



# City of Helena

## ADMINISTRATIVE MEETING

October 16, 2024 - 4:00 PM

City - County Building Room 326 / Zoom Online Meeting; <https://us06web.zoom.us/j/86949324988>

### AGENDA

1. **Call to Work Session, introductions**
2. **Commission comments, questions**
3. **Recommendations from the Helena Citizens Council**
4. **City Manager's Report**
5. **Department Reports**
  - a. Transportation Systems - Parking Update
  - b. Transportation Systems - Update
  - c. A Resolution of Intention to set rates for all customers of the City of Helena wastewater system and to set a date public hearing date.
  - d. A Resolution of Intention to set rates for all customers of the City of Helena water system and to set a date public hearing date.
6. **Litigation Strategy**
  - a. Public Comment
  - b. Litigation strategy/discussion with counsel: Bozeman Greenbuild v. City of Helena
  - c. The City Commission may close all or portions of agenda item #6 to the public pursuant to Sect. 2-3-203 (4)(a), MCA, to discuss with legal counsel a strategy to be followed with respect to litigation if an open meeting would have a detrimental effect on the litigating position of the City because all the parties are not public bodies
  - d. Open Discussion / Direction
7. **Public Comment**
8. **Commission discussion and direction to the City Manager**
9. **Adjourn**

**The City of Helena is committed to providing access to persons with disabilities for its meetings, in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The City will not exclude persons with disabilities from participation at its meetings or otherwise deny them the City's services, programs, or activities.**

**Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs, or activities should contact the City's ADA Coordinator, Ellie Ray, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:**

**Phone: (406) 447- 8490**

**TTY Relay Service 1-800-253-4091 or 711**

**Email: [citycommunitydevelopment@helenamt.gov](mailto:citycommunitydevelopment@helenamt.gov)**

**Mailing Address & Physical Location: 316 North Park Avenue, Room 445, Helena, MT 59623.**

**City of Helena, Montana**

**October 8, 2024**

**To:** Tim Burton, City Manager  
**From:** David Knoepke, Transportation Systems Director  
Chris Couey, Transportation Systems Deputy Director  
**Subject:** Transportation Systems – Parking Update

**Present Situation:** The department will provide an overview on the following items:

- A. Budget Overview - Revenue vs Expenses, Debt Service, Deferred Maintenance and ADA Improvements
- B. Parking Overview
  - a. Users/permits
- C. Operational Changes
  - a. Ongoing
    - i. One Zone
    - ii. No 1st hour free
    - iii. LPR
    - iv. Office Move – Complete
    - v. Electronic Payments/Permit Management
  - b. Proposed
    - i. First 15 minutes free to all license plates
    - ii. Removing individual meters to create 2-hour timed parking
    - iii. Restructuring Ticketing
    - iv. Proposed City Code changes
- D. Public Comment Review

**Background Information:** Parking Division has had to implement several changes over the past few months. These have been a result of software that needed replacement, evaluation cost saving solutions and convenience for users of the parking.

**Proposal/Objective:** Provide the City Commission an update on ongoing projects and proposed projects.

**Advantage:** Keep the City Commission informed on the changes in Parking.

**Notable Energy Impact:** N/A

**Disadvantage:** None

**Notice of Public Hearing:** No

**Staff Recommendation/  
Recommended Motion:** Provide the City Commission and update on the Parking Division and answer any questions.

**City of Helena, Montana**

**October 8, 2024**

**To:** Tim Burton, City Manager  
**From:** David Knoepke, Transportation Systems Director  
Chris Couey, Transportation Systems Deputy Director  
**Subject:** Transportation Systems - Update

**Present Situation:**

**Custer Update**

- Currently working on a funding agreement with MDT. The goal is to design the entire corridor from Montana Avenue to Henderson Street.
- Construction to follow depending on timing and funding.
- Timeframe for the project 5-7 years hopefully sooner.

**Mini-Malfunction Update**

- The engineering study requested by MDT to allow the "stop control" at the intersection as an interim step until construction of the roundabout can take place has been completed.
- Sanbell consulting has been selected for the design of the roundabout.
- We are currently working on scoping for the agreement.
- Design is slated for approximately 6-8 months.

**Lawrence and LCG Update**

- The study for the intersection is complete and we are currently scheduling a public meeting to present the results to the public.
- We will present to the Commission the public comment we receive and any recommendations moving forward at the intersection.

**Sanders Questions**

- We have received a few concerns regarding the traffic at Custer/Sanders Intersection with the new building taking place.
- Traffic volumes will increase with the new apartments and restaurant once completed.
- The City is working with MDT on moving the traffic signal at Harris/Cedar to Sanders/Cedar to assist in mitigating traffic flow concerns.
- The Custer project will have an impact, but the project is most likely out several years.

**Snow and Ice Plan - Angled Parking**

- Per our current Snow and Ice Plan, the City does not plow angled parking spaces.
- Parked cars within angled make it difficult to plow around.
- Placement of the berm is either at the road edge or within three feet of the curb/sidewalk.

**Background Information:** N/A informational item.

**Proposal/Objective:** Provide the City Commission an update on several projects.

<b><u>Advantage:</u></b>	Keep the Commission up to date.
<b><u>Notable Energy Impact:</u></b>	N/A
<b><u>Disadvantage:</u></b>	None
<b><u>Notice of Public Hearing:</u></b>	No
<b><u>Staff Recommendation/ Recommended Motion:</u></b>	Provide the City Commission an update on several projects and answer any questions.

**City of Helena, Montana**

**10/07/2024**

**To:** Tim Burton, City Manager

**From:** Ryan Leland, Public Works Director  
Sheila Danielson, Finance Director

**Subject:** A Resolution of Intention to set rates for all customers of the City of Helena wastewater system and to set a date public hearing date

**Present Situation:** All wastewater system customers are charged a monthly base rate and a per unit usage rate as required by Helena City Code 6-3-2. Rate increase considerations are necessary to adjust for inflation, provide for necessary capital improvements, and meet bonded debt coverage. A rate increase of 4% is being recommended

**Background Information:** A recent water/wastewater rate study recommended a range of rate increases based on different permit scenarios for all wastewater customers. The consultant first presented the rate study to the City Commission in August 2022.

**Proposal/Objective:** Provide information and answer questions. At a subsequent Commission meeting, staff plans to recommend the approval of a Resolution of Intention to set residential and commercial wastewater base and usage rates and set a public hearing for November 18, 2024.

**Advantage:** Timely rate considerations will ensure the ability to cover system operating costs, capital costs, and existing and future debt to maintain the integrity of the wastewater system.

**Notable Energy Impact:** N/A

**Disadvantage:** N/A

**Quasi-Judicial Item:** False

**Notice of Public Hearing:** False

**Staff Recommendation/  
Recommended Motion:** Move to approve a Resolution of Intention to set residential and commercial wastewater base and usage rates and set a public hearing for November 18, 2024

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO.

### A RESOLUTION OF INTENTION TO SET RESIDENTIAL AND COMMERCIAL WASTEWATER BASE AND USAGE RATES

**WHEREAS**, wastewater system users have previously been charged a base rate, and a per unit usage rate for use of the wastewater collection system as required by §6-3-2 of the Helena City Code;

**WHEREAS**, rate increases are necessary to adjust for inflation, for cost of service, to provide for necessary capital improvements, and to meet bonded debt coverage;

**WHEREAS**, according to a recent rate study, commercial users generate a larger demand for wastewater treatment services than residential users and therefore should pay a higher rate for wastewater treatment services than residential users; and

**WHEREAS**, it appears to be in the best interests of the City of Helena and the inhabitants thereof that the base rate and per unit usage rate imposed upon wastewater customers be set.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

**Section 1.** It is the intention of the Helena City Commission to set the residential and commercial wastewater base and usage rates imposed upon all wastewater customers.

**Section 2.** The proposed rates are shown in the following

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Resol.**

table:

SERVICE	CURRENT	PROPOSED
<b>Residential Rates:</b>		
Wastewater Base	\$10.12 phpm <sup>1</sup>	\$10.52 phpm <sup>1</sup>
Wastewater Usage	\$3.47/unit <sup>2</sup>	\$3.61/unit <sup>2</sup>
<b>Commercial Rates:</b>		
Wastewater Base	\$10.12 phpm <sup>1</sup>	\$10.52 phpm <sup>1</sup>
Wastewater Usage	\$4.67/unit <sup>2</sup>	\$4.86/unit <sup>2</sup>

<sup>1</sup>per connection per month

<sup>2</sup>units are measured in HCF (100 cubic feet or approximately 748 gallons)

**Section 3.** These rates are effective **January 1, 2025** and remain effective until such time the City Commission deems the rates and charges are insufficient to cover the requirements of MCA 7-13-4307.

**Section 4.** The Helena City Commission will hold a public hearing on this matter on **November 18, 2024** in the Commission Chambers at 316 North Park Avenue in Helena, Montana, at 6:00 P.M. and via Zoom Meeting at webinar ID: <https://us06webzoom.us/j/84006879934> at which time all interested parties may appear and express their views of



# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Resol.**

approval or disapproval on the proposed rates.

**Section 4.** Notice of the passage of this Resolution of Intention shall be given by publication and mailing as required in §69-7-111, MCA. The City Clerk is authorized and directed to make publication of this Resolution of Intention in the Independent Record, the official newspaper of the City of Helena.

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**MAYOR**

**ATTEST:**

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**CLERK OF THE COMMISSION**

**City of Helena, Montana**

**10/07/2024**

**To:** Tim Burton, City Manager

**From:** Ryan Leland, Public Works Director  
Sheila Danielson, Finance Director

**Subject:** A Resolution of Intention to set rates for all customers of the City of Helena water system and to set a date public hearing date.

**Present Situation:** All water system customers are charged a monthly base rate and a per unit usage rate as required by Helena City Code 6-2-8. Rate increase considerations are necessary to adjust for inflation, provide for necessary capital improvements, and meet bonded debt coverage. A rate increase of 3.5% is recommended.

**Background Information:** A recent water rate study recommended across-the-board increases of 3.5% for all water customers. The consultant first presented the rate study to the City Commission in August 2022 and has made some modifications since the initial presentation. Based on the significant amount of ARPA capital funds awarded to the Water fund, staff elected to postpone a rate increase recommendation for FY24. A 3.5% rate increase for FY25 will bring the city in line with the rate study recommendations.

**Proposal/Objective:** Provide information and answer questions. At a subsequent Commission meeting, staff plans to recommend the approval of a Resolution of Intention to set residential and commercial wastewater base and usage rates and set a public hearing for November 18, 2024.

**Advantage:** Timely rate considerations will ensure the ability to cover system operating costs, capital costs, and existing and future debt to maintain the integrity of the water system.

**Notable Energy Impact:** N/A

**Disadvantage:** N/A

**Quasi-Judicial Item:** False

**Notice of Public Hearing:** False

**Staff Recommendation/  
Recommended Motion:** N/A.

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO.

### A RESOLUTION OF INTENTION TO SET RATES FOR ALL CUSTOMERS OF THE CITY OF HELENA WATER SYSTEM

**WHEREAS**, water system users are charged a base rate and a per unit rate for water consumption as required by §6-2-8 of the Helena City Code;

**WHEREAS**, rates are adjusted as necessary to correct for inflation, cost of service, provide for necessary capital improvements, and meet bonded debt coverage; and

**WHEREAS**, a tiered rate structure is desired to encourage conservation of water while providing necessary funding for operational and capital costs.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

**Section 1.** It is the intention of the Helena City Commission to set residential, commercial and non-metered residential water consumption rates.

**Section 2.** The proposed water base and consumption rates are shown in the following table:

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Resol.**

	CURRENT	PROPOSED
<b>Monthly Meter Base Rate<sup>1</sup>:</b>		
Meter Size		
¾"	\$9.26	\$9.58
1"	\$15.40	\$15.94
1 ½"	\$30.80	\$31.88
2"	\$49.20	\$50.92
3"	\$92.40	\$95.63
4"	\$154.30	\$159.70
6"	\$308.60	\$319.40
8"	\$555.40	\$574.84
12"	\$694.20	\$718.50
<b>Per Unit Consumption rate<sup>2</sup>:</b>		
Use Type		
Commercial	\$4.09	\$4.23
Multi-dwelling	\$3.39	\$3.51
Residential 0-8 units	\$3.39	\$3.51
Residential 9-15 units	\$3.80	\$3.93
Residential 15+ units	\$3.86	\$3.99
Non-metered residential (11 units)	\$3.92	\$4.06

<sup>1</sup> per meter per month

<sup>2</sup> units are measured in HCF (100 cubic feet or approximately 748 gallons)

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

**Resol.**

**Section 3.** The rates are effective **January 1, 2025** and will remain in effect until such time as the City Commission deems the rates and charges are insufficient to cover the requirements of MCA 7-13-4307.

**Section 3.** The Helena City Commission will hold a public hearing on this matter on **November 18, 2024**, in the Commission Chambers at 316 North Park Avenue in Helena, Montana, at 6:00 P.M. and via Zoom Meeting at webinar ID: <https://us06web.zoom.us/j/84006879934> at which time all interested parties may appear and express their views of approval or disapproval on the proposed rates.

**Section 4.** Notice of the passage of this Resolution of Intention shall be given by publication and mailing as required in §69-7-111, MCA. The City Clerk is authorized and directed to make publication of this Resolution of Intention in the Independent Record, the official newspaper of the City of Helena.

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**MAYOR**

**ATTEST:**

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**CLERK OF THE COMMISSION**