

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
February 11, 2019 - 6:00 P.M.
City Commission Chambers, Room 330

- Time & Place*** A regular City Commission meeting was held on Monday, February 11, 2019 at 6:00 p.m., in the City Commission Chambers, 316 N. Park Avenue, Helena, Montana.
- Members Present*** Mayor Pro Tem Haladay requested City Clerk Havens call roll call: Attorney Thomas Jodoin, City Manager Ana Cortez, City Commissioner Wicks, City Commissioner Noonan, City Commissioner O'Loughlin and Mayor Pro Tem Haladay all responded present. Mayor Collins was excused.
- Pledge of Allegiance*** Mayor Pro Tem Haladay asked those persons present to please stand and join him in the pledge of allegiance.
- Minutes*** The minutes of the regular City Commission meeting of January 28, 2019 were approved as submitted.
- Presentations*** PRESENTATIONS:
A. Appointment of Anne Peterson as Helena Municipal Court Judge and Oath of Office
- City Attorney Jodoin reported The Honorable Bob Wood notified the Helena City Commission of his intention to resign from his position of the Helena Municipal Court Judge effective March 1, 2019.
- The City Commission convened on January 30, 2019, to review the submitted applications and to interview the candidates. At the conclusion of this process the City Commission nominated Anne Peterson so fill the vacancy created by Judge Wood's retirement.
- City Attorney Jodoin recommended the appointment of Anne Peterson as the Helena Municipal Court Judge effective March 1, 2019. This appointment is subject to election in 2019.
- Mayor Pro Tem Haladay gave Anne Peterson the Oath of Office. Judge Peterson thanked the Commission.
- Motion*** **Commissioner O'Loughlin moved to appoint Anne Peterson as the Helena Municipal Court Judge effective March 1, 2019.** Commissioner Wicks seconded the motion. Clerk Havens called a roll call vote, as follows: Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. The motion carried.
- Board Appointments*** BOARD APPOINTMENTS:
A. Civic Center Board
- Mayor Pro Tem Haladay recommended the following appointments:
Civic Center Board - Reappointment of S.W. "Skip" Hatveldt, Craig Wilkerson, Glenda Seipp, Kacy Pilon and Steve Crider. Terms will begin upon appointment and expire March 1, 2022.
- Public Comment*** Mayor Pro Tem Haladay asked for public comment, none was received.

Motion

Commissioner O’Loughlin moved approval of the appointments as outlined above . Commissioner Noonan seconded the motion. Clerk Havens called a roll call vote, as follows: Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O’Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. The motion carried.

Consent Agenda

CONSENT AGENDA:

- A. Claims
- B. Consider approval of the sublease between Broadwater Productions, Inc., dba Grandstreet Theatre, and Narrate Church.

City Manager Cortez recommended approval of the claims and the consent agenda.

Public Comment

Mayor Pro Tem Haladay asked for public comment. Daryl Stordahl, board member of the Narrate Church recommended the continuation of the sublease agreement between the Narrate Church and Grandstreet Theatre.

Motion

Commissioner Noonan moved approval of the consent agenda, items A-B. Commissioner Wicks seconded the motion. Clerk Havens called a roll call vote, as follows: Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O’Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. The motion carried.

Bid Award

BID AWARD

- A. Wastewater Treatment Generator Set and Automatic Transfer Switch, City Project No. 18-31.

Staff Report

Assistant Director of Public Works Libbi Lovshin reported the existing City of Helena wastewater treatment plant does not have an automatic power generation system to mitigate impact of power outages. The plant relies on a natural gas powered backup pump that pumps wastewater through the plant in the event of a power outage. This system however, does not provide heat, light or electrical plant controls; thus offering limited back up capacity.

The City solicited and received two (2) bids for the Wastewater Treatment Generator Set and Automatic Transfer Switch on January 15, 2019. The lowest responsive bidder for the project was Power Systems West Inc., of Boise, ID with a bid price of \$98,400.00. The second bid submitted for the project was from RDO Power Systems of Billings, MT with a bid price of \$96,892.37. The bid from RDO Power Systems was deemed unresponsive as it included a Level 1 sound enclosure for the generator system rather than a Level 2 sound enclosure as specified in the Bid Documents.

The cost for this project is planned to be paid for by the City of Helena out of the Wastewater budgeted capital fund and is a planned upgrade to the City’s wastewater treatment system to increase reliability and to ensure plant operation in emergency situations. This project is for the replacement and upgrade of vital infrastructure for the City, in order to ensure full operation of the wastewater treatment plant in case of power outage. No disadvantages to this award are expected.

Assistant Director Lovshin recommended awarding the Wastewater Treatment Generator Set and Automatic Transfer Switch, City Project No. 18-31, to the lowest responsive bidder, Power Systems

West Inc. in the amount of \$98,400.00

Public Comment Mayor Pro Tem Haladay asked for public comment, none was received.

Motion **Commissioner O’Loughlin moved to award the Wastewater Treatment Generator Set and Automatic Transfer Switch, City Project No. 18-31, to the lowest responsive bidder, Power Systems West Inc. in the amount of \$98,400.00.** Commissioner Noonan seconded the motion. Clerk Havens called a roll call vote, as follows: Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O’Loughlin voted aye, and Mayor Pro Haladay voted aye. The motion carried.

C. Front Street Improvements

Staff Report Assistant Director of Public Works Libbi Lovshin reported the reconstruction of Front Street from Neill Avenue to W. Lyndale Avenue was publicly bid. The City received bids on January 22, 2019. The scope of the reconstruction includes abandonment of the 48-inch storm pipe, installation of new 60-inch storm pipe, 8 inch water main and streetscaping. Three bids were received for the project ranging from \$3,132,760.00 to \$3,643,900.10.

The Front Street Improvement Project will provide improved storm water conveyance, abandon the old storm pipe alignment which goes under two buildings, provide new water distribution piping, and provide a new street layout with streetscaping.

Assistant Director Lovshin recommended awarding the Front Street Improvements Project to the lowest responsive and responsible bidder, Helena Sand and Gravel, in the amount of \$3,132,760.00. This project will be funded from the Storm Water Utility fund (\$1,771,358); the Water Service fund (\$422,713); and the Street Improvement and Gas Tax funds (\$938,689).

Discussion Commissioner O’Loughlin asked how many bids were received for the bid. Assistant Director Lovshin responded there were 3 bids.

Mayor Pro Tem Haladay asked if the approximately \$900,000 referenced within the budget was a characterization of how far under budget the final project would cost. Assistant Director Lovshin reported the original projected cost was stated to be approximately \$4,900,000, but the currently cost were expected to be just over \$4,000,000, meaning the number referenced by Mayor Pro Tem Haladay was a cost savings for the project. Mayor Pro Tem Haladay thanked the staff for coming in under budget.

Commissioner O’Loughlin asked how the budget allocation was determined for this project. Assistant Director Lovshin reported line items are determined based upon what type of activity the line items are.

Public Comment Mayor Pro Tem Haladay asked for public comment, none was received.

Motion **Commissioner Wicks moved to award the Front Street Improvements Project to Helena Sand and Gravel for the amount of \$3,132,760.00.** Commissioner Noonan seconded the motion.

Discussion Commissioner Noonan stated the front street project would be a

great benefit for the City of Helena, commending the Public Works department on its steady progress in implementing this project and others related to the overall Master Plan.

Commissioner O'Loughlin asked if the Front Street project included changes to the intersection at Neill Avenue and Front Street. Assistant Director Lovshin stated the intersection at Neill Avenue would not be included in this project, but the intersection was being discussed as part of other potential projects.

Mayor Pro Tem Haladay thanked the staff for their work on this particular project and it's relation to the downtown master plan, and congratulated the staff again for coming in under budget.

Vote

**Clerk Havens called a roll call vote, as follows:
Commissioner Wicks voted aye, Commissioner Noonan voted aye,
Commissioner O'Loughlin voted aye, and Mayor Pro Tem Haladay
voted aye. The motion carried.**

Communications

From City Commissioners

COMMUNICATIONS/PROPOSALS FROM CITY

COMMISSIONERS

Commissioner O'Loughlin thanked the City Staff for their hard work on the snow removal over the past couple of weeks. The commission has received multiple positive comments from citizens regarding the efforts of the City and its new snow removal plan.

**Report of the City
Attorney**

REPORT OF THE CITY ATTORNEY

City Attorney Jodoin stated there is nothing to report.

**Report of the City
Manager**

REPORT OF THE CITY MANAGER

City Manager Cortez reported the City twitter account is active and invited the Commission to participate. Manager Cortez reminded the Commission about the Strategic Planning Session on Saturday February 16th, which is open to the Public. The City Attorney, Finance and the City Manager offices will also be in attendance.

Last week a gathering was held in honor and in gratitude of Dennis Taylor, where Lewis & Clark County proclaimed February 7, 2019 as "Dennis Taylor Day." Manager Cortez stated a tour of the Law & Justice Center had been scheduled for the Commission on February 20th at 3:00 pm. Manager Cortez stated her office priorities going forward as: ADA accessibility issues, open lands and urban interface activities, emergency response, overtime issues, and the budget.

**Report from the
Helena Citizens**

REPORT FROM THE HELENA CITIZENS COUNCIL

No report given.

Regular Items

- A. CONSIDER A RESOLUTION OF INTENTION TO AMEND RESOLUTION NO. 5261 THAT CREATED SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 193 TO ADD FOUR (4) LIGHTS AND TO ALTER THE BOUNDARIES TO ADD LOT 2 IN BLOCK H IN THE GREAT NORTHERN TOWN CENTER P.U.D. AND LOTS 3 AND 4 IN THE CHESSMAN AND DAVIS PLACER MINING CLAIM TO SILD NO. 193 IN THE CITY OF HELENA, MT

Staff Report

Finance Director Glenn Jorgenson reported the City Commission created Special Improvement Lighting District No. 193 in 1954. There are nine lights on Front St., and part way up Thirteenth and Fourteenth Streets. The lights are currently 100 watt Cobra head style.

The proposed amendment to resolution No. 5261 has three goals: 1. Light fixture consistency with Downtown Master Plan specifications including decorative historic replica lights similar in aesthetics as those on Last Chance Gulch, 2. Improve pedestrian access to Centennial Park through the Lyndale Avenue underpass, and 3. Increase energy efficiency through installation of LED lights.

- A. Safer pedestrian traffic due to better lighting.
- B. Improved pedestrian traffic to Centennial Park.
- C. Consistency with Downtown Master Plan regarding aesthetics of the area.
- D. Sustainability compliance due to replacement of inefficient sodium lights with LED.

This project will require additional resources to install the four lights. However, LED lights take approximately 50% of the current high-pressure sodium lights. Less usage translates into savings which in the long term will cover installation costs. The new lights will be Dark Sky compliant, as well. The new lights will cost \$10,000 to install. This cost also includes transformers. Funds for this project will come from Street Maintenance and/or Gas Tax.

Director Jorgenson recommended approval of a resolution of intention to amend resolution No. 5261 that created Special Improvement Lighting District No. 193 to add four (4) lights and to alter the boundaries to add Lot 2 in Block H in the Great Northern Town Center P.U.D. and Lots 3 and 4 in the Chessman and Davis Placer Mining Claim to SILD No. 193 in the City of Helena, and hold a public hearing on March 11, 2019.

Discussion

Commissioner O'Loughlin asked for clarification of the area being discussed in this resolution of intention, versus the affected area including the two lights to be considered in a future resolution. Director Jorgenson indicated the location of these lights and stated the two lights in question would be addressed in a minor amendment at a later date.

Public Comment

Mayor Pro Tem Haladay called for public comment. None was received.

Motion

Commissioner Noonan moved to approve a resolution of intention to amend resolution No. 5261 that created Special Improvement Lighting District No. 193 to add four lights and to alter the boundaries to add Lot 2 in Block H in the Great Northern Town Center P.U.D and Lots 3 and 4 in the Chessman and Davis Placer Mining Claim to SILD No. 193 in the City of Helena, and hold a public hearing on March 11, 2019. Commissioner Wicks seconded the motion.

Discussion

Commissioner Noonan thanked staff and Northwestern Energy for their cooperative efforts to be one of the first cities in the state to institute the LED lighting as part of the lighting infrastructure.

Vote

Clerk Havens called a roll call vote, as follows: Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. The motion carried. Resolution 20509

Public Communications

PUBLIC COMMUNICATIONS
No public communications.

Adjournment

There being no further business to come before the City Commission, the meeting was adjourned at 6:32 p.m.

Meetings of Interest

MEETINGS OF INTEREST

Administrative Meeting - February 20, 2019 - 4:00 p.m. - Room 326, City-County Building

Regular City Commission Meeting - February 25, 2019 - 6:00 p.m. - Commission Chambers City-County Building

/S/ ANDRES HALADAY
MAYOR PRO TEM

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE CITY COMMISSION