

SUMMARY OF ADMINISTRATIVE MEETING
April 20, 2011, 4:00 p.m.
Room 326, City County Building – 316 N. Park Avenue, Helena

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Cartwright, Ellison and Elsaesser were present. Commissioner Thweatt was excused. Staff present was: City Manager Ron Alles; Community Development Director Sharon Haugen; Administrative Services Director Tim Magee; Community Facilities Director Gery Carpenter; Human Resource Director Rae Lynn Nielsen; City Attorney David Nielsen; Fire Chief Steve Larson; and City Clerk Debbie Havens.

Others attending all or a portion of the meeting included: HCC Representative Chris Goss.

2. **April 6, 2011 Administrative Meeting Summary** – The April 6, 2011 administrative summary was approved as submitted.

3. **Commission comments, questions -**

A. Upcoming Appointments – There are no appointments on the April 25, 2011 city commission meeting agenda.

Mayor Smith stated the Bureau of Land Management in Montana is looking for 16 members of the public to sit on their Montana Resource Advisory Councils, which advise the BLM on public land issues. Commissioner Elsaesser indicated he is interested and would contact the BLM office.

B. Commission Comments – Discussion was held on a number of legislative bills. Mayor Smith and Commissioner Elsaesser suggested people contact their legislators in support of the “bonding bill”; which would include funding for a new Montana History Museum.

Commissioner Elsaesser asked if the commission wants to go on record to keep the Helena mail processing operations. Mayor Smith stated a letter has been sent on behalf of the commission.

Commissioner Cartwright asked that the commission receive an update on the energy conservation city wide including the City-County Building. He also suggested that staff take advantage and participate in the state’s EnergyCAP program. The city has already entered data into the system since 2007 and it takes very little time to run a report on specific buildings. This program is a management tool and would alert staff if there is an issue with a specific operation. He asked the commission receive a periodic report. This management tool is for electricity and natural gas. Staff will need to address fuel consumption within the FY12 budget.

City Manager Alles stated he has a report from Don Clark on the energy conservation at the water/wastewater facilities. Staff is prepared to present an annual report on energy conservation and use. The state’s program is easily assessable and staff plans on using it to compile a number of reports. Manager Alles noted staff will address the fuel consumption and costs in the individual department budgets. The budget instructions asked staff to base their budgets at \$4.00 per gallon for fuel.

Mayor Smith noted the commission adopted a resolution that included language that an annual report would be presented to the commission. Commissioner Cartwright again emphasized how easy the program is to use and how it will indicate if there is something wrong in one of the city’s facilities.

Commissioner Cartwright stated the commission generally expects that by increasing enterprise rates above inflation would increase the percentage of the CCIP being funded. However, looking at the Street and Traffic budget, this doesn’t appear to have been the case in recent years. Other funds may show similar patterns. He noted Fund 201 Capital Outlays and Reserves in FY11 are down over FY07; however, there were significant expenditures in FY10.

Manager Alles reported the last budget work session will address the CCIP and he will have a presentation ready for that meeting. Commissioner Cartwright noted he is comfortable addressing it through the budget process.

Commissioner Cartwright asked if April 22nd is the deadline for submitting amendments to the Growth Policy. Community Development Director Haugen stated that is the date the commission set. Director Haugen noted there are three maps she would like the commission to review before releasing them to the public; one is the map that was attached to the resolution of intention the commission approved on March 14th; the second map is the proposal from Commissioner Elsaesser to adopt what was originally recommended by the Planning Board and the third is the proposal from Commissioner Thweatt to bring the line south and exclude Ten-Mile Estates Subdivision.

Commissioner Ellison noted he will have several amendments including the input from representatives at Fort Harrison, which Commissioner Thweatt asked him to bring forward since he would be out of town.

Mayor Smith asked if the map includes the area near the Green Meadow Country Club. Director Haugen noted the map originally recommended by the Planning Board included this area.

4. **City Manager’s Report**

A. Lighting Ordinance Report – City Manager Alles referred the commission to the following information:

Current:

- Lighting Ordinances in Title 10, Chapter 1
- 45 Districts, 3,288 lights
- 18 light districts with 463 lights are dark skies compliant.
- All new districts use dark skies compliant lights, see Exhibit A for approved lights.
- All lights replaced by NorthWestern Energy (NWE) are dark skies compliant.
 - 10-20 lights retrofitted per year, 17 lights in calendar 2010

Historical:

- January 2000 – New lighting standards adopted.
- January 2003 – Impact study results provided to the Commission (SILD 192).
 - Cost prohibitive to replace non-conforming districts (35-40% fee increase).
 - Property owner approval required to retrofit a district.

SILD Assessment Methodology:

- MCA, 7-12-4323 through 4324
- Assessment options:
 - Area, Taxable Valuation, Equal, Frontage
 - City generally uses the Area method as directed by the Commission.

SILD Creation Process:

- Property Owners meet with NorthWestern Energy (NWE) to design district.
- NWE supplies the City with a lighting district plan and cost for the first year.
- City provides Lighting District petition to property owners.
- Based on signed petition, the proposed district goes before the City Commission.
 - Resolution of Intention to Create and Mail Notices
 - Public Hearing and District Creation
 - Resolution of Intention to Assess
 - Resolution to Assess

Installation/Contract:

- Lighting and pole installation coordinated with developer (without fixture heads).
- NWE notified of District creation by the City.
- NWE installs fixture heads and starts service.
- NWE is a PSC regulated electric service provider.
 - Petition acts as signed application for services to property owners.
- Each SILD is established as a separate NWE customer with the City paying for service through assessments.

Commissioners Ellison and Elsaesser stated the report has been useful and thanked Manager Alles. Mayor Smith asked if the city could prevail on NorthWestern Energy (NWE) to change out the light fixtures more frequently. Commissioner Cartwright asked that staff check with MDT to assure that the dark sky lights are being used on the Custer Avenue Interchange project.

Commissioner Elsaesser stated he is interested in how the commission can advance the schedule to replace the street lights. He would like additional information on LED lights.

City Controller Glenn Jorgenson reported when a light bulb burns out NWE is not replacing the fixture; they are only replacing the fixtures when a complaint is filed or the fixture is damaged. Mr. Jorgenson offered to contact NWE if the commission would like additional information.

Manager Alles offered to write a letter to NWE requesting and encouraging them to change out the light fixtures on a more regular basis. There was commission concurrence to have City Manager Alles write a letter. Commissioner Elsaesser asked the letter include language on LED lights.

Security in City-County Building – City Manager Alles reported Police Sergeant John Fosket gave a presentation on how to react to an active-shooter incident. He noted an educational aspect of security is important and will be implemented.

Manager Alles stated Community Facilities Director Carpenter has been working on several options that offices could use. All phones have the ability to have 911 programmed in; another option would be a “panic” button could be installed in individual offices.

There was discussion on restricting traffic in the building; however, there was consensus of those present it would be difficult to restrict access in a public building. Individual offices might be able to reconfigure their office set-up to address security.

Mayor Smith asked if the 911 option could be done immediately and without cost. Manager Alles stated yes and noted the call would automatically go onto speaker phone. Commissioner Cartwright noted the state offices have implemented some of these same safety features.

There was commission concurrence to begin having employees program 911 into their phones. Mayor Smith thanked Manager Alles for the discussion and asked that the security conversation continue. Manager Alles again stated the city’s safety classes will cover work place safety.

5. Department Discussions

Administrative Services

Consolidated Review of Fees – All Operations – City Manager Alles stated this is something he brought up over a year ago as a result of a discussion on the number of fees and charges the city has in place. Staff has just begun working on this project; however, the end result would be the all fees and charges would be reviewed annually and be easily tracked.

Administrative Services Director Tim Magee outlined the following processes:

1. Compile all source documents for Fees, Charges, Rates, Assessments, Schedules, Etc...
 - a. Revenue Accounts over 900 items – and counting
 - b. City Codes over 80 related pages – all codes reviewed
 - c. Non-Codified Ordinances consolidation in progress
 - d. Resolutions consolidation in progress
2. Create a Consolidated Fee Listing with source cross references
At the Administrative Meeting staff will show the Excel listing format which is being used to develop a consolidated listing. It is in a fund accounting format in order to facilitate ongoing referencing and operational management.
3. Find the Legal Basis (Statutory research in progress)
 - a. What must be set by ordinance?
 - b. What must/may be set by resolution?
 - c. What may be set by subordinate authority (Staff, Airport, Parking, etc.)
 - d. What may be set by Fee Structure Standards (markup policy, etc.)
4. Present the Consolidated Fee Listing to the City Commission with a staff recommendation:
 - a. Priorities – When and how to address items which may now be nonconforming, invalid, outdated, time sensitive, etc.
 - b. Procedural requirements for adoption and updating
 - c. Scheduling for regular reviews/updates

Administrative Services Director Magee reviewed the structure of the spreadsheet criteria and noted staff will continue to work on this and bring it back before the commission.

Commissioner Elsaesser stated this is a great project and noted if the backflow ordinance is approved, it too would be on the list.

Commissioner Cartwright asked if staff has an estimate on how much revenue is collected outside

the larger fees. Director Magee stated he does not have the information readily available at this time; however that information will be available when the project is completed.

Commissioner Cartwright stated he is going to be interested in how many people receive services through these fees and noted there are fees that do not cover the services given. Director Magee noted there are a lot of fees that need to be reviewed and have not been updated for a very long time.

Commissioner Cartwright asked that staff look at what fees are needed, what fees should be increased and why the fees are there.

Mayor Smith asked if the commission were to approve impact fees; how the fees would be adopted. Director Magee stated the fees could be adopted either by resolution or ordinance and at this time staff is looking at a resolution. Mayor Smith noted the commission received a list of proposed fees in the Parks & Recreation Department and asked if they would be subject to this analysis. Manager Alles noted if the commission were to approve any new fees, they too would become part of the data base for fees.

Staff has discussed the amount of research that will be required and noted an intern might be used to compile it. Commissioner Cartwright noted the fees need to be applied equitably and this information will be very useful.

Manager Alles summarized there is a lot of work to be done before the information is ready to be presented to the commission. He suggested it may be in the fall of 2011 when it comes back before the commission.

Community Development

Airport Board of Adjustment Appointment – Community Development Director Sharon Haugen reported Section 11-35-10 of the Helena City Code and §§67-6-206 and 76-2-321, MCA, require establishment of an Airport Board of Adjustment to hear appeals from the City-County Airport Board and to consider exceptions and variances to airport zoning regulations and the noise influence district. The Airport Board of Adjustment consists of five members with three appointed by the County Commission and two appointed by the City Commission.

There are currently no members on the Airport Board of Adjustment because historically it has not had any business to do. Now there is a request for a variance from the airport noise influence district and a board is needed to hear and consider the variance. The most efficient and expeditious way to establish this board is for the City to appoint two members of the City's Board of Adjustment to serve as members of the Airport Board of Adjustment and the County to appoint three members of the City's Board of Adjustment to serve on the Airport Board of Adjustment. Since city staff provides administrative support to both the Board of Adjustment and the Airport Board of Adjustment, the use of the same members to both boards would be optimal in preparing agendas and conducting hearings.

Director Haugen asked for commission concurrence on the proposal prior to staff bringing the appointments forward. There was commission concurrence on staff's recommendation. Director Haugen noted the current Board of Adjustment is aware of the proposal. Commissioner Cartwright stated he believes the Board of Adjustment members are willing to take on the additional work load. Director Haugen stated there has not been a proposal for approximately four years that the Airport Board of Adjustment would have considered. If there are no applications, the Airport Board of Adjustment would not need to meet.

6. Committee discussions

- a) ADA Compliance Committee, Audit Committee, Board of Health, Civic Center Board, Montana League of Cities and Towns – Mayor Smith reported the ADA Compliance Committee continues to meet; the Montana League of Cities and Towns Executive Director has been busy at the legislature and the cities have fared fairly well during this session.
- b) Audit Committee, Board of Adjustment, Non-Motorized Travel Advisory Committee, Intergovernmental Transit Committee – No report given.
- c) Helena Chamber of Commerce, Information & Technology Services (IT&S), Montana

Business Assistance Connection (MBAC), Pre-Release Screening Committee – No report given.

- d) Audit Committee, City-County Weed Board, Public Art Committee, TCC – No report given.
- e) BID/HPC, City-County Admin Building Board, City-County Parks Board, TCC – No report given.
- f) Helena Citizens Council – HCC representative Kris Goss reported the HCC will be voting on the consolidation of city boards at their April 27th meeting. A Memorandum of Understanding has been drafted for the HCC to consider. The HCC has also offered to do any follow-up work on the quiet zone the commission may want.

Commissioner Cartwright noted if the HCC has a proposal to take on additional duties, the commission is open to discussions.

Mayor Smith noted the quiet zone study is going to be put on the matrix; City Attorney Nielsen will continue to work with MRL to see if they have any planned maintenance projects on any of the identified crossings. There might be a possibility of the city and MRL working together on a joint project. Commissioner Elsaesser noted the city also needs to look at any scheduled capital projects on any of those streets included in the quiet zone.

Walkability Tour – Director Haugen reported the walkability tour is scheduled for May 26th. She outlined what community representatives will be included in the walking tour and she will get additional information out when available. Commissioner Cartwright noted he has been contacted by several interested persons wanting to be invited on the tour. Director Haugen stated the project contact person is putting together a list and the stakeholders of the area need to be included. Members of the ADA and NMTAC committees have been contacted and she will invite the HCC representatives at their April 27th meeting.

Commissioner Cartwright spoke on the federal agencies that will be involved in this walkability audit and the possibility of some federal funding for a project.

7. **Review of agenda for April 25th meeting** – No discussion held
8. **Public Comment** – No public comment received.
9. **Commission discussion and direction to City Manager** – No discussion held.
10. **Adjourn** – Meeting adjourned at 5:30 p.m.