

**SUMMARY OF ADMINISTRATIVE MEETING**  
**September 24, 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, Elsaesser and Haladay were present. Commissioner Haque-Hausrath was excused. Staff present was: City Manager Alles; City Attorney Thomas Jodoin; Executive Assistant Sarah Elkins; Police Chief Troy McGee; Fire Chief Sean Logan; Parks & Recreation Director Amy Teegarden; Community Development Director Sharon Haugen; Public Works Director Randall Camp; City Engineer Ryan Leland; Street Superintendent Ben Sautter; Solid Waste Superintendent Pete Anderson; Administrative Services Director Tim Magee; HCC Coordinator Judy Garrity and City Clerk Debbie Havens.

Others in attendance included HCC representative Paul Pacini, Byron Stahly and Greg Wirth with Stahly Engineering.

**2. September 10, 2014 Administrative Meeting Summary** – The September 10, 2014 administrative meeting summary was approved as submitted.

**3. Commission comments, questions** – Mayor Smith congratulated Thomas Jodoin for being offered and accepting the position of City Attorney.

**Commission Comments** – Commissioner Haladay reported he attended the Downtown Conference and welcomed the participants. He noted Jeff Speck, keynote speaker, will give a Helena Centric presentation on September 25<sup>th</sup> at 6:30 p.m. at the Placer Center.

Commissioner Haladay referenced a proposal he sent regarding the city of Helena’s revolving loan funds (RLF) to use \$90,000 for lending to businesses and property owners within the BID. He noted the BID Board of Directors will discuss this at their October meeting and hopefully can provide a program model on how to accomplish this.

Commissioner Elsaesser commented the commission had also discussed setting aside RLF funds for conservation loans in the style of the DEQ loans with MBAC assisting. He noted there was a meeting this summer to discuss how to set up a program that would assist with stormwater and grey water. Commissioner Elsaesser stated he would like to continue this discussion along with Commissioner Haladay’s proposal.

City Manager Alles noted there is approximately \$140,000 in RLF funds and the city sent a letter to MBAC asking that they restrict \$90,000 for Commissioner Elsaesser’s proposal. The original clean-up costs were more than originally estimated; however, once the property sales, there should be sufficient funds to look at both proposals.

Commissioner Elsaesser stated he had sent an email regarding the snow removal policy and the solid waste study. He asked if the commission could get a tentative written response from staff. City Manager Alles noted staff has prepared a written response and he will forward it to the commission. Commissioner Elsaesser commented it is difficult to have an in-depth discussion if the commission does not receive information prior to a meeting.

Commissioner Elsaesser stated he too had sent out a proposal to establish three new zoning designations in the city; which could tie into Commissioner Haladay’s proposal.

Mayor Smith summarized the commission could invite MBAC Director Shove to attend an upcoming administrative meeting to discuss Commissioner Haladay’s proposal.

Board Appointments – Mayor recommended approval of the following appointments:

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| Board of Adjustment   | Reappointment of Bridget Holland and Matt Dalton to the Board of Adjustment. The second terms will begin upon appointment and expire October 1, 2017. |
| Bill Roberts Golf Advisory Board                            | Reappointment of Lynn Staley to the Bill Roberts Golf Advisory Board. The second term will begin upon appointment and expire October 30, 2017.        |
| Business Improvement District/<br>Helena Parking Commission | Reappointment of Kathleen Harrington to the BID/HPC. The second term will begin upon appointment and expire October 31, 2018.                         |

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|---|---|
| City-County Parks Board                   | Appointment of Ross Johnson as a city representative on the City-County Parks Board. First term will begin October 1, 2014 and expire September 30, 2017. |
| Heritage Preservation and Tourism Council | Appointment of Mary Jane Bradbury to the Heritage Preservation and Tourism Council. Term will begin upon appointment and expire June 30, 2017.            |
| Zoning Commission                         | Reappointment of Tim Meldrum to the Zoning Commission. The second term will begin upon appointment and expire September 30, 2017.                         |

Tenmile /South Helena Forest Restoration Collaborative Committee:  
 Two (2) representatives from Conservation organizations- Joe Cohenour  
 One (1) representative from local recreational user organizations  
 Two (2) representatives from commercial use organizations such as timber, biofuels, mining, and livestock industries – Melissa Hayes  
 One (1) representative from the City of Helena governing body or their designee – Ron Alles  
 One (1) representative from Lewis and Clark County governing body or their designee – Mike Murray  
 One (1) representative from Jefferson County governing body or their designee – Leonard Wortman  
 One (1) representative from the fire community- Jordan Alexander  
 Two (2) citizens at large from the greater Helena area – Mike Bishop

Commissioner Ellison encouraged the reappointment of the members to the Board of Adjustment and Zoning Commission. He then asked for clarification on the appointment of Melissa Hayes to the Tenmile/South Helena Forest Restoration Collaborative Committee, who has a Missoula address. Mayor Smith stated he based his recommendation on the fact that Ms. Hayes lives in Missoula and works out of Helena and represents the Montana Forest Products Association.

City Manager Alles concurred with Mayor Smith’s comments and noted Ms. Hayes does represent a statewide organization that meets the criteria. There is some other interest; however, no other applications have been submitted and it is important to have stakeholders represented on the committee.

Commissioner Ellison stated he is ready to move forward with the recommended board appointments. Commissioner Haladay stated he knows Ms. Hayes personally and she has a well-rounded background to serve on the committee.

Commissioner Elsaesser stated it would be great if there are local interested applicants; if not he supports the recommended board appointments.

**4. City Manager’s Report –**

**MS4 Memorandum of Understanding (MOU)** – City Manager Alles referred the commission to the copy of the MOU between the Department of Environmental Quality and the MS4 Cities of Montana. He then reviewed the basis of having the MOU and based on the review, DEQ agreed to extend the current permits on the condition that the cities, DEQ and EPA work through the differences within the next two years. EPA has indicated they will be working on a manual that would apply to the states of Montana and North Dakota. A standard manual will help everyone.

Manager Alles asked the commission to approve the concept of the MOU. At this time, there should not be a cost to the city as there was money identified through the Montana League of Cities and Towns budget.

Commissioner Elsaesser stated he appreciates the fact the League is engaged. Even though there is going to be a delay in the permit, the city should be looking at the green capitals concepts of less centralized stormwater and other mechanisms. He will continue to ask about the alternatives.

Mayor Smith noted the nutrient standard working group has been working for some time and asked if the two year timeframe would be sufficient amount of time. Manager Alles noted he believes the two year timeframe will make the parties come to the table in a timely manner and see progress from all sides.

**Montana League of Cities and Towns** - Manager Alles reported he and Mayor Smith participated in a meeting with the League and spoke on any proposed legislation. At this time, he does not believe the city of Helena has any formal requests to submit for consideration. A couple of items

would address premiums for retirees and stormwater issues; however, he does not believe any proposed legislation is necessary. Manager Alles will forward an email to the commission with the proposed resolutions.

Commissioner Elsaesser asked if the city will be proposing any legislature regarding the building standards, specifically cedar shakes. Manager Alles stated at this time, the city has not received an outcome of the enactment of the state building codes. There was a commitment to discuss this at the resolution committee and he will bring it up at the September 25<sup>th</sup> meeting.

Commissioner Elsaesser stated he looks forward to seeing the list to include conservation and water policies. Manager Alles explained the resolution committee will make recommendations to the League Board of Directors and the board will make recommendations to the full delegation at the conference.

Manager Alles reported he received a letter from the Heritage Preservation Commission asking what the requirements of the School District are, if they submit the demolition permit. Manager Alles noted the information staff provided to the Heritage Preservation Commission had legal review and ultimately was approved by him.

Commissioner Elsaesser stated this letter was written after the pre-application meeting and asked City Manager Alles if the Preservation Commission can ask for additional information. Manager Alles stated the Preservation Commission can ask for additional information; however, it was the judgment of city staff that the school district does not legally have to provide the information.

Manager Alles stated the question of where the students live and the traffic flow does not have an impact on whether or not a demolition permit should be granted. Commissioner Elsaesser stated this differs from what was originally discussed as far as what criteria should be considered. He appreciates the update.

Commissioner Haladay noted there have been conversations of the School Board wanting to meet with both the city and county commissions to discuss the potential demolition permit. School Superintendent Kultgen has requested a work session to discuss issues between the school district and the city and county commissions. Commissioner Haladay stated it would be helpful to know what they are looking for prior to scheduling a meeting.

Mayor Smith stated he has expressed the same thoughts, he would like to see what the school district is looking for and setting the meeting prior to any demolition permit application being submitted. Mayor Smith stated he saw the letter from the Heritage Preservation Commission and visited with Manger Alles. This is the first time in the State of Montana to use this law and he felt it was appropriate of the city to narrow their scope. The Heritage Preservation Commission is an agent of the city and he would be comfortable with the response to limit the scope.

Commissioner Elsaesser stated any limitations placed on the Preservation Commission would also apply to the city commission and that would concern him if all aspects of how the school functions cannot be discussed. There is a lot the city can do to assist the school district do include parking, traffic flow and running services for some of the outlining schools. He is on the record being in support of not wanting the schools districts infrastructure issues to force development outside the urban boundary.

Mayor Smith stated he believes the city commission has a broader scope than the Heritage Preservation Commission. If and when the demolition permit is considered by the commission, there is a broader scope that can be discussed. Attorney Jodoin noted the issue that needs to be addressed is relevancy; some of the information that they were seeking was not relevant to the historic nature of the building and/or district.

Mayor Smith asked if the city commission could ask the same questions regarding relevance, such as traffic patterns and parking. Attorney Jodoin stated he would like to research the question more closely; he suggested the city commission would have the same limitations in reference to the demolition permit. However, they have broader scope outside the demolition permit process. Manager Alles stated the age of the building does not matter on how many students and how they get to school, it is not relevant.

Commissioner Haladay asked if the Heritage Preservation Commission is limited with the material they can request and receive, would the same apply to the city commission. Attorney Jodoin stated whatever the initial permit is limited to, both the Heritage Preservation and City Commission would be restricted to the same scope. Manager Alles noted traffic and all other city standards would be addressed when an application is submitted for renovation or a new building.

City Attorney Jodoin will do further research and keep the commission updated. A copy of the letter and City Manager's response will be given to the commission.

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

**Westside Infrastructure Annexation Update** - Planner Dustin Ramoie reported currently there are approximately 302 properties in the county that are receiving City water and /or wastewater services. The vast majority of these properties are in the Westside (see attached map). The unincorporated neighborhoods of Helena's west side could provide a focus for annexation efforts as the area has considerable potential for urban development if City infrastructure is extended in an efficient and cost-effective manner. City staff has recently been in the process of identifying the opportunities and challenges of annexing the properties that are on the Westside and are currently receiving city water and/or wastewater services. City staff has identified four areas on the Westside that could be considered for annexation. Of the 302 properties in the County currently receiving services, 158 properties are located in the wholly surrounded area east of Joslyn Street, which is phase one. Phase two is all lands north of Knight Street, west of Joslyn, and South of Euclid. Phase three is south of Knight Street and east of Hauser Boulevard and Park Drive. Phase four is north of Euclid and south of Country Club Avenue. All properties are identified by Geocode which may mean that they have multiple lots under each property

- Including the following properties identified by Geocode:
  - 30 Commercial properties
  - 84 Residential properties
  - 43 Vacant properties
  - 1 exempt property (Church/St. Andrews)
- Recently City of Helena hired Stahly Engineering and Associates to prepare an infrastructure cost update for the Helena West Side Infrastructure Study (2002) to determine the costs associated with the installation of water, wastewater, storm water, and some street improvements to these areas to help quantify what it would take to bring these properties to a certain level of service if annexed. This infrastructure study only covered the costs associated with the phase one properties.

Greg Wirth reported Stahly Engineering was hired by the city to look at Phase One, including the water and wastewater areas and develop what the square foot costs would be do install the infrastructure. The unit costs to include streets, water, storm water, water and wastewater would be \$2.00 per square foot for only water and sewer infrastructure improvements. The recommendation would be for the city to develop a rebate program that would assist property owners with the initial costs. Implementation was also discussed on what is the best way to proceed.

- In addition to the Infrastructure Update, staff also identified five alternatives as a process for annexing the wholly surrounded properties in the phase one area. MCA 7-2-Part 45 outlines the process that the City would use for the annexation of wholly surrounded properties. In all cases of annexation under current Montana law, services must be provided according to a plan provide by the municipality. There is no protest provision available under this type of annexation and all lands within the wholly surrounded area are eligible to be annexed under this provision
- Attachment 3 outlines five options for a process for annexing the phase one properties
  - Option #1 Current Process - Applicant petitions to annex, property is pre-zoned and resolution of intent to annex is passed, applicant meets conditions, property is annexed
  - Option #2 - Annex in December 2014, establish rebate, start infrastructure installation in Spring 2015
  - Option #3 - Pass Resolution of Intent to Annex, establish rebate, start infrastructure installation in Spring 2015, complete annexation once fully installed
  - Option #4 - Annex Phase #1 immediately and individuals would extend services as needed at owner's expense
  - Option #5 - Annex everyone that is receiving water and/or wastewater services immediately, do not grant anymore extensions of services by deferral, require annexation for services

Planner Ramoie noted at this time, staff is looking at Option 3. He then asked City Engineer Leland to address the funding on Option 3.

Engineer Leland stated under Option 3, the city would install the water and sewer mains and would receive rebates as property owners receive service. The city has qualified to receive a State Revolving Fund loan to pay for the construction costs which are estimated at 4-million. Staff's goal is to keep the cost per lot, less than \$9,000 to hook into city sewer and \$14,000 to hook into city water. These estimates are based on a 100' X 125' foot lot. This option is the most equitable for property owners.

The current city ordinance allows for a 20-year rebate program; however, staff may look at recommending it be changed to 30-years. If the project moves forward, the city will have obligations to install larger mains at an approximate cost of \$700,000.

City Engineer Leland further explained there is no identified funding to install complete streets. The streets will be asphalt and at a later date, complete streets can be installed. With the current recommendation the cost estimate is \$110 per square foot, compared to \$323 per square foot to install complete streets, water, sewer and stormwater.

#### **Funding Mechanism:**

- The City has notified the State about the possibility of using the State Revolving Fund (SRF) to pay for the construction costs of the proposed project
- As properties connect to City water and wastewater mains they would then pay into the rebate program
- City ordinance currently sets the current rebate program period at 20 years for both water and wastewater. The time period of the rebate could be increased from 20 to 30 years with a change in ordinance to allow adequate time to recoup the initial costs of the project
- Cost of the rebate will be based on square footage of the lot that is connecting to services

#### **Other considerations**

##### **Departmental impacts with annexation:**

In addition to the Public Works issues outlined in the Westside study, the following are other considerations for different City Departments

- **Police**
  - Currently in the areas not within the city limits, HPD provides backup and mutual aid to the Lewis and Clark County Sheriff's Office and informally patrol the area at times
  - If it is annexed into the City, HPD would provide 24 hours police patrol, periodic traffic enforcement, normal response to call for service, assist HFD and medical when requested, investigation of crimes, and crime prevention requests
  - The HPD is charged with supervision and deployment of Animal Control and would provide normal animal control coverage within the area
- **Fire**
  - Service is currently provided by HFD via the Westside Fire Service Area Fire protection Agreement
  - Level of service would increase with addition of hydrants and water mains
  - Increase in number of HFD related inspections and code enforcement
  - Some commercial buildings may need to have modifications made to be compliant with code
- **Parks & Code Enforcement**
  - There are no parks in the proposed annex area but there are City parks in the near vicinity, so the current level of services will continue to be provided and services rendered will now be funded
  - Currently the Kessler School playground functions as a "neighborhood park" but it is maintained by Helena School District  
There is potential for a portion of the proposed phase II Centennial Trail that would be in the proposed project area. Once the trail is completed, the portion of the trail in city limits would be maintained by the City

- There would be an increase in site inspections and follow-up notices issued for nuisance

**Annual Revenue: for Phase One (Tax estimates based on current mill levies)**

- General and Bonds levy \$35,075
- Street maintenance \$27,756
- Storm Water \$7,374
- Total \$70,205 in revenue
- All properties will see a change on taxes as services change

**Special Districts:**

- Both the Urban Forestry Maintenance District and the Landfill Monitoring District would need to be expanded to encompass the annexation area
- The expansion of the district can be protested by those affected

**Annexation Steps under Part 7-2-45 MCA:**

- Public outreach (Fall 2014)
- Pre-zone the subject area. All land south of Hauser Avenue is already pre-zoned R-2 (Residential)(Fall 2014)
- Pass a resolution of intent to annex(Fall 2014)
- A plan for provision of services is in draft form and will be completed in the fall of 2014.
- A resolution of annexation will be adopted based on the option selected

**Conclusion**

The annexation of the phase one wholly surrounded areas would be in compliance with the City's Growth Policy; in that it would fulfill, in part, the desire to have more infill development, lessen urban sprawl, keep development costs affordable, and increase density where appropriate.

Planner Ramoie noted the commission was provided copies of the following attachments:

- Map with phases and serviced properties
- Draft Westside Infrastructure Cost Update
- Tables describing different annexation options
- City code describing rebate program, 6-3-4 and 6-2-6
- Part 45 Annexation Statutes and related Statutes

City Manager Alles spoke of the current process that is used when a property is annexed and noted it is the most expensive way to annex properties. The SRF loan has been approved and it is staff's recommendation to use Option 3 in combination with Option 5. The initial project (Phase I) would install the infrastructure and the annexation. Manager Alles also spoke of the installation of streets not meeting complete streets standards; however, the streets could be improved at a later date. Improvements would be made to the stormwater drainage.

Commissioner Ellison referred to the cluster of red dots that are located in the triangle on the map and asked what the red dots refer to and if all those properties are included in Phase I. Planner Ramoie stated those properties would be included with Phase I and currently have city sewer service.

Commissioner Ellison referred to the existing development agreements outside the urban services boundary and noted some properties already have city services. Planner Ramoie explained those properties have sewer service and were hooked up to the sewer line that was installed for Fort Harrison and was done by development agreements.

Commissioner Ellison referred to water services connection outside the urban service boundary and asked if they are hooked directly into the water line that comes from the Tenmile Water Treatment Plant. Engineer Leland stated those properties were approved by previous commissions to hook into city water.

Mayor Smith asked if the properties in the triangle are subject to a Rural Improvement District (RID) and not subject to annexation. Planner Ramoie explained the RID was established approximately 30-years ago when many of the septic system in the area failed and wastewater services were provided under emergency provisions. The properties can be annexed at this time.

Commissioner Elsaesser referred to the map showing the proposed roads to be annexed and asked who pays for the annexation of a road; the water or street department. Engineer Leland stated due to it being restoration project, it will be a water department expense. Commissioner Elsaesser asked what the impact would be on on-street parking. Engineer Leland stated there would be no on-street parking with the proposal.

Commissioner Elsaesser referenced the failed vote to create a water district on the Westside and asked what the general boundaries were. Director Haugen noted it was approximately the area of Phase One and Phase Two. In the matter of the special districts, the area could be expanded; however, those two districts allow protests.

Commissioner Elsaesser stated the average lot is the 100' X 125' lot; however there are larger lots in the area; he then asked if the larger properties would allow for a fourplex to be built by right. Manager Alles noted the infrastructure costs will be based on square footage; the more land a person owns, the more they would pay.

Community Development Director Haugen stated fourplexes are not allowed by right, only single family and duplexes are allowed at this time. Commissioner Elsaesser stated this discussion ties into his recommendation to establish the following three zoning designations: Residential District 1-Flex, Residential District 2-High Density and Business 4-Green Redevelopment.

Commissioner Elsaesser asked City Attorney Jodoin if this is constitutional that in this scenario there are no protests allowed. Attorney Jodoin referenced the Whitefish case where services were being provided and the owner was told to annex or disconnect and the city of Whitefish prevailed. This is not exactly on point with the right to annex; there is no case law on this specific question. Manager Alles noted under current statute, there is no right to protest.

Mayor Smith asked when discussing curb and gutter, does that include a stormwater system. Engineer Leland stated the proposal does not include for storm drains; however, curb and gutters would be installed and would assist with storm drainage.

City Manager Alles noted there will be considerable improvements to the stormwater drainage with the proposal.

Mayor Smith referenced the need for the city to upgrade the current infrastructure and asked if the residents who are already receiving services wanted to upgrade their infrastructure would they qualify for the rebate program. Engineer Leland stated any property owner who is currently receiving services would not qualify for the rebate program. If a property owner wants to upsize their service, they can do that and would have to pay for the system development fee if they upsize the meter.

Manager Alles noted the proposal is to provide a stub-in to all properties, which would encourage residents to participate.

Commissioner Elsaesser referenced the wastewater rebate program and asked if this would be a different billing structure than others in town. Engineer Leland explained the current wastewater rebate program is for the extension of services. Commissioner Elsaesser asked could this be done with the current utility billing system. Engineer Leland stated the rebate would be charged at the time of construction and would be paid at that time. Only the installation costs would be affiliated with the rebate.

Commissioner Elsaesser asked if staff has worked with the county on Option Two. Manager Alles stated no; it did not work the first time it was attempted. Attorney Jodoin stated all these properties are within 500-feet of either water and/or sewer municipal lines and are required to connect.

Commissioner Ellison asked what conversation city staff may have had with the county. Manager Alles noted the county is supportive of the proposal and recognizes the need of services. Engineer Leland stated staff did talk with the county; he then showed a map of the minimum qualifications to install a well and septic system. It would take up to three lots to accommodate the current requirements.

Commissioner Haladay asked if the county is supportive of a specific option. Manager Alles stated the county is supportive of the proposal in general. The Westside infrastructure annexation is on the October joint work session agenda.

Mayor Smith stated he would support staff moving forward with Option Three and the financing seems to be in order.

Commissioner Elsaesser stated he is concerned there is going to be a lot of un-happy residents; he is not sure the financing has been secured for all the infrastructure needs and there will be fourplexes built. He appreciates staff's memo; however, all the focus on the Westside is distracting the needs of the development on the northside of town. He supports the Option Five components.

Mayor Smith stated staff is addressing a chronic problem that has existed for 40+ years and it is appropriate to move forward. Commissioner Elsaesser stated he would like the commission to consider

his proposal for residential zoning and take out the approval of a fourplex by using the conditional use permit process.

Manager Alles noted staff needs to get organized and schedule a public meeting sometime this fall. He is recommending Option Three and to include some of Option Five. Another option would be to extend the rebate period from 20 to 30 years, it assures the city will get the money back and does not cost the existing rate payers. Attorney Jodoin will draw up the rebate language.

**Consensus Direction to Manager** – Commissioner Haladay stated would like to proceed as recommended by staff and schedule the public meetings. He recognizes there will be some challenges to address.

Commissioner Ellison stated he has a few concerns and appreciates Commissioner Elsaesser's comments. However, he would support moving forward and schedule a public meeting. His main concern is the streets not being built to the complete street standards.

Mayor Smith stated he too supports moving forward with public outreach. Manager Alles noted staff will develop a recommendation to educate the public.

Mayor Smith stated he believes the county is beginning to make progress on their growth policy and zoning.

**Northside Preliminary Engineering Report (PER)/Infrastructure Discussion** – City Manager Alles stated he does not have a contract to discuss; this will be moved to an upcoming administrative meeting.

Commissioner Elsaesser asked that his memo/recommendation on the additional zoning be included in the record.

#### **7. 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 – No report given.
- e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee – No report given.
- f) Helena Citizens Council – HCC representative Paul Pacini submitted a written request that the commission address the traffic hazard at the intersection of Cruse and Cutler Avenues, where traffic moves fast and there is limited visibility. The real problem is there are no sidewalks and it creates a hazard for pedestrians and bikers.

This intersection works for vehicles; however, some of the residents feel there is the potential for an accident between a vehicle and pedestrian/bicyclist. Mr. Pacini requested that this project be given a high priority so when funding is available that the intersection could be redesigned.

Commissioner Elsaesser noted the TCC is looking at this intersection as the Greater Transportation Plan is being developed. Mayor Smith asked if the shrubbery has been removed. Mr. Pacini stated yes; however, there is still low visibility.

Engineer Leland noted Mr. Pacini's public comments have been entered into the record with the NMTAC and TCC committees.

Commissioner Elsaesser noted one of the recommendations would be to close the wings at the intersection and make it non-motorized. Commissioner Ellison stated this may be an option to look at.

**7. Review of agenda for September 29, 2014 City Commission meeting** – No discussion held.

**8. Public Comment** – No public comment received.



9. **Commission discussion and direction to the City Manager** – No discussion held.
10. **Adjourn** – Meeting adjourned at 6:00 p.m.