

SUMMARY OF ADMINISTRATIVE MEETING
November 30, 2011, 4:00 p.m.
Room 326, City County Building – 316 N. Park Avenue, Helena

1. Call to order, introductions, opening comments – Commissioner Thweatt called the meeting to order. Commissioners Ellison and Elsaesser were present. Mayor Smith and Commissioner Cartwright were excused. Staff present was: City Manager Ron Alles; Assistant City Attorney Thomas Jodion; Community Development Director Sharon Haugen; Planner Elroy Golemon; Planner Kathy Macefield; Police Chief Troy McGee; Assistant Public Works Director Phil Hauck and City Clerk Debbie Havens.

Others attending all or a portion of the meeting included: HCC Representative Janet Hess-Herbert, IR Reporter Piper Haugan and Jenny Sika with Fish, Wildlife and Parks.

2. **November 16, 2011 Administrative Meeting Summary** – The November 16, 2011 administrative summary was approved as submitted.

3. **Commission comments, questions –**

Upcoming Appointments – There are no appointments on the December 5th city commission meeting agenda. Mayor Smith will make his recommendation for appointments to the BID/HPC; NMTAC and the Public Art Committee. These appointments will be on the December 19th city commission meeting agenda.

4. **City Manager's Report** – City Manager Alles reported city was successful in receiving funding for the purchase of the SWAT vehicle; it will go out to bid in the next month or so.

City Manager reported staff has developed a sign to post alerting drivers of the distracted driving ordinance that hand held cell phone use is prohibited within the city limits. Assistant Public Works Director Phil Hauck showed the commission the sign staff is recommending. City Manager Alles stated that MDT is looking at a universal sign to use throughout the state. Staff is prepared to post between 24 -30 signs throughout the city alerting the citizens. The police department will enforce the ordinance and to begin with will issue warning tickets; however, eventually citations will be issued.

Commissioners Thweatt and Ellison both complimented the design of the sign. Police Chief McGee stated the Police Department is having bumper stickers made that will be placed on all police vehicles and many of the city owned vehicles. He also stated the School Resource Officers are working to educate the high school students and signs will be posted near the high schools.

5. **Department Discussions**

Community Development

Zoning Update – Parking and Landscaping – City Manager Alles reported the city commission initially discussed the proposed Parking and Landscaping ordinances at the November 16th administrative meeting. At that time, it was suggested that a comparison of the current and proposed ordinances be presented in a table format. Community Development Director Sharon Haugen introduced Planner Kathy Macefield and Elroy Golemon who are present to answer any questions. In addition staff is asking if the commission would like an additional work session or go straight to the December 19th city commission meeting.

Commissioner Elsaesser referenced an email from Commissioner Cartwright asking specific questions on what standards were used to develop the recommendation. Director Haugen explained staff used a combination of the third revision of the ITE Standards, definitions that are not in the ITE standards and finally staff looked at what other jurisdictions are doing.

Commissioner Elsaesser asked when the ordinance would be required. Director Haugen stated it would be applied with a new building or a change in use. Commissioner Elsaesser asked if the reductions being proposed in parking requirements is new language. Planner Macefield noted the current ordinance has reductions and outlined the specifics; the new language has some minor changes and new language on multi-family residential. Commissioner Elsaesser asked how the on-street parking requirements would affect the residential parking districts. Planner Macefield noted there is already an exception to the requirement if you have parking in a parking district. Director Haugen stated staff has not encountered that situation; however, if there were to occur, staff would take the on-street parking into consideration.

Commissioner Thweatt stated he has visited with Holly Lund and she has provided information on the Green Book guidelines that staff may want to review. Commissioner Thweatt stated he would like to see the commission be careful on the amount of off-street parking being required. The ITE standards may not be the best standards to use for the city of Helena. Commissioner Thweatt stated he would like to hold another work session on these two proposed ordinances.

Commissioner Ellison concurred that another work session is warranted. He then asked for clarification on the off-street parking requirements in the current ordinance versus the proposed language; it seems the new language would increase the off-street parking requirements. Planner Macefield explained how staff interpreted the ITE standards and how they refer to urban and rural; staff then determined how those standards fit the needs for the city. Ms. Macefield clarified the language Commissioner Ellison referenced and noted the new language addresses elderly housing; which is not in the current ordinance. The new language was recommended by RMDC to address the senior/elderly parking requirements. The one in three units was used; however, the new language fits the elderly housing.

Commissioner Elsaesser referenced the language requiring 19.7 spots per 1000 square feet for specialty foods and asked if that is where a tasting room would be categorized. Director Haugen gave examples of where the 19.7 spots would be required, to include a tasting room and bakeries. Commissioner Elsaesser stated he too would support an additional work session to discuss both the parking and landscaping ordinances.

City Manager Alles suggested the commission hold a special work session in the next week or so; staff has tentatively scheduled first passage of these two ordinances for December 19th. Manager Alles noted staff will advertise for the public hearings and the commission could always offer amendments at the public hearing.

Planner Golemon reviewed the current landscaping requirements versus the proposed new language and showed the changes that would be required.

Commissioner Thweatt referred to staff's examples and spoke of the formula being proposed. He then asked if there is an economic incentive to create more paved areas to avoid the installation of additional landscaping. Director Haugen explained the new language would not encourage more paving due to the fact if there is more paving, the landscaping requirement would increase. The new language also includes 60% of the landscaping has to be live vegetation. Staff believes the new language would make it easier to calculate the landscaping requirements for both the property owner and city staff.

Commissioner Thweatt commented on the new language and the importance of having the landscaping installed. Director Haugen spoke of the new language and noted maintenance language for landscaping is also included in the proposed ordinance. This is a new concept and staff has been working with the city attorney's office and the Zoning Commission to make the new requirements work.

City Attorney Jodion noted if there is additional pavement, the property owner would also be subject to additional stormwater assessments. Commissioner Thweatt asked if the landscaping provides for snow storage. Director Haugen noted snow removal is not included in the ordinance; however, she personally has witnessed businesses using landscaping for snow storage. Commissioner Thweatt suggested it would be a good alternative for the landscaping to be used as snow storage.

Commissioner Ellison stated his interest is the 30 sq feet of landscaping per parking space and asked what the standard size of a parking space is. Planner Golemon stated the standard parking spot is 180 sq feet; the percentage is equivalent to 16.6% for that space. Commissioner Ellison asked if the 30 square feet of landscaping per parking space is in the current ordinance or is it new language. Planner Golemon stated it is a change the current language requires 15% of the paved parking area to be landscaped. The new language is a fixed number to be tied to each space.

Commissioner Elsaesser asked how the proposed ordinance would compare to Bozeman's landscaping ordinance. Assistant City Attorney Thomas Jodion stated he believes it would be very difficult to compare Helena's ordinance to Bozeman due to the formulas that are included in their requirements. The proposed language would be better compared to Butte, Missoula and Billings. Commissioner Elsaesser asked if fake plants are prohibited. Director Haugen stated the current ordinance allows for ornaments, which would allow for artificial plants. Commissioner Elsaesser asked if any consideration that art work could be installed in lieu of landscaping. Planner Elroy Golemon noted the common spaces have been taken out of the landscaping requirements and those areas would be where artwork would be placed. Director Haugen stated the intent of the landscaping ordinance does not include art work. Commissioner Elsaesser asked with the use of river rock does it allow for natural run off. Planner Golemon stated yes.

Commissioner Thweatt asked if Lowe's landscaping would be in compliance if the proposed ordinance is approved. Director Haugen noted without having the plan in front of her, she could not answer; however, she is certain there would be additional trees required and some additional landscaping.

Commissioner Ellison asked if there would the new language be applied retroactivity. Assistant City Attorney Jodion stated no, unless the business expands or changes uses.

Commissioner Thweatt commented planning staff has made improvements to the landscaping ordinance over the years. Commissioner Elsaesser stated one concern is the requirement for additional irrigation. He referenced the Straw House Market and asked how that landscaping and parking would fit into the new ordinance. He asked that staff provide the answers at the work session.

Discussion was held on what is expected to be discussed at the work session and if the ordinance is advertised for public hearing, at what point can it be amended. City Manager Alles recommended the commission would make no formal decisions at the work session; however, could offer amendments to the ordinance at the December 19th city commission meeting.

Subdivision Regulations and Update/Process – Community Development Director Sharon Haugen reported the Planning Board met on Tuesday, November 29th and adopted the proposed subdivision regulations. Staff will schedule one or two community meetings to accept comment and bring it back to the commission in January/February.

One point of discussion has been the 76 foot right-of-way; which was included to accommodate complete streets. Other comments have been received on block length and mid-block crossings. Many of the design standards that are currently in the subdivision regulations will be moved to the engineering design standards.

Commissioner Thweatt asked what the current right of way requirement for subdivisions. Director Haugen stated the current right-of-way is based on what type of street it is, i.e. collector, arterial, minor or local. She clarified the 76-foot right of way, as drafted, would apply to all classification of streets. City Manager Alles stated he would recommend additional work be done to clear up the language for both staff and developers to get what type of features/language should be included in the subdivision regulations.

Commissioner Thweatt asked if the arterial streets are located prior to development. Director Haugen noted the arterials are identified in the Helena Area Transportation Plan and gave the example of streets located in the Mountain View Meadows Subdivision. Commissioner Thweatt suggested it would be good planning to identify the arterials and plan around them. Director Haugen noted the type of streets is not identified in the subdivision regulations; however, they are identified in the transportation plan.

Police Department

Annual Deer Count and Recommendations for Reduction in Numbers – City Manager Alles introduced Jenny Sika with Fish, Wildlife and Parks (FWP) who has been working on the city's deer population for the last several years. The current recommendation is 25 deer per square mile; however, the numbers in certain parts of the city exceed that number; specifically the south side of Helena. Manager Alles stated the recommendation is to cull 175 deer to begin with and the number may need to be increased up to 200. With this recommendation it would bring the deer count closer to the recommendation of 25 deer per square mile. Manager Alles stated there may be a shortage in the budget to pay for the culling of the deer; however, he would recommend moving forward and use contingency funds if necessary.

The FWP Commission meets in early December and with commission concurrence, staff will take that recommendation to the commission. Ms. Sika, noted there is between 27 to 30 deer per square mile and therefore the recommendation is to cull the 175 deer. She noted the difference between the two years can be contributed to the lack of culling of does. This will be the fourth year completing the survey and the fourth year of culling deer within the city limit. Ms. Sika stated it is difficult to estimate the number of deer from year to year that will need to be culled. City Manager Alles stated Anne Wackman with Food Share has called to say they are happy to receive the meat to assist people in need.

There was commission concurrence to have City Manager Alles attend the FW&P Commission meeting and recommend the 175 number for culling of the deer and up to 200 if necessary.

Commissioner Thweatt asked what the annual cost is for the culling of deer. City Manager Alles reported in the years past, \$30,000 had been budgeted and \$15,000 was budgeted for FY 2012. However, with the increase in the number of deer being recommended, contingency funds may have to be used to cover the entire costs.

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 Janet Hess-Herbert reported at the November meeting the deer recommendation was presented and work is still being done on the city board integration. HCC monthly segments on Helena Civic Television have started again; she asked for topic suggestions from the commission. The HCC elections went well and hopefully all 28 slots will be filled.

- 7. Review of agenda for December 5, 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 5:30 p.m.**