

**CITY OF HELENA
REGULAR CITY COMMISSION MEETING
November 28, 2016
6:00 P.M.**

Time & Place

A regular City Commission meeting was held on Monday, November 28, 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, City Attorney Thomas Jodoin and City Clerk Debbie Havens were present.

Pledge of Allegiance

Mayor Smith asked those persons present to please stand and join him in the pledge of allegiance.

Minutes

The minutes of the regular City Commission Meeting of November 14, 2016 will be placed on the December 5th agenda for consideration.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Resolution declaring tangible personal property owned by the City of Helena to be surplus property and authorizing the disposal of that property. Helena Fire Department's parade vehicle (#122) and Engine 2 (#129). **Resolution 20321**

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

Manager Alles noted there is a difference between language in the staff report and the resolution. The resolution language states Engine 2 will be disposed through direct sale to Helena College University of Montana for the sum of \$10,000. The language in the staff report states Engine 2 will be sold to the Helena College University of Montana in the amount of \$10,000 and/or other consideration. Manager Alles stated he would like the motion to allow staff to work with the Helena College.

Mayor Smith commented in the past, the city has given trucks to rural fire departments and asked if there is no need out there. Manager Alles stated he would not say there isn't a need out there; however, he believes by working with the college it would be a betterment for all departments and not just one. Engine 2 does not meet the city's standards and there is some hesitancy to give it to another department.

Public comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Ellison moved approval of Item A - Claims and Item B – Resolution declaring tangible personal property owned by the City of Helena to be surplus property and authorizing the disposal of that property and authorize the City Manager to approve the sale of Engine 2 (#129) to the Helena College University of Montana in the amount of \$10,000 and/or other consideration and authorize the City Manager to approve the destruction and recycling of Parade 1 (#122), through Pacific Steel & Recycling or other suitable salvage company. Commissioner Haladay seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Noonan thanked everyone who was involved with the Parade of Lights; it was a great event.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

Attorney Jodoin updated the commission on a written request from the Independent Record for the release of the police report on Officer Bergh. He will proceed with filing a petition for a declaratory judgement and have a judge review whether the police report can be released to the public.

Attorney Jodoin reported there was a meeting today to discuss the impact of Marcy's Law. The Montana Association of Counties, the Montana League of Cities and Towns and the ACLU are preparing a petition to the Supreme Court for a declaratory judgement and preliminary injunction on the effective date of CI116 (Marcy's Law).

Attorney Jodoin recommended naming the city attorney's office and himself as interested parties. If there is no opposition, that is what he will do. In addition, he volunteered his office to do the clean-up work on the petition and brief. Another component is the State Board of Canvassers are meeting tomorrow to certify the election and if they follow the Attorney Generals legal advice, CI 166 will become effective tomorrow, November 29th.

Mayor Smith thanked Attorney Jodoin for getting involved with this to figure out the effective date. Attorney Jodoin stated he believes the effective date is July 1, 2017. The city attorney's office will have significant costs to accommodate the law.

Report of the City Manager

REPORT OF THE CITY MANAGER

No report was given.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

No report was given.

Regular Items

REGULAR ITEMS:

- A. CONSIDER THE RANKING RECOMMENDATION FOR ARCHITECTURAL FIRMS RESPONSIVE TO THE CITY'S REQUEST FOR PROPOSALS (RFP) TO DESIGN A NEW PRO SHOP AND CLUBHOUSE AT BILL ROBERTS GOLF COURSE AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR PHASE 1.

Staff Report

Parks & Recreation Director Teegarden gave an overview of the existing condition of both the club house and pro shop; the proposed renovated facilities; and the planning considerations that were considered. She also reviewed what will be included in both phases of the contract.

Director Teegarden reported the City advertised an RFP to design and construct/renovate the Pro Shop and Clubhouse at Bill Roberts Golf Course. The RFP stated that the City would award a contract with two phases for architectural and engineering services. The first phase that the consultants will provide is the needs assessment, schematic design and estimated cost. The second phase is the design drawings/plans, bid process and construction administration. Each phase will be contracted individually.

The RFP was published on October 2 and 9, 2016. Six responses were received on October 14, 2016. A committee reviewed the responses using the evaluation criteria listed in the RFP; two architectural firms were ranked higher than the other four. Those two firms were Mosaic Architecture and Dowling Studio Architects. Interviews were held with both firms; the outcome of the interviews ranked Mosaic Architecture number one and Dowling Studio Architects number two.

Director Teegarden recommended approval of the ranking of the interviewed architectural firms and authorize the City Manager to negotiate phase one of the contract with Mosaic Architecture.

Public comment

Mayor Smith called for public comment.

Jeff Downhour with Mosaic Architects addressed the commission and noted they are looking forward to working on this project.

Motion

Commissioner Haladay moved approval of the ranking of the interviewed architectural firms and authorize the City Manager to negotiate Phase One of the contract with Mosaic Architecture.

Commissioner Noonan seconded the motion. All voted aye, motion carried.

Public Hearings

PUBLIC HEARINGS:

- A. CONSIDER A RESOLUTION ESTABLISHING FEES TO BE CHARGED FOR THE BILL ROBERTS MUNICIPAL GOLF COURSE – 2017 SEASON.

Staff Report

Parks & Recreation Director Teegarden reported on November 14, the City Commission passed a resolution of intention and set a public hearing date for November 28, 2016 to establish fees for the Bill Roberts Golf Course. On an annual basis city staff and the Golf Advisory Board review the season's expenses, revenues, and trends in comparison to budget projections and make recommendations for potential fee charges.

Based on review of 2016 revenue reports, golf rounds and the 2016 financial feasibility study, there is a recommendation to increase and reclassify various fee rates and categories for the 2017 season.

Director Teegarden recommended approval of the resolution establishing fees to be charged for the Bill Roberts Municipal Golf Course – 2017 Season.

Public Testimony

Mayor Smith declared the public hearing opened and called for any public testimony.

There being no public testimony, Mayor Smith closed the public hearing.

Discussion

Commissioner Farris-Olsen referenced the definition of a "Junior" and asked what happens if a "Junior" is a financial dependent of a pass holder. He would like to see all 18 year-olds be able to purchase a pass. Director Teegarden stated she does not have an answer to the question; however, believes this may have been an oversight when changing the definitions. It is the intent of city staff that the definition allows all persons who is 18 years or younger to pay the "Junior" fee.

Motion

Commissioner Ellison moved approval of a resolution establishing fees to be charged for the Bill Roberts Municipal Golf Course – 2017 Season. Commissioner Haladay seconded the motion.

Amendment

Commissioner Farris-Olsen moved to amend the definition of a "Junior" to read the following: "Junior" is a person who is eighteen years old or younger. Commissioner Noonan seconded the motion.

Commissioner Ellison accepted the amendment as a friendly amendment. All voted aye, motion carried.

Vote

Voted on original motion as amended. All voted aye, motion carried. **Resolution 20322**

B. CONSIDER A RESOLUTION CHANGING THE NAME OF LEARNING STREET TO HUNTHAUSE WAY AND HENRY STREET TO BISHOP CARROLL DRIVE.

Staff Report

City Attorney Jodoin reported on October 27, 2016 the Commission passed a resolution of intention to change the name of Learning Street to Hunthausen Way and Henry Street to Bishop Carroll Drive. A public hearing was set for November 28, 2016. Subsequent to the passage of the resolution of intention it has been determined that Carroll College desires to vacate the above mentioned public rights-of-way. Vacating the rights-of-way would mean that the Commission would not have to approve the renaming of private streets.

Attorney Jodoin recommended tabling the resolution renaming Learning Street to Hunthausen Way and Henry Street to Bishop Carroll Drive to the call of the City Manager.

Public Testimony

Mayor Smith declared the public hearing open and called for any public testimony.

There being no public testimony, Mayor Smith closed the public hearing.

Motion

Commissioner Noonan moved to table a resolution renaming Learning Street to Hunthausen Way and Henry Street to Bishop Carroll Drive to the call of the City Manager. Commissioner Ellison seconded the motion. All voted aye, motion carried.

Public Communications

PUBLIC COMMUNICATIONS
No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST
The next Administrative Meeting is November 30, 2016 and the next Commission Meeting is December 5, 2016.

Manager Alles noted there are no agenda items on the December 5th City Commission Meeting agenda; however, per City Charter, the Commission has to meet at least twice a month.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:30 p.m.

/S/ James E. Smith

Mayor

ATTEST:

/S/ Debbie Havens

Clerk of the Commission