

**SUMMARY OF ADMINISTRATIVE MEETING**  
**April 18, 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, Haque-Hausrath and Thweatt were present. Commissioner Elsaesser was excused. Staff present was: City Manager Ron Alles; Executive Assistant Clinda Feucht; City Attorney Thomas Jodoin; Community Development Director Sharon Haugen; Public Works Director John Rundquist; Assistant Public Works Director Phil Hauck; Police Chief Troy McGee; Administrative Services Director Tim Magee; Budget Manager Robert Ricker; Parks and Recreation Director Amy Teegarden and City Clerk Debbie Havens.

Others attending all or a portion of the meeting included HCC Representative Mary DuVernay.

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

3. **Commission comments, questions** – Commissioner Ellison mentioned the upcoming Arbor Day event and offered to attend as the city commission representative. Mayor Smith thanked Commissioner Ellison for his offer to attend and read the proclamation.

Commissioner Haque-Hausrath reported at the Intergovernmental Transit Committee meeting there was discussion regarding the city buses having difficulty accessing private driveways outside the city limits. There is discussion of updating the city's policy to clarify where bus service cannot be provided on private property.

City Manager Alles stated he is aware of the situation and will keep the commission updated on the proposed policy.

**Upcoming Appointments** – Mayor Smith will be recommending the following appointments:

**Civil Service Board**

Reappointment of Richard (Dick) Meeker to a first full term on the Civil Service Board. Term will begin upon appointment and expire May 1, 2015.

**Helena Open Lands Management Advisory Committee (HOLMAC)**

Appointment of Clint Morrison to an unexpired term on HOLMAC. Unexpired term will begin upon appointment and expire June 30, 2013.

**Lewis and Clark County Heritage Preservation and Tourism Council**

Appointment of Roger Pederson as a city representative to a first term to the Heritage Preservation Council. Term will begin upon appointment and expire June 30, 2015.

Appointment of Peter Rudd as the joint representative to a first term to the Heritage Preservation Council. Term will begin upon appointment and expire June 30, 2015.

4. **City Manager's Report** – City Manager Alles noted he has received several email messages and letters regarding the use of the recycled glass on the city streets. He explained the first use is to take the glass to Ashgrove Cement, however, they are not always willing to accept the glass and the result is having a large stockpile of glass that needs to be used somehow.

As an alternate, the glass was crushed and mixed with sand to put on the streets. The bicycle club wants a commitment from the city not to use it. City Manager Alles stated he is not willing say the glass will not be used. The plan is to keep sending it to Ashgrove Cement and if they do not accept it, he will come back to the commission and ask for direction. However, the pile of the pre-mix will be used again next year.

Commissioner Haque-Hausrath noted she has asked if the city could make a commitment not to use the glass because of the bicycle club's concerns. She recognized this is a difficult issue as it is important to recycle and then asked how much of the glass/sand is stockpiled at this time. Public Works Director Rundquist explained the process for mixing the glass and sand and noted there is a large pre-mix pile that would be used next winter. When the mixture is collected off the streets, it is rescreened and mixed with the stock pile.

Commissioner Ellison noted NMTAC members have discussed this several times and members of the bicycle club have requested the city stop using glass. However, NMTAC members have not taken a position

and have a strong opinion that the glass should be recycled and not landfilled. NMTAC members currently support the City Manager's proposal to use the current stockpile.

Commissioner Haque-Hausrath asked if Melinda Barnes has spoken at the NMTAC meetings. Commissioner Ellison noted Ms. Barnes has commented she would like to see the glass not used; however, she doesn't want it put in the landfill. Mayor Smith stated he believes this is a good program and he is not inclined to ask staff not to use it in the future. Commissioner Thweatt noted the bike tires are ruined when flattened by the glass and he would support not using the glass mixture next year.

HCC Representative DeVernay noted the HCC has also received comments on the glass causing flats on bike tires and for safety reasons regarding injuries to pets.

City Manager Alles reported there is a solar powered speed sign located on Rodney Street adjacent to the Helena Middle School that works very well. Police Chief McGee has suggested buying two additional solar signs to place at various locations in the city. Manager Alles stated he would support the purchase of two additional signs and suggested Winne Avenue may be a good location for one of the signs. There were commission comments in favor of purchasing two additional signs. Commissioner Haque-Hausrath brought up additional enforcement for traffic violations, specifically for a short time prior to school being let out for the summer.

City Manager Alles explained the commission at the April 9<sup>th</sup> city commission meeting denied a curb cut variance for 3161 North Sanders Street. However, after the meeting he was informed that MDT had negotiated the 50' curb cut on the right-of-way. Manager Alles suggested there may be a compromise on how the curb cut is marked when installed.

Mayor Smith noted this issue is on the consent agenda on April 23<sup>rd</sup>. Commissioner Haque-Hausrath stated she will be asking that this item be removed from the consent agenda for additional discussion. She has concerns with the 50' curb cut.

Commissioner Ellison stated he too wished MDT hadn't done it; however, he went down and looked at the area and noted there is going to be additional traffic going east/west and not so much north/south. He would support the reconsideration and he would like to have a smooth working relationship with MDT.

Commissioner Thweatt noted it is important to have a pedestrian friendly city; however, as a practical matter the 10' is not worth having discontent with MDT. Mayor Smith concurred with Commissioners Ellison and Thweatt's comments. It is important that MDT is reminded they should not approve a variance prior to city commission action.

HCC representative DeVurney noted the HCC representatives from this area have expressed concerns with pedestrian access.

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

**Commission Budget Guidance Document** – City Manager Alles referred the commission to the updated Resolution Providing the Commission Guide for FY 2013 Annual Budget Development that included the additions the commission requested at the April 4, 2012 administrative meeting.

Manager Alles asked for commission discussion on Part 2 and what items there is concurrence to move forward and what items may be better listed in Part 3.

### **PART 2 -**

#### **1 and 2 - Police Department Staffing and Fire Department Staffing**

City Manager Alles addressed the current staffing levels within the police and fire departments. He explained within the police department, they have begun over hiring and filling the positions as vacancies occur. There is a much higher turnover in the police department; the over hiring is not being done in the fire department.

Commissioner Ellison concurred with Manager Alles recommendation on the staffing within the police and fire departments. Commissioner Haque-Hausrath also concurred with the Manager's recommendation; however, she asked what happens if the practice of over hiring doesn't work out. Manager Alles noted if there is a need to hire an additional position, he would then come back before the

commission to use alternative funding. In addition, if there are changes to the current PERS contributions, as being recommended by the Governor, he would notify the commission. Mayor Smith commented the city is currently at the cap of property taxes and cannot raise them to hire additional staff in the general fund departments.

Administrative Services Director Tim Magee gave additional back ground information on how over hiring and filling of vacancies work. Commissioner Haque-Hausrath stated she would be interested in looking at fees for fire protection. Manager Alles gave the background information on when the city tried to form a fire service area and an Attorney General's opinion was issued that it was not a legal option. City Manager Alles stated fire department staff currently conducts fire inspections for businesses and in the future a fee may have to be looked at to cover the costs of those inspections.

Commissioner Thweatt noted most of the fire department's calls are medical and he is not sure it would be fair to assess property owners to pay for that. Mayor Smith stated he is not convinced that either the police or fire departments are understaffed. He has supported moving forward with the impact fee discussion.

There was commission concurrence to bring items 1 and 2 forward during the budget work sessions. Further discussion was held on the fire department's staffing levels, turn-over and shift work. The current staff level at each station is six firefighters.

### 3. Storm Water Grates

Commissioner Ellison noted there is action underway on this request and the NMTAC committee is currently assisting staff in identifying specific locations for replacement. There is a commitment to realign some of the grates. City Manager Alles noted there are grates that need to be replaced throughout the city; staff will be using one outside the city-county building to replace/reconstruct in order to establish a baseline costs to replace the grates. There was commission concurrence to move this item to Part 3 of the resolution. Manager Alles stated these grates fit into the complete streets report and he would include it in his annual report.

### 4. Cruse Avenue Bike/Ped Lanes

City Manager Alles noted there is \$160,000 in FY13 budget for non-motorized projects, which would include ADA issues. Commissioner Ellison stated he requested this item be included and referenced the specific area of State/Cruse/Cutler not being pedestrian friendly. Mayor Smith commented there are bike lanes that have been identified and are included in the current transportation plan. Director Rundquist commented there currently is a designated bike route going east/west that is marked on 9<sup>th</sup> Avenue and Hauser. Mayor Smith stated he would like to review the transportation plan to see what other projects may have been proposed and waiting to be funded and constructed.

Commissioner Thweatt asked for clarification on what exactly the proposal is. Commissioner Ellison explained there was correspondence received from a number of residents requesting additional sidewalks at this intersection; in addition there is a lack of street lighting in the area. Commissioner Thweatt also spoke of how unfriendly the area is for pedestrians. Commissioner Haque-Hausrath concurred with the comments of Commissioners Ellison and Thweatt; however, she would like to see previous prioritized projects before committing to this project. Mayor Smith asked if there are any projects being proposed for this area. Manager Alles explained the gas tax money has been identified to be used at mini-malfunction junction and West Main projects.

Commissioner Ellison stated he will inform NMTAC of this discussion and that it will be put into the mix with the many other projects. He suggested putting it on the matrix for staff follow-up. Once the project is reviewed, funding would need to be found.

### 5. Caird Area Neighborhood Planning

Commissioner Thweatt stated he would like to delete this item. In addition he would recommend modifying Part 3, Item 10 (form based zoning) as follows:

Schedule a city commission discussion of form based zoning and how it might be used as an overlay to guide redevelopment of special districts such as the Caird area and Capital Hill Mall.

Commissioner Thweatt stated his intent is to make this discussion more concrete and useful by focusing on how it might be applied to two areas ripe for redevelopment.

Manager Alles noted if an item is moved to Part 3, the commission can always request it be moved to Part 2 for the next fiscal year.

#### 6. Quiet Zone

Mayor Smith stated he asked that this be included in the resolution and suggested there might be an option to make the improvements on one crossing to make it a quiet zone. Manager Alles stated he will bring forward the quiet zone study and noted the option of doing only one crossing is not feasible. There are certain requirements that have to be taken into consideration. This item can be discussed during the public works department budget discussions.

Commissioner Thweatt noted he has been informed that with the export of additional coal, the city could see an additional 40 trains per day. He has been asked to draft a letter to the Army Corp of Engineers. Commissioner Haque-Hausrath stated she too has been asked to prepare a letter. Commissioner Thweatt stated he will draft a letter to the Army Corp of Engineers and distribute it to the commission for review.

#### 7. 2008 Park & Recreation G.O. Bonds

This will be discussed during the Parks & Recreation budget discussions. There was general discussion on the funding and concurrence that the commission not be involved in selecting the specific amenities to be installed at Centennial Park. This item will be removed from the resolution.

#### 8. Centennial Trail ROW

City Manager Alles noted there is \$25,000 in the FY12 budget and will be re-budgeted for FY13 if it is not spent. General discussion was held on the funding of Centennial Trail and the costs of obtaining right-of-way. Commissioner Haque-Hausrath expressed caution and concern with accepting right-of-way from BN as a lot of it is contaminated and there will be clean-up costs. Further discussion was held on right-of-way acquisition, not all might be BN property and the city's liability if contaminated ground is accepted by the city.

#### 9. Pedestrian/bike Safety Enforcement

Commissioner Haque-Hausrath stated she continues to support the proposal and would like to have it funded through the budget. What she is hearing is the development and implementation of an educational program.

City Manager Alles noted NMTAC and the Bike Club are working on a new educational program and will bring it forward. Commissioner Haque-Hausrath stated the enforcement is important at specific times of the year. Police Chief McGee noted the police department uses a variety of grants to run traffic enforcement/educational programs. He noted there are many citizen concerns regarding traffic; however, at this time there are not enough officers to do enforcement and other duties within the department.

Chief McGee stated he has a proposal for some reorganization within the police department and if the manager concurs, he has a few new ideas to work with issues regarding pedestrian/bike safety. Commissioner Thweatt asked if a water bill insert could be used. Chief McGee concurred the water bill insert is an option; however, there are only 12 per year and as of now, they are all spoken for.

Commissioner Ellison noted there is an educational workshop coming up on pedestrian/bike safety being sponsored by NMTAC; which he will attend and report back to the commission. Commissioner Haque-Hausrath stated she would like to receive the costs of increased enforcement for one week, prior to school being let out for the year. She emphasized specific locations in town where it would be most beneficial. Police Chief McGee explained the amount of work that happens when a typical traffic stop is conducted. Again, there are specific grants used for enforcement throughout the year; however, there are not enough officers to cover some of the shifts.

Commissioner Ellison stated he has done a couple of ride alongs with police officers and it takes a large amount of time for a routine traffic stop due to the amount of detail work required.

10. Heritage Preservation

Mayor Smith stated he asked that this be included. There are ongoing discussions between City Manager Alles and County Administrator Bryson on the city dedicating a certain amount of money to fund specific projects. There was consensus to move forward with this.

11 and 12. Special Legal Cases and Water Rights

City Manager Alles noted the city currently hires outside counsel when appropriate. Having a full legal staff will help a lot. Commissioner Ellison stated he knows a couple of attorneys with water rights experience; he then offered to give Manager Alles their names. Commissioner Haque-Hausrath asked when the city determines the need to have outside counsel hired. City Manager Alles noted the case has not been assigned to a water judge; therefore there is time to look for assistance from outside counsel.

Mayor Smith commented he does not see the need to include either items 11 or 12 in the resolution. Commissioners Ellison, Haque-Hausrath and Thweatt concurred with Mayor Smith's comments to remove 11 and 12 from the resolution. City Attorney Jodoin noted he does not believe hiring a private attorney would make any of these issues move forward any faster.

City Manager Alles noted the city prosecuting attorney will be sharing office space with the county attorney's office. Additional discussion was held on the work load of the city prosecutor and working with the county attorney's office.

13. Electric Vehicles

City Manager Alles noted there is discussion among staff to purchase one electric vehicle. Commissioner Haque-Hausrath stated she has been approached to ask the commission to support the use of electric vehicles and obtain grant funding to assist in purchasing them. There was commission concurrence to leave this in the resolution.

City Manager Alles noted many of the items in Part 3 would go on the matrix and once the document is updated he will be asking the individual commission members to prioritize their top ten. Staff would then evaluate the results and bring a newly developed matrix forward. There was commission consensus to move forward with the manager's recommendation.

Commissioner Haque-Hausrath suggested adding anticipated completion dates. Manager Alles concurred; however, he asked that commission discussion be held on expectations. There was commission discussion on the ranking of priorities and possible timelines for each item.

**Public Works**

**Wastewater Discharge Permit** - Public Works Director John Rundquist noted there is no news on the permit. The draft is finalized; however, EPA is reviewing it at this time.

City Attorney Jodoin noted the hearing has been continued until July; the city will not dismiss the case until a permit has been issued.

**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) IT&S, Non-Motorized Travel Advisory Committee, Board of Adjustment, Pre-Release Screening Committee – No report given.
- c) Audit Committee, City-County Weed Board, Montana Business Assistance Connection (MBAC), TCC – No report given

- d) BID/HPC, City-County Parks Board, TCC, L&C County Mental Health Advisory Committee – No report given.
  - e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee, Intergovernmental Transit Committee – No report given.
  - f) Helena Citizens Council – HCC Representative Mary DuVernay had no items to report on. She then reported several HCC members continue to be involved with the Winne Avenue Traffic group. Other areas of discussion have been pedestrian and bike safety and the use of glass on the streets.
6. **Review of agenda for April 23, 2012 City Commission meeting** – No discussion held.
  7. **Public Comment** – No discussion held.
  8. **Commission discussion and direction to City Manager** – No discussion held.
  9. **Adjourn** – Meeting adjourned at 6:00 p.m.