

**SUMMARY OF ADMINISTRATIVE MEETING**  
**January 25, 2012 - 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 Ellison, Elsaesser, Haque-Hausrath and Thweatt were present. Staff present was: City Manager Ron Alles; Executive Assistant Clinda Feucht; City Attorney Thomas Jodoin; Community Development Director Sharon Haugen; Police Chief Troy McGee; Fire Chief JR Feucht; Human Resource Director Rae Lynn Nielsen; Parks & Recreation Director Amy Teegarden; Recreation Manager Debbie McLarnon; Public Works Director John Rundquist; Administrative Services Director Tim Magee; City Controller Glenn Jorgenson; IT&S Director Art Pembroke and City Clerk Debbie Havens.

Others attending all or a portion of the meeting included: HCC Representative Ellen Bell and IR Reporter Piper Haugan.

2. **January 4, 2012 Administrative Meeting Summary** – The January 4, 2012 administrative summary was approved as submitted.

3. **Commission comments, questions** – Commissioner Elsaesser asked if there was any interest in attending the Chamber of Commerce Annual Banquet on Thursday, February 2<sup>nd</sup>. City Clerk Havens will send a reminder to the commission on the banquet.

Commissioner Thweatt asked if the city has a policy on where the snow is deposited when plowed. He would prefer to keep the snow in the street and not on the sidewalk. City Manager Alles gave an overview on how the street department has been working to keep the streets clean. He also mentioned the community service program is available to those who may not be able to shovel their own sidewalks. In addition, there is a floater snow plow operator that handles individual complaints. Manager Alles stated he does not believe citations have been issued for those homeowners where snow has been plowed up onto their sidewalk. It is not the policy to plow the snow onto the sidewalks; unfortunately, it happens in this type of storm. Manager Alles offered the commission the opportunity to ride along with a snow plow driver.

Commissioner Haque-Hausrath complimented the snow plow drivers. She would like to see a policy where sidewalks are not obstructed. Mayor Smith stated he shares the concern; however, there isn't a set solution. Director Rundquist noted there is more of a problem with curb-side sidewalks than the boulevard sidewalks.

Commissioner Elsaesser also thanked staff for the work they have done during this snow storm. He then asked if there is an ordinance that addresses parking on snow routes. Public Works Director Rundquist noted vehicles should be moved from the snow routes to allow for plowing. The policy has not been enforced up to now; staff tries to work with the residents.

Commissioner Elsaesser referenced an IR article on the picnic facility at Centennial Park and asked if the funding source is from the bonds; he also asked for clarification on where the basketball courts will be located in Centennial Park. Director Teegarden responded on the article in Sunday's, January 22<sup>nd</sup> Independent Record and noted her objective for the article was to solicit involvement from the community who have an interest in the design and development of various amenities to include the dog park, climbing wall, playground and other included in Phase II. The remaining bond funding will be leveraged against other funds to complete some of the amenities, there is \$35,000 identified; however, there may be additional funding through costs savings. The exact location of the basketball courts and playground has not been identified.

Additional discussion was held on the funding for the amenities that have been identified and the necessity for additional funding from the interested community groups. Director Teegarden stated she would have an update for the commission on Phase II at an upcoming administrative meeting.

**Upcoming Appointments** – Mayor Smith is recommending the following appointments:

**Building Board of Appeals**

Appointment of Marty Schuma to the Building Board of Appeals as the contractor representative. Term will begin upon appointment and expire December 31, 2016.

**Transportation Coordinating Committee**

Appointment of Melinda Barnes as the voting member to the Transportation Coordinating Committee (TCC). Term will begin upon appointment and expire December 31, 2013.

The 2012 city commission board appointments are also on the January 30<sup>th</sup> city commission meeting agenda.

#### **4. City Manager's Report**

City Manager Alles thanked the commission members who traveled to Livingston to the commission training. Mayor Smith stated he thought the seminar was interesting and covered issues applicable to the City Manager and Commission. Commissioner Ellison stated he appreciated the overview of MMIA and the liability review. Commissioner Elsaesser stated he too thought it was a good seminar.

MMIA Board member and Administrative Services Director Magee spoke of the operation and mission of MMIA. Mayor Smith noted there is a Mayor's Academy being held in March and asked for additional information on the training.

#### **5. Department Discussions** **Administrative Services**

**City E-Government and Customer Credit Card Service** – Administrative Services Director Magee reported the city currently accepts credit cards at three city locations; Golf Course, Civic Center and Utility Customer Service (UCS). The Parking Commission also accepts credit cards. The Golf Course, Civic Center and Parking Commission use the same credit card processor, while UCS uses a web service administered by a State of Montana vendor. Director Magee reviewed the general information based on a sample of a couple of month's bills for each location where credit cards are used.

City departments currently contemplating taking credit cards are: Administrative Services – business licenses; Parks – administration and the pool; Community Development – building permits and miscellaneous charges.

City Manager Alles noted he wanted the commission to be aware of the fees associated with using a credit card for city services. He suggested the city absorb the cost of using a credit card and not pass it along to the customers. He believes it is important to encourage citizens to use e-government options. In addition, there is a cost savings in staff time when an electronic transaction is used.

Commissioner Ellison asked if in the future, he could get on line, sign up for a dog license, pay for it and then receive it. City Manager Alles answered that is correct. Commissioner Ellison stated he likes the idea of providing these services. Mayor Smith commented staff needs to be aware of fraudulent use with credit cards. Manager Alles stated he is confident the city has policies and procedures in place to prevent any misuse.

Commissioner Elsaesser asked if electronic checks are also accepted. Administrative Services Director Magee noted the city already uses the electronic bill paying options.

There was commission concurrence with Manager Alles' recommendation the city absorbs the credit card processing fees and not pass it along to the citizens.

Commissioner Haque-Hausrath asked if those costs would be identified in the individual department budgets. Manager Alles stated yes, the fees would be identified as an expense in the budget.

#### **Information, Technology & Services**

**HTE "One-Solution" timeline** – IT&S Director Art Pembroke reviewed the timeline on when the commission can anticipate the implementation of One-Solution.

Sun Guard is moving the existing systems to the next generation; payroll, finance, community development and utility billing are the divisions that will be involved. IT is getting ready to move into a web based system with Community Development for both the city and county that will be the first departments to use it. The timeline is very fluid and allows up to five years to complete the entire project. Sun Guard is anticipating 12 to 18 months for complete implementation.

Director Pembroke explained how the new system will work and provide the Gov-Now which will give citizen access portal to allow e-government services. The city is using third party credit card processing; the city and county employees will not take personal information and store it.

Staff will continue to give the commission periodic updates; after Community Development the second phase will include Finance and Human Resources. The third phase includes a Citizen Request Management (CRM) also known as a 3-1-1 component, which allows citizens to request/report a specific service.

The last phase will be utility billing where citizens will be able to pay their bills online and check their water usage.

Commissioner Elsaesser asked if there would be upgrades periodically after the initial five years. Director Pembroke stated the city-county is locked into a set fee for the first five years; after that time there will be annual upgrades and fee increases for support.

### **Parks & Recreation**

**Park Use Policies/Fees and Pool Fees** – Parks & Recreation Director Amy Teegarden reported at the November 16, 2011 administrative meeting a presentation was given summarizing the framework and recommendations. Following that meeting a public comment period was initiated from November 29, 2011 to January 7, 2012. Efforts to encourage public comments included a news release and a follow-up newspaper article in the Helena Independent Record, posting the draft document to the city webpage, and an open house on January 5, 2012. No comments from the public were received. As a result, only a few grammatical and formatting changes have been made to the draft document the commission received in November 2011.

Over the course of the last 12-months, city staff has developed a comprehensive framework for establishing park use fees and policies. The City-County Park's 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 became 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 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. The document is a work in progress that serves as:

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

Director Teegarden reviewed the City of Helena Parks & Recreation Department, Park and Fee Policies. She noted in February 2012, she will be bringing forward a resolution adopting fees for many of the park uses. Following the passage of the fee resolution, staff would move forward with the implementation and public education portion of the recommendation. The first year, will be a learning year for staff and the recommendation is to bring this back next year for further discussion. The fee resolution would not include splash-park or golf course fees.

Commissioner Elsaesser asked if "courts" include basketball and tennis and if the budget for the splash-park includes all annual maintenance costs. Director Teegarden responded yes to both questions. He then asked if the city provides tennis lessons. The city does provide tennis lessons; however, those fees have never been formally adopted by resolution.

Commissioner Elsaesser asked Director Teegarden to comment on the BID doing projects in lieu of fees. Director Teegarden reported she had met with BID Director Jim McHugh to discuss the recommended fees and during that meeting they reached consensus that a lot of the profit made from different BID events goes back into the beautification of downtown Helena. The BID has also done improvements to the parks they

use for their events. The BID on an annual basis will submit an operating plan and schedule of events for the year.

Commissioner Elsaesser asked if the Farmers Market is in their normal area would they also pay park reservation fee. Director Teegarden noted the Farmers Market organization would not pay a reservation fee; however, if a business is not affiliated with Farmers Market then that business would have to pay a park reservation fee. Commission Elsaesser stated he looks forward to adopting the recommendation.

Commissioner Ellison stated he too believes this document is very useful and he will support moving forward. Commissioner Ellison concurred with the recommendation if a business is not affiliated with Farmers Market, they should pay the park reservation fee. He then noted the parks maintenance division does an excellent job and he would anticipate requests for additional staff and there needs to be a way to pay.

Commissioner Haque-Hausrath thanked staff for the report. She then noted community gardens are listed as Level 3 and she believes community gardens have a strong link to food security for low income folks and there is some argument they have a greater public benefit. She asked if there is a way for the fee to be waived for low income individuals who want a community garden plot. City Manager Alles recognized the need for low income individuals to have community garden plots; however, there are set costs that need to be covered by those benefitting from the garden plots. City staff and several organizations have spent the last couple of years working on agreement language. Director Teegarden recognized the food security benefit for the low income. At this time, there are no plots available at any of the city owned community gardens and there is a waiting list. There are three city community gardens and other organizations have community gardens who are affiliated with Food Share and other low income. Commissioner Haque-Hausrath asked if consideration has been given to charging a higher cost for the plots and then giving a waiver to the low income. Director Teegarden stated that suggestion has not been discussed at this time; she believes the community organizations are very aware of the need. City staff will continue to improve the community gardens program.

Commissioner Thweatt noted he has seen this presentation several times as the representative on the Parks Board and he believes it is very fair and thanked staff for their work.

Mayor Smith asked if the City-County Parks Boards has endorsed the proposal. Director Teegarden stated the Parks Board has been involved from the beginning and at this time, they support the document.

Mayor Smith stated he is very impressed with the document and asked if some of the language would be included in the resolution of intention and ultimately the resolution. Director Teegarden stated she is working with legal to get the verbiage correct for the resolutions. City Attorney Jodoin noted this fee resolution is very unique. With resolutions, you want to decrease the discretion; very clear language needs to be included in the resolution.

Director Teegarden emphasized this document will be used for those calling to make reservations; staff is not going to be policing the parks to make sure people make reservations.

Commissioner Elsaesser stated he has visited with some of the growing community members who were involved in the former WEEL organization and there is interest in continuing to work with city staff regarding community gardens. He suggested the topic of community gardens be discussed at an upcoming city-county joint work session.

Director Teegarden explained community gardens are identified as Level 3; however, there is a separate fee resolution for community gardens. Staff currently is discussing the possibility of rescinding the original resolution and including community gardens in the fee resolution discussed today.

**Fee & Program Changes at Last Chance Splash Waterpark & Pool** – Park & Recreation Director Amy Teegarden reported in August 2011, the Last Chance Splash Waterpark and Pool completed its third season of operation as Helena's expanded pool and waterpark. Every year city staff evaluates areas where improvements in operations, programs and customer service can be made. Staff provided the commission a copy of the recreation report.

City staff will bring forth a resolution of intention to restructure fees and expand programming for the pool and waterpark. There are no recommendations to increase fees, rather only to restructure how fees are charged and establish fees for new programs.

Recommended changes:

1. Swim Lesson Times/Costs:
  - Restructure evening swim lesson times to be held Monday-Thursday for 40/55 minutes instead of Monday-Friday for 30 and 45 minutes. No change in fee.
2. Open Swim Entrance Fees: Currently general swim fees are based on height (under 48 inches tall is \$3.00 and over 48 inches is \$4.00)
  - Instead base open swim entrance fees on age. (age 0-3 free; age 4-12 \$3.00 and age 13 and older \$4.00)
3. Establish fees for new programs: Based on customer requests and feedback several new classes and programs will be offered. These new programs will create additional revenue and increase facility utilization.
  - Swim Camp
  - Advanced Swim Camp
  - Specialty Lessons (i.e. .Boy Scouts aqua knot badge)
  - Swim League
4. Lightning Policy: By state law when lightning is heard or observed, the pool must be closed for 60 minutes from the last detection of lightning. This happens frequently in Helena, and the policy is well signed and communicated by staff. The current lightning policy does not allow refunds or rain checks. In an effort to recognize the negative impact this can have on customer experience, staff recommends the ability to issue "safety vouchers" that offer patrons \$1.00 of their next visit. The "safety voucher" reinforces the safety reasons for closing the facility during unsafe weather or other health code closures and hopefully provides some customer satisfaction. No entrance refunds or rain checks would be issued.

There are no recommended changes for water activities fees (lap swim, water aerobics, etc.) Punch cards and season passes will remain the same prices based on age level structure.

Director Teegarden gave an overview on the recommended changes, specifically on the open swim fees and the change from height to age. There are still issues with the green slide and there were a number of incidents where kids hit their heads. There was an administrative change to require anyone using the slide be 60" in height. Since that change there has only been one incident.

General discussion was held on the recommendation to change the requirement to use the green slide to 60" and not 48". Director Teegarden noted in most cases if an individual has reached 60" in height they are older and are more mature. There is a monitor at the entrance of the slide that will make sure the height requirement is met, regardless of age.

Commissioner Elsaesser asked if there were any days where max capacity was reached. Director Teegarden stated no. The median average temperature high was 82 degrees.

Commissioner Thweatt asked what the liability is for kids hitting their heads on the green slide. Director Teegarden stated staff follows strict protocol when someone hits their head on the slide. The injuries that have occurred have not been serious; however, once head trauma has been identified, the life guards have to follow protocol and call for first responders.

Commissioner Thweatt re-directed his question to City Manager Alles; who stated there is a certain degree of liability at the swimming pool; staff is doing everything possible to limit the risk of injury. The slide engineer and slide manufacturer both visited the slide and it is not a defective slide.

Commissioner Elsaesser referred to the expenditures in 2010 and the increase 2011. He then asked what changed in state code that required additional staff. Director Teegarden and Recreation Program Manager Debbie McLarnon explained the change in state code requires life guards are on duty during swimming lessons, which increased staffing levels. Commissioner Elsaesser asked if the city has to provide the life guards. The swim team provides some life guards, other than that it is city staff.

**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, Mental Health Advisory Board – No report given.
- f) Helena Citizens Council – HCC representative Ellen Bell reported the HCC January meeting is scheduled for tonight. This will be the first meeting for the newly elected HCC members and officer elections will be held. Each HCC member has been asked to bring three issues from their neighborhoods. Ms. Bell thanked Mayor Smith and Commissioners Elsaesser and Ellison for attending the potluck. Commissioner Elsaesser commented on the potluck and the interaction of the group and thanked the HCC for the invitation.

Commissioner Haque-Hausrath stated she attended the Public Art Committee meeting, the members of the PAC after the recent vandalism and the painting of the swastika on the recently completed mural, have requested the city make a statement that Helena does not tolerate “hate crimes”. Mayor Smith asked City Manager Alles for his comments on the proposal. Manager Alles noted sometimes if the discussion is elevated, then there is potential for additional activity. Commissioner Haque-Hausrath noted a statement that Helena is an open and tolerant place would be sufficient.

Mayor Smith suggested that Commissioner Haque-Hausrath make a statement at the January 30<sup>th</sup> city commission meeting. Police Chief McGee noted a “swastika” symbol is not illegal; painting on someone else’s property is illegal. Commissioner Elsaesser suggested a proclamation might be in order.

**7. Review of agenda for January 30, 2012 City Commission meeting – No discussion held.**

**8. Public Comment – No discussion held.**

**9. Commission discussion and direction to City Manager –** Commissioner Thweatt asked what process will be used to bring forward the landscaping and parking ordinances. He has been working on amendments and will finalize those soon. City Manager Alles stated the final passage for the landscaping ordinance and first passage of the parking ordinance is scheduled for February 13<sup>th</sup>.

After first passage of the landscaping ordinance, staff contacted Mike Hiel and Ric Casteel and asked them for their comments. Those comments have been shared with the commission.

There was commission concurrence to put both ordinances on the February 8<sup>th</sup> administrative agenda for discussion. Mayor Smith asked that the commission have any amendment finalized and ready to present at the administrative meeting.

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