

**SUMMARY OF ADMINISTRATIVE MEETING**  
**December 11, 2013 – 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 was excused. Staff present was: City Manager Ron Alles; Executive Assistant Sarah Elkins; Parking Commission Director Dave Hewitt; Police Chief Troy McGee; Public Works Director Randall Camp; Solid Waste Superintendent Pete Anderson; Solid Waste Administrative Assistant Jake Larson; Water/Wastewater Superintendent Don Clark; HATS Superintendent Steve Larson; Community Development Director Sharon Haugen; Chief Building Inspector John Pallister; City Attorney Jeff Hindoien; Administrative Services Director Tim Magee; and Deputy City Clerk Robyn Brown. Others in attendance included Independent Record reporter Al Knaubler; City Commissioner Elect and Helena Citizens Council (HCC) Chair Andres Haladay; John Hilton -Helena Recycling; Lloyd Sparks – Helena Independent Living Project; and Matt Cramer – S.A.V.E.

**2. November 13, 2013 Administrative Meeting Summary** – The November 13, 2013 Administrative Meeting summary was approved.

**3. Commission comments, questions –**

A. Board Appointments – Mayor Smith is recommending the following appointments:

**Public Art Committee:** Reappointment of John Moore to a first full term on the Public Art Committee. Term will begin upon appointment and expire December 31, 2016.

**Transportation Coordinating Committee:** Reappointment of Melinda Barnes to a second term on the TCC. Term will begin upon appointment and expire December 31, 2015.

Commissioner Ellison spoke in support of the proposed appointments.

B. Commission Comments – Mayor Pro Tem Elsaesser commented he is very interested in keeping the Henderson Bridge Project on track within the first phase of Centennial Trail using CTEP funding.

**4. City Manager's Report** - City Manager Alles reported on the following issues:

**Map 21:** A committee from the Montana Department of Transportation will be evaluating the projects submitted for funding during the week of December 16, 2013; hopefully decisions will be made before Christmas.

**Winne traffic tables:** The tables will be removed because they do not allow snow removal equipment to function correctly. Also, speed studies have found they are not warranted as speeds fell within 25-29 miles per hour (mph), within the 84<sup>th</sup> percentile. City staff will be meeting with the neighborhood to see if other traffic calming tools can help with the perceived problem. Other options could include flashing lights and speed notification signs.

**Davis Gulch:** Engineering Department staff has met with concerned residents regarding speeding on Davis following improvements to the street. A speed study was done for the area and the 15/mph speed signs in the area are not warranted. Staff is working with the neighborhood.

**Water Rights Case:** The plaintiff is appealing the decision to the Supreme Court.

**Main Street Crossing:** Manager Alles referred the commission to the letter addressed to Public Work Director Randall Camp in reference to the crossing on North Last Chance Gulch between the YMCA and Memorial Park. He asked the Commission to think about whether to eliminate the pedestrian crossing and point citizens to the pedestrian tunnel or to continue maintaining the crossing.

Discussion was held on potential remedies for issues associated with the crossing. Manager

Alles suggested he work with city staff to install better signage for the crosswalk. The Commission concurred.

**Fish, Wildlife and Parks (FWP) Commission meeting:** Their meeting is tomorrow and Manager Alles will attend. A national campaign has inundated the Police Department with comments against deer culling via email. He will ask FWP for information on relocating the amount of the herd that would be culled otherwise. He noted there is only a 50% survivability rate when relocating animals. Manager Alles will recommend to the FWP Commission to continue culling for community safety and the benefit to Food Share.

**Caird Property:** Manager Alles referred to the Montana Business Assistance Connection's (MBAC) purchase of the Caird Property and noted there is much to be discussed regarding clean-up, change of use for the property, and the use revolving loan funds, by the city, to leverage the clean-up. Mayor Pro Tem Elsaesser disclosed he is on the MBAC board and has recused himself from voting on the project. Commissioner Haque-Hausrath disclosed that her division of the Department of Environmental Quality (DEQ) would likely be responsible for review of the clean-up. She indicated she would work with City Attorney Hindoien to determine if that would be a conflict.

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

**Review Building Permits, Fees, Alternative Energy Fees –** City Manager Alles introduced the discussion of the building permits, fees and alternative energy fees. Community Development Director Haugen reported city staff is forwarding a recommendation on providing incentives for the installation of solar panels and wind turbines. The incentive would be a reduction in the building fee assessed based on a reduction in the valuation of the system. The city has received permit requests for the installation of solar panels for an average of three (3) single family homes a year. This year, RMDC installed solar panels on each of the buildings at their new River Rock apartment complex. The city has received only one request for the installation of wind turbines in the past five years.

In the September 2008 midterm report, the Helena Climate Change Task Force recommended that the City of Helena reduce permit fees for certain construction or installation projects that featured renewable energy components. The recommendation was to enact a limit of \$100 or less flat fee on renewable energy permit fees to eliminate the fee entirely. It was stated in the Interim Report that a survey of other Montana cities suggested that Helena's fees for the installation of these systems was much higher than most places. As a result of this finding city staff contacted other jurisdictions to determine what their fee structure was and if any of the jurisdictions offered any incentives. In the final 2009 Climate Change Task Force Action Plan, the city commission reviewed the staff information which found that the city's permit requirements and costs were consistent with other cities. The commission, in that report, endorsed the exploration of other incentives beside fee reductions.

Staff is recommending the city provide an incentive for the installation of alternative systems by discounting the value of the system to be installed. No other city in Montana currently provides such an incentive. City staff is recommending that we discount the value of the systems by 50%. Since the majority of the fee is based on that valuation, the net effect would be a reduction of 47% of the total amount paid to the city, or about \$100 on the building fee and \$50 on the plan review fee for a single family home. This reduction in value would apply to both residential and commercial properties.

The permit fee for the installation of an alternative energy system, such as a solar panel, has three components. The first part of the fee is the cost associated with the contracted value of the system, commonly referred to as the building fee. The second part of the fee is the plan review fee and is based on 65% of the building fee. The third portion is an electrical permit fee that is required for all installations of electrical service.

Director Haugen gave the example that a solar system was recently installed on a house at 807 2<sup>nd</sup> Street. The value of the system was \$12,675 and the total permit fee for the installation was \$371.35. Of that fee, \$912.48 is the building permit fee; \$125.11 is the plan review fee and \$5376 is for the electrical inspection. Under the incentive described, the fee would be reduced to the following amounts: \$100.25 for the building fees; \$65.17 for the plan review fee and the electrical inspection fee would stay the same for a total of \$219.18.

The Commission concurred with the proposal and commented they look forward to seeing it on a Commission Meeting agenda.

Chief Building Inspector John Pallister reviewed the recommendation to increase building fees. Staff would make the Helena Building Industry Association, Montana Contractors Association and other building organizations aware of the proposal. The fee schedule would be based on the 2010 fee schedule of the State of Montana.

Manager Alles noted this is the first discussion on the building fees and additional discussions will be held with the Commission before proceeding to a Commission Meeting for formal increase.

Commissioner Haque-Hausrath asked how many of the larger Montana cities are using the State's fee schedule. Chief Building Official Pallister explained it is difficult to know if other communities are using the fee schedule because he is not sure of how many of them build their fees. The city's fees are at the mid to bottom range compared to other cities and towns. He stated he would provide the Commission with a city-by-city comparison of fees.

Mayor Pro Tem Elsaesser commented he is interested in increasing growth within the city, versus outside the city, and wonders how building fees tie into that. Commissioner Haque-Hausrath stated when this does come before the Commission she would like to know what percentage and average amount the actual increases are.

Commissioner Ellison congratulated Building Official Pallister on his promotion and concurred with Manager Alles recommendation on how to move forward.

The Commission members indicated they were pleased to see that a review is occurring and look forward to seeing the results. Manager Alles noted community outreach will be performed and factored into the final recommendation to the Commission.

### **Parking**

**Residential Parking District Review** – Manager Alles gave an overview of the current amount of Residential Districts and the costs for those permits. Park Director Hewitt explained the current situation and reviewed his memo that included the following:

**Subject:** Resident-only Parking Districts

**Objective:** To resolve issues regarding current resident-only parking areas and the cost to patrol them vs. the income generated by permit purchases and citations, to resolve questions of establishing new resident-only parking areas. To clarify the role of the City Commission in the establishment and withdrawal of restricted parking districts and the role of the Helena Parking Commission in the administration of those districts established by the City Commission.

### **Background:**

Residential parking areas exist in small pockets all over the city, some affect only one or two homes. Because the commission created restricted parking areas, the city is obligated to enforce those areas, which currently is not being done. It is not feasible to enforce those areas with the current permit structure (\$10/year). Enforcement is one issue; the other is the determination of an appropriate value on the exclusive use of public right-of-way. We have four new requests from residents in different parts of the city to create resident-only parking districts.

### **Current situation:**

- Resident-only parking districts were created through city code 8-14-7, allowing residents to request Type A & Type B residential parking districts (attachment A, ordinance 2265) and the City Commission to approve & implement those restricted parking areas;
- Each resident-only parking district was created under a separate resolution;
- Residents are expected to purchase a permit for the property each January for \$10/year, usually two vehicles per property;
- Residents are not currently charged for guest permits for use by family, friends, and service providers such as plumber, home healthcare, etc.;
- Districts are scattered all over the city and are generally not patrolled. Helena Police are called to enforce periodically (see map, attachment B);
- In many districts, no permits are purchased. For others, a minority of property owners purchase permits each year (attachment C).

### **Proposal for current issues:**

- Create a single resolution identifying all resident-only districts to supersede all previous resolutions. The resolution can then be amended when resident-only districts are removed or created;
- Notify residents in restricted parking districts via flyer and/or letter delivered to homes and placed on car windshields that as of January 1, 2014;
  - the cost to purchase permits will increase from \$10 to \$20 for *each permit*, each residence is limited to two permits;
  - guest permits will now cost \$5 for each pass, with a \$10 replacement cost. A guest pass may be purchased for each \$20 permit purchased for the same property. Guest permits are not intended to be used by residents;
  - there will be periodic patrols of the area beginning January 15, 2014;
  - contact the HPC if you want a petition to remove your parking district; the majority of residents effected must sign the petition for removal to be considered by the commission.

### **Proposal for requests for new districts:**

- Establish clear criteria for the establishment of Residential Only districts – this will provide guidelines and consistency for the City Manager and City Commissioners;
  - MUST be located in a residential zone (R-1, R-2, R-3);
  - MUST have NEW community impact activity, i.e. proximity to new or expanded buildings or a change in zoning (school expansion, adjacent area zone expanded or changed);
  - Minimum of five properties are affected by change. A majority of residents affected MUST sign the petition for consideration by the commission;
  - Limited, or no accessible off-street parking for properties (older neighborhoods).
- Amend resolution 19142, the cost to request & implement resident-only parking areas (attachment D), for costs & deposit to meet current expenses for implementation – or create a new resolution rescinding 19142 and establishing all deposits and fees, which can be amended for future adjustments. Perhaps this can be combined with a resolution listing all residential parking districts in the city so they're all in one place rather than in 18 separate resolutions.
  - Base cost to establish on 100% cost recovery (administration, signs, installation)

### **Summary of Recommendations:**

#### **City Commission**

- Consider a resolution which lists all current resident-only parking districts and establishes clear criteria and a process for new requests for residential parking districts. This resolution will supersede any previous related resolutions and will allow future amendments, as opposed to a separate resolution for each district. This will allow a review of all districts when additional requests are made.
- Consider amendments to resolution 19142 to cover costs to implement newly established residential parking districts
- Consider a resolution placing all City Commission established restricted parking districts under the administration of the Helena Parking Commission.

Manager Alles discussed the proposed criteria for creating new districts in depth.

Commissioner Ellison expressed concerns related to the amount of citizens not participating and/or complying with the requirements of living in these districts. Commissioner Haque-Hausrath also commented on residents of districts not participating as they should and recommended the smaller districts be required to opt-in. Manager Alles stated they could be notified of the city disbanding the district; after that they could petition to re-create the district. Commissioner Haque-Hausrath recommended disbanding those districts that only have little or no participation.

Manager Alles noted future updates will be provided to the Commission.

Mayor Smith joined the meeting at this time.

### **Public Works**

**City of Helena Recycling** – Mayor Pro Tem Elsaesser passed out a memo regarding Solid Waste Residential, Transfer Station, and Recycling Funding. He explained the memo and spoke to the section titled “Commission Action”. It reads as follows:

#### **Commission Action:**

- Staff provide a formal proposal for plastics in one month that includes bids for equipment, determine staff needs (or partner, e.g. Helena Industries on busy weekends), and outlines a location at the facility for collection.
- The efficiency study will consider recycling as part of waste management in the City of Helena and Scratch Gravel Landfill District, including potential partnerships and future recycling opportunities-not just current operations.
- Support more frequent chipping and removal of green waste at the Transfer Station.
- That Transfer Station Recommendations 1 & 2, major capital projects, be held off until further action by the Commission following the efficiency study.

Manager Alles noted he wanted alleviate any concerns that staff is not supportive of recycling. Whatever direction the Commission decides to take, staff is going to go. He reiterated that staff is supportive of recycling and highlighted efforts that have been taken. Public Works Director Randall Camp stated staff is reviewing all options for the city to optimize its recycling program.

Thorough discussion was held on Commissioner Elsaesser’s memo. Mayor Smith thanked Mayor Pro Tem Elsaesser for his thoughtful communication.

#### **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 – Commissioner Ellison reported NMTAC is prepared to submit a recommendation to the Commission making the Henderson Bridge Project their #1 priority.
- 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 – Commissioner Thweatt spoke on the BID Board.
- e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee, Intergovernmental Transit Committee – no report given.
- f) Helena Citizens Council – HCC Chair Andres Haladay had no report.

Mayor Pro Tem Elsaesser and the Commission members thanked Commissioner Thweatt for his service. Commissioner Thweatt thanked the Commission members for their comments and expressed how much he will miss working through issues with his fellow Commissioners.

7. **Review of agenda for December 16, 2013 City Commission meeting** – No discussion held.
8. **Public Comment** – No public comment was given.
9. **Commission discussion and direction to City Manager** – No discussion held.
10. **Adjourn** – Meeting adjourned at 5:53p.m.