

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
February 26, 2018 - 6:00 P.M.
City Commission Chambers, Room 330

Time & Place A regular City Commission meeting was held on Monday, February 26, 2018 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Pro Tem Haladay indicated for the record that Commissioners Farris-Olsen, Noonan, and O'Loughlin were present. City Manager Ron Alles, Public Affairs Specialist Sarah Elkins, City Attorney Thomas Jodoin, City Clerk Debbie Havens, and Deputy City Clerk Katya Grover were 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 February 12, 2018, were approved as submitted.

Consent Agenda CONSENT AGENDA:
A. Claims

City Manager Alles recommended approval of the claims.

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

Motion **Commissioner Noonan moved approval of Claims on the consent agenda.** Commissioner O'Loughlin seconded the motion. All voted aye, motion carried.

Communications From Commissioners COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
There were no communications from the Commissioners.

Report of the City Attorney REPORT OF THE CITY ATTORNEY
City Attorney Jodoin had nothing to report on.

Report of the City Manager REPORT OF THE CITY MANAGER
Manager Alles had nothing to report on.

Report from the Helena Citizens REPORT FROM THE HELENA CITIZENS COUNCIL
No report was provided.

Regular Items REGULAR ITEMS:
A. CONSIDER A RESOLUTION OF INTENTION CREATING A RESIDENTIAL PARKING DISTRICT FOR THE 1100 BLOCK OF NORTH PARK AVENUE.

Staff Report Parking Commission Director David Hewitt reported Type B Residential Parking District, for 1104 and 1108 North Park Avenue, was created by Resolution 19303 on November 21, 2005. The same parking district was terminated by Resolution 20136 on November 10, 2014.
The property owner of 1104 and 1108 North Park Avenue lives out of state and apparently did not receive notice that the residential parking district was being terminated. No parking permits had been purchased for years.
The property owner now desires that the City Commission reestablish the Type B Residential Parking District. Resolution 20071

established criteria for the creation of residential parking districts. A copy of the criteria is attached. A summary of the analysis of those criteria is as follows:

A. One side of North Park Avenue is zoning R-2; the other side is zone Public Lands and Institutions.

B. The property is surrounded by Carroll College, and only one property has off-street parking. Due to the parking conflicts, tenants of that unit cannot find parking on the street and do not have permission to park on Carroll College campus.

C. Currently, there are only three residential houses located on the 100 block of North Park Avenue.

D. Only one of the three properties has off-street parking.

Recreating the Type B Residential Parking District for 1104 and 1108 North Park Avenue would reserve on-street parking for the property owner. On the other hand, creation of a Type B Residential Parking District would not be consistent with the criteria provided in Resolution No. 20071.

Director Hewitt recommended to approve, table, or deny a resolution of intention to create a Type B Residential Parking District for the 1100 block of North Park Avenue and set a public hearing date of March 12, 2018.

Discussion

Commissioner O'Loughlin asked Director Hewitt to repeat what Carroll College had requested and the addresses. Director Hewitt said that the request was for the Residential Parking District signage to go in front of 1004 and 1108; the property that the College owns is 1120 and it would not be included in the district.

Commissioner Farris-Olsen pointed out that the resolution says "the 1100 block of North Park Avenue" and asked whether it meant that the 1004 address was included. Director Hewitt replied that it was.

Commissioner Haladay asked whether, when the Parking Commission originally tackled the redo of the Residential Parking Districts, it would be correct to characterize that the Commission allowed existing districts that were non-conforming to come in and attempt to justify their continued existence. Director Hewitt concurred and noted that there were different circumstances that the Commission did allow.

Public Comment

Mayor Pro Tem Haladay asked for public comment.

Jerry Loendorf, Helena resident, spoke on behalf of the owner of the property who resides in Alaska. Mr. Loendorf explained how the property owner acquired aforementioned houses and noted that the petition doesn't request inclusion of the lot that the Carroll College wants excluded and that the petitioner is in full agreement with that exclusion.

Motion

Commissioner O'Loughlin moved to approve a resolution of intention to create a Type B Residential Parking District for the 1100 block of North Park Avenue and set a public hearing date of March 12, 2018. Commissioner Farris-Olsen seconded the motion.

Discussion

Commissioner Noonan said that it wasn't until last year with the Parking District that the students started paying attention. What the staff responsible for student housing at the Carroll College did at that time helped them get some parking within that parking lot. Commissioner Noonan noted that he could see how it would be difficult now to rent those two spaces: because people always look for free parking outside of the campus parking lots. Commissioner Noonan said he was in favor of the motion.

Commissioner Haladay expressed his agreement with Commissioner Noonan: the purpose of this district was to work around specific circumstances to deal with conflicts, and that the owner would protest, or otherwise react to removal of the Residential Parking District were he to receive the notices. And the Commission would have extended the existence of the Residential Parking District just as it for other locations.

Vote All voted aye, motion carried. **Resolution 20429**

Public Hearings

PUBLIC HEARINGS:

A. CONSIDER SUBMISSION OF THE CAPITAL TRANSIT SERVICE (CT) FISCAL YEAR 2019 (FY 2019) MONTANA DEPARTMENT OF TRANSPORTATION (MDT) 5311 OPERATING GRANT REQUEST PACKAGE.

Staff Report

Capital Transit Supervisor Steve Larson reported each year Capital Transit submits a financial request on behalf of the City of Helena to the Montana Department of Transportation to support our public transit operation.

This year the City of Helena is applying for \$778,462.00 in 5311 operating funds, as well as \$63,779.00 in TransAde funds, to support transportation of seniors, the elderly, and individuals with disabilities. Additionally, the City is requesting two capital items. First, the City is requesting a 12 passenger/ 6 wheelchair bus with a cost estimate of \$87,000.00. The City's match for this item is budgeted at \$19,800. Second, the City is requesting a passenger shelter for the fixed route system. The total cost of the shelter is \$15,000.00.

Continued state assistance is critical to our transit operation's ability to provide citizens, seniors, the elderly, and individuals with disabilities access to necessary services.

Public transportation helps improve our citizens' health as well as the environment by reducing traffic congestion, fuel consumption, and exhaust emissions.

Capital Transit Supervisor Larson recommended to accept, modify or deny staff's recommendation to submit the preliminary FY2019 5311 Operating Grant Request.

B. CONSIDER ACCEPTANCE OF THE CAPITAL TRANSIT COORDINATION PLAN FOR FISCAL YEAR 2019.

Staff Report

Capital Transit Supervisor Steve Larson reported a yearly updated Coordination Plan is a required segment of our 5311 Operating Funds Grant Request.

The Coordination Plan helps indicate how transportation coordination is progressing in our community. It also provides a way for the lead agency to describe what items in the updated 2013-2019 Transit Development Plan have been completed.

With this Coordination Plan, the City will be able to assist our community with its short and long term transit goals.

Capital Transit Supervisor Larson recommended to accept the Capital Transit FY 2019 Coordination Plan and allow staff to include the document in its grant application package.

C. CONSIDER SUBMISSION OF CAPITAL TRANSIT FISCAL YEAR 2019 REQUEST FOR MONTANA DEPARTMENT OF TRANSPORTATION (MDT) 5311 TRANSADE FUNDING.

Staff Report

Capital Transit Supervisor Steve Larson reported each year the Montana Department of Transportation requests that each community and agencies within the community submit a request for funding to provide transportation for seniors, elderly and disabled individuals. Capital Transit is the only agency submitting a request this year in the Helena area.

Transportation for seniors, elderly and individuals with disabilities through Capital Transit's ADA Para Transit service is the primary transportation for many in our community. Without this funding many individuals would be left relying on friends, neighbors or relatives for transportation.

Capital Transit Supervisor Larson recommended to accept, modify or deny staff's recommendation to submit the FY 2019 TransAde funding request as part of Capital Transit's preliminary 5311 Operating Grant Request.

D. CONSIDER SUBMISSION OF THE CAPITAL TRANSIT FISCAL YEAR 2019 MONTANA DEPARTMENT OF TRANSPORTATION (MDT) 5311 GRANT REQUEST FOR CAPITAL EQUIPMENT.

Staff Report

Capital Transit Supervisor Steve Larson reported each year, as delineated in the City of Helena Capital Replacement Plan, Capital Transit replaces one bus. By replacing one bus each year we can remain on our 10 year cycle plan. Replacing a bus each year allows staff to effectively manage both the buses and the necessary capital funding. Over its life, each bus will serve both as a primary service bus and a backup bus. It is common that when it is time to replace the bus it will begin to experience extensive and expensive repairs and will have over 200,000 miles on the bus. This year we will be requesting a 12 passenger/6 wheelchair bus for our ADA Para Transit operation. The cost of the bus is \$87,000.00. City of Helena is required to provide a match. The match is budgeted at \$19,000. Capital Transit would also like to request one passenger shelter for the fixed route system. The total cost of the shelter is \$15,000.00.

This grant allows Capital Transit to continue to update and maintain its bus fleet. Fleet replacement is vital to maintaining an effective operation.

New buses are more energy efficient. In addition, new buses have up-to-date electronics and emission systems as required by the federal government. Falling behind our replacement schedule may cause our operation to not have enough serviceable buses necessary to transport the clientele.

Capital Transit Supervisor Larson recommended to accept, modify or deny staff's recommendation to submit the Capital Transit 5311 Capital Equipment Request as part of Capital Transit preliminary 5311 Operating Grant Request.

E. CONSIDER SUBMISSION OF THE CAPITAL TRANSIT FISCAL YEAR 2019 MONTANA DEPARTMENT OF TRANSPORTATION (MDT) 5311 GRANT REQUEST PACKAGE.

Staff Report

Capital Transit Supervisor Steve Larson reported each year the lead agency must submit the grant funding request to the Montana Department of Transportation to assist in funding our public transportation program. The grant request includes the 5311 operating budget, capital equipment request, TransAde funding request, and the updated Coordination Plan.

This grant allows the City of Helena Capital Transit to continue to provide vital public transportation. Using public transportation can help reduce air pollution in our community, as well as to provide alternative transportation to the private vehicle. Without the federal funding the city would need to totally fund the public transit operation.

Capital Transit Supervisor Larson recommended to accept, modify or deny staff's recommendation to allow the City Manager to sign the 5311 Operating Grant package request and to allow the City to submit the request electronically.

Discussion

Commissioner Noonan commented about Supervisor Larson, who is retiring from his position, by saying that what Supervisor Larson had accomplished with respect to bus services in Helena during his tenure was remarkable. Commissioner Noonan noted that the Commission and City staff honor the good work that he had done. Supervisor Larson thanked Commissioner Noonan for his kind words and said the following: his career was a lot of passion for him; he served in the fire service for 31 years and then worked as a Capital Transit Supervisor; there was a lot of hard work but the City staff and City Commission were behind many things that were accomplished during his tenure; in the last three to four years Capital Transit had enjoyed momentum and now it started showing on the streets with new busses. Supervisor Larson concluded by saying that it is exciting time for public transit and the riding community in Helena.

Commissioner Farris-Olsen asked to confirm that if the Commission wanted to reorganize the ranking, it would be item D, the Capital request. Supervisor Larson said that that was correct, but that the Commission couldn't really re-rank that list but could attach a letter from the City Manager and the Commission stating that the reasons as to why the City would like to see that bus considered higher than the shelter.

Commissioner Farris-Olsen asked Manager Alles that if the Commission wanted to do that, how he would recommend it should be done. Manager Alles replied that Supervisor Larson was looking for a formal decision on that and so, for example, if the Commission proceeded as it was discussed at the Wednesday's administrative meeting, the Commission would propose a motion that he, the City Manager, would write a letter that, as for all of the items, that the rank be considered city bus would be first, the Westmont van second, and bus shelter third.

Commissioner Farris-Olsen reiterated the process again. Manager Alles said that Commissioner Farris-Olsen's understanding was correct.

Public Testimony

Mayor Pro Tem Haladay opened the public hearing and called for anyone wishing to address the Commission.

Joel Peten, rider of the bus system and the advocacy coordinator for the Montana Independent Living project, spoke about TransAde funds and not receiving them due to the tax ranking being reversed two years ago which removed the organization Mr. Peten represents from the priority position. Mr. Peten pointed out that due to a legislature being passed four years ago, the City should continue to see increase in the money inflow. Mr. Peten expressed hope that the Commission will ask Capital Taxi and the Capital Transit Advisory Council to work together. Mr. Peten encouraged the Commission to find a way how to use TransAde for what it was truly meant: to expand service for people with disabilities and do it in new ways. Mr. Peten also reported that a year and a half ago, the Montana Independent Living project started a weekend and evening voucher program and that it was still going despite experiencing difficulties from time to time. In conclusion, Mr. Peten spoke on challenges of getting to the City Commission meetings as Capital Transit buses stop operating at 5:30 p.m. with the City Commission meeting commencing at 6 p.m.

Motion **Commissioner Noonan moved to accept staff's recommendation to submit the preliminary FY2019 5311 Operating Grant Request.** Commissioner Farris-Olsen seconded the motion.

Discussion Commissioner Farris-Olsen commented that this year the Commission started having the discussions regarding the points (that Mr. Peten talked about) and started being actively engaged in those discussions. Commissioner Farris-Olsen pointed out that he believed that the Commission needed to go further and talk more about, at a minimum, changing the meeting hours. Commissioner Farris-Olsen thanked Mr. Peten for sharing his views with the Commission.

Commissioner Noonan pointed out that during the last administrative meeting, Capital Transit staff provided Commission with estimation on increased services during the night time, Weekends, and holidays. The Commission will be considering those points when working on the budget. Commissioner Noonan said that perhaps the Commission could try to determine if there was another way to meet some of the needs that Mr. Peten discussed.

Vote All voted aye, motion carried.

Motion **Commissioner Farris-Olsen moved to accept the Capital Transit FY 2019 Coordination Plan and allow staff to include the document in its grant application package.** Commissioner O'Loughlin seconded the motion. All voted aye, motion carried.

Motion **Commissioner Noonan moved to accept staff's recommendation to submit the FY 2019 TransAde funding request as part of Capital Transit's preliminary 5311 Operating Grant Request.** Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried.

Motion **Commissioner Farris-Olsen moved to accept staff's recommendation to submit the Capital Transit 5311 Capital Equipment Request as part of Capital Transit preliminary 5311 Operating Grant Request on the condition that the City Manager send a letter requesting MDT to re-rank items so that the city bus would be first, the Westmont van second, and the bus shelter third.** Commissioner Noonan seconded the motion.

Discussion Commissioner Noonan confirmed that the motion had the following re-ranking: the Capital Transit bus, the Westmont van, and then the bus shelter.

Commission Farris-Olsen concurred.

Commissioner Haladay reiterated the re-ranking indicated in the motion: bus first, Westmont second, and bus shelter third.

Vote All voted aye, motion carried.

Motion **Commissioner O’Loughlin moved to accept staff’s recommendation to allow the City Manager to sign the 5311 Operating Grant package request and to allow the City to submit the request electronically.** Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried.

F. CONSIDER A RESOLUTION TO AMEND SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 222 TO ALTER THE BOUNDARIES AND ADD EIGHT LIGHTS.

Staff Report

Administrative Services Director Glenn Jorgenson reported the City Commission created Special Improvement Lighting District No. 222 (SILD) in March of 2011. The SILD includes all of Antelope Trace and Craftsman Village Phase I and II of Crossroads at Mountain View Meadows. This SILD has been amended three times previously as adjacent property was developed. This amendment will increase the square feet of property in the SILD to include an additional block of Stacia Avenue annexed in December 2017 that benefits from the new lights. Exhibit A provides the list of the new properties, a copy of a portion of the final plat (map), and a lighting map provided by NorthWestern energy. The entire SILD, including the proposed amended area, has Lexington Colonial luminaries with 100-watt, high-pressure, sodium vapor lamps. These lights comply with the City's dark-skies lighting ordinance.

Staff is recommending the SILD be amended to add properties benefiting from the 8 additional lights installed on Stacia Avenue and pay the associated costs. The additional cost of the new lights is anticipated to be \$4,291 for the first year with a total cost of \$43,561 for the amended SILD. The new cost includes an additional one-half year amount to pay the electrical cost between the time this amendment is approved and the first assessments are received in December 2018. The cost was \$0.0175 per square foot for tax year 2017. The cost is estimated to be \$.01859 per square foot if amended.

Staff advertised twice in the Independent Record and sent notices to all property owners in the SILD and proposed amended boundary who had the right to protest the amendment. Staff received no protests by the due date.

The current SILD will have similar lights throughout the district that benefit all property owners by providing a consistent lighting pattern.

Additional electricity will be used and paid for by the SILD property owners. The current property owners will bear an increased cost per square foot of property owned as this amendment will add approximately 4% more property but add an 11% increase in electrical costs.

Director Glenn Jorgenson recommended approval of a resolution amending Resolution 19818 that created Special Improvement Lighting

District No. 222 to alter the boundaries of and add eight lights in SILD No. 222 in the City of Helena, Montana.

Public Testimony

Mayor Pro Tem Haladay opened the public hearing and called for anyone wishing to address the commission. There being no persons wishing to address the commission, the public hearing was closed.

Motion

Commissioner Farris-Olsen moved approval of a resolution amending Resolution 19818 that created Special Improvement Lighting District No. 222 to alter the boundaries of and add eight lights in SILD No. 222 in the City of Helena, Montana. Commissioner O'Loughlin seconded the motion. All voted aye, motion carried.
Resolution 20430

Public Communications

PUBLIC COMMUNICATIONS
No comments received.

Meetings of Interest

MEETINGS OF INTEREST
The Administrative Meetings are scheduled for February 28 and March 7, 2018, City-County Joint Work Session is March 1, 2018, and the next Commission Meeting is March 12, 2018.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:38 p.m.

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DEBBIE HAVENS
CLERK OF THE COMMISSION