

**SUMMARY OF ADMINISTRATIVE MEETING**  
**February 6, 2013– 4:00 p.m.**  
**Room 326, City-County Building**

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Elsaesser, Ellison, Haque-Hausrath and Thweatt were present. Staff present was: City Manager Ron Alles; Executive Assistant Sarah Elkins; City Attorney Jeffrey Hindoien; Deputy City Attorney Thomas Jodion; Fire Chief Sean Logan; Fire Captain Kelly Tuck; Community Development Director Sharon Haugen; Planner Lucy Morell-Gengler; Human Resource Director James Fehr; Police Captain Curt Stinson; Golf Superintendent Larry Kurokawa; HCC Coordinator Kelli McLane; Budget Manager Robert Ricker and City Clerk Debbie Havens.

Others in attendance included: HCC members David Scrim and Janet Hess-Herbert, Elizabeth Andrews, Bob Maffit, Brittney and East Helena Mayor Anthony Strainer.

2. **January 23, 2013 Administrative Meeting Summary** – The January 23, 2013 Administrative Meeting summary was approved as submitted.

3. **Commission comments, questions –**

A.) **Upcoming Appointments** – There are no appointments on the February 11, 2013 city commission meeting agenda.

**Commission Comments** –. Commissioner Elsaesser referenced the recent article in the IR regarding the Tenmile Watershed.

Mayor Smith stated his recommendation will be to discuss the subdivision regulations for one-hour and then move forward with the remainder of the agenda.

4. **City Manager’s Report**

City Manager Alles stated the public hearing on the subdivision regulations has been advertised for February 11<sup>th</sup>. Therefore, his recommendation would be for the commission to hold the public hearing on the 11<sup>th</sup> and then continue it until February 25<sup>th</sup>. This would allow for additional public comment on the subdivision regulations and the amendments being proposed.

There was commission concurrence to hold the public hearing on February 11<sup>th</sup> and continue it to February 25<sup>th</sup>.

5. **Department Discussions**  
**Community Development**

**Subdivision Regulations Review** – City Engineer Leland presented a PowerPoint presentation on the current versus proposed right-of-way width for a local road, collector road and minor arterial road; which included the engineering standards for each type of road.

Commissioner Haque-Hausrath asked if the PowerPoint could be put on the city’s web page. City Engineer Leland concurred. Commissioner Haque-Hausrath stated what she is concerned with is how much the pavement width is being increased with each type of street. Engineer Leland stated the local road pavement width is the same; collector is an increase of 6’ for bike lanes.

Commissioner Haque-Hausrath asked what is the 125’ of right-of-way is composed of; is it primarily pavement. Engineer Leland showed what the increase in pavement would consist of, depending on what features are needed for each particular road. Just because the right of way is 125’ doesn’t mean it is going to be pavement. The specifics will be included in the Engineering Standards.

Commissioner Thweatt summarized the recommendation is to provide right-of-way for the maximum width; however, a narrower street could be built. Mayor Smith concurred.

Commissioner Ellison stated the right-of-way may be 125’; however, the street could be built at 96’. Commissioner Ellison then referred to his and Commissioner Elsaesser’s amendment and asked what diagram the commission should be looking at. Engineer Leland explained the diagram with the three road types is the current standards; the diagram with the single local road is the proposal.

Commissioner Elsaesser asked if the determination is made that the right-of-way is not needed, the maximum could be reduced. City Engineer Leland concurred.

Commissioner Thweatt asked on the major arterial diagram, if there is a bike/ped path on one side, why there is a need for a bike lane on the other side. Engineer Leland noted the commuter bicyclists like to use the bike lanes. In addition, NMTAC has recommended bike lanes in addition to the bike/ped path.

Commissioner Elsaesser asked how a bus stop would work without adding a bus lane. Engineer Leland explained the road leading up to the bus stop could be designed to accommodate the bus.

Commissioner Thweatt presented the following amendment:

**12-2-15: PUBLIC IMPROVEMENTS:** The following public improvements must be installed in conformance with plans, specifications and a construction schedule approved by the city. The required improvements must be installed as follows:

A. No change.

B. Sidewalks, boulevard landscaping and trees, including irrigation, on public rights of way abutting private or public parks, open space, common areas, or other areas intended to be used by the public or common owners must be installed by the owner of the subdivided property ~~concurrent with installation of streets, curbs, and gutters.~~

Commissioner Elsaesser asked if Commissioner Thweatt's amendment were approved, when the improvements would be installed. Community Development Director Haugen noted the improvements would be installed at the same time as all other public improvements. This amendment does not discuss trees in parks; it discusses the trees in the boulevard.

Commissioner Elsaesser asked Commissioner Thweatt for clarification if this is currently happening. Director Haugen explained this amendment would require the developer to do the improvements prior to deeding the park to the city.

Mayor Smith asked if the irrigation requirement is an addition. Commissioner Thweatt stated yes.

Commissioner Ellison asked what a private park is. Director Haugen stated there are some subdivisions where parks are owned and operated by homeowner associations.

Deputy City Attorney Jodion concurred this amendment would require the owner to install the improvements prior to giving it to the city.

Commissioner Elsaesser stated his concern is that a recent subdivision was denied smaller parks and had to re-arrange the parks. Director Haugen noted improvements have to be installed prior to filing final plat; however, the final plat could be amended.

Commissioner Thweatt stated he has worked with staff on his amendment and received no opposition.

Commissioner Haque-Hausrath presented the following amendments and noted they are in draft form:

**Delete the following –**

12-2-15(A).

"The street rights of way designated for the location of sidewalks, must be graded, and an approved base installed to allow for placement of sidewalks."

12-2-15(B) "public rights of way abutting private or public parks open space, common areas, or other areas intended to be used by the public or common owners."

**Amend the following:**

12-2-15(G):

Except as herein provided, new utility distribution lines in new subdivisions must be placed underground. **To the maximum extent practicable, utilities must not be placed underneath the boulevard.** Associated equipment, such as pad mounted transformers, may be placed above the surface if required for reasons of convenience, safety or economy. This subsection does not apply to a main electric feeder line capable of conveying two thousand (2,000) kVA or more.

12-2-15: PUBLIC IMPROVEMENTS TO BE INSTALLED:

The following public improvements must be installed in conformance with plans, specifications and a construction schedule approved by the city. The required improvements must be installed as follows:  
A. Streets, boulevards, and boulevard trees within and adjacent to the subdivision to city standards. The street rights of way designated for the location of sidewalks, must be graded, and an approved base installed to allow for placement of sidewalks.

B. Sidewalks on both sides of the streets public rights of way abutting private or public parks open space, common areas, or other areas intended to be used by the public or common owners must be installed by the owner of the subdivided property concurrent with installation of streets, curbs, and gutters.

C. All non-motorized paths located on public rights of way.  
No proposed changes to the rest of this section.

#### 12-2-16: PUBLIC IMPROVEMENTS INSTALLATION OPTIONS:

A. The following improvements necessary to protect public health and safety must be installed and accepted by the city prior to city commission approval of a final plat:

1. A functioning stormwater system, including curb and gutter and paved streets when necessary for the proper functioning of the stormwater system;
2. Water and wastewater mains serving all lots to be final platted;
3. Access to all lots installed with a minimum all-weather surface that can accommodate emergency access, subject to the paving requirement above; and
4. Legal and physical access to the subdivision, including off-site access, installed with a minimum all-weather surface that can accommodate emergency access, subject to the paving requirement above.
5. Sidewalks on both sides of all streets that have been installed.

#### 12-4-2 NEW SECTIONS C and D

C. All streets that have at least five thousand (5,000) vehicle trips per day require bike lanes on each side of the street or one two-way non-motorized path separated from the street. The minimum right of way width listed in this section for all streets except for major/principal arterial streets may be reduced by the width of one or more bike lanes under the following circumstances:

1. A one-way street only requires right of way width for one bike lane.
2. A street with a non-motorized path or bike lanes along the streets within one block does not require a bike lane.

D. The parking right of way for one or both sides of the street may be waived for a street that prohibits parking on one or both sides of the street.

Mayor Smith stated he does not see the necessity of the amendments. Commissioner Haque-Hausrath explained the intent of her amendments.

Commissioner Elsaesser stated he is concerned with the amendments as he believes there are utilities that will cross the boulevards.

Commissioner Ellison concurred with Mayor Smith and Commissioner Elsaesser on the necessity of the amendments. He then referenced and read the following language that Director Rundquist has suggested to be included in the Engineering Standards: Underground utilities are not allowed in street boulevards except as installed in perpendicular crossings of the boulevard greater than 4.5 feet in depth. Perpendicular crossings may be allowed less than 4.5 feet in depth but no less than 1.5 feet when such utility is installed in a protective conduit.

Commissioner Thweatt noted if the Engineering Standards were adopted, he would be happy to leave the language out. He believes the subdivision regulations and the engineering standards should be considered together.

Commissioner Haque-Hausrath asked when the commission could anticipate seeing the draft engineering standards. City Manager Alles stated he has seen a draft of the engineering standards and would anticipate bringing them forward for commission consideration within a couple of months.

Commissioner Thweatt referenced sidewalks being installed prior to the construction of the structure and asked if the sidewalks would be damaged during construction. Engineer Leland stated the sidewalks could be protected; however, it doesn't always work. If that is the case, the developer would have to take additional precautions to protect the sidewalk.

Commissioner Elsaesser asked if the lot isn't developed at the time the sidewalks are installed, is there the potential for the curb-cut location to change. Engineer Leland explained the sidewalks could be installed and then a concrete saw is used to identify the curb-cut. Manager Alles noted in 2005 the commission changed the policy to allow sidewalks be installed after the construction of the structures.

Commissioner Ellison asked if it has been the practice to defer the construction of streets, curbs and sidewalks until the entire street is built out. Manager Alles noted in some cases where not all property has been annexed that is the case.

Commissioner Haque-Hausrath noted there is nothing in the ordinance that requires bike lanes or addresses the complete street concept and that is what her amendment #3 addresses.

Commissioner Ellison stated at the January 14<sup>th</sup> the city commission meeting he proposed and the commission approved the following amendment:

**Title 12, Chapter 4-2(B) – Design Standards**

Revise language of chapter 4-2-B to read: "Consistent with the City of Helena resolution on complete streets, each public street right of way must accommodate and coordinate all modes of transportation, both motorized and non-motorized, and people of all ages and abilities."

Commissioner Elsaesser stated he supports the concept of Commissioner Haque-Hausrath's amendments; however, he is not sure of the exact language on the criteria and will work with her on an amendment.

Elsaesser/Ellison amendments - Commissioner Elsaesser thanked staff for working with him and Commissioner Ellison on the following amendment:

**12-4-2: GENERAL REQUIREMENTS FOR STREETS:** This section is deleted in its entirety and the following placed in lieu thereof:

- A. The minimum dedicated public right of way width for each ~~type~~ classification of street is as follows:
1. Forty eight feet (48') for local access streets with less than two thousand (2,000) vehicle trips a day that do not permit on-street parking or for lots that also have an alley abutting the lots along the 48' right of way.
  2. ~~Sixty-two feet (602')~~ Sixty-two feet (602') for local access streets with less than two thousand (2,000) vehicle trips a day that permit on-street parking.
  3. ~~Seventy-six feet (76') Sixty-nine feet (69') for collector streets with two thousand (2,000) to five thousand (5,000) vehicle trips a day. Sixty-nine feet (69') for minor collector streets one thousand five hundred (1,500) to five thousand (3,500) vehicle trips a day.~~
  4. Seventy-nine feet (79') for major collector streets with more than three thousand five hundred (3,500) to five thousand (5,000) vehicle trips a day.
  45. One hundred feet (100') for minor arterial streets with more than five thousand (5,000) to fifteen thousand (15,000) vehicle trips a day.
  56. One hundred twenty feet (120') for major/principal arterial streets with over fifteen thousand (15,000) vehicle trips a day.
- B. Consistent with the City of Helena resolution on complete streets, each dedicated public street right-of-way must accommodate and coordinate all modes of transportation, both motorized and non-motorized, and people of all ages and abilities.
- C. A reduced public right of way width for collectors and arterials may be accepted by the city commission only when it is demonstrated by the subdivider that the reduced public right-of-way width is adequate to accommodate complete street requirements, traffic volumes, stormwater facilities, connectivity, and utility placement.

Commissioner Thweatt asked if the amendment is based on the proposed engineering standards. Commissioner Elsaesser stated yes.

Public Comments - The following persons addressed the commission:

David Scrimm – Asked what process will be used to accept public comments on the subdivisions regulations. City Manager Alles stated the subdivision regulations have been advertised for a public hearing on February 11<sup>th</sup>; however, it will be staff's recommendation to hold the hearing on the February 11<sup>th</sup> and continue it to February 25<sup>th</sup>. Mr. Scrimm asked what the impacts would be if the subdivision regulations are passed without the engineering standards being adopted. Manager Alles noted when a developer comes in with a set of plans; there is a process that takes up to 12-months from time of submittal to final plat. There is a draft of the engineering standards ready to bring forward.

Community Development Director Haugen explained how the process from time of subdivision proposal is submitted until final plat approval. She noted with the subdivision regulations being adopted by ordinance, there is 30-days from the date of final passage until the ordinance is will be a 30-day period until an ordinance become effective.

Bob Maffit, Montana Independent Living Project (MILP) thanked the commission, staff and all other involved in the drafting of the proposed subdivision regulations. MILP values the complete street concept; this is an opportunity to submit comments and concerns.

East Helena Mayor Anthony Strainer thanked the commission for the opportunity to attend and listen to the conversation.

Mayor Smith asked if Commissioner Haque-Hausrath's amendment had worked out with the Montana Independent Living Project. Elizabeth Andrews commented it is confusing for the public to understand what is being proposed; the bottom line is the MILP supports sidewalks being installed.

Mayor Smith recommended if another amendment is needed, they contact a commissioner to bring it forward.

Bob Maffit stated he is not sure if the amendment covers all of their concerns. Commissioner Thweatt asked if the commission will consider the amendments on February 11<sup>th</sup>. Mayor Smith stated yes. Manager Alles recommended the commission adopt amendments at the February 25<sup>th</sup> meeting.

HCC member Janet Hess-Herbert concurred the commission should consider the amendments at the February 11<sup>th</sup> meeting; this would allow the HCC and the public to comment on any amendments that are approved. The HCC is hold a special meeting to discuss final language; however, with amendments being proposed it is difficult to prepare a recommendation.

### **Parks and Recreation**

**Centennial Park Phase II – Funding/Project Priorities** - City Manager Alles commented Director Teegarden is out ill and will bring this back in a couple of weeks.

**Golf Carts** - City Manager Alles reported rental carts are a critical value-added service that golf customers expect. Rental carts are also a dependable revenue source. In 2012, the rental fleet generated over \$114,000 in revenue. The existing rental golf cart fleet was purchased in 2004 for \$139,600. The carts have reached the end of their performance as a dependable, cost-effective rental fleet, without requiring a major investment of maintenance time and costs.

City staff has evaluated the pros and cons of keeping the existing fleet and investing significant resources into maintenance needs; or trading-in the fleet for new carts while there is still significant value for trade-in. After "testing" the market, a request for bids was sent to appropriate vendors. Two bids were received; the low bid was submitted by Johnson Distributing (Great Falls, MT) for a total of \$138,066.

Two financing options have been reviewed:

- INTERCAP financing would reduce General Fund debt capacity, and be at a variable interest rate that currently starts at 1.25%; and
- The Capital Improvement (440) Fund is building reserves for future major capital needs. At this time those reserves can only be invested at 0.45% or less interest. There is no CCIP scheduled need for cash flow that would prohibit a five year internal loan.

Staff proposes to award a contract to Johnson Distribution and fund the purchase using a 1.0% fixed rate, five year, internal loan from the Capital Improvement (440) Fund.

Commissioner Ellison thanked staff for the memo and concurred with staff's recommendation on the funding options. Commissioner Haque-Hausrath concurred the memo makes sense and she will support staff's recommendation.

### **Fire Department**

**Blue Card Command Training** – City Manager Alles introduced the subject and asked Captain Kelly Tuck to address the commission. Captain Tuck explained the Blue Card Command Training that the Helena Fire Department will be implementing. This will require a 50-hour on-line training for each firefighter on the force.

Commissioner Ellison on behalf of the commission congratulated Captain Tuck for taking on this project and for applying and receiving the grant funding.

### **Human Resources**

**Deferred Compensation** – Human Resources Director James Fehr reported that he and City Manager Alles had met with the State of Montana Deferred Compensation staff. After looking at what the city currently has with ICMA and Nationwide, the state program offers more incentives than the current providers. DES would like to use the Helena Fire Department as a pilot program for the entire state of Montana.

Manager Alles noted if there is commission concurrence, staff will bring forward a resolution for consideration.

Commissioner Elsaesser asked if the city will go through an RFP process to allow the other companies to submit a proposal. Manager Alles stated the city can have a number of companies; however, if the city were to go to the state program, then they would be the only deferred comp program.

Manager Alles stated he would not recommend an RFP process as the state of Montana most likely would not submit a proposal as they have a good program as it stands. Manager Alles spoke of the pros of going with the state of Montana. Commissioner Elsaesser stated he is comfortable moving forward.

Mayor Smith asked if the proposal is to change companies for the deferred comp program. Director Fehr stated yes.

## **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 (NMTAC), Board of Adjustment, Pre-Release Screening Committee – No report given.
- c) Audit Committee, City-County Weed Board, Montana Business Assistance Connection (MBAC), TCC – Commissioner Elsaesser report MBAC is going well.
- d) BID/HPC, City-County Parks Board, TCC, L&C County Mental Health Advisory Committee –Commissioner Thweatt attended a the Parks Board meeting where an update on Centennial Park was given. Items to discuss for Phase II include a dog park, bike park, playground, kiosk, and climbing boulder. Carroll College is planning a new facility adjacent to Centennial Park.

Director Haugen commented staff has had a pre-application meeting with Carroll College to discuss the proposal to build six buildings on the east side of the campus; hopefully, construction will begin this year.

Commissioner Elsaesser stated there is connectivity from the campus to Centennial Park; he would not support vehicular traffic.

Mayor Smith stated when he welcomed President Tom Evans to Helena; he assured the president that connectivity is an important issue between the city and Carroll.

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

f) Helena Citizens Council – Helena Citizens Council member Janet Hess-Herbert thanked the commission for funding the HCC Coordinator. New officers have been elected. Work plan was adopted in January and will continue to work through.

Commissioner Elsaesser thanked the HCC for holding a special meeting to discuss the subdivision regulations.

7. **Review of agenda for February 11, 2013 City Commission meeting** –No discussion held.
8. **Public Comment** – No comments received.
9. **Commission discussion and direction to City Manager** – No discussion held.
10. **Adjourn** – Meeting adjourned at 6:00 p.m.