

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
December 5, 2016
6:00 P.M.

- Time & Place*** A regular City Commission meeting was held on Monday, December 5, 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. Acting City Manager Amy Teegarden, City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. City Manager Alles was excused. Others present were Gary Spaeth 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 meetings of November 14 & 28, 2016 and were approved as submitted.
- Consent Agenda*** CONSENT AGENDA:
A. Claims

Acting City Manager Teegarden recommended approval of the claims.
- Public comment Mayor Smith asked for public comment, none was received.
- Motion*** **Commissioner Haladay moved approval of item A on the consent agenda.** Commissioner Ellison seconded the motion. All voted aye, motion carried.
- Communications*** COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Ellison discussed attending the recent Audit Committee Meeting, which is held annually between the Commission and City staff to review the findings contained in the report prepared by Wipfli, the private accounting firm under contract to perform audit services for the City's annual finances.
He announced the audit was designated "unmodified", which means no corrective actions or issues were necessary or observed. He explained such designation is as good as can be achieved, and that is what the citizens of Helena deserve. He commended staff for their continued excellence in accounting for the City's budget and finances.
Mayor Smith and Commissioner Farris-Olsen concurred with Commissioner Ellison's comments.
Formal acceptance of the 2016 audit will be on the consent agenda portion of the December 19th Commission Meeting agenda.
- Report of the City Attorney*** REPORT OF THE CITY ATTORNEY
Attorney Jodoin announced the City would be filing its final brief and last opportunity to request an opinion on the abandonment issue in the City's ongoing water rights case. He noted it may take several months to receive the opinion from the court.
Attorney Jodoin also provided a brief update on the petition filed by the City along with the State of Montana requesting declaration of an effective date for Constitutional Initiative 116 – "Marsy's Law".

He noted the City is being painted as an opponent of the initiative, which is not true. The actions of the City are solely related to preparedness, and being provided the opportunity and ability to identify budget and staffing needs created by the requirements set forth in the law.

Report of the City Manager

REPORT OF THE CITY MANAGER

Acting Director Teegarden announced the professional analysis of the damage assessment to the Fire Tower has been completed and a written report should be issued to the City and presented to the Commission in early January, 2017. She commented she is hopeful the identified restoration work can be performed and the traditional holiday lighting resumed for the 2017 season.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC Vice Chair Sumner Sharpe thanked City Attorney Jodoin for attending the Council's November Meeting to discuss the City's Community Decay Ordinance.

The Council has kept busy with continued involvement in the City's budget, the Civic Center assessment and vetting solutions for elimination of the existing railroad crossings on Benton and Montana Avenues.

Mr. Sharpe referred to the HCC's recommendation for the implementation of a gas tax initiative. He noted during a presentation to both the City and County Commissions in mid-2016, the Board of County Commissioners (BoCC) indicated while very receptive to the idea, they were not interested in adding any additional initiatives to the ballot until funding for the County jail had been voted on. Mr. Sharpe asked what the appropriate procedure to request the BoCC review the gas tax proposal would be since that vote has now occurred.

Following discussion, there was Commission consensus for the proposal to be presented once more at a City/County Joint Work Session in early 2017 so incoming County Commissioner Jim McCormick can be fully informed and involved in discussions on the initiative.

It was noted that while the HCC could certainly submit a formal resolution requesting deliberation of the proposal, it would be their preference and not required; the proposal will be discussed regardless.

Public Communications

PUBLIC COMMUNICATIONS

No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is December 14, 2016 and the next Commission Meeting is December 19, 2016.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:23 p.m.

/S/ JAMES E. SMITH

Mayor

ATTEST:

/S/ DEBBIE HAVENS

Clerk of the Commission