

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**May 9, 2016**  
**6:00 P.M.**

**Time & Place** A regular City Commission meeting was held on Monday, May 9, 2016 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, Haladay, Noonan and Farris-Olsen were present. City Manager Ron Alles, Assistant City Attorney Iryna O'Connor and Deputy City Clerk Robyn Brown were present. Others present were Eric Kiltz 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 April 25, 2016 were approved as submitted.

**Proclamation** PROCLAMATION:  
A. Buddy Poppy Month

Mayor Smith read the Buddy Poppy Month proclamation and presented it to Veterans of Foreign Wars (VFW) Post No. 1116 Representatives Tom and Shirley Pouliot. Mr. Pouliot accepted the proclamation. He explained the purpose of the annual Buddy Poppy fundraising program and read the poem "*In Flanders Fields*" by Lt. Colonel John McCrae, MD. Mr. Pouliot noted the month of May is designated "Military Appreciation Month" in the United States and listed several observances held throughout the month.

**Board Appointments** BOARD APPOINTMENTS:  
A. Civil Service Board and Lewis & Clark City/County Library Board

Civil Service Board – Reappointment of Ken Morrison to the Civil Service Board; term will begin upon appointment and expire May 1, 2019.

Lewis & Clark Library Board – Appointment of Ron Waterman to an unexpired term on the Library Board; term will begin upon appointment and expire January 1, 2018.

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

**Motion** Commissioner Haladay moved approval of the appointments to the Civil Service Board and Library Board as listed above. Commissioner Noonan seconded the motion.

**Consent Agenda** CONSENT AGENDA:  
A. Claims  
B. Renewal of the City Manager's Contract

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

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

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

**Communications** COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS  
Commissioner Noonan announced the passing of County Commissioner Andy Hunthausen's mother Harriet Hunthausen.  
Commissioner Ellison congratulated Commissioner Farris-Olsen on the recent birth of his first child.  
Mayor Smith reported a work-day was held at the 6<sup>th</sup> Ward garden park this past weekend. He commented much work was done and thanked everyone that participated.

**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 recognized the recent retirement of Water/Wastewater Superintendent Don Clark and thanked him for his loyalty and outstanding service to the City of Helena. He noted Mr. Clark was instrumental in seeking and implementing many innovative solutions to reduce energy consumption by the water and wastewater plants.  
Mr. Clark stated working for the City of Helena as Water/Wastewater Superintendent was his dream job and expressed appreciation for the opportunity to serve in his position and serve the citizens of Helena by continually providing high quality essential services in compliance with the regulations and standards set for water and wastewater.  
Mayor Smith and Commissioner Ellison commended Mr. Clark on his career with the City of Helena and his dedication to ensuring Helena's citizens received the best product the City could provide.  
Manager Alles referred to ongoing litigation involving the City's water rights and announced Judge Tucker has ruled the City did not abandon its water rights as alleged. The case remains ongoing and the option to appeal still exists; however, the aforementioned ruling is a big hurdle crossed in relation to the scope of the case.  
Mayor Smith congratulated Manager Alles on the renewal of his employment contract and commended his leadership skills and service to the City. Manager Alles spoke very favorably of serving in his position and commented he looks forward to serving several more years as City Manager.

**Report from the Helena Citizens Council** REPORT FROM THE HELENA CITIZENS COUNCIL  
HCC Member Erik Kiltz and Chair Gary Spaeth reported on several working groups that have been formed within the Council and listed their charges. He noted Council members have been informed of their required participation in vetting the issues identified for each group. He also reported the vacant position of HCC Coordinator has been filled;  
It was announced Council member Eric Kiltz was recently appointed as Public Relations Officer for the HCC. Mr. Kiltz was in attendance and offered to answer any questions on the current undertakings of the Council.

**NOTE: Some regular items and public hearing items were presented in a different order than listed on the meeting agenda to allow for examination of the proposals for annexation and the associated rezoning at the same time. The minutes correctly reflect the order in which the items were presented.**

**Regular Item**

A. CONSIDER A RESOLUTION OF INTENTION TO ANNEX INTO THE CITY OF HELENA A FIVE-ACRE PORTION OF PROPERTY LEGALLY DESCRIBED AS TRACT B-1-A COS #3207070, LEWIS AND CLARK COUNTY, MONTANA, AND THE ADJACENT SANDERS STREET RIGHT-OF-WAY, AND ESTABLISH CONDITIONS OF ANNEXATION.

**Public Hearing**

C. FIRST PASSAGE OF AN ORDINANCE PRE-ZONING TO B-2 (COMMERCIAL) DISTRICT AND AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF HELENA FOR A 5-ACRE PORTION OF TRACT B-1-A COS#3207070, AS MORE PARTICULARLY DESCRIBED IN THE ASSOCIATED METES AND BOUNDS DESCRIPTION IN LEWIS AND CLARK COUNTY, MONTANA PRIOR TO ANNEXATION INTO THE CITY OF HELENA

**Staff Report**

Senior Planner Ramoie reported the applicant, Trinity Development Partnership, LLC, has requested the annexation of a 5-acre portion of the property legally described as Tract B-1-A COS#3207070. Tract B-1-A is a 48 acre tract of land and a metes and bounds description has been created to describe the 5-acre portion that is the subject property under consideration. Said property is adjacent to the City of Helena and is located within the "Urban Standards Boundary Area." It is in accordance with the 2011 Growth Policy to annex property that is adjacent to the City and within the defined "Urban Standards Boundary Area." The property is undeveloped and the applicant has petitioned the City for annexation to attain all city services and to utilize the property with a B-2 (General Commercial) zoning designation. With annexation, extension of the water and wastewater service boundary will occur.

Annexation of the subject property will allow the property to be developed within the city of Helena, and utilize city services such as water, wastewater, and all other infrastructure and services as provided by the city. Development of commercial uses on city services is more efficient than if development were to occur on well and septic systems.

Development of the property will increase traffic volumes and existing rates of failure and push some areas into failure on Custer Avenue, Sanders Street, North Montana Avenue, and Jordan Drive. Mitigation of the traffic issues have been addressed in the conditions for annexation.

Senior Planner Ramoie recommended approval of the proposed resolution of intention to annex property legally described as a 5-acre portion of Tract B-1-A as shown on a Certificate of Survey filed under Document No. 3207070 being more particularly described by metes and bounds as follows: Beginning at the northwest corner of Lot 1 of the Lowes's HIW, Inc. Minor Subdivision recorded under Document No. 3098722, said point also being the intersection of the east right-of-way line of Sanders Street and the south line of said Tract B-1-A as shown on a Certificate of Survey filed under Document No. 3207070; thence

approximately north 00°00'00" east, 300± feet; thence approximately south 90°00'00" east, 700± feet; thence approximately south 00°00'00" east, 300± feet; thence approximately north 90°00'00" west, 700± feet to the point of beginning, in Lewis and Clark County, Montana and the adjacent Sanders Street right-of-way and establish the conditions for annexation.

Planner Ramoie introduced the zoning proposal for the subject property, reporting City Ordinance requires property to be pre-zoned prior to annexation. Current land uses in the area include but are not limited to commercial and a cemetery. The proposed pre-zoning would become effective upon annexation.

The applicant is only proposing pre-zoning the described 5-acre portion of the larger 48 acre property. This analysis is limited to pre-zoning of this 5-acre portion of the property.

The Helena Zoning Commission held a public hearing on this proposal on March 8, 2016. The result of the discussion was a 2-2 tie vote resulting as no recommendation being made by the Zoning Commission.

The Helena City Commission also held a brief public hearing on the proposal at the March 21, 2016 meeting. Staff had recommended that the case be tabled until it could be presented as a complete package with the resolution of intention to annex. A motion passed 4-1 to table this proposal to the call of the City Manager. It is being presented now as a complete case with all information available.

Pre-zoning of the subject property to the B-2 District will allow the property to be developed with commercial uses once annexed into the City of Helena, and utilize City services such as water, wastewater, and all other infrastructure and services as provided by the City. Development of commercial uses on city services is more efficient than if development were to occur on well and septic systems. Development of the property will increase traffic volumes and existing rates of failure and push some areas into failure on Custer Avenue, Sanders Street, North Montana Avenue, and Jordan Drive.

Senior Planner Ramoie recommended approval for first passage of an ordinance pre-zoning to B-2 (Commercial) District and amending the Official Zoning Map for the City of Helena for a 5-acre portion of Tract B-1-A COS#3207070, as more particularly described in the associated metes and bounds description in Lewis and Clark County, Montana prior to annexation into the City of Helena.

#### Discussion

Commissioner Ellison referred to the incorrect classification of Sanders Street as a local street instead of collector and asked if a proposal exists to correct its classification. Planner Ramoie indicated he was unaware of any plans to reclassify the street; however, he pointed out Sanders Street was built to collector street standards.

City Engineer Leland explained how streets/roadways are classified as a local street versus a collector street and acknowledged it is currently operating as a collector street even though the Transportation Plan lists it with a local street designation.

Commissioner Ellison referred to the list of improvements to the roadway recommended by the City and submitted to MDT and asked if those improvements are guaranteed to be completed or if the City can somehow require MDT to construct the improvements. Engineer Leland explained staff has been working with MDT toward implementation of the City's recommendations and explained while MDT has not guaranteed the improvements will be constructed; they also have not expressed any

opposition or concern for the City's proposal. He commented it will depend on whether or not the roadway can accommodate the recommendations.

Commissioner Farris-Olsen referred to the conditions for annexation outlined in the proposed resolution of intention and asked for confirmation of the City's right to refuse annexation of the property if the conditioned improvements are not completed within one year. Planner Ramoie confirmed the City would have the authority to deny annexation of the property.

Commissioner Haladay asked for the future plans of the remaining acreage. Planner Ramoie indicated the proposal for the 5-acre parcel under consideration tonight is all that should be reviewed. While he anticipates future development of the remaining vacant property, currently a plan does not exist.

Commissioner Farris-Olsen spoke to the anticipated increase in traffic on Montana Avenue and another street due to construction of the unnamed commercial structures to be built on the property and asked for confirmation that the City cannot do anything further to increase the levels of service in the area. Engineer Leland stated currently that is a fair statement.

Commissioner Ellison asked if improvements to the traffic network will be in compliance with the City's Complete Streets policy. Engineer Leland responded affirmatively.

#### Public Testimony

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

The following persons spoke in support of the proposal:

Greg Wirth, Stahly Engineering, representing the applicant; John McGlauphin, Stockman Bank and MBAC President, Jon Amenston, developer for the proposal; Brian Obert, Executive Director of MBAC; and Mike Mergenthaler, Chamber of Commerce President.

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

#### Discussion

Commissioner Haladay noted the property is currently owned by a tax-exempt organization and asked if commercial development within the subdivision would be taxed as commercial. Planner Ramoie explained the Department of Revenue indicated if a commercial development were constructed on the property it would be taxed as commercial. Manager Alles reported any commercial structures would be taxed as commercial property; however, he was unsure of the answer to the other taxing questions and stated he would research and report back to the Commission.

Commissioner Haladay stated he cannot thoroughly vet the proposal to annex the subject property when no information is given as to what may be developed on the parcel. Planner Ramoie explained the uses allowed in the zoning designation can be used to anticipate what may be developed and the impacts of such uses. Engineer Leland explained how infrastructure needs are anticipated and estimated for developments without an identified use.

Commissioner Haladay reiterated assessment of a proposal for what is essentially just dry land cannot be done correctly. Additionally a thorough review of the private drives proposed for inclusion in the development since the businesses and related structures are not being disclosed. Engineer Leland discussed how the City can apply certain regulations to developments containing private drives.

Thorough discussion was held on mixed use areas as discussed in the City's Growth Policy, how intersections and transportation networks are graded, annexation of vacant land without the ability to apply requirements for development if the applicant will not disclose what will be constructed, and existing and anticipated traffic problems in the area.

Commissioner Haladay referred to various requirements and guidance, goals and objectives contained in the Growth Policy, such as increased transportation options to reduce reliance on motorized travel and encouraging neighborhoods to embrace higher densities. He reiterated without a specific use identified for construction on the subject property the proposed annexation cannot be evaluated in the manner required of the Commission.

Commissioner Haladay referred to the City's Growth Policy, updated in 2011, and asked if a neighborhood plan had been developed for the subject mixed use area; indicated as a requirement for all mixed use areas according to the Growth Policy. Planner Ramoie stated neighborhood plans have not been developed for any of the City's mixed use areas designated in the Growth Policy and explained such plans are usually citizen initiated.

Commissioner Haladay stated the Commission cannot thoroughly assess this annexation for compliance with the City's Growth Policy because without the divulgence of a specific use and development design, elements such as provision of services and transportation needs cannot be thoroughly considered. He asked how the Fire Department can determine they will be able to provide adequate protection to the property if they do not know what type of use will be developed. Fire Chief Mark Emmert explained the need cannot really be determined. The fire protections systems are based on what the existing state of the property is, and currently it is vacant with no buildings or structures.

He indicated he does not feel the Commission can approve the proposed annexation and at the same time comply with its own Growth Policy without more details of the development being divulged.

Commissioner Farris-Olsen concurred with Commissioner Haladay's comments. He listed some of the goals contained in the Growth Policy and expressed concern over the inability to meet those goals without any knowledge of what may or may not be located on the property.

He referred to the possibility of cutting three officer positions from the Helena Police Department due to budget constraints and commented he is not comfortable committing public safety to be responsible for additional property without knowing what the impact will be on those services.

Commissioner Haladay stated for the record the only portion of the proposal that complies with the City's Growth Policy is that the property is located within the Urban Standards Boundary. He expressed disdain for the lack of detail included in the proposal and feels it makes a mockery of the City's policy.

Commissioner Ellison stated if this property is not annexed it will be developed with wells and septic which is exactly what the Commission has dedicated itself to eliminating on properties adjacent to the City limits. He indicated he would vote in favor of the proposal.

Commissioner Noonan commented in favor of the proposal as this type of development is what Helena needs.

Mayor Smith spoke in support of the intent to annex the subject property and disagreed with comments made indicating the developers

are making a mockery of the City's Growth Policy; however, he does understand Commissioner Haladay's concerns.

**Motion**

**Commissioner Ellison moved approval of a resolution of intention to annex a five-acre portion of Tract B-1-A shown on COS #3207070, being more particularly described by metes and bounds as follows: Beginning at the northwest corner of Lot 1 of the Lowes's HIW, Inc. Minor Subdivision recorded under Document No. 3098722, said point also being the intersection of the east right-of-way line of Sanders Street and the south line of said Tract B-1-A as shown on Certificate of Survey filed under Document No. 3207070; thence approximately north 00°00'00" east, 300± feet; thence approximately south 90°00'00" east, 700± feet; thence approximately south 00°00'00" east, 300± feet; thence approximately north 90°00'00" west, 700± feet to the point of beginning, in Lewis and Clark County, Montana, and the Sanders Street Right-of-Way adjacent thereto, into the City of Helena, Montana and establish conditions for annexation.** Commissioner Noonan seconded the motion. Motion carried 3-2, with Commissioners Haladay and Farris-Olsen voting no. **Resolution #20245**

**Comment**

Commissioner Haladay noted he does feel the zoning designation being proposed for the property is appropriate.

**Motion**

**Commissioner Ellison moved approval for first passage of an ordinance pre-zoning to B-2 (Commercial) District and amending the Official Zoning Map for the City of Helena for a 5-acre portion of Tract B-1-A COS#3207070, as more particularly described in the associated metes and bounds description in Lewis and Clark County, Montana prior to annexation into the City of Helena.** Commissioner Noonan seconded the motion. All voted aye, motion carried. **Ordinance #3220**

**Regular Item**

A. CONSIDER A RESOLUTION OF INTENTION TO ANNEX INTO THE CITY OF HELENA PROPERTY LOCATED AT 2510 WOODWARD AVENUE INCLUDING ADJACENT GRANIT AVENUE RIGHT-OF-WAY AND ESTABLISH CONDITIONS OF ANNEXATION FOR PORPERTY LEGALLY DESCRIBED AS LOT C, BLOCK 11 OF THE HIGHLAND PARK ADDITION, LEWIS & CLARK COUNTY, MONTANA.

**Public Hearing**

B. CONSIDER FIRST PASSAGE OF AN ORDINANCE PRE-ZONING TO R-2 (RESIDENTIAL) DISTRICT AND UPON ANNEXATION AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF HELENA FOR PROPERTY LEGALLY DESCRIBED AS LOT C, BLOCK 11 OF THE HIGHLAND PARK SUBDIVISION, LEWIS AND CLARK COUNTY, MONTANA

**Staff Report**

Senior Planner Ramoie reported the applicant has requested the annexation of Lot C, Block 11 of the Highland Park Addition, and adjacent Granite Avenue right-of-way. The property is adjacent to the city of Helena and is located within the "Urban Standards Boundary Area." It is in accordance with the 2011 Growth Policy to annex property that is adjacent to the city and within the defined "Urban Standards Boundary Area." The property is developed with a single-dwelling unit that has a

failed septic system and is currently unoccupied. The applicant has petitioned the city for annexation to attain all city services and to utilize the property with an R-2 (Residential) zoning designation. With annexation, extension of the water and wastewater service boundary will occur.

The subject property was recommended to be pre-zoned to the R-2 (Residential) District by the Helena Zoning Commission on April 12, 2016 by a unanimous (4-0) vote.

Pre-zoning and annexation will allow the subject property to abandon the well and failed septic system on the property and connect to the City's water and wastewater mains located in the adjacent Woodward Avenue as well as attain all other City services.

Senior Planner Ramoie recommended approval of both the resolution of intention to annex and the proposed pre-zoning designation.

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.

Comment

Commissioner Haladay commented this proposal is being presented exactly as it should be according to the Growth Policy.

Motion

**Commissioner Farris-Olsen moved approval of a Resolution of Intention to Annex property legally described as Lot C, Block 11 of the Highland Park Addition, and the full width of the adjacent Granite Avenue right-of-way, as legally described in the attached Resolution of Intention to Annex, and establish the conditions for annexation.**

Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution #20246**

Motion

**Commissioner Farris-Olsen moved approval for first passage of an Ordinance pre-zoning to R-2 (Residential) District and upon annexation amending the official zoning map for the City of Helena for property legally described as Lot C, Block 11 of the Highland Park Subdivision, Lewis and Clark County, Montana.**

Commissioner Haladay seconded the motion. All voted aye, motion carried. **Ordinance #3219**

***Public Hearing***

D. CONSIDER A RESOLUTION GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A 1,600 GROSS SQUARE-FOOT EXPANSION TO AN EXISTING WORSHIP FACILITY TO CONSTRUCT A FOYER, FOR PROPERTY LOCATED IN AN R-3 (RESIDENTIAL) DISTRICT, LEGALLY DESCRIBED AS LOTS 35-38 IN BLOCK 3, THE NORTH 12 FEET OF LOT 20, AND LOTS 21- 22 IN BLOCK 4, ALL OF THE CLOSED AND VACATED PORTION OF BUTTE AVENUE BETWEEN BLOCKS 3 AND 4 AND THE CLOSED AND VACATED EAST HALF OF THE NORTH-SOUTH ALLEY ADJACENT THERETO, ALL IN THE BURLINGTON ADDITION IN THE CITY OF HELENA; WITH A PROPERTY ADDRESS OF 800 NORTH HOBACK STREET



## Staff Report

Planner Golemon reported the applicant has submitted an application to add a 1,600 gross square-foot foyer expansion to an existing worship facility, located in an R-3 (Residential) District.

Since 2008, City Code requires Conditional Use Permit (CUP) be obtained for worship facility uses located in an R-3 District. Prior to May 2008, worship facilities were a permitted use in the R-3 zoning district.

The proposal to add a 1,600 square-foot expansion to the existing worship facility requires a CUP because it is expanding the size and use of the current worship facility structure.

On Tuesday, April 12, 2016, the Helena Zoning Commission held a public hearing on the proposed CUP and recommended unanimous approval (4:0 vote) for the adoption of a resolution granting a CUP to allow a 1,600 gross square-foot expansion to an Existing Worship Facility to construct a foyer, for property located in an R-3 (Residential) District, legally described as Lots 35-38 in Block 3, the north 12 feet of Lot 20, and Lots 21-22 in Block 4, all of the closed and vacated portion of Butte Avenue between Blocks 3 and 4 and the closed and vacated east half of the north-south alley adjacent thereto, all in the Burlington Addition in the city of Helena; with a property address of 800 North Hoback Street. This approval is subject to the following condition: A building permit for the proposed expansion must be obtained within 1 year. (See attached meeting minutes.)

The CUP would allow for continued use of the existing structure and existing city infrastructure. In addition, the proposed worship facility expansion is consistent with the CUP criteria.

Granting of the CUP would allow for utilization of the existing worship facility that has access to city services.

Planner Golemon recommended approval of a resolution granting a Conditional Use Permit (CUP) to allow a 1,600 gross square-foot expansion to an existing Worship Facility to construct a foyer, for property located in an R-3 (Residential) District; for property legally described in the resolution subject to the following condition: A building permit for the proposed expansion must be obtained within one year.

## Public Testimony

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

Jacob Augenstein, Slate Architecture- representing the applicant; urged the Commission to support the proposal.

Keith Johnson, Pastor at Life Covenant Church; spoke in support of the proposal.

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

## Comment

Commissioner Haladay stated the proposed CUP appears to be in compliance with, and meets the requirements of City Code 11-3-5.

## Motion

**Commissioner Ellison moved approval of a resolution granting a Conditional Use Permit (CUP) to allow a 1,600 gross square-foot expansion to an existing Worship Facility to construct a foyer, for property located in an R-3 (Residential) District; for property legally described in the resolution subject to the following condition: A building permit for the proposed expansion must be obtained within one year.** Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution# 20247**

**Public Hearing**

- E. CONSIDER A RESOLUTION AUTHORIZING THE CITY OF HELENA TO APPLY FOR A MONTANA DEPARTMENT OF COMMERCE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) GRANT ON BEHALF OF AFFILIATED DEVELOPERS, INC., TO ASSIST IN THE FINANCING OF THE RENOVATION OF THE GUARDIAN APARTMENTS COMPLEX, LOCATED AT 520 LOGAN STREET; AND AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS RELATING TO THE GRANT.

**Staff Report**

Planner Ellie Ray reported the Affiliated Developers, Inc., (ADI) on behalf of the Guardian Apartments, have asked the City of Helena to sponsor a HOME grant to assist in the renovation of both the Guardian Apartments complex and its adjoining grounds. The complex is comprised of 118 rent-assisted units for low- to very low-income residents, and is critical to the city's affordable housing stock portfolio. Per the restricted covenant on the site, the tenant population must remain at or below 60% of the Area Median Income (AMI), as defined by HUD. A majority of the residents fall at or below 30% AMI. Additionally, the covenant states that the tenant population must be 62 years or older and/or disabled (mentally and/or physically). The property's units have historically been in high demand, as evidenced by a 5% or lower annual vacancy rate. The 2010 Housing Needs Study for the Greater Helena Area identified a shortage of rental units overall, and affordable rental units for low- to moderate-income households in particular. It also encourages the preservation and rehabilitation of the existing affordable housing stock. Total cost of the project will be \$10.96 million, and the amount of the HOME funds requested will be \$750,000. A range of rehabilitation and improvement efforts to enhance safety, access, function, and efficiency will include, but are not limited to: structural building repairs, parking lot and sidewalk improvements, landscaping, solar PV panel installation, roof replacement and other thermal efficiency efforts, safety and security improvements, furnishings and equipment installation, and elevator repairs. On June 15, 2015, the City Commission held a public hearing to solicit public comment as to whether the renovation of the Guardian Apartments meets a community housing need. Public comments demonstrated support for the project, and affirmed it as meeting an affordable housing need in the community. Grant funding of the project will ensure that safe, fully accessible, affordable housing is retained in close proximity to the downtown and to local services.

When completed, the project will provide safe, sanitary housing opportunities for LMI residents, the elderly, and those who may have a mental or physical disability. Retention of the 118 units is vital to ensuring affordable housing opportunities are available to those in need for decades to come.

The rehabilitation of the Guardian Apartments will create marked improvements, both with respect to energy and thermal efficiency of the units and overall building envelope. Once complete, the building will meet or exceed most current energy codes.

Planner Ray recommended approval of a resolution authorizing the submission of a Home Investment Partnership Program (HOME) Grant application for of the Guardian Apartments located at 520 Logan Street, and authorizing the City Manager to sign all documents relating to this grant.

Public Testimony

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

Mary Martin, Property Manager of the Guardian Apartments; acknowledged the need for significant upgrades to the building.

Les Clark; Montana Independent Living Project (MILP); expressed concern for infestation of bed bugs in the apartments.

Chanelle Marshall, MILP; explained the services she provides in her position at MILP and also expressed concern over bed bugs in the building.

Alan Distad, resident; stated the new fire alarm system has caused him to experience hearing problems. He too discussed the bed bug infestation.

Candy Moore, resident; requested the bed bugs be properly removed from the apartment building.

Lancia Bane; Site Manager for the property; explained the new fire alarm system was required by the Fire Marshall and stated they are working to eradicate the bed bug issue.

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

Comment

Commissioners Ellison, Farris-Olsen and Noonan spoke in support of the grant submission and much needed improvements to the building.

Motion

**Commissioner Ellison moved approval of a resolution authorizing the submission of a Home Investment Partnership Program (HOME) Grant application for of the Guardian Apartments located at 520 Logan Street, and authorizing the City Manager to sign all documents relating to this Grant.** Commissioner Haladay seconded the motion. All voted aye, motion carried. **Resolution #20248**

**Public Communications**

PUBLIC COMMUNICATIONS

Shannon Alexander, Kay Schloss, Paul Kindt, Dusty Yakoweshen, Gary Peterson, John Champain, Beth Lamping, and Chris Hamper; requested the Commission become involved in the closure of the Art Burley Pet Cemetery by the Lewis & Clark Humane Society.

Mayor Smith explained City Manager Alles sets the agendas for meetings attended by the Commission and urged the citizens in attendance to contact the City Manager's Office to schedule placement on an agenda.

**Meetings of Interest**

MEETINGS OF INTEREST

The next Administrative Meeting is May 18, 2016 and the next Commission Meeting is May 23, 2016.

**Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 9:13 p.m.

/S/ James E. smith

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Mayor

ATTEST:

/S/ Debbie Havens

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Clerk of the Commission