

SUMMARY OF ADMINISTRATIVE MEETING

July 30, 2014 – 4:00 p.m.

Room 326, City-County Building

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Ellison, Haladay and Haque-Hausrath were present. Commissioner Elsaesser was excused. Staff present was: City Manager Ron Alles; Executive Assistant Sarah Elkins; Police Chief Troy McGee; City Attorney Jeffrey Hindoien; Fire Chief Sean Logan; Public Works Director Randall Camp; Street Superintendent Ben Sautter; Parks & Recreation Director Amy Teegarden; Parks Superintendent Craig Marr; HCC Coordinator Judy Garrity and City Clerk Debbie Havens.

Others in attendance included IR Reporter Al Knauber, HCC member Adam Gill, MILP Representative Les Clark.

2. July 16, 2014 Administrative Meeting Summary – Commissioner Haque-Hausrath had several changes to the summary, which were made. The July 16, 2014 administrative meeting summary was approved as amended.

3. Commission comments, questions –

Board Appointments: Mayor Smith is recommending the following appointments:

City-County Planning Board Reappointment of Margaret Strachan to a second term on the City-County Planning Board. Term will begin upon appointment and expire September 1, 2017.

Helena Open Lands Management Appointment of Betsy Miller to HOLMAC. The first Advisory Committee (HOLMAC) will begin upon appointment and expire June 30, 2017.

Helena Regional Airport Authority Reappointment of Jonathon Moe for a first full term to the Airport Authority. Term will begin upon appointment and expire September 1, 2017.

Commission Comments – Mayor Smith reported he will not be at the August 4th city commission meeting.

4. City Manager's Report - City Manager Alles spoke on the following items:

1. City Attorney Hindoien has submitted his resignation and will be leaving city employment and going back into private practice. City Manager Alles thanked Attorney Hindoien for the work he has done while at the city.

2. The city did receive notice that the objectors to the Red Mountain Flume/Chessman Reservoir Project plan on filing for a temporary injunction; staff is preparing to make a statement of "harm". Manager Alles is pursuing the "intervening status" and will look at hiring outside counsel to complete this process. Manager Alles commented the suit is related to the Chessman Reservoir and the Red Mountain Flume and not the entire watershed.

Commissioner Haque-Hausrath commented that when the commission originally discussed this; Commissioner Elsaesser had requested Manager Alles to bring back a proposal for intervention to the commission so they could formally decide how to proceed. Manager Alles asked if that is how the commission wants to proceed, does the commission believe the city should defend our interest or does the commission want a proposal on what council is being hired. Commissioner Haque-Hausrath stated she has some concerns with the intervention status and felt the federal government is well positioned to represent themselves. She is not sure at this point, what the city's interest would be to justify hiring outside counsel.

Commissioner Haladay stated he too would be curious on two items – 1) what is it the forest service cannot do without the city's involvement; and 2) to the extent of getting involved he wants assurance that the Forest Service has their ducks in a row from a legal prospective. He would prefer the city not carry the load of the lawsuit on behalf of the Forest Service and if it would benefit the city, he would like to hear what it is.

Manager Alles again stated the suit is related to the Chessman Reservoir and the Red Mountain Flume and not the entire watershed. Manager Alles stated he is keeping the city's comments related to those two. Commissioner Haladay stated he is not saying the city should not be involved; however, he wants to know why this is an important policy situation for the city to be involved in.

Commissioner Haque-Hausrath stated it would be helpful if there is some way the city's interest is not 100% aligned with the Forest Service position. The issues should be to identify what would negatively interfere with the city's ability to protect the Chessman Reservoir and the Red Mountain Flume.

Mayor Smith stated the commission considered intervening with the lighting district before the Public Service Commission and decided not to. He concurred to have Manager Alles prepare a brief report on the city involvement including any potential counsel.

Commissioner Haque-Hausrath stated she would be interested in a short explanation of what mitigation plan is in place. Manager Alles noted the information is available and he can get it to the commission.

Manager Alles stated the property adjacent to the Red Mountain Flume has deadfall and the fence is down and cattle can access the city's property. There will be a commercial logging project adjacent to the Chessman Reservoir. The city's project is approximately 490-acres and there is no clear-cutting planned. He then addressed the importance of the newly created Tenmile/South Helena Forest Restoration Collaborative Committee.

3. Manager Alles referred the commission the memo from HATS Superintendent Steve Larson and correspondence from Les Clark with MILP. The intent is to go live on August 11th with the ADA paratransit program. Manager Alles reviewed the process that has been used to collect data and qualify persons for the paratransit routes. At this time the city plans on changing from the curb-to-curb service to a paratransit service.

Director Camp reported staff continues to move forward with the implementation. Manager Alles reported MDT has approved the in-kind form; and Brian Johnson with United Way has entered data on those who currently use the curb to curb service. Manager Alles handed out a map showing the data collected by Mr. Johnson on the curb to curb routes.

Commissioner Haque-Hausrath reported Les Clark with MILP has recommended not eliminating the curb to curb service until further data is collected and she believes there is some logic with the recommendation and would like to hear from other commission members. The map is a good resource; however, staff cannot distinguish between those who qualify and those who do not.

Manager Alles noted staff has discussed delaying the elimination of the curb-to-curb service; however, there was interest in establishing the Westside route to assure service to those who currently use curb to curb service and would not qualify for the paratransit system.

Mayor Smith asked for public comment. Les Clark, MILP, stated through an agreement between the city of Helena and MILP, he has provided mobility management services and a lower taxi fee. The agreement ended June 30th; however he has continued his duties. Mr. Clark He noted that in the last few weeks he has received more applications from elderly citizens to qualify for the curb to curb service. With the paratransit program, the elderly to not automatically qualify and at this time he is apprehensive about ending the curb-to-curb service without having an alternative. The city has the opportunity to capture all the data on the ridership with the new software and then make the final decision on the services offered.

Mr. Clark again asked the city to delay the decision to eliminate the curb to curb service for three months until further data can be collected and possibly develop more services for those who currently use the curb to curb service.

Commissioner Ellison referred to the map prepared by Brian Johnson and asked if he is reading it correctly where someone was picked up downtown and taken out to York Road and another person was picked up in the East Helena area and brought into

Helena. Director Camp stated that is correct. Commissioner Ellison then referred to one of the letters received by Mr. Clark where the writer said she would not qualify for curb to curb under the ADA requirements but uses the curb to curb service in order to reduce her carbon footprint. Commissioner Ellison stated it is It is hard for him to understand how driving a 20 passenger bus that gets about 8 miles to the gallon, and carries a single able-bodied rider is either efficient use of resources or good public policy. I recognize that a few people will experience hardship with this policy change and regret that they will need to find other means of transportation.

Commissioner Ellison noted the commission and staff has worked hard on implementing this and he believes the larger community will be better served with the changes as recommended and he would support moving forward with the implementation of the paratransit system on August 11th.

Mayor Smith concurred with Commissioner Ellison; we are in the midst of transition and the final decisions have been long and difficult; the law of imperfect selection. No matter what decision is made, not everyone's personal needs will be met. The goal is to have a system that is managed well.

Commissioner Haladay stated he would be fine with the delay until further data can be collected.

Commissioner Haque-Hausrath stated she was not aware that the policy would prevent seniors from using the curb to curb service and she believes the city should provide curb to curb service for senior citizens.

Mayor Smith stated he thought the city was following the ADA paratransit policy and its criteria and not the Older Americans Act. Les Clark noted the senior citizens' he is addressing are the 80 to 90 year olds.

Manager Alles stated all riders are qualified to use the paratransit system until their application is reviewed and denied.

Mayor Smith stated there are not three commission members asking for the delay in moving forward and therefore staff will implement the new system August 11th.

Commissioner Ellison asked if someone who lives outside the city limits can currently use the curb to curb service, is there a geographic limit. Director Camp explained the differences between current practices versus the paratransit program.

Commissioner Ellison stated he is not inclined to delay the implementation date. Mayor Smith again stated there is not commission concurrence to delay the implementation; therefore, staff will move forward with the August 11th date.

City Manager Alles handed out a copy of an email from HATS Supervisor Larson that addressed the letters Mr. Clark had referenced.

Commissioner Haladay asked if the new routes are implemented on August 11th when will the commission receive a report on the cost savings. Manager Alles explained he does not anticipate a cost savings as staff will use the current staff and fleet to implement the proposed fixed routes.

4. Manager Alles reported he testified in front of the Board of Environmental Review regarding the MS4 Stormwater proposed rule changes. A hearing date of August 27th has been set and representatives from each of the 7-larger cities have agreed to attend to go through the process on the rule change. The city of Helena is in the permit process with DEQ.

Commissioner Haladay disclosed his office provides legal to counsel to DEQ; however he does not work on any of the cases.

5. Parking Director Dave Hewitt continues to work with the business owners of the 400 block of Last Change Gulch to resolve the parking issues.

Mayor Smith stated he formally replied to the HCC regarding the parking in the 400 block of Last Chance Gulch.

Consensus Director to City Manager – Move forward with the implementation of the Paratransit system.

5. Department Discussions Public Works

Winter Streets Maintenance Discussion – City Manager Alles introduced the subject and Public Works Director Randall Camp referred the commission to City of Helena Winter 2013-2014 Snow Policy, Procedures, Plan, Codes and Comparison book and the information on the Snowplowing Options which included:

- Current Policy
- Plow snow to the center of street and remove
- Plow snow to the curb
- Current policy – increasing snow plow response with temporary employees
- Current policy – utilize other city personnel as snow plow operators

Director Camp reviewed the estimated cost of contract snow removal versus snow plowing. He then gave an overview of how the snow plow policy is implemented when a major snow/ice storm hits.

Street Superintendent Ben Sautter stated the snow plowing program is constantly being refined. Staff is comfortable with the current policies and tries to respond to the public; however, not every resident is going to be happy. City staff works hard to make the streets safe for the citizens.

Commissioner Ellison spoke on the 2013-2014 winter season and the good job the city crews did with the snow plowing. He looked at the city comparisons and the city of Helena employees plow more miles of road per driver than any other city employees do. He believes the city does as well as expected; the public will continue to let the commission know of their concerns. Commissioner Ellison stated he lives on a snow route and not all residents adhere to the policy of removing their cars so the street can be plowed.

Commissioner Haladay thanked staff for the information; he suggested that the snow plow policy/procedures and a street conditions update could be posted on the city's web page; this would allow citizens to know the condition of individual streets. There is the perception that the city does not do a good job with the snow plowing. Superintendent Sautter stated Commissioner Haladay's suggestion is a possibility as the drivers already collect specific information and he will research on how to accomplish getting the information posted on the website.

Manager Alles stated the issue of citizens not moving their cars on snow routes is very difficult to enforce. Superintendent Sautter stated staff has looked at mandatory removal of cars for snow plowing; he believes it is an inconvenience to citizens and if they do not move, will they be fined. Sooner or later vehicles will move; there are times when a car is plowed in. Staff tries to accommodate citizens when they request their street be swept. Staff works with what they have.

Manager Alles spoke on several of staff's procedures on snow plowing and sanding.

Consensus Director to City Manager – Mayor Smith stated the commission will further discuss the plowing of sidewalks at a future date and at that time, staff could provide an update on public information request and if it is possible.

Parks & Recreation

Boulevard Landscaping and Public Tree Ordinance – Parks Superintendent Craig Marr gave an overview of staff's proposed amendments to the ordinance and proposed changes to the standards as a result of additional input and clarification from stakeholders.

On May 19, 2014, the commission approved first passage of the Boulevard Landscaping and Public Tree Ordinance. At the public hearing on June 9, 2014, the commission table final passage. Additional input from Growing Friends of Helena has been incorporated into the standards and staff amendments.

The revised ordinance would clarify responsibilities and requirements for caring for boulevard vegetation and public trees, set timeframes for planting boulevard vegetation and align Helena tree care with national industry standards.

Commissioner Haque-Hausrath thanked Superintendent Marr for the overview and for staff working with Growing Friends to hear their concerns and recommendations. She still has concerns neither the ordinance nor the standards seem to require a specific number of trees be planted. The ordinance refers to live vegetation cover; she has worked with City Attorney Hindoien and will propose an amendment for a minimum number of trees to be planted.

Commissioner Ellison also thanked staff for the work; he asked if staff anticipates hearing from Growing Friends at the public hearing. Craig Marr stated he believes Growing Friends are in support of the ordinance, including the recommended amendments.

Commissioner Ellison noted Commissioner Elsaesser has an interest in allowing fruit trees to be planted in the boulevard. Commissioner Ellison referenced the type of trees allowed and noted that both chokecherry and crab apple trees are allowed and asked for clarification. Superintendent Marr stated Growing Friends requested the chokecherry trees be allowed as they are a very low volume fruit trees. In addition, staff will consider fruit trees on a case by case basis.

Mayor Smith asked if the nursery owners concerns have been addressed. Superintendent Marr stated he believes their concerns have been addressed as many of the owners belong to Growing Friends. Staff will invite both the Growing Friends and the nursery owners to attend the public hearing on August 18th.

Mayor Smith asked if staff recalls the proposed minimum tree amendment and if it will fit nicely into the amended ordinance. Superintendent Marr stated he believes the spacing is addressed in the spacing language; however, staff will clarify the language prior to the public hearing.

Commissioner Haque-Hausrath commented the way Attorney Hindoien had worked it out, there would be a new #5 in Section 6, Planting Standards, that would require a minimum amount of trees would be planted in accordance to the spacing requirements and would clarify trees are required and not just the vegetative cover.

Manager Alles stated staff will get the proposed amendments to the commission. Director Teegarden noted staff will meet with the nursery owners during the off peak season. There may be other changes in the future.

Director Teegarden spoke on behalf of the nursery owners and their support to move forward with the adoption of the ordinance and standards; noting that continued work will be done to improve the Helena Arboricultural Standards.

City Clerk

Helena Public Arts Committee Resolution – Manager Alles recognized the mural in recognition of Helena's 150th and reported it is almost complete and is a great addition to Performance Park. He then gave an overview of the proposed changes to the resolution.

Commissioner Haque-Hausrath commented the Public Art Committee has not seen the final resolution language and had requested up to 13-members; however, the resolution is up to nine members. Commissioner Haque-Hausrath stated if there are citizens that want to be involved with the Public Art Committee, they can do so.

6. Committee discussions

- a) Audit Committee, City-County Board of Health, Civic Center Board, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns – No report given.
- b) Audit Committee, Board of Adjustment, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee — No report given.
- c) Intergovernmental Transit Committee, Non-Motorized Travel Advisory Board, Transportation Coordinating Committee – No report given.
- d) ADA Compliance Committee, Business Improvement District/Helena Parking Commission, City-County Parks Board, Montana Business Assistance Connection – Commissioner Haladay reported the BID is getting ready to apply for the Main Street Grant; the plan is to complete a downtown master plan.
- e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee – Commissioner Haque-Hausrath reported the 5th Annual Chalk-Up Helena was a success again this year; the City-County Administration Building Board is finalizing the signage for a tobacco free campus.
- f) Helena Citizens Council – HCC Representative Adam Gill reported the HCC met last week and noted there will be a utility bill insert in August. The HCC is encouraging their members to submit issues prior to their monthly meetings so they can be discussed that the meeting; for example the truck traffic on Boulder Avenue as a result of the demolition of Caird.

An HCC member brought up the intersection of Cruise and State Street and how it could be improved for pedestrian traffic.

Commissioner Haque-Hausrath stated this is the same intersection that has been discussed and she agreed this intersection is dangerous; she would like to see a narrower street. Manager

Alles stated he had spoken to HCC member Paul Pacini and directed him to attend a NMTAC meeting.

Commissioner Ellison appreciates the comments and there are concerns with the trucks using Boulder Avenue. Manager Alles stated he did visit with MBAC Director Shove and the route has been changed to move some of the traffic off of Boulder.

HCC member Gill asked moving forward would Boulder be re-opened and would it remain the same. Manager Alles noted the Transportation Plan update is currently happening and Boulder Avenue may be addressed. In addition, a private property owner has previously indicated he may close access to his property adjacent to Boulder Avenue.

7. Review of agenda for August 4, 2014 City Commission meeting – No discussion held.

8. Public Comment – No public comment received.

9. 9 Commission discussion and direction to City Manager – No direction given.

Parks & Recreation Director Teegarden invited everyone to the dedication and celebration of Mountain View Park on Thursday, July 31st at 6:00 p.m.

Executive Assistant Elkins reported the 150th mural is almost completed and there will be a community celebration on October 30th.

10. Adjourn – Meeting adjourned at 5:45 p.m.