

SUMMARY OF ADMINISTRATIVE MEETING
August 19, 2015 – 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, Haladay and Haque-Hausrath were present. Staff present was: Acting City Manager Amy Teegarden; Executive Assistant Sarah Elkins; City Attorney Thomas Jodoin; Assistant City Attorney Iryna O’Connor; Public Works Director Randall Camp; Assistant Public Works Director Phil Hauck; City Engineer Ryan Leland; Engineer David Knoepke; Community Facilities Director Gery Carpenter; Community Development Director Sharon Haugen; Fire Chief Sean Logan; Police Chief Troy McGee; Acting Administrative Services Director Glenn Jorgenson; Code Enforcement Officer Greta Dige; HCC Coordinator Judy Garrity and City Clerk Debbie Havens.

Others in attendance included: HCC Representative Dick Sloan; Independent Record Reporter Al Knauber; City Commission candidate Leroy Beeby; WGM Consultant Jeremy Keene; MDT Representative Carol Strizich; NMTAC Chair Ryan Kettle; East Helena Mayor James Schell; ADA Committee member George McCauley.

2. August 5, 2015 - The August 5, 2015 administrative meeting summary was approved as submitted.

3. Commission comments, questions –

Upcoming Appointments – Mayor Smith recommended the following board appointments:

ADA Compliance Committee	Appointment of Chuck Granger, community at large representative, to the ADA Committee. First term will begin on September 2, 2015 and expire September 2, 2018.
Helena Regional Airport Authority Commission	Reappointment of Elizabeth (Jane) Fournier to the Helena Regional Airport Authority Commission. Second term will begin upon appointment and expire September 1, 2018.
Helena Housing Authority	Appointment of Melissa Lesmeister to the Helena Housing Authority. First term will begin upon appointment and expire August 1, 2020.

Commission comments – Commissioner Haladay reported at MBAC’s monthly meeting the members discussed the city having earmarked \$90,000 for an energy incentive program. However, the city commission approved using a portion of the protested taxes to fund the program and therefore, MBAC Board is recommending the \$90,000 be released and used for future economic development.

Commissioner Haladay asked the commission if they are comfortable in releasing those funds. Mayor Smith and Commissioners Ellison and Haque-Hausrath concurred with the recommendation to release the \$90,000.

Mayor Smith asked if there is any formal action required to release the funds. Community Development Director Haugen stated there was commission consensus to earmark those funds; therefore, there could be consensus to release the funds.

Commissioner Elsaesser stated he would recommend asking MBAC to expand the loan program through DEQ to assist with other types of energy loans. He recognizes the majority of the commission supports releasing the funds.

Commissioner Haladay clarified these funds could be used to benefit both MBAC and the city of Helena. Unless there is a specific identified project, he would support releasing the funds for economic development. Commissioner Elsaesser reiterated the importance of the DEQ energy loan program.

Commissioner Elsaesser stated he hopes there is still interest to incorporate development north of town; the city should try to advance that to meet our Growth Policy.

4. **City Manager's Report** – Acting City Manager Teegarden reported on the Guns & Hoses Softball game, which was a fundraiser for Big Brothers/Big Sisters.

5. **Department Discussions**
Community Development

WGM Consultant Update on TIF District – Community Development Director Sharon Haugen introduced Jeremy Keene with WGM.

Director Haugen noted the process will take approximately six months and should be completed by February 2016. Director Haugen spoke generally on how the Department of Revenue looks at the taxable value of the district; it is for the entire district and not as individual parcels.

Mr. Keene gave a presentation on the process of creating the TIF District. A map of the preliminary boundary was given to the commission; ultimately the commission will set the boundary. The first step the commission will take on September 14th is declaring the area as blight, which is required when creating a TIF District. The next step would be to create an urban renewal plan that outlines how to address the identified blight. The timeline to have the TIF District in place is January/February 2016. The base tax year will be 2016 and the TIF District will be in effect for at least 15-years.

Commissioner Haladay noted WGM gave a presentation on a TIF District earlier this spring and had referenced zoning and strategies for zoning prior to the creation of a TIF district; he then asked Mr. Keene to comment on that. Mr. Keene stated the urban renewal plan has to be in compliance with the city's growth policy; if what we are proposing to do with the TIF district doesn't comply, the growth policy would have to be amended and zoning would be included in the process.

Commissioner Ellison referred to the draft boundary map and asked what if some of the property owners object to the creation of the district and how would that factor into the commission decision. Mr. Keene noted the process will be explained to the property owners; however, there is not a protest provision in the TIF process, it will be a commission decision. The creation of a TIF District does not mean that property taxes would increase.

Commissioner Ellison stated he is concerned with the timing of when this will come before the commission in January of 2016. It is important to consider the schedule and keep in mind there will be two new commission members in January 2016.

Director Haugen noted an Urban Renewal Plan will need to be completed and taken to the planning board and then to the city commission. Director Haugen noted the consultants were hired in July and staff is moving forward as fast as the process allows. Discussion was held on several ideas on moving this forward and possibly having a recommendation to the commission prior to the end of December 2015.

Mr. Keene noted the planning board needs to recommend approval and has up to 60-days to review the proposal. He then offered to do another presentation to the commission in December and update them where it is in the process.

Commissioner Elsaesser asked if the county needs to approve the creation of the TIF District and would it impact county revenue. Mr. Keene stated a TIF District has to be within the city limits and affects any new property taxes after the creation of the district. Commissioner Elsaesser asked if the new property taxes would include revenue that would have gone to the county. Mr. Keene stated he will have to research and find out the impact a TIF District would have on the county taxes.

Commissioner Elsaesser asked what the issue was with the Big Sky Trust Fund. Director Haugen stated the Big Sky Trust Fund did not award the grants until the end of June; the grant is paying a portion of the consultant's contract. The remainder of the contract will be paid out of Community Development budget.

Commissioner Elsaesser stated he supports moving this forward as quickly as possible as the TIF District does meet the criteria of the growth policy. He would like to see the area re-zoned to assist with future development.

Commissioner Haladay clarified we are talking about general fund tax levies and not assessments. Mr. Keene noted this will not affect special assessments, it is property taxes.

Commissioner Elsaesser noted Max Pigman, owner of Lewis & Clark Brewery, sent an email in support of the TIF District.

Mayor Smith asked for public comment – none was received.

Downtown Master Plan – Mr. Keene noted the first public charrette is scheduled for September 2nd. The response to the survey has been very well received. The Front Street project is a subset of the Downtown Master Plan.

Commissioner Elsaesser commented there was great information from the Greening America Capital Plan. Included in the report was the use of green infrastructure and one project identified was the intersection of Neill Avenue and Front Street.

Commissioner Elsaesser noted staff has heard resistance to brining the creek above ground; he hopes the city meets the goals that were outlined in the report. The commission should hold the city up to the same standards as we expect from developers.

Consensus to the Manager – None needed, this was an update on the process.

Public Works

Urban System Update (MDT) –City Engineer Ryan Leland introduced Carol Strizich with MDT who will provide information on the urban system, what urban funds are, the processes for allocating urban funds, and what projects are eligible for urban funds. The Mayor of East Helena has provided a letter to the Transportation Coordinating Committee (TCC) asking to have the urban route system evaluated prior to allocating any urban funds. Lewis and Clark County has provided four priority projects but is also suggesting looking at the urban routes prior to allocating the funds. Ultimately, staff will be asking for commission direction on priority projects for urban funding.

Engineer Leland also noted these projects are all MDT's, who will oversee all of them. The city of Helena will not receive any funding for a specific project.

MDT representative Carol Strizich gave a presentation on the Urban Highway System to include the 2010 urban areas by district; urban highway system; Helena TCC; Montana's urban highway program; urban highway construction program summary; urban project eligibilities, advancing an urban funded project, and urban system modifications process.

There is currently 3.5 million in reserves and on October 1 there will be an additional 1 million allocated. The projects need to be included in the transportation plan and on the urban system.

Engineer Leland showed the current urban routes that are identified on the map with orange lines.

Mayor Smith invited Mayor Schell to address the commission. East Helena Mayor Schell addressed the commission and noted the City of East Helena is interested in presenting a priority list to the TCC. There is interest in continuity on the south/north collector roads. The urban system should be a holistic vision of the area. He appreciates the TCC allowing East Helena to be a part of the committee.

Commissioner Elsaesser thanked Ms. Strizich for the overview. He then referred the commission to the following recommendation and believes the current balance should be allocated at this time:

Urban Funds: City, County, East Helena, and others on TCC should commit the current reserve of funds and next four years of funds through 2019. This will allow for staff to plan, meet with project partners and to get projects on ground to improve safety and conductivity in our community. As the last dedication of these funds was focused on support of alternative routes for the Custer Interchange and the Interchange itself, more local projects are appropriate and can meet community goals. Other funds from public and private sources may compliment many of these projects.

Potential Projects:

- South Helena Gateway I; Safety improvements from Cruse Avenue from Park to Cutler \$.25-.3m
 - Convert excess right of way to non-motorized facilities, make median a formal park, and improve intersection safety
 - Recreation and public opportunities in area already maintained by parks
 - Model example of green infrastructure
 - Provides substantial safety improvements was demonstrating improved utilization of right-of-way to save costs
- South Helena Gateway II; West Main Traffic Calming and Safety Improvements: \$.25-.75m
 - Improve safety at juncture between Gulches
 - Compliment West Main Project including utility and storm water work in flood plain downtown
 - Allow redirection of much needed gas tax funds to other, non-urban routes

- Safe Routes to Schools Connections with ADA/Bike/Pedestrian Bridge at Henderson: \$.4-.8m
 - Sheltered stairway from east side of bridge to Henderson Path
 - Sidewalks or path to Broadwater Estates and to Waukesha
- Install curbside sidewalks on one side of Broadway from Capitol to Broadway Tunnel: \$.15-.5m
- Airport Road: \$1-1.5m
 - Fix drainage issue with cost match from utilizes impacting ditch
 - Shared use path from Washington to Helena College of north side of road
 - Shared use path from Helena College to Carter on south side of road
 - Safe crossing for trail, consider private contribution to trail in lieu of sidewalks
- Shared use path one west side of Montana Ave to Lincoln Road; Intersection Improvements between City and Lincoln Road: \$.15-.5m
- Green Capitals concepts for Cruse from Cutler to Broadway or Sixth or 11th: \$.25-.75m
 - Look at center median and related concepts for beautification, green infrastructure and safety outlined for Last Chance Gulch between Euclid and Neill
- Green/Complete Boulevard, Centennial Trail East Improvements on Lyndale: \$.1-.3m
- Safety improvements and road expansion at Benton: \$1-1.5m
 - Crossing for Centennial Trail
 - Safety for events and use of public facilities
 - Compliment Quiet Zone investments
 - Signal and Centennial Trail West Crossing at Transfer Station/Carroll College
 - Turning lanes and approaches for neighborhoods and recreation areas
- Sidewalk installation, traffic calming, and route improvements for Hauser from Benton to Henderson: \$.1-.21m
 - Safety and traffic improvements for Urban Route Section of Hauser
 - Explore “Green and Complete Streets” concept outlined in Greening Capitals Report and storm water amendments to city tree ordinance.
- Others?
 - Green Meadow intersections?
 - Freeway entrance to Lincoln road?

Potential changes or additions to urban routes in greater Helena area (mid-long term per future changes to urban routes):

- Additional routes in East Helena and East Helena area
- Changes to urban routes of Lyndale and Lamborn east of Montana, possibly to Boulder and California
- Extension of Airport Road to East Helena
- Other?

Commissioner Haque-Hausrath stated she has previously supported the list provided by Commissioner Elsaesser.

Commissioner Ellison noted that he and Commissioner Elsaesser have met to discuss the city’s recommendations. He is concerned if the city does everything on the list, there would not be funding for projects being recommended by the City of East Helena and Lewis & Clark County. He also expressed concern with the sidewalks on Broadway project. He has supported sidewalks and would like to see them on Broadway. The city commission has the authority to order in sidewalks; he is concerned if we use urban funds for one area and then order in sidewalks, there is potential for inequity and possible litigation.

Commissioner Ellison stated when the time comes to prioritize the projects, he will support many of the projects on Commissioner Elsaesser’s list; however, the commission needs to be aware of what funds could be used for East Helena and in the county. He would like the commission to prioritize the projects in the near future.

Mayor Smith asked if the commission had ranked the projects. Engineer Leland noted it was the gas tax projects the commission ranked.

Acting City Manager Teegarden asked if Commissioner Elsaesser's list qualifies for urban funds. Commissioner Elsaesser stated he believes his list of projects would qualify for urban funding. He would support staff providing a list of projects that would qualify. Engineer Leland noted staff has reviewed Commissioner Elsaesser's list of projects; however, they are not ready to make a recommendation on the projects until further review.

Engineer Leland referenced the Airport Road project and noted the utilities in the ditch are not city owned utilities. Staff will meet with MDT to review the proposed list of projects.

Ms. Strizich stated she has not reviewed the current recommendation of projects; however, would be happy to do so.

Mayor Smith noted the commission could have a lengthy discussion on what projects to move forward; however, it will take time to do so.

Commissioner Haque-Hausrath proposed sending Commissioner Elsaesser's list to staff and MDT to see if they qualify for urban funds and then conduct a straw poll on moving forward with the Broadway sidewalk project. Mayor Smith asked staff to forward the gas tax project list to the commission, which would also include Commissioner Elsaesser's projects.

Engineer Leland stated staff could produce a list of projects for commission consideration, which would include the recommendations from the county.

Mayor Smith asked for public comments.

George McCauley asked who will make the ultimate decision. Mayor Smith stated the final recommendation will come from the TCC.

Consensus to the Manager – Based on the presentation by MDT representative and City Engineer, staff will review the list of "potential projects" submitted by Commissioner Elsaesser. First of all, the review will determine if the projects meet Urban Routes eligibility (as presented in the presentation). Secondly, staff will also provide a comparison of Commissioner Elsaesser's suggested projects with previously ranked priority projects identified in the Tiger Grant and Gas Tax ranking effort. The Broadway sidewalk proposal will be part of the projects for review. County recommendations will also be considered.

Review comments will be provided to the commission (and TCC) for further discussion of selecting priority projects to be accomplished using Urban Routes funding.

Commissioner Elsaesser explained his recommendation for sidewalks on Broadway and Hauser are important due to the fact that he does not believe the commission will order the sidewalks in. Both of these projects would be a good investment for both the city and county.

PROW AG – Required Accessibility Updates in Street Projects – City Engineer Leland reported the City of Helena typically maintains streets by either an over-layer or with a chip seal. The federal rules for ADA required all ADA ramps to be upgraded to current standards with any reconstruction but not required with maintenance. Since the City considered the over-lays maintenance the ADA ramps were not required to be upgraded. Then the City received correspondence from the Montana Department of Transportation (MDT) on May 8, 2015 advising the City of a DOJ clarification. This clarification indicated, "Overlays of additional material to the road surface, with or without milling" trigger the requirement to add curb ramps wherever a sidewalk or other pedestrian walkway crosses a curb. Overlays are considered an alteration of the roadway. The definition of an alteration is a change to a facility within the public right of way that affects or could affect pedestrian access, circulation or use. An alteration triggers the requirement for accessibility compliance of pedestrian facilities to the extent practicable within the scope of the project. Examples include, but are not limited to the following treatments or their equivalents: addition of a new layer of asphalt, reconstruction, concrete pavement rehabilitation and reconstruction, open-graded surface course, micro-surfacing and thin lift overlays, cape seals, and in-place asphalt recycling.

This clarification impacts the budget and schedule for overlays. Prior to this notification staff assumed that "overlays" were considered maintenance. According to the DOJ clarification, types of treatments that would normally be considered maintenance are: painting or striping (existing) lanes, crack

filling and sealing, surface sealing, chip seals, slurry seals, fog seals, scrub sealing, joint crack seals, joint repairs, dowel bar retrofit, spot high-friction treatments, diamond grinding, and pavement patching.

In light of this clarification, the City Attorneys' Office has advised that any overlay work shall replace/install adjacent ADA ramps per the clarification received. Staff has attempted to show the magnitude of the DOJ ruling by studying the upcoming three-year overlay plan for the City of Helena. The City estimated a budget of \$325,000 for the overlay program and \$50,000 for ADA compliance. The estimates of probable costs are shown on "Attachment A".

To meet the goals contemplated in both the complete street resolution and set forth in the newly adopted Greater Helena Area Transportation Plan, either the budget for overlay projects would have to be increased, or the overlay program would need to be scaled back. The actual impacts to our street overlay program will depend on the policy direction received from the Commission.

Policy Questions:

1. Would the Commission prefer to "order-in" the required ADA ramps with the City paying 50% of the cost, or does the Commission prefer to have the City pay 100% of the cost for ADA ramps when we do an overlay project? Would the Commission prefer to "order-in" sidewalks along the street to fill-in the sidewalk gaps with the homeowner paying 100% of the cost, as specified in ordinance HCC 7-4-2?
2. In an area without sidewalks, would the Commission prefer to "order in" sidewalks per ordinance HCC 7-4-2 along both sides of the street as stated in the Complete Streets resolution with the homeowner paying 100% of the costs?
3. Does the Commission wish to adhere to the Complete Streets Policy/Engineering Standards Typical Sections? This would include boulevards for aesthetics/green space/snow storage, sidewalks on both sides for pedestrian connectivity/access, or shared-use paths for non-motorized travel. Would the Commission consider deviations/variances from these adopted policies?
4. Should the ADA compliance budget be increased to cover the additional costs of the required ADA ramps along the overlay routes?
5. Should the ADA compliance budget be increased to cover the additional costs of the "order-in" ADA ramps along the overlay routes?
6. Should the street maintenance budget be expected to cover the required ramp cost? Thus reducing the mileage of overlays completed every year.

Engineer Leland showed a map of the FY2016-2018 overlay projects and explained the increase in costs associated with each project due to the DOJ ruling. Without additional funding, the overlay projects will be cut by approximately 50%. Engineer Leland again stated the commission will need to make policy decisions on how to move forward.

Commissioner Elsaesser asked how the ramps on Helena Avenue were paid for. Engineer Leland stated the Helena overlay is part of the downtown ADA project, which is a MDT project. Those ramps were not corrected; however, staff hopes they will be completed as part of the project. If not, staff will have to re-evaluate.

Commissioner Haque-Hausrath asked if the city pays for any portion of the ADA ramps; Engineer Leland noted in the high priority routes, the city pays 100% and with all others the city pays 50%.

Commissioner Haladay commented the city has a federal definition of an overlay that essentially states it is an improvement and not maintenance. However, the state's definition states the street maintenance funds can fund the overlay projects. Attorney Jodoin concurred.

Commissioner Elsaesser stated this is another reason why the Broadway sidewalk project makes sense to complete. The city could look at the overall right-of-way on some of the streets and noted Winne Avenue would be one to consider. Giving up some right of way would allow for higher density.

MDT has met this requirement by completing the ADA curbs when they complete their projects; the city needs to pay attention. The city has ADA funds in the street improvement funds.

Commissioner Haque-Hausrath asked if the installation of an ADA ramp cost a property owner who is installing sidewalks. Engineer Leland stated yes, the average cost to install an ADA ramp is \$2,500 per ramp. Additional discussion was held on the costs of installing sidewalks and an ADA ramp, if it is a corner lot.

Commissioner Haladay commented if someone does not have a sidewalk at a curb on Winne

Avenue, there is no requirement to install a sidewalk or ADA ramp. Attorney Jodoin stated not under DOJ ruling; however, the city adopted the complete street resolution which requires sidewalks. It is not required by the DOJ if they do not exist. This is what staff is asking the commission for a policy decision.

Commissioner Haladay stated the ruling is putting the city into the position of putting an additional expense on the property owners or taxing all property owners. The commission has to make a decision on move forward.

Mayor Smith noted either there will be less street maintenance or the street maintenance assessment will need to be increased significantly.

Commissioner Haque-Hausrath stated she supports ordering in sidewalks on high priority routes and move forward in getting those residents signed up for the sidewalk program. She also would propose on Winne Avenue, the city abandon some of the right-of-way and put the sidewalks in the right of way. This is a policy decision that has been discussed; however, the commission needs to make it. Commissioner Haque-Hausrath then spoke of the city's participation of paying 50% of the ADA ramps on corner lots.

Commissioner Ellison stated it sounds like if we want to do Winne Avenue, the commission can do approximately 50% of the original project and include complete streets or do the original project and waive our own policy for complete streets.

Commissioner Haque-Hausrath noted the DOJ requires ADA ramps be installed with any overlay project, when sidewalks exist.

Engineer Leland stated this is not time sensitive; however, the longer the commission delays in making the decision, staff is on hold.

Commissioner Elsaesser asked if the complete streets resolution includes boulevard sidewalks. Engineer Leland stated yes it includes boulevard sidewalks.

Mayor Smith stated he has been waiting but dreading when the commission needs to begin ordering in sidewalks. Maybe now is the time for the commission to consider ordering in sidewalks on certain routes.

Commissioner Elsaesser stated the commission is going to have to take these on a case by case and may include deviating on some of the standards. The complete street resolution is a guideline and not an ordinance. The commission should consider creating a sidewalk replacement program and look at creating a district where the costs could be paid back overtime.

Commissioner Ellison referenced Winne Avenue and asked how is it going to look to subtract some of the right-of-way and how will the costs be distributed. He would like to know how that would happen. Mayor Smith concurred to take one specific project and answer the potential questions.

Commissioner Haladay asked if sidewalks are ordered in, could the property owners automatically sign up for the sidewalk replacement program and does the city have the capacity to fund the program. Acting Administrative Services Director Jorgenson stated staff would have to investigate the funding and report back to the commission.

Commissioner Elsaesser asked if the INTERCAP loan program could be used. Acting Administrative Services Director Jorgenson explained the general fund is what guarantees the debt. Again, staff would have to look at all financing.

Attorney Jodoin noted the process of ordering in sidewalks/curbs ramps functions the same as the volunteer sidewalk loan program; the difference is the ordinance allows for an interest rate charge if the sidewalks are ordered in. Either way, the city is going to fund the project and be reimbursed.

Engineer Leland showed a map of Winne Avenue and noted with curb, gutter and sidewalks, it would double the costs of the original project.

Mayor Smith asked staff to prepare a proposal for Winne Avenue showing the various scenarios that would include all funding options. Commissioner Elsaesser stated he would like to see the parking lane merged with traffic calming. Green infrastructure should also be an option for consideration.

Acting City Manager Teegarden referred to the six policy questions staff is asking the commission to address and asked if Winne Avenue will work to answer the six policy questions. Engineer Leland stated staff will prepare Winne Avenue that will allow policy direction from the commission.

Commissioner Haladay stated if the commission is unwilling to order in sidewalks and if we get too much push back on putting the funding onto the property owners, should the commission consider passing those streets over for any overlay projects. Equity issues will need to be addressed.

Commissioner Elsaesser noted all these questions are going to have to be answered; again he

reiterated each project will have to be reviewed on a case by case basis.

Sidewalk Snow Removal Implementation – City Code Enforcement Office Dige reported the commission passed Ordinance No. 3210 on June 15, 2015. That ordinance substantially revised the timeframe in which property owners adjacent to sidewalks on public rights of way must remove snow or ice deposited on sidewalks. As we move towards winter and the first season of enforcement, there are foundational questions regarding enforcement of this new rule. City staff needs direction on the following enforcement policy questions:

1. Is enforcement complaint based or citywide inspection?
2. Who handles complaints or patrols the city?
3. Who removes the snow and ice if not removed by the time period?

Given current resources, staff proposes to continue with a complaint initiated process. After a complaint is received, staff would respond to the location and document the violation. City crews would be notified to remove snow from the sidewalk in that location. Purchase of equipment and hiring of up to two seasonal crews would be anticipated. Sidewalks adjacent to City owned property would receive priority. In the event of heavy demand, the City could contract for that service to supplement the work of City crews. In terms of cost in the event that the City or a City-contracted crew removes snow from a sidewalk, City staff is working to develop standardized rates for residential and commercial areas.

Ultimately these questions boil down to how soon the commission desires to have snow and ice removed from sidewalks after the 9:00 a.m. or 24 hour deadlines. Listed below is a table showing the “pros and cons” of the inspection and enforcement approaches the staff has identified.

Since Ordinance No. 3210 was substantially based on Bozeman’s law, staff has contacted their enforcement personnel. A summary of Bozeman’s enforcement procedures is also listed below.

Objective: In light of the above, our objective is to understand the commission’s expectation for the removal of snow and ice. Consensus on the above questions will determine the level of enforcement.

STAFF IDENTIFIED INSPECTION OPTIONS

1. Complaint Driven

<u>Pros</u>	<u>Cons</u>
<ul style="list-style-type: none">• Similar to previous process• Minimal adjustment to the budget for staffing• Hire staff/contractor for removal	<ul style="list-style-type: none">• One FTE may not be sufficient to process complaints (ownership verification, site inspection, coordinate removal, bill property owner)• Potentially increased volume of complaints, potentially overwhelm staff• Change budget to include funds for the removal of snow/ice from sidewalks

2. Citywide inspection

<p><u>Pros</u></p> <ul style="list-style-type: none"> • Potentially more compliance • All properties are inspected • Timeframe to remove snow could be shorter (depending on staff/contractor resources) 	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Will need more than 1 FTE and transportation to inspect city • May not be enough staff or contractors to timely respond and remove snow
--	--

3. Patrol based on districts

Created 31 residential districts and 4 commercial districts (see map)

<p><u>Pros</u></p> <ul style="list-style-type: none"> • Regular area for individual to monitor/familiarity • Easier to enforce • Quicker response to clearing sidewalk of snow/ice 	<p><u>Cons</u></p> <ul style="list-style-type: none"> • The cost to hire staff & purchase equipment • Will need more than 1 FTE and transportation to inspect city • May not be enough staff or contractors to timely respond and remove snow
--	---

STAFF IDENTIFIED REMOVAL OPTIONS

1. City staff and equipment to remove snow after deadlines.

<p><u>Pros</u></p> <ul style="list-style-type: none"> • Consistent results • Potentially quicker clearing sidewalk of snow • Would not have to manage contractors 	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Substantial need for more staff and equipment • Storage of equipment
---	---

2. Contract with private companies to remove snow after deadlines.

<p><u>Pros</u></p> <ul style="list-style-type: none"> • Will not need to hire staff • Will not need to purchase equipment • Would not have to manage contractors 	<p><u>Cons</u></p> <ul style="list-style-type: none"> • May not be enough companies to accomplish city wide removal of snow from sidewalks • Removal of snow from sidewalks depends on performance of contractors. • Would need to pay contractor before billing property owner
--	---

3. Mix of city staff and contractors to remove snow after deadlines.

<p><u>Pros</u></p> <ul style="list-style-type: none"> • Potentially fewer staff and equipment needed • Contractors could provide service as needed 	<p><u>Cons</u></p> <ul style="list-style-type: none"> • Contractors may not be interested in small isolated jobs • Coordinate staff and contractors to violations • Would need to pay contractor before
---	---

	billing property owner
--	------------------------

SUMMARY OF BOZEMAN SIDEWALK SNOW INSPECTION AND REMOVAL PROCESS

Bozeman has 2 inspectors to inspect the whole city after an event. It takes them several days to cover the whole city. With each snow event, they start in different parts of the city for fairness. When inspectors come across an un-cleared sidewalk, they put a courtesy notice on the door giving property owner a day to clear. Inspector then returns and if sidewalk is still not cleared the address is sent to the contractor to clear.

Bozeman only works Monday through Friday, no weekends. They handle about 1500-1700 notices per winter of which approximately 300 are sent to the contractor. On average about 18-20% of violations don't clear after courtesy notice requiring action. For each snow event there are 20-40 locations the city will send a contractor to clear.

Bozeman uses their finance office which sends bills out immediately. This could mean that property owners who never clear their sidewalks get multiple bills in a month. Bozeman bills the owner by square foot, then depending if other equipment is needed or if conditions are horrible, they bill more. The price per square foot is .25 cents. For a 50 foot sidewalk the charge would be \$62.50 plus a \$30 administrative fee.

Commissioner Haque-Hausrath stated she agrees with staff's recommendation the ordinance be complaint driven and recommended having the code enforcement officer handle the complaints and hire a contractor, if necessary.

Commissioner Haladay concurred and noted this is a work in process to make a better program. There is going to be growing pains and there may be a need for temporary FTE's to make the program work. The program needs to be flexible; however, it is a good start and the commission and staff can re-evaluate in one-year.

Mayor Smith stated the removal of snow and ice are very time sensitive. Commissioner Ellison concurred with Commissioner Haque-Hausrath and Haladay's comments; this is the first year and staff and the commission will need to review and re-evaluate after the first year.

Engineer Leland asked what is the expectation of how long does staff have to clear the sidewalks, once the 24-hours have passed. Mayor Smith stated he doesn't know if there is a numeric system.

Commissioner Haladay stated once the complaint is received, he would support the 24-hour timeline and he would not support a friendly reminder.

Commissioner Elsaesser concurs with staff's recommendation. Staff will have to prioritize the areas of the city and stay flexible.

Mayor Smith asked for public comment – George McCauley thanked the commission and staff for the work that has been done on bringing this ordinance forward. He too noted this has been a difficult decision; however, he agrees with staff's recommendation and this change in policy will result in snow being removed. Work with it for one-year and then reevaluate.

Consensus Direction to Manager – City Code Enforcement Officer will handle the complaints and work with the ordinance as written. At the end of one-year, staff and the commission will re-evaluate the ordinance language to see what worked and what may not have.

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
- b) Audit Committee, Board of Adjustment, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee – No Report
- c) Intergovernmental Transit Committee, Non-Motorized Travel Advisory Board, Transportation Coordinating Committee – No report
- d) ADA Compliance Committee, Business Improvement District/Helena Parking Commission, City-County Parks Board, Montana Business Assistance Connection – No report

- e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee – No report
 - f) Helena Citizens Council – HCC Member Dick Sloan reported the HCC supports an aggressive approach to sidewalks, including ordering them in. Safety is the most important issue. Mayor Smith asked Mr. Sloan to reach out to the HCC members that live near Winne Avenue and update them on the discussion of the overlay projects.
7. **Review of agenda for August 24, 2015 City Commission meeting** – No discussion.
 8. **Public Comment** – None was received.
 9. **Commission discussion and direction to the City Manager** – No discussion
 10. **Adjourn** – Meeting adjourned at 6:00 p.m.