

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
July 30, 2018 - 6:00 P.M.
City Commission Chambers, Room 330

Time & Place A regular City Commission meeting was held on Monday, July 30, 2018 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Collins indicated for the record that Commissioners Farris-Olsen, Haladay, Noonan, and O'Loughlin were present. City Manager Dennis Taylor, City Attorney Thomas Jodoin and City Clerk Debbie Havens were present.

Pledge of Allegiance Mayor Collins 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 July 16, 2018 were approved as submitted.

Board Appointments BOARD APPOINTMENTS:
A. ADA Compliance Committee; City-County Planning Board; Helena Housing Authority; Helena Regional Airport Authority.

Mayor Collins recommended the following appointments:
ADA Compliance Committee - Reappointment of Brian Coplin to the ADA Compliance Committee. Second term will begin upon appointment and expire September 2, 2021.

City-County Consolidated Planning Board - Reappointment of Dennis Dean as the joint City-County member on the Planning Board. Second term will begin upon appointment and expire September 1, 2021.

Helena Housing Authority - Appointment of Matt Dalton to the Helena Housing Authority. First term will begin on August 2, 2018 and expire August 1, 2023.

Helena Regional Airport Authority - Appointment of Tom McGree to the Airport Authority. First term will begin on September 2, 2018 and expire on September 1, 2021.

Reappointment of Rick Hays as the joint City-County member. Second term will begin upon appointment and expire September 2, 2021.

Public Comment Mayor Collins called for public comment; none were received.

Motion Commissioner Haladay moved approval of the board appointments as outlined above. Commissioner Noonan seconded the motion. All voted aye, motion carried.

Consent Agenda CONSENT AGENDA:
A. Claims
B. Adoption of the Official Zoning Map for the City of Helena, with a revision date of June 30, 2018.
C. Consider a resolution relating to financing of certain proposed projects; establishing compliance with reimbursement bond regulations under the Internal Revenue code in advance of the proposed issuance of wastewater revenue bonds by the City of Helena wastewater system (DNRC Water Pollution Control State Revolving Loan Program) to provide funds to pay for the costs of wastewater main installation. **Resolution 20467**

- D. Consider a resolution relating to financing of certain proposed projects; establishing compliance with reimbursement bond regulations under the Internal Revenue Code in advance of the proposed issuance of revenue bonds by the City of Helena water system (DNRC Drinking Water Revolving Loan Program) to provide funds to pay for the costs of water main replacement projects.
Resolution 20468

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

Public Comment Mayor Collins asked for public comment, none was received.

Motion **Commissioner Noonan moved approval of Items A and D on the consent agenda.** Commissioner Haladay seconded the motion. All voted aye, motion carried.

Communications From Commissioners COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS
Commissioner Noonan spoke on the strong community Helena is and mentioned the dedication of the Shodair Genetics Unit named after Dr. Phil Pallister and the passing of Arch Bishop Raymond Hunthausen and the beliefs and understandings he brought to Helena and Montana.

Report of the City Attorney REPORT OF THE CITY ATTORNEY
City Attorney Jodoin updated the commission on a lawsuit filed against the city from Jennifer A. McKee and Jonathan McDonald regarding a decision of the Board of Adjustment. Attorney Jodoin asked if the commission would like to schedule an executive session to discuss the merits of the case.
There was consensus to schedule an executive session.

Report of the City Manager REPORT OF THE CITY MANAGER
Interim City Manager Dennis Taylor announced the Beattie Street Trailhead meeting is scheduled for July 31st at 5:00 p.m. at the Library.
The joint City-County work session on August 2nd has been cancelled.

Report from the Helena Citizens REPORT FROM THE HELENA CITIZENS COUNCIL
No HCC representative present.

Regular Items A. CONSIDER A SIDEWALK VARIANCE FOR 21 DIVISION STREET

Staff Report
Engineer Leland reported Rebecca Shaw, the owner of the property located at 21 Division Street has requested a sidewalk variance. The property at 21 Division Street is currently being developed and has an approved building plan and permit for a single family home. The approved plans reflect City standard boulevard sidewalk, drive approach, curb, and gutter. Division Street is an undeveloped, steeply graded, one-way, dirt-street that is not built to City Standards. There are currently no sidewalks along Division Street.
Engineer Leland stated the commission can move to approve, table, or deny deferring the installation of sidewalk, drive approach, curb, and gutter for the property at 21 Division Street until such time as Division Street is constructed to City standards.

Discussion

Commissioner Haladay asked if the proposal would be a boulevard sidewalk. Engineer Leland stated yes. Commissioner Haladay commented boulevard sidewalks are easier to install once the street is designed. Engineer Leland concurred.

Mayor Collins asked what staff's recommendation is. Engineer Leland stated staff does not give a recommendation on a sidewalk variance. However, with the location of the property, it would be difficult to install sidewalks.

Commissioner O'Loughlin asked if there are plans to develop Division Street. Engineer Leland stated not at this time.

Commissioner Farris-Olsen noted there are no sidewalks in the vicinity. Engineer Leland concurred there are no sidewalks on Clancy, Rodney or Sparta Streets and this would be an island of a sidewalk.

Commissioner Haladay stated the city commission has added to previous sidewalk variance requests, a condition the approval on the variance is contingent upon the property owner signing a waiver of protest for any future Special Improvement District.

Public Comment

Mayor Collins called for public comment.

Motion

Commissioner O'Loughlin moved to approve a sidewalk variance for 21 Division Street until such time as Division Street is constructed to City Standards. Commissioner Haladay seconded the motion.

Amendment

Commissioner Haladay moved the approval on the variance is contingent upon the property owner signing a waiver of protest for any future Special Improvement District. Commissioner Farris-Olsen seconded the motion. All voted aye, motion carried.

Commissioner O'Loughlin commented given the fact there are no sidewalks in the area, she would support the variance with the amendment.

Commissioner Haladay stated the commission has put this condition on previous sidewalk variances and when creating an SID having the waiver of protests helps.

Vote on amended Motion.

All voted aye, motion carried.

Public Hearings

PUBLIC HEARING:

A. CONSIDER WHETHER THE RED ALDER APARTMENTS PROJECT MEETS A COMMUNITY HOUSING NEED.

Staff Report

Planner Ellie Ray reported Rocky Mountain Development Council (RMDC) is considering purchasing a 9.62 acre lot located at 2200 Henderson Street to develop low-income housing. The proposed project, to be known as the Red Alder Apartments, will consist of 40 one bedroom, 28 two-bedroom, and 12 three-bedroom units that will be available as workforce and affordable housing units.

Rocky Mountain Development Council, Inc., intends to submit an application for Low-Income Housing Tax Credits to partially fund the construction of the 80 units (50 percent of which will be ADA-accessible housing units)

It is RMDC's intent to build the new units as one-level garden apartments with no step entrances for accessibility and visibility, as has proven a successful model for other RMDC-managed properties in the region. A community room, on-site manager's office, and playground will also be located on the property, with in-unit air conditioning, washers/dryers, and fully equipped kitchens. Ideally, the development would also include, or be within close proximity to, a City transit stop.

According to a preliminary Market Study findings completed for RMDC in recent months, the City experienced 7.3 percent growth between 2010 and 2018, and is projected to increase a further 3 percent by 2013.

No affordable housing developments have been built since 2010 despite there being 787 multi-family units [ER2] built in Helena since 2012. It is projected 1,550 households would qualify for the 80 Red Alder units, and there is an approximate demand for 500 affordable units right now, with dozens of households waiting to find housing that will accept federal housing subsidy vouchers. Overall, this project will only address 16 percent of the estimated need for affordable housing need in Helena.

State law, under MCA 15-6-221(2), requires the local government, where the proposed project is to be located, to hold a public hearing to solicit comment on whether the proposed low-income rental housing project meets a community housing need. A record of this public hearing will be forwarded to the MT Board of Housing for consideration in granting the allocation of tax credits.

The proposal is to have the City Commission hold this public hearing to take comment as to whether the Red Alder Apartments project will address community housing needs for Helena.

If funded, the project will further serve the needs of the low-income citizens in the community. This will also result in infill development in a mixed use area. The project will create an opportunity for infill development. The buildings will be built in accordance to the latest version of the Energy Code.

Planner Ray stated no motion is required.

Commissioner O'Loughlin asked what the difference is between a conditional use permit (CUP) and a zone change. Planner Rae described the processes for both a zone change and CUP and noted the CUP process may be easier. The commission can also add conditions to a CUP.

Public Testimony

Mayor Collins declared the public portion of the hearing open and called for any public testimony.

Liz Mogstad, RMDC Housing Coordinator highlighted the following points: The Red Alder Project will expand the housing supply for the low income population, people with disabilities and seniors; the proposed location is perfect for infill development and is close to schools, walking paths, a grocery store, and various medical providers; project will include energy efficient features and quality materials to ensure long-term stability; and the financing model allows RMDC to create more than twice as any units as compared to a traditional credit application.

Ms. Mogstad spoke of the importance of having the support of the city and noted the following are idea on how the city could support the project: Testify in support of the project and its importance to the Helena Community; replace existing traffic calming measures with a speed sign; expedite review of a zone change or conditional use permit application; expedite engineer review; consider modifying the current fee structure in order to assist financially with affordable housing and allow a Capital Transit stop on the project site.

Alyson Munson, Executive Director of United Way, spoke in support of the project.

Kathleen Curd Rau, 2761 Oval J Street, spoke in opposition of the project due to increase in traffic; truck traffic; traffic calming devices need to stay on Brady; and not knowing what the 2nd phase of the development may be. Ms. Rau stated this project may be a good idea; but not at this time.

Becki Brandborg spoke in support of the project and noted she facilitated the three neighborhood meetings in July on the proposed development. The comments received at the meetings were traffic is already a burden; there is a need for traffic calming and possibly lower the speed limit. Ms. Brandborg stated RMDC will work with the city to mitigate the impacts; specifically increased traffic.

Daniel Pocha, Chair of the RMDC, spoke in support of the project and noted there is a need for housing for the Native community. RMDC brings a sense of community to the housing developments.

There being no further public testimony, Mayor Collins closed the public portion of the hearing.

Discussion

Commissioner Farris-Olsen commented the commission is aware of the housing crisis in Helena and offered the city to assist in any way possible. The fee waiver will continue to be discussed.

Mayor Collins concurred with Commissioner Farris-Olsen and noted the city will look at how some of the concerns can be alleviated. This project is very important for the community.

Commissioner Noonan asked who currently owns the property. Ms. Mogstad stated SBF, LLC is the owner and Lee Flasnik is the contact.

Commissioner O'Loughlin asked how RMDC decided on this property. Ms. Mogstad stated the location and the price for property within the city limits.

Commissioner Noonan stated he supports the project and then asked how the traffic from the new development will impact Custer Avenue. The needs and concerns of the neighborhood has to be taken into consideration.

Commissioner Haladay thanked RMDC for pursuing this project. He then stated there have been conflicting messages on the fee waiver. At this time, there is no specific policy in place to consider the fee waiver request. The city will work with RMDC to make the project happen. The commission needs to support these types of development.

No motion required.

***Public
Communications***

PUBLIC COMMUNICATIONS

No public communications received.

***Meetings of
Interest***

MEETINGS OF INTEREST

The Joint City-County Work Session scheduled for August 2, 2018 has been cancelled. The Administrative Meeting is scheduled for August 8, 2018 and the next Commission Meeting is August 13, 2018.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 6:55 p.m.

/S/ WILMOT COLLINS

MAYOR

ATTEST:

/S/ DEBBIE HAVENS

CLERK OF THE COMMISSION