

SUMMARY OF ADMINISTRATIVE MEETING
March 20, 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; Human Resource Director James Fehr; Public Works Director John Rundquist; Assistant Public Works Director Phil Hauck; City Engineer Ryan Leland; Community Development Director Sharon Haugen; Parks & Recreation Director Amy Teegarden; Parks Superintendent Craig Marr; Community Facilities Director Gery Carpenter; Assistant Police Chief Steve Hagen, Assistant Fire Chief Kelly Tuck; Deputy City Attorney Thomas Jodoin; HCC Coordinator Kelli McLane; Deputy City Clerk Robyn Brown and City Clerk Debbie Havens.

Others in attendance included: IR Reporter Al Knauber and NMTAC Chair Sarah Sadowski

2. **March 6, 2013 Administrative Meeting Summary** – The March 6, 2013 Administrative Meeting summary was approved as submitted.

3. **Commission comments, questions –**

A. **Upcoming Appointments** – Mayor Smith recommended the following appointments:

Non-Motorized Travel Advisory Council (NMTAC)

Appointment of Katie Gallagher to a first term on NMTAC. Term will begin upon appointment and expire March 31, 2016.

Appointment of Corey Richardson to an unexpired term on NMTAC. Term will begin upon appointment and expire March 31, 2015.

Tourism Business Improvement District (TBID)

Reappointment of Marti Bara and Jena Sabatini to second terms on the TBID. Terms will begin upon appointment and expire April 20, 2017.

4. **City Manager's Report** – City Manager Alles reported in January 2008, the city commission adopted Ordinance 3093, adding Chapter 41 to be known as the Wildland Urban Interface District. At this time there is a pending case against the city for the enforcement of the ordinance. It has been brought to his attention that the Fire Tower was re-roofed with cedar shingles. Manager Alles stated staff will replace those shingles with approved shingles in the very near future.

Commissioner Elsaesser asked if the ordinance is still in effect. Manager Alles concurred. Commissioner Haque-Hausrath agreed it needs to be corrected. Commissioner Ellison stated he was on-site during the upgrade and saw the amount of volunteer work city staff did. He applauded City Manager Alles for the openness and the corrective action.

Mayor Smith asked if this will have any impact on the pending case and when staff was made aware of this situation. City Attorney Hindoien stated he did not think so and explained it was brought to his attention via an email.

5. **Department Discussions**
Parks & Recreation

Centennial Park Update – Parks and Recreation Director Amy Teegarden gave a PowerPoint presentation on Centennial Park that included project funding; the completed projects in Phase I and the projects being proposed for Phase II.

Phase II projects include a dog park, picnic shelter, kiosks, benches, bike racks, trash cans, mutt mitt stations, volley ball courts, signage, fitness trail, public art, bike park, boulder project, and fully accessible playground (if the site will accommodate it).

Commissioner Thweatt recognized there are regulations for playgrounds and asked if there are for climbing rocks. Director Teegarden reported that climbing rocks fall under the category of

playgrounds; she and City Engineer Leland met with MMIA to discuss the city's liability for the various amenities.

Director Teegarden recognized the partnerships that have and continue to be involved in several amenities of the park. She recommended that a re-dedication ceremony be held on August 21st.

Commissioner Elsaesser thanked Director Teegarden for the presentation. He recognized that the park is well used and asked if there are any restrooms planned for Phase II. Director Teegarden stated there is not appropriate funding to construct restrooms; instead there will portable bathrooms placed at various locations throughout the park. There will be water at the main shelter and at a number of the amenities. Commissioner Elsaesser asked if the only area for leash-free dogs would be inside the dog park. Director Teegarden concurred. He also asked if helmets would be required for the bike park. Director Teegarden stated the regulations would be the same as the skatepark, where there is a sign encouraging the use of helmets, but it is not required.

Mayor Smith asked if there will be tobacco-free park signs put up. Director Teegarden concurred; she then gave an overview of what uses have been requested for the summer of 2013. She introduced Parks Superintendent Craig Marr; whose division will be responsible for the maintenance of Centennial Park. Mayor Smith welcomed Parks Superintendent Marr.

City Manager Alles reported Carroll College is currently working with city staff on the construction of new student housing.

City Attorney

Mail Ballot Elections – City Manager Alles and City Attorney Hindoien reported mail ballots were used for city elections in November of 2011. It is staff's recommendation to use them again in 2013.

Commissioner Elsaesser commented he did not originally support mail ballots; however, due to the high turnout he will support the resolution before the commission on March 25th. He did ask that the AutoMARK machine is set up for anyone who needs to use it. City Manager Alles stated with city elections, the AutoMARK machine is available in the Election Office.

Commissioner Ellison asked how much the city saves by using mail ballots. City Clerk Debbie Havens stated approximately \$10,000 per election and the turn-out has been higher with the mail ballots.

Public Works

Engineering Standards – City Manager Alles introduced City Engineer Ryan Leland to present an overview of the current Engineering Standards and staff's recommendations.

Public Works Director Rundquist gave the history on how the original Engineering Standards were designed and the update process. Staff has continuously invited comments on the update and will address mainly the transportation portion. Director Rundquist thanked Engineer Leland for the work he has done on the standards.

City Engineer Leland gave a PowerPoint presentation on the current Engineering Standards that were adopted by the city commission and the proposed standards the commission will consider. He handed out a hard copy of the comments he has received since the original adoption of the engineering standards. He has prepared another comment document with all the comments received since the last draft update; including the comments submitted by commission members. However, the document is not completed, but will be in the next few days.

City Engineer Leland reviewed the process for updating the engineering standards that included hiring HDR Engineering, staff recommendations and subdivision regulations.

Commissioner Elsaesser asked if it would be allowable for parking options on boulevards between the tree boxes. Engineer Leland stated this would not be prohibited by the standards; all options could be considered; there are processes to address those options.

Commissioner Haque-Hausrath asked doesn't the travel lane, not including curb and gutter, require 22'. Engineer Leland explained how the current standards are applied and how the proposed changes would be measured; he showed several examples of the various road widths. Commissioner Haque-Hausrath stated her preference would be not to increase the width of the local road travel lanes.

Commissioner Haque-Hausrath asked if staff believes the language on the utilities not being installed under the boulevards will remain in the standards. City Engineer Leland concurred and noted that language is not being removed.

Commissioner Thweatt asked City Attorney Hindoien to comment on the letter received from Sullivan, Tabaracci, Rhoades Law Firm, representing NorthWestern Energy. Attorney Hindoien stated his

office hasn't been engaged in the conversation. Public Works Director Rundquist stated he has read the MCA and believes the city's opinion that it has the right to regulate the location of utilities is correct; NorthWestern Energy is working with city staff to find a solution.

Commissioner Elsaesser asked for clarification on parallel utilities. Engineer Leland explained the city has to allow perpendicular crossing for utility services. There are proposed changes related to conduit and what can be located in the boulevard that staff and NorthWestern Energy are working on.

He then asked what direction the commission wants to take after today's meeting and offered to review the commission's comments or respond in writing.

Commissioner Thweatt stated he would rather see staff's responses to comments in writing before the commission proceeds. Commissioner Haque-Hausrath stated she too would like to proceed as recommended by Commissioner Thweatt. Commissioner Ellison concurred with Commissioner Haque-Hausrath and Thweatt's comments. Mayor Smith indicated he would like more time to review the comments.

Commissioner Elsaesser asked for more information regarding "illicit connections", if a building connected its HVAC to stormwater. Engineer Leland explained under the current DEQ rules and the city's MS4 stormwater permit, an HVAC system connected to storm drainage is not allowed. However, the HVAC system could be connected to the sewer system. Commissioner Elsaesser asked if pulling heat from the system would be allowed. Engineer Leland stated it is not allowed by the state as the city has no control over what is discharged back into the system.

Commissioner Elsaesser asked if privately owned art would go through a ROW permitting process. Engineer Leland stated yes and noted public art would not have to.

Commissioner Thweatt referred to Section 4.7.6 Land Disturbing Activity and offered the following comments: Restriction on cuts and fills should be consistent with proposed subdivision regulations protecting water bodies. Cuts and fills should not destroy existing vegetation within 150 feet of a perennial stream or within 100 feet of a wetland, pond, lake, reservoir, or intermittent stream in order to maintain a vegetative buffer. Engineer Leland noted he would hesitate adding that language because it would not apply if a stream had to be crossed. He added that the state or federal government regulates stream crossings. Commissioner Thweatt stated his concern is creating a fill slope close to a stream and destroying vegetation closer than 150' to the stream. Engineer Leland stated there are regulations through the building division that addresses that issue.

Commissioner Haque-Hausrath asked the commission to consider what level of approval they want on the matrixes; for example the width of a boulevard or the elimination of a bike path. Engineer Leland explained it requires commission action to remove a boulevard; however, if you shrink the boulevard it would not require commission action. Currently a bike lane in lieu of a sidewalk is addressed in City Code and does not require commission action.

Commissioner Haque-Hausrath stated she is interested in seeing a provision that requires a pedestrian walkway be provided during construction. There was commission concurrence to require the provision. Public Works Director Rundquist stated per ordinance staff can influence a walkway near a sidewalk obstruction. He noted he would research the issue and report back to the Commission.

Mayor Smith asked Engineer Leland if two weeks is adequate time to address the comments from the commission. Engineer Leland concurred. Manager Alles stated interested parties would be invited to the April 3rd Administrative Meeting.

Mayor Smith asked for public comment. NMTAC Chair Sarah Sadowski stated NMTAC did provide recommendations and is in total concurrence with the complete street check list. NMTAC will continue to be an active partner in the review of the subdivision regulations.

HCC Coordinator Kelli McLane reported the HCC has been involved in the review of both the engineering standards and subdivision regulations and did receive the comment document from Engineer Leland.

6. Committee discussions

- a) ADA Compliance Committee, Audit Committee, Board of Health, Civic Center Board, Montana League of Cities and Towns. Mayor Smith reported the Board of Health has conducted a survey on wood burning and submitted a letter of support to the legislature for the expansion of Medicaid.
- 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 reported the TCC met and will begin holding monthly meetings to discuss the upcoming Transportation Plan Update.
- d) BID/HPC, City-County Parks Board, TCC, L&C County Mental Health Advisory Committee – Commissioner Thweatt reported the BID is conducting a survey of downtown businesses on whether they support two-way traffic or not.
- e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee, Intergovernmental Transit Committee – No report given
- f) Helena Citizens Council – HCC Coordinator Kelli McLane had no new items to report on.

- 7. **Review of agenda for March 25, 2013 City Commission meeting** – No discussion held.
- 8. **Public Comment** – No comments received.
- 9. **Commission discussion and direction to City Manager** – Commissioner Thweatt thanked City Manager Alles for working with the Forest Service and achieving results. Manager Alles gave an overview of progress with the Red Mountain Flume Chessman Reservoir Project and invited the commission to attend the Forest Service open house on Tuesday, March 26th at 4:00 p.m.
- 10. **Adjourn** – Meeting adjourned at 6:00 p.m.