

**SUMMARY OF ADMINISTRATIVE MEETING**  
**June 13, 2012 – 4:00 p.m.**  
**Room 326, City-County Building**

1. Call to order, introductions, opening comments – Mayor Pro Tem Elsaesser called the meeting to order. Commissioners Ellison, Haque-Hausrath and Thweatt were present. Mayor Smith, City Manager Alles and City Attorney Hindoien were excused. Staff present was: Executive Assistant Clinda Feucht; Deputy City Attorney Thomas Jodoin; Fire Chief J.R. Feucht; Community Development Director Sharon Haugen; Public Works Director Phil Hauck; Parks and Recreation Director Amy Teegarden; Water/Wastewater Maintenance Superintendent Kevin Hart; Human Resources Director Rae Lynn Nielsen and City Clerk Debbie Havens.

2. **May 30, 2012 Administrative Meeting Summary** – The May 30, 2012 administrative summary was approved as submitted.

3. **Commission comments, questions –**

**Upcoming Appointments** – There are no appointments on the June 18, 2012 city commission meeting agenda.

Commissioner Ellison reported he attended the June NMTAC meeting; the Helena Bike Club has requested to be put on an administrative meeting to discuss never using crushed glass on the streets again. A motion was made to table the issue and take no further action, and that motion passed unanimously by the NMTAC committee with him abstaining.

4. **City Manager's Report**

**Schedule for Administrative Meetings** – Commissioner Haque-Hausrath asked that the items on the matrix be placed in priority order. Discussion was held on the matrix versus the list of priorities for administrative meetings.

There was commission concurrence to have an electronic copy of the priorities list and the matrix sent to them. Mayor Pro Tem Elsaesser stated he wants to respect the manager's timing of the priorities and gave the Centennial Trail as an example of a project.

Commissioner Haque-Hausrath commented the commission may want to ask for a schedule for implementation of the priorities. Commissioner Haque-Hausrath asked Community Development Director Haugen if the subdivision ordinance is ready for consideration. Director Haugen noted the ordinance being recommended by the Planning Board has been drafted.

Mayor Pro Tem Elsaesser referred to the impact fees and noted there will need to be additional discussion with the county commission at the August joint work session. Commissioner Thweatt stated the city commission needs to have a discussion on whether they want to pursue impact fees without the county's involvement.

Commissioner Haque-Hausrath stated she is scheduled to be out of town the week of September 17<sup>th</sup> and asked that the non-discrimination ordinance be left on the September 3<sup>rd</sup> commission meeting.

Commissioner Ellison thanked City Manager Alles and Executive Assistant Feucht for the City Commission Priorities for Administrative Meetings Schedule.

5. **Department Discussions**

**Parks and Recreation**

**Nuisance Vegetation Ordinance** – Parks & Recreation Director Amy Teegarden noted the ordinance is on the June 18<sup>th</sup> city commission meeting. Deputy City Attorney Thomas Jodoin referred the commission to two changes to the ordinance: 7-7-3 Definitions – Nuisance Vegetation - the word "imminent" has been added; and the word "tenant" has been removed from the ordinance. He then gave an overview on the changes.

Commissioner Ellison asked if his neighbor had a dead tree and it fell on his house; who would determine if it was an "imminent" danger.

Deputy Attorney Jodoin stated staff would have to look at each individual case to determine the "imminent" danger. This ordinance will be complaint driven; staff will not be driving around looking for violations.

Commissioner Ellison asked what staff would determine “imminent danger”. Director Teegarden explained the steps staff would take to determine “imminent danger”. Director Teegarden stated a strong component of this ordinance is education.

Mayor Pro Tem Elsaesser asked if the ordinance would apply only if there is danger to a neighbor’s property. Deputy City Attorney Jodoin again stated the ordinance will be complaint driven.

Mayor Pro Tem Elsaesser asked if the ordinance would apply to private properties where there are dead trees. Director Teegarden and Deputy Attorney Jodoin noted it is staff’s intention to have voluntary compliance before using the ordinance.

Mayor Pro Tem Elsaesser asked if the city would be losing any authority if this ordinance is approved. Deputy City Attorney Jodoin explained the intent of the ordinance and noted the visual compliance is almost impossible to enforce.

Commissioner Thweatt noted he is worried about wildland fires and asked if the city has the authority to go onto private property to create a fire line, if necessary. Fire Chief Feucht stated he is not sure if the city has the authority; however, if that was part of fire mitigation, he believes all measures would be used to prevent a fire from moving further into the city limits.

### **Public Works**

**MDT Storm Water Agreement** – Public Works Director Phil Hauck explained this agreement is between the city and MDT and will allow the city to maintain all of the storm water drainages. Staff believes the agreement will be a benefit to the city’s system.

Commissioner Thweatt noted it may cost the city more to maintain the systems and asked if there is any means for the state to reimburse the city for maintaining their system. Director Hauck stated he does not believe there will be a large expense and will benefit the city in the long run.

Superintendent Hart concurred with Director Hauck’s comments.

## **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 – Commissioner Ellison reported NMTAC conducted their annual bike/walk survey on May 18<sup>th</sup> and the Pre-Release Screening Committee continues to be busy.
- c) Audit Committee, City-County Weed Board, Montana Business Assistance Connection (MBAC), TCC – Mayor Pro Tem Elsaesser stated he presented the nuisance vegetation ordinance to the Weed Board; MBAC has been busy trying to fill the Executive Director position.
- d) BID/HPC, City-County Parks Board, TCC, L&C County Mental Health Advisory Committee – Commissioner Thweatt stated the BID Board is adamant about having two-way traffic on Last Chance Gulch and doesn’t believe city staff that it is not feasible. They are requesting a hearing before the commission to present the proposal for two-way traffic. Commissioner Thweatt suggested a meeting would be a good idea.

Public Works Director Hauck stated staff’s position is that two-way traffic may be feasible; however, the design may require additional right-of-way to go from a one lane roundabout to a two lane roundabout. Staff will be prepared to present all options to the commission. However, at this time, staff does not have all the answers and the additional costs if the two-lane traffic is implemented. Mayor Pro Tem Elsaesser asked if the final modeling will include the two-lane on Last Chance Gulch. Director Hauck stated if the Tiger IV grant is not received, the commission will have to make the decision on how to proceed.

Commissioner Thweatt clarified that even before a decision on the intersection is made, there is two issues that he would like discussed with the commission; is two-way traffic feasible and is two-way traffic better for business than one-way traffic.

Mayor Pro Tem Elsaesser stated there are businesses in the downtown area that do not necessarily support the two-way traffic. He suggested the BID may want to survey all businesses and make sure all are heard. He suggested the next quarterly meeting between the city commission and the BID board would be an appropriate place to discuss these two issues.

Further discussion was held on a meeting between the BID board and the city commission to discuss two-way traffic on Last Chance Gulch.

Mayor Pro Tem Elsaesser suggested this item be placed on the next TCC agenda and invite the BID board to attend. He again stated he wants to make sure all of the businesses have been contacted.

Commissioner Ellison offered to attend a BID board meeting with another commission member and staff to hear their concerns.

Commissioner Haque-Hausrath suggested when a decision is made on the roundabout; the discussion on the two-way versus one-way traffic should be brought forward.

Director Haugen is having Community Development staff review the impacts on businesses with two-way traffic versus one-way traffic. In addition, she is preparing a grant to bring in technical assistance from EPA to look at this issue. However, the grant is a competitive process and the deadline for the award is unclear at this time.

Commissioner Thweatt asked if staff has contacted the Department of Commerce. Director Haugen stated she will follow-up with the Department of Commerce.

Commissioner Thweatt stated the BID board also wants to encourage bikes on the mall and that the city commission should not consider opening up the walking mall to traffic.

Commissioner Thweatt stated the Parks Board endorsed tobacco free parks and the message they want to move forward would be from a behavioral standpoint and not a health issue. Commissioner Thweatt suggested an ordinance where it would prohibit smoking within a certain distance from another person might be worth looking at.

Commissioner Haque-Hausrath stated she would be more prone to ban smoking in certain portions of all city parks. She would want to hear more on the issue. Mayor Pro Tem Elsaesser stated he too has some concerns.

e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee, Intergovernmental Transit Committee – No report given.

f. Helena Citizens Council – No report given.

**7.** Review of agenda for June 18, 2012 City Commission meeting – Mayor Pro Tem Elsaesser stated he has concerns of not adopting a balanced budget and will meet with the city manager prior to Monday and may have an amendment to offer at the meeting.

Commissioner Haque-Hausrath asked for clarification on what Mayor Pro Tem Elsaesser might be proposing. He noted he is not prepared to offer any amendments at this time.

Commissioner Thweatt noted former Commissioner Cartwright had raised concerns with the market base salary survey. He suggested the city should be looking at the Helena market and not necessarily other cities.

Commissioner Haque-Hausrath stated she would prefer not to reduce the COLA; however, she concurs the appropriate market should be looked at. Mayor Pro Tem Elsaesser again stated the city continues to absorb all the health insurance costs, COLA and market values for city employees.

Commissioner Haque-Hausrath noted another option would be to look at surveying other states in the region.

**8. Public Comment** – None given.

**9. Commission discussion and direction to City Manager** – No discussion held.

**10. Adjourn** – Meeting adjourned at 5:15 p.m.