Minor Subdivision creating three lots and street ROW and to adopt the Findings of Fact and the conditions contained therein for property legally described in the Findings of Facts. Commissioner Haladay seconded the motion.

Discussion was held on procedural issues related to denial of the proposal for annexation. Attorney Jodoin asserted the Commission should not consider approval of the preliminary plat following the vote to deny annexation; since the development will not be located in the City they cannot address the plat. He recommended the Commission vote to deny the preliminary plat, as tabling the proposal could result in fines due to non-compliance with the timeframe. Planner Gengler recommended the Commission make clear for the record via the Findings of Fact, that since annexation was denied, jurisdiction over the plat has changed and no longer sits under the Helena City Commission.

Motion Withdrawn

Commissioner Haque-Hausrath withdrew her motion.

Motion Commissioner Haque-Hausrath moved to deny the preliminary plat for the Green Meadow minor subdivision creating three lots and street ROW and to deny the Findings of Fact and the conditions contained therein for property legally described in the Findings of Facts as jurisdiction over the proposal no longer lies under the City Commission. Commissioner Haladay seconded the motion. Motion carried 4-1 with Commissioner Ellison voting no.

Comment Commissioner Haque-Hausrath indicated she would support approval of the proposed zoning as her concerns are only associated with the proposed annexation and plat.

Motion Commissioner Haque-Hausrath moved approval for first passage of an ordinance rezoning Lot 4A to R-3 (Residential) District prior to annexation into the City of Helena for property legally described in the ordinance. Commissioner Haladay seconded the motion. Motion carried 4-1, with Commissioner Ellison voting no. Ord #3212

Comment Commissioner Elsaesser encouraged the applicant to address the concerns identified tonight in order to succeed with annexation into the City.

B. CONSIDER A RESOLUTION INCREASING FARES AND CHARGES FOR ALL CUSTOMERS OF THE CITY OF HELENA TRANSIT SYSTEM.

Staff Report Budget Manager Ricker reported each year the City Commission may adjust fares and charges for services to all customers of the transit system.

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; annually reviewing rates to ensure adequate funding of maintenance and operations; address and consider funding 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.

He recommended approval of the proposed resolution as the increases being proposed are to help offset a portion of the costs to provide such services to customers. He added the fares have not been increased since origination of the HATS program.

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

The following individuals spoke in opposition to the proposed fare increase:

Mike Hruska, owner of Capital taxi, Helena;
Trenton, Helena;
Theresa Gardner, Helena;
Vivian Crabtree, Helena;
Sydney Barrows, Clancy;
Lloyd Sparks, MILP, Helena;
Jeff Tread, Helena;
Julie Clay, Helena;

Mark Cramer, Helena;
Eric Broston, Helena;
Pete McKinnley, Helena;
Mike, Helena;
Mary Morse, Helena;
Jim Malloy, Helena;
Michael O'Neill, 621 Hillside;
Jon Potomlinski, Helena;
Bob Maffit, MILP Executive Director, Helena;
Jennifer Felk, East Helena;
Sandy Schull, Helena;
Les Clark, Helena;
Paul Kent, Helena;
Patrick Johnson, Helena; and
Anne McMillan; Helena

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

Motion

Commissioner Haque-Hausrath moved denial of a resolution increasing fares and charges for all customers of the City of Helena Transit System. Commissioner Haladay seconded the motion.

Discussion

Commissioner Ellison thanked everyone who gave public testimony. He referred to Mr. Hruska's comments indicating the City failed to perform a feasibility study and stated a 5-year Transit Development Plan was undertaken by the City and at the City's expense. A consultant was hired and the Transportation Advisory Council (TAC) was highly involved throughout development of the plan document. It was presented for formal acceptance approximately two years ago with the TAC recommending the Commission adopt all of the recommendations and provisions contained within the report. He pointed out the portion of the plan that discusses the importance of an updated rate structure and gave the recommended fares as listed in the report. Commissioner Ellison explained he presented this information because he wanted to be sure all interested parties know that the proposal to increase fares didn't come from the City Commission or City staff. It came from the Transportation Advisory Commission and was gleaned from much citizen participation. He noted he has always desired that HATS rates be reviewed annually, as is done with all other City rates and assessments.

Commissioner Ellison then referred to previous written correspondence testimony given by Mr. Hruska stating the City was cutting into his business by offering a para-transit ride program and expressed confusion over the conflicting opinions and testimony provided by Mr. Hruska.

He also referred to Mr. McKinnley's testimony, stating he had contacted the Commission office a week prior requesting to speak to a Commissioner regarding the proposed increases. Commissioner Ellison stated he returned Mr. McKinnley's phone call and left a message. Although he requested Mr. McKinnley return his call, he never received a call back.

Commissioner Haque-Hausrath indicated she would not support the proposed fare increases until after the additional fixed route is in place given the public testimony given tonight. She urged City staff to

negotiate with the major employers in Helena prior to bringing forth another rate increase proposal.

Commissioner Haladay stated he had always approached this proposal with a great deal of trepidation and was pleased by the amount of people who attending tonight's meeting to give testimony on the resolution. He spoke of the other rates and assessments the City is considering increasing and the discussion held regarding whether or not to increase the various rates and the hardships citizens may face due to some of the proposed increases. He commented there is no way he can support raising HATS fares until some form of improvement is seen in the City's transit service.

Commissioner Elsaesser recommended para-transit rates not be increased and spoke of the need for efficiency improvements to the HATS program, including improvements to the scheduling system, Medicaid reimbursement options and a more useful and accessible and convenient fixed routes.

He explained the proposal to increase the fares is not adversarial, it is an attempt to obtain enough funding to make improvements to the existing system, and funding is necessary to create a better program.

Commissioner Ellison recommended the Commission pass a resolution slightly increasing the one way fares- from \$.85 to \$1.00 for both fixed route and para-transit.

Substitute Motion

Commissioner Ellison moved approval of a resolution increasing fares and charges for all customers of the City of Helena Transit System. Commissioner Elsaesser seconded the motion.

Procedural discussion was held regarding the substitute motion.

Motion Withdrawn

Commissioner Ellison withdrew his motion.

Comment

Commissioner Ellison stated he sympathizes with HATS riders difficulty in paying increased rates due to their personal economic situations, however; the fares have not been increased since 1980 and people on fixed incomes, such as Social Security, have received cost of living adjustments that total 125%, and yet the HATS fares have stayed at \$.85 all during that time. He noted a small increase would aid in improvements to the system and riders.

Substitute motion

Commissioner Elsaesser moved to amend the fares as indicated below. Commissioner Haque-Hausrath seconded the motion.

One-Way Fares:

Age 6 and Under	Free
Fixed Routes	\$ 0.85
ADA Para-Transit (in advance)	\$ 0.85
ADA Para-Transit (Same day)	\$ 0.85

*ADA Para-Transit eligible customers can ride fixed route for \$.50 cents with eligibility card.

One-Way Passes:

10 Punch Pass	\$ 8.00
20 Punch Pass	\$15.00
30 Punch Pass	\$21.00
All Day Fixed Route Pass	\$ 2.60

One-Way Tokens:

One Token	\$ 0.85
10 Tokens	\$ 8.00
20 Tokens	\$15.00
30 Tokens	\$21.00

Monthly Per Bus Advertising Rate:

Interior or Exterior	\$10.00/sf
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Comment Commissioners Haladay and Haque-Hausrath indicated they would support the substitute motion.

Vote Motion carried 3-2 with Mayor Smith and Commissioner Ellison voting no. **Res #20195**

C. CONSIDER A RESOLUTION AMENDING THE BOUNDARIES AND LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE OPEN SPACE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2016.

Staff Report Budget Manager Ricker reported each year the City Commission must levy and assess an annual charge for Open Space Maintenance District in order for the charge to be placed on the upcoming tax bills.

The proposed resolution amending the boundaries and levying an assessment will defray the costs of the district for fiscal year 2016. The assessment approved by the City Commission will be placed on the calendar year 2015 tax bills of the properties within the district. A decrease in the flat rate is being proposed, with no change to the impervious area charge recommended.

He recommended approval of the proposed resolution as the annual assessment is necessary to defray the costs of operating the district.

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 the resolution amending the boundaries and levying an assessment upon all property in the Open Space Maintenance District No. 1 to defray maintenance costs in the district for fiscal year 2016.**

Commissioner Haladay seconded the motion. All voted aye, motion carried. **Res #20196**

D. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE LANDFILL MONITORING AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2016.

Staff Report Budget Manager Ricker reported each year the City Commission must levy and assess an annual assessment on the Landfill Monitoring and Maintenance District in order for the assessment to be placed on the upcoming tax bills.

The annual assessment approved by the City Commission will be placed on the calendar year 2015 tax bills of the properties within the

district. An increase of 20.56% to the amount of the annual assessment for fiscal year 2016 is being considered. The increase is necessary to fund the cost of an estimated \$150,000 methane diversion trench project needed at the old landfill site to help divert and vent methane gas under Centennial Park near Lyndale Avenue. The cost will be initially covered via a loan that is expected to be repaid with the increased assessment level over a 5 year period. When the loan is repaid, that portion of the assessment will be removed.

Manager Ricker recommended approval of the resolution in order to allow the City to levy an assessment on all properties within the Landfill Monitoring and Maintenance District to defray the costs of operations.

Discussion

Commissioner Elsaesser recommended language be added to assure citizens this increase will sunset. Manager Ricker stated the term of the loan is unclear so he would not recommend the inclusion of such language. Manager Alles noted the Commission sets this rate annually so once the higher rate is no longer needed the assessment can be reduced by the Commission.

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 of a resolution specifying an assessment option and increase of 20.56% for the Landfill Monitoring and Maintenance District for fiscal year 2016 and levying and assessing all property within the district at the increased rate for five (5) years. Commissioner Haladay seconded the motion. Motion carried 3-2 with Mayor Smith and Commissioner Ellison voting no. **Res #20197**

Comment

Commissioner Ellison stated he could not support the inclusion of a sunset term/provision because the reason for the increase is a public safety issue. He stated he is not comfortable voting for an end date when no one knows how long and what action will need to be taken to remediate the problem.

Commissioner Haladay asked if the Commission were to deadlock on the proposed resolution, would that result in no assessment being charged for FY2016. Manager Alles indicated Commissioner Haladay was correct. Commissioner Haladay stated he would be comfortable with the sunset provision since it would not functionally affect an assessment that must be approved annually or hinder the methane diversion project

Commissioner Elsaesser stated he proposed the inclusion of sunset language so the public knows they will not continue to be charged the higher rate once the project is completed and the loan is repaid.

E. CONSIDER A RESOLUTION TO LEVY AN ASSESSMENT UPON ALL PROPERTY IN THE URBAN FOREST MANAGEMENT DISTRICT FOR FISCAL YEAR 2016.

Staff Report

Budget Manager Ricker reported each year the City Commission may adjust rates and assessments for the Urban Forest Management

District in order for the assessment to be placed on upcoming tax bills. No changes to the assessment method are being recommended for FY2016.

He recommended approval of the proposed resolution as it will allow the City to levy an assessment on all properties within the Urban Forest Management District in order to defray the costs of operations.

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 Ellison moved approval of a resolution to specify the assessment method option for the Urban Forest Management District for fiscal year 2016 and levying and assessing all property within the district. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #20198**

F. CONSIDER A RESOLUTION ESTABLISHING CHARGES FOR COLLECTION AND DISPOSAL OF RESIDENTIAL GARBAGE AND REFUSE IN THE CITY OF HELENA, MONTANA, FOR FISCAL YEAR 2016.

Staff Report

Budget Manager Ricker reported 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; annually reviewing rates to ensure adequate funding of maintenance and operations; address and consider funding 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. The existing charges for residential solid waste collection and disposal were reviewed during the annual budget review process and an increase is not being proposed for FY2016.

He recommended approval of the proposed resolution setting charges for residential sanitation services as it will allow the City to establish funding for residential solid waste operations and capital needs for FY 2016 and place the applicable charges on the corresponding residential 2015 property tax bills .

Discussion

Commissioner Elsaesser asked why the Commission did not also review the charges for commercial solid waste services. Manager Alles responded commercial service charges are not set annually, only when a change is recommended by staff.

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 a resolution establishing charges for collection and disposal of residential garbage and refuse in the City of Helena, Montana, for fiscal year 2016. Commissioner Haladay seconded the motion. All voted aye, motion carried. **Res #20199**

G. 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 2016.

Staff Report

Budget Manager Ricker reported each year the City Commission must levy and assess an annual charge on the Street Maintenance District in order for the charges to be placed on the upcoming tax bills.

The FY 2016 annual charge approved by the Commission will be placed on the calendar year 2015 property tax bills. A rate increase up to 3.0% is being proposed.

He recommended approval of the proposed resolution as it will amend the boundary of the district and the proposed increase will defray the cost of operations.

Discussion

Commissioner Elsaesser asked for confirmation that approval of the proposed resolution will not preclude the Commission amending the associated ordinance to allow increased funding for capital improvements within the street maintenance utility for FY2016. Manager Alles confirmed it would not affect the Commission's ability to amend the accompanying ordinance to provide for a revised funding mechanism for improvements as requested by the Commission.

Commissioner Haladay asked if approval of the FY2016 rates tonight then a subsequent change to the ordinance revising the allowable spending of Street Maintenance District funds would affect the Commission's ability to use the funding collected in FY2016 for improvements not allowed at the time the FY2016 rates were set. Manager Alles stated no, approval of the resolution under consideration tonight should not hamper the Commission's ability to use funding collected by the district for projects not concomitantly permissible.

Commissioner Elsaesser stated while he does not support several of the increases being proposed to various districts tonight, he would vote in support of this increase, as it will aid in much more effective improvements to transportation in Helena.

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 Ellison moved approval for a resolution specifying the assessment option for Street Maintenance District No. 1 for Fiscal Year 2016, levying and assessing all property within the District, and amending the boundaries of the District.

Commissioner Haladay seconded the motion. All voted aye, motion carried. **Res #20200**

H. CONSIDER A RESOLUTION INCREASING WATER RATES UP TO 3.0% FOR ALL CUSTOMERS.

Staff Report

Budget Manager Ricker reported each year the City Commission may adjust water rates for service to all customers of the City's water system.

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; annually reviewing rates to ensure adequate funding of maintenance and operations; address and consider funding 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. The water rates being proposed include increases resulting from the City Commission's review of the CCIP and additional rates.

He recommended approval of the proposed resolution setting water rates in order to defray the costs of the water operating and capital systems.

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 for a resolution increasing water rates by 2% for all customers of the City of Helena Water System. Commissioner Haque-Hausrath seconded the motion. Motion carried 4-1 with Mayor Smith voting no. **Res #20201**

- I. CONSIDER A RESOLUTION INCREASING WASTEWATER RATES UP TO 3.0% FOR ALL CUSTOMERS.

Staff Report

Budget Manager Ricker reported each year the City Commission may adjust rates and charges for wastewater service to all customers of the City's wastewater system.

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; annually reviewing rates to ensure adequate funding of maintenance and operations; address and consider funding 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. The wastewater rates being proposed include increases resulting from the City Commission's review of the CCIP and additional rates.

Manager Ricker recommended approval of the proposed resolution as establishing the rates will defray the costs of the wastewater operating and capital systems.

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 Ellison moved approval a resolution increasing wastewater rates by 3% for all customers of the City of Helena Wastewater System. Commissioner Haladay seconded the motion.

Substitute Motion

Commissioner Elsaesser moved approval a resolution increasing wastewater rates by 2% for all customers of the City of Helena Wastewater System. Commissioner Haque-Hausrath seconded the motion. Motion carried 3-2, with Mayor Smith and Commissioner Ellison voting no. **Res #20202**

- J. CONSIDER A RESOLUTION SETTING WATER CHARGES FOR ALL CUSTOMERS.

Staff Report

Manager Ricker reported each year the City Commission may adjust charges for equipment and services related to the water system. The proposed increases are intended to recover the costs of providing customers with water service and equipment, such as water meters.

He recommended approval of the proposed resolution as it will aid in defraying the cost of providing said equipment and services.

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 a resolution setting water charges for all customers of the City of Helena Water System. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #20203**

- K. CONSIDER A RESOLUTION SETTING WASTEWATER CHARGES FOR ALL CUSTOMERS.

Staff Report

Manager Ricker reported each year the City Commission may adjust charges for equipment and services related to the wastewater system. The proposed increases are intended to recover the costs of providing customers with service and equipment related to use of the City's wastewater system.

He recommended approval of the proposed resolution as it will aid in defraying the cost of providing said equipment and services.

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 Haladay moved approval for 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 #20204**

- L. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT UPON ALL PROPERTIES IN THE SPECIAL STREET LIGHTING DISTRICTS FOR FISCAL YEAR 2016.

Staff Report

Budget Manager Ricker reported each year the City Commission must levy assessments on the Special Street Lighting Districts in order for the assessments to be placed on the upcoming tax bills.

He recommended approval of the proposed resolution in order to defray the costs incurred in those districts.

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 of the resolution levying an assessment upon all property in special Street Lighting Districts to defray the cost of installing and maintaining improvements in said districts for Fiscal Year 2016. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #20205**

M. CONSIDER A RESOLUTION AMENDING THE BOUNDARIES AND LEVYING AN ASSESSMENT UPON ALL PROPERTY IN THE STORM WATER UTILITY DISTRICT FOR FISCAL YEAR 2016.

Staff Report

Budget Manager Ricker reported each year the City Commission must levy assessments on the Storm Water Utility District in order for the assessments to be placed on the upcoming tax bills.

He recommended approval of the proposed resolution in order to defray the costs related to operation of the district. An increase of 3% is proposed for FY2016.

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 for 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 Fiscal Year 2016 at an increased rate of 3%. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Res #20206**

N. 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 2016.

Staff Report

Budget Manager Ricker reported each year the City Commission must levy and assess an annual tax on Special Improvement Districts in order for the charge to be placed on the upcoming tax bills.

He recommended approval of the proposed resolution in order to defray the costs of maintaining improvements and cover the bonds for the districts.

Manager Ricker noted three (3) SIDs remain active and will sunset in the next 5-6 years.

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 Haladay moved of the 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 Fiscal Year 2016. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #20207**

- O. CONSIDER A RESOLUTION LEVYING ASSESSMENTS FOR FISCAL YEAR 2016 FOR IMPROVEMENTS MADE TO PROPERTIES IN THE SIDEWALK IMPROVEMENT DISTRICTS.

Staff Report

Budget Manager Ricker reported each year the City Commission must levy assessments on the Sidewalk Improvement Districts in order for those assessments to be placed on the upcoming tax bills.

He recommended approval of the resolution to allow the City to assessments on all properties within each Sidewalk Improvement District to defray the costs of maintaining improvements.

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 for a resolution levying assessments for improvement of sidewalks, curbs, gutters and alley approaches in the City of Helena. Commissioner Ellison seconded the motion.

Comment

Commissioner Haladay announced he would abstain from voting on the proposed resolution and expressed support for the program.

Vote

Motion carried 4-0, with Commissioner Haladay abstaining. **Res #20208**

- P. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR THE BUSINESS IMPROVEMENT DISTRICT (BID) FOR FISCAL YEAR 2016.

Staff Report

Budget Manager Ricker 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 is requesting City Commission approve the proposed resolution levying an assessment to defray the costs of the budget and work plan as submitted, and fund the BID's operations for FY2016.

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 of a resolution levying an assessment for the Business Improvement District for fiscal year 2016. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #20209**

Q. CONSIDER A RESOLUTION APPROVING THE PROPOSED WORK PLAN AND BUDGET OF THE BUSINESS IMPROVEMENT DISTRICT (BID) FOR FISCAL YEAR 2016.

Staff Report

Budget Manager Ricker again 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 requesting the City Commission approve their work plan and budget for fiscal year 2016, as submitted on May 11, 2016.

Manager Ricker recommended approval of the BID's budget and work plan, noting State law requires the Commission to do so.

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 a resolution approving the work plan and budget for the Business Improvement District for FY 2016. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #20210**

R. CONSIDER A RESOLUTION APPROVING THE PROPOSED WORK PLAN AND BUDGET OF THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) FOR FISCAL YEAR 2016.

Staff Report

Manager Ricker reported 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 annual 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 is requesting the Commission approve its work plan and budget, as submitted on May 11, 2015.

Manager Ricker recommended approval of the TBID's budget and work plan, noting State law requires the Commission to do so.

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 Ellison moved approval for a resolution approving the work plan and budget for the Tourism Business Improvement District for fiscal year 2016. Commissioner Haque-Hausrath seconded the motion. All voted aye, motion carried. **Res #20211**

Comment

Commissioner Ellison commended the work of the TBID.

- S. CONSIDER A RESOLUTION LEVYING AN ASSESSMENT FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) FOR FISCAL YEAR 2016.

Staff Report

Manager Ricker again reported 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 annual 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 is not requesting any change to the assessment methodology. The complete methodology is outlined in the proposed resolution and in accordance with the prescribed methodologies allowed by state law (7-12-1133, MCA). The TBID is requesting the City Commission approve the proposed resolution levying an assessment to defray the costs of the budget and work plan for fiscal year 2016, as submitted.

Manager Ricker recommended approval of the proposed resolution to allow for an assessment to be placed on the 2015 tax bills of the properties within the district and will fund the TBID's operations for FY2016.

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 the resolution levying an assessment for the Tourism Business Improvement District for FY2016. Commissioner Elsaesser seconded the motion. All voted aye, motion carried. **Res #20212**

Public Communications

PUBLIC COMMUNICATIONS

Mr. Shaw, Helena; urged the City of Helena to increase their support of Special Olympics in Helena and listed numerous ways to provide assistance for the event.

***Meetings of
Interest***

MEETINGS OF INTEREST

The next Administrative Meeting is September 9, 2015 and the next Commission Meeting is September 14, 2015.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 9:32 p.m.

/S/ JAMES E. SMITH
Mayor James E. Smith

ATTEST:

/S/ DEBBIE HAVENS
Clerk of the Commission