

SUMMARY OF ADMINISTRATIVE MEETING
November 16, 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, Elsaesser and Thweatt were present. Staff present was: City Manager Ron Alles; Executive Assistant Clinda Feucht; City Attorney David Nielsen; Assistant City Attorney Thomas Jodion; Human Resource Director Rae Lynn Nielsen; Community Development Director Sharon Haugen; Planner Elroy Golemon; Planner Kathy Macefield; Administrative Services Director Tim Magee; Budget Manager Robert Ricker; Parks & Recreation Director Amy Teegarden; Administrative Assistant Carol Kirkland; Community Facilities Director Gery Carpenter; Police Captain Roger Johnson and City Clerk Debbie Havens. Others attending all or a portion of the meeting included: HCC Representative Chris Goss .

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

Police Chief Troy McGee introduced Captain Johnson and thanked him for his 23 years of service. Mayor Smith on behalf of the commission thanked Captain Johnson for his years with the Helena Police Department.

Captain Johnson thanked Chief McGee for the opportunity to serve on his command staff and spoke on his great experience with the Helena Police Department. Commissioner Cartwright thanked Captain Johnson. Commissioner Ellison noted he attended Captain Johnson's retirement luncheon where a room full of well wishers suggested the very high level of respect he enjoys both in the Police Department and from other law enforcement organizations around Helena. Commissioner Elsaesser also thanked Captain Johnson for his years of service. Commissioners Thweatt echoed the comments of the other commission members.

3. **Commission comments, questions –**

Commissioner Thweatt asked for an update on the deer count. Police Chief McGee stated the deer count has been completed; the Police Department will be meeting with the HCC tonight and will come to the next administrative meeting to present their recommendation to the commission. The next step would be to attend the Fish, Wildlife and Parks Commission meeting to get approval to move forward with the removal of more deer.

Upcoming Appointments – There are no appointments on the November 21 city commission meeting agenda. The deadline for applications for the BID/HPC; Historic Preservation Commission; NMTAC and the Public Art Committee is 4:00 p.m. November 22, 2011.

4. **City Manager's Report** – City Manager Alles reported for the time being, the city of Helena Fire Department will provide coverage to Fort Harrison. Due to the expiration of an agreement, they currently do not have fire protection.

5. **Department Discussions**

Parks and Recreation

Park Use Policies/Fees – Parks and Recreation Director Amy Teegarden reported city staff has developed a comprehensive framework for established park use fees and policies. The City-County Parks Board has been involved throughout the process. This effort was first driven by the need to establish fees and policies for commercial activities in city parks, because none existed. However, it quickly become evident there was a need and value in developing an overall framework for establishing "cost-recovery" principles and park use policies for all activities. One of the needs was to develop park use policies that allow for management consistency. While some park use policies exist, new ones were identified as necessary to address emerging issues and trends. Another important need was to provide a connection between the types of uses that occur and the fees that are charged in relation to the city's cost of providing the service and who benefits from the use or service. And lastly there is value in documenting all policies (new and existing) in one manageable format to ensure for consistency and public awareness.

After researching industry practices and standards, it was determined there is not a "cookbook" or standard approach for establishing park use fees and policies. City staff developed a framework unique to Helena by combining commonly used approaches that best represent Helena's park and recreation setting and organizational structure. This process has taken shape in the form of the attached draft document. This document is a work in progress that serves as:

- 1) Background information (Purpose, Guiding Principles and Methodology);
- 2) Departmental operational procedures and policies; and
- 3) A proposed schedule of fees for commission approval.

Following input by the commission, the draft document will be made available to the public for review and comment. Following public comments, staff will propose recommended fees to the commission to be acted on in a resolution sometime in January or February 2012, with the intent to implement in the spring of 2012.

Director Teegarden referred the commission to the draft City of Helena Parks & Recreation Department Park Use and Fee Policies that include the following Sections:

- Section 1 Purpose
- Section 2 Guiding Principles
- Section 3 Methodology
 - A. Community Benefit Analysis
 - B. Park Maintenance Levels and Costs
 - C. Comparative Rate Pricing: (sports Fields and Courts
 - D. Direct Costs Determination
- Section 4 Operational Policies
 - A. Administration
 - B. Use Policies
 - C. Fee Policies and Fee Structures
- Section 5 Fee Schedules Summary

Commissioner Elsaesser asked where in the benefit pyramid would senior swimming and youth lessons fall. Director Teegarden stated both the senior swimming and youth lessons would be Level Two and the methodology is explained in the document.

Mayor Smith thanked Director Teegarden for the presentation and the draft policy. He noted he has been interested for some time in developing additional revenue for the Parks & Recreation Department. One of his suggestions has been to implement a trailhead user fee and in the past that has not had a lot of support. Mayor Smith stated he believes the commission has a couple of options, either proceed with this document or find another way to generate additional revenue for the parks department.

Commissioner Cartwright referred to the swimming portion of the policy and asked by adopting this policy, does it mean the swimming rates would automatically be raised; he does not believe the revenue from the pool is paying 25% of the costs now. If the rates are not raised, how does that relate to the fee. Director Teegarden stated there is not a proposal to raise rates at the swimming pool; in fact what she is demonstrating is that the majority of the pool uses fall into Level Two; which shows the expectation of recovering only 25% of the costs. When there is a Level 4 or Level 5 use of the facility, then full cost recovery should be expected, for example a private birthday party. Additional discussion was held on what amount the pool is funded from the general fund.

Commissioner Cartwright spoke on when an increase in pool fees would be considered. Director Magee noted at this time, there is no recommendation to include the pool or golf fees into this policy. What is included is how to charge for specific uses. Commissioner Cartwright stated he would support moving forward in the development of the draft policy.

Commissioner Elsaesser asked if it were the swim team using the facility, the cost recovery would be different than general use. Director Teegarden concurred and explained the additional costs the city absorbs when various groups use the pool.

Commissioners Ellison and Elsaesser expressed interest at looking at the development a trailhead user fee.

Commissioner Ellison stated there is a lot to like in the draft policy and supports moving forward. He then asked Director Teegarden to explain to the commission if this policy were implemented, what impact would it have on the FY13 general fund budget. Director Teegarden stated she does not see additional general funds being needed for FY13; however, there will be development costs to implement the new policies. The additional costs would be attributed to staff time in developing those policies.

Mayor Smith asked if staff anticipates the same amount of general funds FY13 and with this policy would staff see a net increase going into the Parks Funds. Director Teegarden explained there would be a

minimum amount collected through parks reservation fees. She noted it is not necessarily the revenue, but the added knowledge of who is using the parks and at what level.

Administrative Services Director Magee noted it would be difficult to anticipate revenue when this is a new program. There is already a parks improvement fund where the revenue would be put. He then explained how the policy would generate additional revenues. The newly generated revenue would offset the need to put additional general fund dollars in the park improvement fund.

City Manager Alles stated with the implementation of the new policy, there will be additional revenues generated compared to the present situation. He acknowledged the work Director Teegarden has put into the draft policy and recommended moving forward.

Commissioner Thweatt stated he is impressed with the draft policy and he likes the revenue going into the parks revenue fund.

Commissioner Elsaesser stated he too likes the ideas within the draft policy; he is concerned that most reservations would not be charged and in the future the commission might want to implement a reservation fee. Director Teegarden noted everyone would pay the \$20 reservation fee; some would not pay the park user fees. She then spoke of language included in the policy where the City Manager could waive fees for specific events and uses.

City Attorney Nielsen noted the draft policy is the methodology on how to set fees; he noted he does not support the waiver of fees by the administration; any waiver should be approved by the legislative branch. The waiver process should be outlined in the resolution and be part of the rate structure.

Commissioner Elsaesser stated the commission wants more revenue in the Parks Department and more equity among the users. He spoke of tree maintenance and open lands assessment and how the additional revenue has funded specific services.

Mayor Smith noted there seems to commission concurrence to move forward with the draft policy and asked when this would be brought back before the commission. Director Teegarden noted with commission concurrence, she would initiate a public review process and bring it back before the commission in January/February 2012.

Commissioner Ellison asked if the commission implements this policy in January/February would it be in time for the budget. City Manager Alles stated yes. Commissioner Cartwright suggested extending public comment through the middle of January.

Commissioner Thweatt suggested staff contact the IR and prepare a press release informing the public of the proposal.

Golf Loan – City Manager Alles reported Resolution 11866, effective June 30, 2003, established an operating cash loan of \$250,000 at 4% interest from the General Fund to the Golf Course Fund. The Golf Course Fund made two scheduled debt payments. The six scheduled payments from 2006 through 2011 were indefinitely deferred by the city commission as part of their annual budget decisions. City records show a \$236,000 outstanding principal balance still due to the General Fund.

Manager Alles spoke on how staff has improved the operations and noted it is now operating in the black and he fully supports the forgiveness of the loan.

The loan resolution included the following statement:

WHEREAS, the Golf Course is required to be fully self-funded for cash flow, maintenance, operations and a long-term capital program.

Since 2003 the Golf Course has established and maintained itself as a self-funded operation. Staff has developed a viable Comprehensive Capital Improvement Program (CCIP). However, in order to realistically maintain operations and fund the CCIP it is not feasible to repay the outstanding General Fund loan.

In recognition of having achieved a fully self-funded operation and to fully realize a viable long-term capital program, staff recommends that the commission write off the Golf Course operating cash loan from the General Fund, including related interest.

Administrative Services Director Tim Magee summarized if the loan is not forgiven, the result would be a competition for funding between the loan and the CCIP. He noted the decision on funding a new irrigation system will need to be made in the near future.

The forgiveness of the loan is on the November 21, 2011 city commission agenda for consideration.

Commissioner Elsaesser asked for clarification on the comment on the loss of revenue per day when an event was being held. City Manager Alles noted golf revenues are not collected if a special event is being held and not paying a reasonable fee to use the golf course.

Commissioner Elsaesser recognized that when statewide events are held, it does bring revenues to the city. Commissioner Ellison asked if there is an event at the golf course and there are no golf revenues collected that day, is there a charge for the event. Manager Alles noted there is a modest fee charged; however, nothing compared to the revenue loss. He also acknowledged that statewide events are an economic boost to local businesses; however, he would suggest that it is not a boost to the golf course operation and their budget should not subsidize the event.

Commissioner Thweatt asked for clarification on not funding the CCIP if the loan was paid off at the current fee schedule. Manager Alles concurred with Director Magee's comments that the loan repayment and the funding the CCIP would compete for the same monies.

Commissioner Cartwright stated he is surprised that this request would come up now and not waiting until the budget discussions. He noted there are always trade-offs during the budget discussions with the commission. Manager Alles stated he believes it is an appropriate time to discuss this as the golf fees are on the November 21, 2011 commission meeting agenda.

Commissioner Elsaesser stated he would be interested in seeing some of the documentation from the past decision on the intent to forgive the loan. He asked if the golf course uses city water or well water. Director Teegarden stated the golf course is on well water for irrigation and potable for all other uses.

Mayor Smith asked for an update on an infrastructure loan for the Great Northern. Director Magee explained instead of using TIF funding for the infrastructure in the Great Northern, a loan in the amount of \$880,000 was given to the property owner who then paid for all of the improvements. At this time the loan has been re-structured with the next payment being due in 2025. The loan and interest are currently being deferred. The loan is secured by real property in the Great Northern Town Center.

Commissioner Cartwright stated a loan was forgiven on the Chamber of Commerce building. Community Facilities Director Gery Carpenter clarified a loan was not forgiven, the city actually took ownership of the building.

Commissioner Ellison asked if there is a precedent for writing off a loan to a city department. Director Magee stated there is no precedent; however, in the past the city allowed for deficit budgeting and the loan is the result of not allowing the deficit budgeting.

Commissioner Ellison asked if the loan is forgiven, would it be fair to say the golf course would operate as an enterprise fund without support from the general fund and would there be sufficient funds for the CCIP to purchase the irrigation system. City Manager Alles stated yes the golf course would be an enterprise fund and with the forgiveness of the loan, the funds would be available to fund the CCIP and ultimately purchase the irrigation system.

Parks & Recreation Director Teegarden noted the irrigation system has reached its life span and without a reliable irrigation system, you will not have a good golf course. Administrative Services Director Magee noted the forgiveness of the loan would not have an impact on the city's cash flow.

Commissioner Elsaesser asked if the loan for the irrigation system would use some of the funding capacity for INTERCAP loans. Director Magee explained the irrigation system would be funded through a revenue bond basis, the same as a water or sewer bond.

Commissioner Thweatt noted this item is on the consent agenda and the resolution of intention to set golf fees is a regular item. City Manager Alles noted the two actions are not related. He noted the golf course will pay for itself in the future. He then gave a summary of how the original loan was established and again noted it is his recommendation to approve the forgiveness of the loan.

Commissioner Cartwright stated he will request that this item be moved off the consent agenda for additional discussion.

Community Development

Zoning Update – Parking and Landscaping – Community Development Director Sharon Haugen introduced Planners Kathy Macefield and Elroy Golemon. Planner Macefield referred the commission to the ordinances, which were attached to her memo, as an Amendment to Title 11, the City of Helena Zoning Ordinance.

Repealing Chapter 22, Off-street Loading and Parking and establishing a new Off-street Parking chapter; and

Repealing Chapter 24, Landscaping and establishing a new Landscaping chapter.

On November 8, 2011 the Zoning Commission unanimously recommended approval for both ordinances after holding a public hearing and subsequent discussion.

The proposed ordinances would amend the parking and landscaping requirements for land uses throughout the city. The following changes have been incorporated in the draft ordinances:

Parking

The existing requirements for bicycle parking would continue with the current proposal. With the proposed parking ordinance:

- Off-street loading requirements (which no longer appear to be pertinent) would be deleted
- Off-street parking requirements correspond to the land use table of Chapter 2 of the zoning Ordinance. The proposal also updates some of the parking standards to be more reflective of the more current ITE Parking Generation 3rd Edition (2004) standards.
- The limitation on the maximum number of off-street parking spaces is deleted. The limitation was originally enacted due to functional and appearance concerns related to larger parking areas.

The proposed landscaping ordinance provides a mechanism to address some of those earlier concerns.

- Landscaping and screening requirements are deleted from the parking chapter and incorporated into the landscaping chapter.
- Parking space reductions and ADA accessible parking requirements are clarified.

Landscaping

With the proposed landscaping ordinance:

- Landscaping requirements would apply to tracts in all zoning districts and to all uses except for tracts with only a single residential dwelling unit, two residential dwelling units, three residential dwelling units, or mobile home or recreational vehicle parks.
- Required general landscaping is addressed.
- Landscaping and screening requirements are addressed for parking lots.
- New landscaping area standards are included.
- Revises when nonconforming landscaping must be brought to current standards.

Planner Golemon showed the commission examples on how the amendments would affect commercial parking lots; the ultimate goal is to make the ordinance easier to read.

Director Haugen summarized the goals for the amendments were to make it easier to administer , lessen the amount of landscaping and increase the number of trees. The parking ordinance amendments would reduce the number of required parking spaces for multi-family units versus single and there was testimony to reduce spaces for elderly housing.

Commissioner Thweatt asked if there is any improvement for screening between commercial and residential uses. Planner Macefield referenced the draft ordinance and the new language. The proposed language re-works the current language and expands on how it is interpreted. Commissioner Cartwright asked if the new language includes language on landscaping maintenance. Planner Golemon stated the

proposed ordinance includes language that clarifies landscaping maintenance. Commissioner Cartwright stated when the ordinance is brought forward; he will want to discuss the residential parking requirements. Community Development Director Haugen stated when preparing the amendments, staff used the ITE standards and not Helena specific car ownership patterns.

Commissioner Cartwright spoke on the clarification of conditional use requirements for licensed premises and stated he believes the proposal from City Attorney Nielsen will work out well.

City Manager Alles suggested that the commission review the proposed ordinances and staff will be prepared to bring it back to the next administrative meeting.

6. Committee discussions

- a) ADA Compliance Committee, Audit Committee, Board of Health, Civic Center Board, Montana League of Cities and Towns – No report given.
- 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 Chris Goss reported the HCC meeting will be held later this evening and will discuss staff's report on the deer count and the integration of city boards.

7. Review of agenda for November 21, 2011 City Commission meeting – No discussion held.

8. Public Comment – No discussion held.

9. Commission discussion and direction to City Manager – No discussion or direction given.

10. Adjourn – Meeting adjourned at 6:00 p.m.