

**CITY OF HELENA
REGULAR CITY COMMISSION MEETING
FEBRUARY 13, 2017
6:00 P.M.**

Time & Place

A regular City Commission meeting was held on Monday, February 13, 2017 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 City Clerk Debbie Havens were present.

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 meeting of January 23, 2017 were approved as submitted.

Board Appointments

BOARD APPOINTMENTS:

- A. Civic Center Board and City-County Consolidated Planning Board

Mayor Smith recommended the following board appointments: Civic Center Board - Reappointment of Judy Kline, Riley Johnson, Brad Culver, Bo Turnbow, Trevor Parrish and Kathleen Pace to the Civic Center Board. Terms will expire on March 1, 2020.

City-County Consolidated Planning Board – Appointment of Dennis Dean, as the joint appointment to the City-County Consolidated Planning board. The unexpired term will begin upon appointment and expire September 1, 2018.

Public comment

Mayor Smith asked for public comment; none was received.

Motion

Commissioner Haladay moved approval of the reappointments to the Civic Center Board and the appointment to the City-County Consolidated Planning Board as outlined above.

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

Consent Agenda

CONSENT AGENDA:

- A. Claims
B. Authorization for staff to void stale dated checks
C. Adoption of the Official Zoning Map for the City of Helena, with a revision date of February 13, 2017.
D. Amended plat of Blocks 1 and 2 of the Grand Avenue Addition including the City's dedication and acceptance of Tract RW as street right-of-way (ROW) for property located west of Montana Avenue, north of Lyndale Avenue, and east of National Avenue.

Manager Alles recommended approval of the claims.

Public comment

Mayor Smith called for public comment on the consent agenda; none was received.

Motion **Commissioner Haladay moved approval of items A-D on the consent agenda.** Commissioner Ellison seconded the motion. All voted aye, motion carried.

Communications COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Haladay reported the House voted down the revenue bond bill regarding street maintenance. It came out of committee; however, it was defeated on the house floor. He spoke of the level of suspension the legislators have toward local governments.

Mayor Smith thanked Commissioner Haladay for his comments and stated he shares his concerns. He suggested thanking Representatives Ellis and Abbott for the work they did.

Commissioner Ellison recognized both Helena High and Capital High for sending wrestlers to the State Tournament where they finished fourth and fifth respectively, the first time both high schools in Helena have finished in the top five at that tournament. He thanked the wrestlers, coaches, parents, fans and administrators.

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 reported the pre-pricing call was held today and if the rate holds until tomorrow, the city will see a total savings of \$301,311 versus the original amount of \$261,000. Manager Alles recognized and thanked Glenn Jorgenson and Liz Hirst for the work they have done on this.

Report from the Helena Citizens REPORT FROM THE HELENA CITIZENS COUNCIL
HCC representative Gary Spaeth commented he experienced during his tenure in the legislature that local governments are held in suspension.

Regular Items REGULAR ITEMS:
A. CONSIDER A RESOLUTION OF INTENTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A BUY-SELL AGREEMENT TO SELL LOTS 25-28 IN BLOCK 1 OF THE ORIGINAL HELENA TOWNSITE TO HRELLA BROWN RENTALS, LLC.

Staff Report Assistant City Attorney O'Connor reported these lots are located north of the Hair Hair Salon and Spa and west of Park Avenue, are zoned "PLI" (Public Lands and Institutions) and are currently undeveloped. The total square footage of all 4 lots is 5,546 square feet.

Hrella Brown Rentals, LLC, would like to purchase the City's property for \$34,163.36. This figure was determined by looking at the Montana Department of Revenue appraised value of neighboring commercial properties. The average value of those surrounding properties is \$6.16 per square foot. Staff recommends using the commercial property metric rather than inclusion of residential values since the property is zoned PLI and generally cannot be used for residential purposes and authorize the City Manager to enter into a Buy/Sell Agreement to sell Lots 25-28 in Block 1 of the Original Helena Townsite to Hrella Brown Rentals, LLC, for \$34,163.36 and set a public hearing date.

By selling these undeveloped and surplus lots, the City would no longer be responsible for paying assessments and for maintaining the property and adjacent sidewalks. Sale to a private owner for potential

development would be compliant with the Downtown Helena Master Plan.

Assistant City Attorney O'Connor recommended approval of the Resolution of Intention Authorizing the City Manager to enter into a Buy/Sell Agreement to sell Lots 25-28 in Block 1 of the Original Helena Townsite to Hrella Brown Rentals, LLC, and set a public hearing date of March 27, 2017.

Discussion Commissioner Ellison asked if the current zoning will remain in place. Assistant City Attorney O'Connor stated yes.

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

Motion **Commissioner Farris-Olsen moved approval of the Resolution of Intention Authorizing the City Manager to enter into a Buy/Sell Agreement to sell Lots 25-28 in Block 1 of the Original Helena Townsite to Hrella Brown Rentals, LLC, and set a public hearing date of March 27, 2017.** Commissioner Ellison seconded the motion. All voted aye, motion carried. **Resolution #20327**

Public Hearing PUBLIC HEARING:
A. CONSIDER FIRST PASSAGE OF AN ORDINANCE AMENDING CITY OF HELENA ORDINANCE NO. 2359 AND AMENDING THE OFFICIAL ZONING MAP, FOR A PORTION OF TRACT 2, CONTAINING APPROXIMATELY 1.72 ACRES LOCATED IN A PLI (PUBLIC LANDS AND INSTITUTIONS) TO A B-2 (GENERAL COMMERCIAL) DISTRICT; FOR PROPERTY GENERALLY LOCATED SOUTH OF SKYWAY REGIONAL SHOPPING CENTER, EAST OF INTERSTATE 15, AND WEST OF NORTH WASHINGTON STREET; NO PROPERTY ADDRESS HAS BEEN ASSIGNED TO THIS TRACT OF LAND.

Staff Report Zoning Officer Elroy Golemon reported the applicant and property owners are requesting the zone change to provide consistent zoning with the adjacent B-2 District zoned properties located generally to the north, east, and west of the subject property. As proposed, the zone change would allow development of any use permitted in the B-2 District. This property is owned by the Helena Regional Airport Authority and is south of the Skyway Regional shopping Center. The Helena Airport Authority has requested the zone change so that the zoning could be more consistent with the surrounding area and to better market the lease of the property.

On Tuesday, January 10, 2017 the Helena Zoning Commission held a public hearing on the proposed zone change and recommended, unanimous approval (3:0 vote), for the adoption of an ordinance for a zone change from a PLI (Public Lands and Institutions) District to a B-2 (General Commercial) District; for the above property

The proposed B-2 District would allow a greater mix and higher concentration of compatible mixed uses than currently permitted in the current PLI District. In addition, the proposed B-2 District zoning would be more consistent with the "Commercial" land use designation and mixed use concept of the Growth Policy. The proposed B-2 District could help create a coordinated development pattern that is unified, functional, and efficient by conserving land, energy, and infrastructure, and minimize the potential for sprawl. The proposed zone change is

compatible with the identified goals, objectives, and policies of the Growth Policy.

The proposed zone change helps support infill development by allowing for the development of a compatible mix of land uses and structure types and encouraging the use of existing infrastructure.

Zoning Officer Golemon recommended approval for first passage of an ordinance amending City of Helena Ordinance No. 2359 and amending the official zoning map, for a zone change for a portion Tract 2, containing approximately 1.72 acres located in a PLI (Public Lands and Institutions) to a B-2 (General Commercial) District; for property legally described in the attached ordinance.

Discussion

Commissioner Noonan asked if the city owned walkway would go away if the property was developed. Zoning Officer stated the walkway would remain.

Public Testimony

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

Airport Director Jeff Wadekamper spoke in support of the zone change.

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

Motion

Commissioner Haladay moved approval for first passage of an ordinance amending City of Helena Ordinance No. 2359 and amending the official zoning map, for a zone change for a portion Tract 2, containing approximately 1.72 acres located in a PLI (Public Lands and Institutions) to a B-2 (General Commercial) District; for property legally described in the attached ordinance. Commissioner Ellison seconded the motion. All voted aye, motion carried. **Ordinance #3226**

Public Communications

PUBLIC COMMUNICATIONS

No public communications were given.

Meetings of Interest

MEETINGS OF INTEREST

The next Administrative Meeting is February 22, 2017 and the next Commission Meeting is February 27, 2017.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:25 p.m.

ATTEST:

/S/ James E. Smith
Mayor

/S/ Debbie Havens
Clerk of the Commission