

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
November 18, 2019 - 6:00 P.M.
City Commission Chambers, Room 330

Time & Place A regular City Commission meeting was held on Monday, November 18, 2019 at 6:00 p.m., in the City Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present Mayor Collins requested Interim City Clerk Clayborn call roll call: City Attorney Jodoin, City Manager Cortez, Commissioner Haladay, Commissioner Wicks, Commissioner Noonan, and Commissioner O'Loughlin, all responded 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 November 4, 2019 Regular City Commission meeting were approved as submitted.

Consent Agenda CONSENT AGENDA:

- A. Claims
- B. Enlargement of wastewater service area for The Red Alder Residences at 2200 Henderson Street.
- C. Resolution of Intention to Establish an updated fee schedule for the 2020 Golf Season at Bill Roberts Golf Course.
- D. Resolution Establishing a Tax Increment Financing Advisory Board for the Downtown Urban Renewal Area.

City Manager Cortez recommended approval of the Consent agenda or removal of any items the Commission would like further discussion on to the Regular Item agenda.

Discussion Commissioner Haladay asked to remove items C and D. to the regular items for further discussion. These items will now be listed as items 12 C and 12 D.

Public Comment Mayor Collins asked for public comment, on items A - B. None was received.

Motion **Commissioner Haladay moved to approve the claims and consent agenda item B.** Commissioner Wicks seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0.**

Bid Award BID AWARD

- A. Memorial Pool Liner Replacement Project PR9913

Staff Report Parks and Recreation, Open Lands, & Civic Center Director Ponozzo reported the Memorial Pool PVC Liner is due for replacement and is showing signs of failure. PVC pool liners are effective for 10 years and then they need to be replaced so water doesn't infiltrate beneath the liner. It is important to properly maintain the pool for public safety and for compliance with state health codes.

The city received three bids for the Memorial Pool PVC Liner

Replacement Project PR9913 on September 27, 2019. The lowest responsible bidder for the project was Aquatic Renovation Systems, Inc. of Indianapolis, Indiana with a bid price of \$132,020. The other two bids were \$156,782 and \$180,000. Capital funds have been budgeted for this project which is a planned maintenance upgrade.

Installing a new PVC liner at Memorial Pool will keep the pool running smoothly for another 10 years without unexpected down time from liner failure. The new liner is also important in terms of public safety and compliance with state health codes. The new liner will come with a 10-year warranty.

Director Ponzio recommended awarding the Memorial Pool Liner Replacement Project PR9913 to the lowest responsible bidder Aquatic Renovation Systems, Inc. in the amount of \$132,020.

Motion

Commissioner O’Loughlin moved to award the Memorial Pool Liner Replacement Project PR9913 to the lowest responsible bidder Aquatic Renovation Systems, Inc. in the amount of \$132,020. Commissioner Haladay seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0.**

Communications from City Commissioners COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS
No communications.

Report of the City Attorney REPORT OF THE CITY ATTORNEY
City Attorney Jodoin stated there was nothing to report.

Litigation Strategy LITIGATION STRATEGY
A. Subsector Solutions, Inc vs. City of Helena Draft Complaint

The City Manager has been notified of a potential lawsuit involving Subsector Solutions, Inc, d.b.a Treasure State Internet & Telegraph ("TSI&T"). TSI&T has offered to discuss resolution prior to filing the complaint.

The complaint generally alleges that the City unlawfully interfered with TSI&T installation of infrastructure necessary to deliver internet services, was negligent in its representations to TSI&T, and committed fraud. Staff has provided the MMIA and its counsel of this potential lawsuit.

Discussion
Commissioner Haladay stated he would be in favor of City Attorney Jodoin moving forward with discussions with the legal counsel given how little information was available to the Commission at this point. Commissioner O’Loughlin concurred with Mayor Collins and Commissioner Haladay.

Report of the City Manager REPORT OF THE CITY MANAGER
City Manager Cortez introduced Pat Judge, the City's new Sustainability Coordinator.

Discussion
Mr. Judge thanked the Commission for their support and creation of the position.

Mayor Collins welcomed Mr. Judge. Commissioner Haladay thanked Mr. Judge for joining City Staff.

City Manager Cortez asked the Commission if they would like to attend the Parade of Lights on the City float. Manager Cortez asked the Commission if they had specific goals for Mr. Judge and Assistant to the City Manager Opitz on what they would like to bring to the NorthWestern Energy discussion in Big Sky to please forward those discussion points onto the City Manager's office.

Manager Cortez asked Director Ponozzo to provide the Commission with a report on the proposed changes to the advisory boards. Director Ponozzo stated the public meeting which occurred on November 15th, was well attended and a current period of open public comment is running until the 23rd. A survey also currently is active on the City of Helena website. Director Ponozzo gave a summary of the feedback currently received amongst all forums by the public and members of the advisory boards. Director Ponozzo stated 25-30 staff hours were spent on the meeting management, and approximately 24 staff hours were spent on the staff attendance of the advisory board meetings. Director Ponozzo stated the boards worked on fee schedules and this was possibly an area where consolidation of efforts of each board in order to offer meaningful input on such matters. Director Ponozzo also identified other areas of overlap from similar responsibilities of each board. Director Ponozzo stated consolidation of boards could help in efficiencies and alleviate the amount of City Staff hours spent attending and administrating these advisory bodies.

Discussion

Mayor Collins asked Director Ponozzo if the efficiencies addressed this evening have been addressed with the boards. Director Ponozzo stated these were ongoing discussions.

Commissioner Noonan stated the Commissioner involvement in the advisory boards was instrumental in the process and attending these varying schedules and boards was often difficult, and this strain in the schedule of the commissioners should be considered.

Commissioner Haladay stated he was supportive of continuing the discussion with the boards and their effectiveness and relevancy. The Commissioner stated he has seen several boards were formed and some have been dismantled while he served on the Commission. Commissioner Haladay stated he supported the efforts of boards such as NMTAC, and HPAC as well as other boards with objective data of showing the contributions they have offered to the City and the Commission.

Commissioner Haladay stated he would like to ask consensus from the Commission on providing the City Manager with direction to draft a Resolution to dissolve the Civic Center Board.

Commissioner O'Loughlin stated she would like to continue discussions surrounding the recommendations made by Director Ponozzo and felt a greater conversation in coming months surrounding HOLMAC and the golf board could be warranted, including the scope and roles of each of the boards. Commissioner O'Loughlin stated she also would be in support of the City Manager directing staff to draft a resolution to dissolve the Civic Center Board.

Mayor Collins stated he was not in favor of drafting a resolution at this time and would be interested in hearing more from the Civic Center board.

Commissioner Wicks stated she would be in support of a resolution to dissolve the Civic Center board.

Mayor Collins stated he felt there should be more time speaking with those parties involved, prior to drafting the resolution.

Commissioner Haladay stated he would like to elaborate on his concerns regarding the Civic Center Board specifically. Commissioner Haladay asked City Attorney Jodoin if the Civic Center Board had control over City funds. Mr. Jodoin stated the Board had monies which were technically generated by the Civic Center Board and events it had coordinated, and until about March of the last year were able to write checks from a City Bank account. Commissioner Haladay asked Mr. Jodoin to confirm if this would mean private citizens would then have access to City funds. Mr. Jodoin stated yes, technically this would be true. Commissioner Haladay asked if the Civic Center Board had entered into contracts outside the City Attorney or City Manager's office. Mr. Jodoin stated there were some liability concerns which were not being addressed due to the Civic Center Board entering into at least two contracts for the facility use without going through the proper review and processes. Commissioner Haladay asked if the Civic Center Board was setting fees and as such would this board would be subject to the Open Meeting laws, and if the Civic Center Board were to violate these laws, who would be held liable for the violation. Mr. Jodoin stated there was a general concern if these meetings were not being operated under these statutes of open meeting laws, then it would be the City's liability. Commissioner Haladay asked City Attorney Jodoin if there was concern over any advisory boards which engaged in electioneering at official meetings. Mr. Jodoin stated it could violate state ethics laws for any public officer or public employee to engage in such activities, however, if this would specifically apply to an advisory board member, he could not say definitively; but in the interest of best practices felt this was not appropriate. Commissioner Haladay stated in the Civic Center Board minutes for the meeting held on September 10th, 2019, the minutes stated concerns regarding the election of certain Commissioners and the re-appointment of several board members. Commissioner Haladay stated due to what seemed to be a case of electioneering during the meeting by City Staff, he could not support the board continuing.

Commissioner Noonan stated in the discussion of the Civic Center moving to the Parks department, he was in favor of the reorganization. Commissioner Noonan recognized there was a definite commitment by the board to the physical facility and he felt there were two separate issues at hand which need to be considered; the maintenance of the facility itself and the operation and management of the programming. Commissioner Noonan stated the Parks Department could play a vital role in developing both sides of the issue to the betterment of the Civic Center overall.

Mayor Collins stated he was alarmed by several points brought forth by Commissioner Haladay but was still supportive of continuing discussion prior to dissolving the board.

Commissioner Wicks stated there were rumors which she wished to address, including the sale or dissolving of the Civic Center as a facility was not being discussed this evening, but it was simply a discussion on the advisory board.

Commissioner O'Loughlin stated regardless of the direction to the City Manager this evening, it did not preclude further discussion with the Civic Center Board. The Commissioner noted that the Commission had previously discussed making changes to the structure of the Civic Center Board, including establishing term limits; however, to date, Civic Center Board has opposed all efforts for any structural changes.

Mayor Collins stated his concerns about the drafting the resolution prior to any further discussion.

Commissioner O'Loughlin stated the consensus seemed to be to direct the City Manager to draft the resolution but would welcome further discussion on the matter.

City Manager Cortez stated the consensus would be to draft a resolution to dissolve the Civic Center Board while still including the public commentary received throughout the process and brought to the next viable meeting option which would be in December.

Report from the HCC

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC Treasurer Nancy reported on the election of the HCC candidates from the last election. The HCC has opted to follow the same procedure as would be followed by the HCC for vacancies on the Committee and appoint the remaining seats or the seats with a tie.

City Attorney Jodoin stated he had spoken with HCC Chair Sumner Sharpe and the County Attorney office and it was determined the appointments would not need to come back to the Commission for appointment.

Regular Items

REGULAR ITEMS

- A. CONSIDER A RESOLUTION RELATING TO \$2,754,000 WASTEWATER SYSTEM REVENUE BOND (DNRC WATER POLLUTION CONTROL STATE REVOLVING LOAN PROGRAM), SERIES 2019; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS THEREOF.

Staff Report

City Controller Liz Hirst reported city staff is requesting the Commission approve borrowing \$2,754,000 to finance the construction, and extension of water and wastewater mains, as well as related infrastructure to the newly annexed westside. In addition to these extensions, some upgrades to our existing system will need to be made. This project is anticipated to be complete by December 2020.

City Staff recommended approval of a resolution relating to \$2,754,000 wastewater system revenue bond (DNRC Water Pollution Control State Revolving Loan Program), series 2019; authorizing the issuance and fixing the terms and conditions thereof.

Discussion

Commissioner Haladay asked for clarification on who would be responsible for the debt service payments. Ms. Hirst stated the City would be making the payments from the City Wastewater Enterprise fund, until such time the customers tapped into the program, at which time the payments would become the responsibility of the customer.

Public Comment

Mayor Collins asked for public comment. None was received.

Motion

Commissioner Noonan moved to approve a resolution relating to \$2,754,000 wastewater system revenue bond (DNRC Water Pollution Control State Revolving Loan Program), series 2019; authorizing the issuance and fixing the terms and conditions thereof. Commissioner O'Loughlin seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0. Resolution 20581**

B. CONSIDER A RESOLUTION AMENDING AND RESTATING ALL PRIOR WASTEWATER SYSTEM REVENUE FINANCING RESOLUTIONS AND WASTEWATER SYSTEM REVENUE BONDS ISSUED PRIOR TO 2019.

Staff Report

City Controller Liz Hirst reported the City has one outstanding wastewater bond issue from the State of Montana, Department of Natural Resources (DNRC), Water Pollution Control State Revolving Fund. All bond documents refer to the original bond resolution Nos. 10111, 10201, 11392, and 19976, adopted on May 22, 1989, May 21, 1990, July 12, 1999, and December 3, 2012, respectively. The attached resolution will replace these resolutions as the originating resolution for all current and future wastewater bonds to provide for up-to-date bond language. Replace resolution Nos. 10111, 10201, 11392, and 19976 with a master bond resolution for all wastewater bonds issued prior to 2019. The City will have bond language that is consistent with current bond language used

City Staff recommended approval a resolution amending and restating all prior wastewater system revenue financing resolutions and wastewater system revenue bonds issued prior to 2019.

Public Comment

Mayor Collins asked for public comment. None was received.

Motion

Commissioner O’Loughlin moved to approve a resolution amending and restating all prior wastewater system revenue financing resolutions and wastewater system revenue bonds issued prior to 2019. Commissioner Wicks seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted nay. **The motion carried, 5-0. Resolution 20582**

C. CONSIDER FIRST PASSAGE OF AN ORDINANCE ALLOWING CERTAIN ENCROACHMENTS BY RIGHT BY AMENDING CHAPTER 13 OF TITLE 7 OF THE HELENA CITY CODE AND SETTING A PUBLIC HEARING DATE OF DECEMBER 9, 2019

Staff Report

Deputy City Attorney Iryna O’Connor reported currently, when a property owner wants to have a retaining wall, fence, awning or overhang extend into the right-of-way, the property owner must apply for and obtain an agreement with the city for that encroachment. The agreement is also recorded with the Clerk and Recorder. Preparation of these agreements requires staff time, mainly from engineering and legal staff, as well as an added inconvenience for the property owner. In reviewing whether or not these types of encroachments create an issue for the city justifying the expenditure of resources, city staff has found that vast majority of these encroachment; do not present issues for the city’s use of the right-of-way and as such are approved with minimal review or investigation have been in existence for a long period of time especially in the older parts of the city; and no additional rights are gained by the city by having an agreement in place.

City Staff recommended move to approve first passage of an ordinance allowing certain encroachments by right amending chapter 13

of title 7 of the Helena City Code and setting a public hearing date of December 9, 2019.

Discussion

Commissioner O'Loughlin asked if this was the type of amendment which most municipalities followed in this type of matter, and if this was the type of way this type of encroachment was typically handled. City Attorney Jodoin stated the City of Bozeman operated in this manner.

Motion

Commissioner O'Loughlin moved to approve first passage of an ordinance allowing certain encroachments by right amending chapter 13 of title 7 of the Helena City Code and setting a public hearing date of December 9, 2019. Commissioner Noonan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3276**

Public Hearings

PUBLIC HEARINGS

- A. CONSIDER A REVISED ORDINANCE ADDING INDUSTRIAL WASTEWATER REGULATIONS BY AMENDING TITLE 6, CHAPTER 6 OF HELENA CITY CODE

Staff Report

City Engineer Ryan Leland reported a first passage of the Industrial Wastewater Regulations was read and approved at the November 4th City Commission Meeting. This is the Public Hearing for the Industrial Wastewater Regulation.

Industrial Wastewater Regulations and permits require treating industrial wastestreams for defined industries before the water is discharged to the sewer system. The type of waste being produced and the potential disruption of the City of Helena Wastewater Treatment Facility's ability to treat the sewage determines the specific treatment required by the discharger and their discharge permit limits. This helps protect the City of Helena Wastewater Treatment Facility's ability to treat and meet the discharge limits in their MPDES Discharge Permit.

The Environmental Protection Agency (EPA) performed an audit on the City of Helena's pretreatment program for industrial waste in September 2017. As part of the audit, EPA requested modifications to the City of Helena's Industrial Waste Regulations (City Code 6-4), Ordinance No. 3124. The changes include: minor changes to the definition of Significant Industrial User, changes to prohibited discharges, and clarifications to the department's enforcement authority of the Industrial Waste Regulations. The revised ordinance language, as approved by Al Garcia, EPA Pretreatment Coordinator, is attached to this memo.

City Staff recommended approval of final passage of an ordinance amending industrial wastewater regulations by amending Title 6, Chapter 6 of Helena City Code.

Public Testimony

Mayor Collins declared the public portion of the hearing opened and asked if there were any individuals wishing to address the Commission. There being none, Mayor Collins declared the public hearing closed.

Motion

Commissioner Wicks moved to approve final passage of an ordinance amending industrial wastewater regulations by amending

Title 6, Chapter 6 of Helena City Code. Commissioner Haladay seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted nay. **The motion carried, 5-0. Ordinance 3265**

- B. CONSIDER FINAL PASSAGE OF AN ORDINANCE AMENDING THE DOWNTOWN URBAN RENEWAL DISTRICT AND THE BOUNDARIES THEREOF, AND ADOPTING THE RODNEY STREET DOWNTOWN URBAN RENEWAL DISTRICT PLAN, INCLUDING TAX INCREMENT PROVISION PURSUANT TO TITLE 7, CHAPTER 15, PARTS 42 AND 43, MCA.

Community Development Director Sharon Haugen reported on November 4, 2019, the Helena City Commission approved first passage of an ordinance amending the Downtown Urban Renewal District (URD) and amending the boundaries thereof, and adopting the Rodney Street Amendment to Downtown Urban Renewal District Plan (Plan), including tax increment provision pursuant to Title 7, Chapter 15, Parts 42 and 43 MCA. The City Commission established November 18, 2019, as the date of a public hearing to consider final passage of the ordinance. MCA Section 7-15-4213 requires that the Consolidated Planning Board review the Urban Renewal Plan as well as any amendments then provide a written recommendation to the City Commission as to whether the Urban Renewal Plan conforms to the 2011 Growth Policy, as amended. On October 15, 2019, the Planning Board heard a presentation regarding the Urban Renewal Plan and the goals identified therein. The staff report also evaluated how these goals were in conformance with the City's current Growth Policy as amended by the Downtown Neighborhood Plan. As a result of that meeting, the Planning Board concluded the goals were in conformance with the 2011 Growth Policy and the Downtown Neighborhood Plan, and made a formal recommendation for the City Commission to consider the Rodney Street amendment to the Downtown Urban Renewal Plan. The Planning Board's recommendations were provided to the City Commission on November 4, 2019. The City sent notices of the hearing to all property owners in the Downtown and Transitional Residential districts whose names appear on the county treasurer's tax rolls as the owners or purchasers under contract. Lewis and Clark County and the Helena School District were also notified about the hearing and have an opportunity to comment on the Plan and the District amendment. A copy of the draft plan is on the City website at:

www.cd/planning/currentprojects/downtownurban.html.helenamt.gov

A hard copy of the Plan can be obtained by contacting the Community Development Department located at 316 N. Park, Helena, MT, 59623. Once approved by the City Commission, City staff will finalize the Plan amendment. Then, the Plan amendment as well as other required documents will be sent to the Montana Department of Revenue so that they can certify the base year for the amended District and the subsequent tax increment.

The purpose of the action is to take public comments to the adoption of the Rodney Street Amendment to the Downtown Urban Renewal District, the amended boundaries, and the accompanying plan. The Rodney Street amendment of the District and resulting opportunities associated with the various mechanisms identified in the Plan would help to encourage revitalization and redevelopment of the Rodney Street

area. The City of Helena Growth Policy identifies this area as one with potential for infill, redevelopment, and as a designated "Mixed Use" area. The DNP speaks to encourage redevelopment in the area and maximizing opportunities to reinvest in existing building and infrastructure. The amendment of the District will help accomplish some of these goals and is one of the few tools that cities have to encourage redevelopment in an area. It encourages and better enables public and private partnerships.

Redevelopment activities take advantage of existing infrastructure and require less resources to develop than raw ground. The possible use of TIF funds may allow current building to be brought up standards that make them more energy efficient and extend their usable life. It is anticipated that the actions resulting from the Plan amendment will increase the overall taxable value of the proposed district through strategic public and private investment. The increase in taxable value from a set baseline level will be redirected back into the district. The increment that is derived from the increase in taxable value therefore, will stay in the district and will not be available to be used elsewhere in the city.

Director Haugen recommended approval of final passage of an ordinance amending the boundaries of the Downtown Urban Renewal District and the Downtown Urban Renewal District Plan, to include the Rodney Street Study Area including a tax increment provision pursuant to Title 7, Chapter 15, Parts 42 and 43, Montana Code Annotated

Public Testimony

Mayor Collins declared the public portion of the hearing open and asked if there was anyone wishing to address the Commission.

Paul Pacini, spoke in favor of the URD but stated there was some confusion regarding the advisory board and board of Commissioners, and asked for clarification.

Commissioner O'Loughlin stated if Mr. Pacini would ask his questions, the Commission could possibly address the questions in the Commission discussion.

Mr. Pacini asked for clarification on the role and makeup of the advisory boards for the URD.

Rex Seeley property owner within the URD, spoke in support of the URD and stated this was encouraging for those property owners in the area.

Gina Satterfield, spoke in opposition of the URD, expressing concerns over single family housing in the area.

Fred Sargerson, spoke in favor of the URD and stated his enthusiasm for the redevelopment of the area.

Kathy Cook, resident of Rodney Street area, spoke in opposition of the URD, with concerns over the raise of taxes in the area

Motion

Commissioner Wicks moved to approve final passage of an ordinance amending the boundaries of the Downtown Urban Renewal District and the Downtown Urban Renewal District Plan, to include the Rodney Street Study Area including a tax increment provision pursuant to Title 7, Chapter 15, Parts 42 and 43, Montana Code Annotated. Commissioner Noonan seconded.

Discussion

Commissioner Haladay asked for Director Haugen to address some of the questions raised in the public commentary this evening.

Director Haugen stated the TIF advisory board will review the different projects proposed and determine which projects will best to spend the TIF money and advise the City Commission on these projects.

Commissioner Haladay asked Director Haugen if a TIF district would raise taxes. Director Haugen stated no, it would not raise taxes.

Commissioner O'Loughlin asked Anne Cossitt to come forth to answer a few questions regarding the overarching plan for the URD being considered, and how the proposed URD would create connectivity with the Downtown area holistically.

Anne Cossitt, of WGM Engineering, stated the amendment would allow for representation for the residents of the Rodney Street area on the advisory committee to include a resident of the two representatives required from the Rodney Street area. The plan would also include the promotion of affordable housing and improved sidewalks both of which would connect the area to the rest of downtown.

Discussion

Commissioner Haladay stated the Urban Renewal District being considered this evening would allow for an opportunity to address the degradation of existing properties and offer a funding source in partnership with the City to save the historic buildings and preserve these properties versus demolition. Commissioner Haladay stated future City Commissions to have a tool to assist in the preservation of the area and its historic buildings.

Amendment

Commissioner Haladay moved to amend the current Ordinance 3275, to include the Haladay amendment. Commissioner Noonan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0.**

Motion

Commissioner Wicks move to amend her previous motion to include the approved Haladay amendment. Commissioner Haladay seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3275.**

C. A RESOLUTION ESTABLISHING THE DOWNTOWN URBAN RENEWAL AREA TAX INCREMENT FINANCING ADVISORY BOARD FOR THE DOWNTOWN URBAN RENEWAL AREA, INCLUDING THE HALADAY AMENDMENT.

Staff Report

City Attorney Jodoin reported on October 29, 2018, the Helena City Commission passed Ordinance No. 3242 which established the Downtown Urban Renewal Plan. On November 18, 2019, the Helena City Commission passed Ordinance No. 3275 which added the Rodney Street Study Area to the Downtown Urban Renewal District. The Plan includes a Tax Increment Financing (TIF) provision.

The Plan called for an eleven member tax increment advisory body. The Rodney Street Study Area amendment added two representatives of a business or property owner, or residents, located in the Rodney Street Study Area, for a total of thirteen members. The City Manager's office asked for an additional representative of the non-profit community for a total of fourteen members.

The establishment of the Downtown Tax Increment Financing Advisory Board is the next important step in the implementation of the Downtown Urban Renewal District Plan. The use of tax increment financing funds may result in the redevelopment of properties and infrastructure to address current goals of the City, such as the

implementation of the Complete Streets policy, compliance with newer energy codes, innovative practices for stormwater, and in-fill development, etc.

City Staff recommended approval of a Resolution Establishing a Tax Increment Financing Advisory Board for the Downtown Urban Renewal Area.

Discussion

Commissioner Haladay gave a brief explanation for the proposed amendment to the Advisory Board Resolution, stating it would allow for a more flexibility in the timeframe and appointments to the advisory committee by the Commission.

Commissioner O'Loughlin asked Director Haugen what the process had been for outreach and selection of Advisory Committee members. Director Haugen stated past practices for other bodies it was the Commission that ultimately was the appointing entity.

Public Comment

Mayor Collins asked for public comment. None was received.

Motion

Commissioner moved to approve a Resolution Establishing a Tax Increment Financing Advisory Board for the Downtown Urban Renewal Area, as amended with the Haladay Amendment.

Commissioner Haladay seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted aye. **The motion carried, 5-0. Resolution 20580.**

D. RESOLUTION OF INTENTION TO ESTABLISH AN UPDATED FEE SCHEDULE FOR THE 2020 GOLF SEASON AT BILL ROBERTS GOLF COURSE

Golf fees must be updated regularly to maintain revenue and remain competitive with similar courses. The Parks Department will bring Bill Roberts Golf Course Fee Schedule updates to the Nov. 18th Commission Meeting to set a public hearing date of the Dec. 9th Commission Meeting.

The Parks Department proposes updated fees as outlined in the attached Resolution of Intention. Proposed golf fee increases range from a 7-12% raise. Golf fee increases have the potential to increase revenue by more than \$500,000 per year. This moves us closer to balancing the Golf Fund. One new fee option is the Tower Club - this aims to attract and retain more infrequent use golfers. It provides a potential diversified revenue source while also providing an affordable option for golf.

City Staff recommended approval of a resolution of intention to establish fees to be charged for the Bill Roberts Golf Course for the 2020 Season, with the included staff amendment which corrected several fees.

Public Comment

Mayor Collins asked for public comment. None was received.

Motion

Commissioner Haladay moved to approve the resolution of intention to establish fees to be charged for the Bill Roberts Golf Course for the 2020 Season, to include the staff amendment.

Commissioner Wicks seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye and Mayor Collins voted nay. **The motion carried, 5-0. Resolution 20579.**

**Public
Communications**

PUBLIC COMMUNICATIONS

Brian Coplin addressed the Commission, regarding homeless issues in the Helena area.

Gerry Sept president of the Trustees of the Church, spoke in reference to a tax increase for the FY2020. and asked the Commission consider a way to offer relief to other entities such as his church in this matter.

Adjournment

There being no further business to come before the City Commission, the meeting adjourned at 8:04 p.m.

Meetings of Interest MEETINGS OF INTEREST

City-County Joint Work Session – December 3, 2019 - 4:00 p.m. - Room 326, City-County Building

Regular City Commission Meeting – December 9, 2019 - 6:00 p.m. - Commission Chambers, City-County Building

Regular City Commission Meeting – December 16, 2019 - 6:00 p.m. - Commission Chambers, City-County Building

/S/ WILMOT COLLINS
MAYOR

ATTEST:

/S/ DANNAI CLAYBORN
CLERK OF THE CITY COMMISSION