

Helena Citizens Council Regular Meeting
November 16th - 7:00 p.m.
City/County Building - Room 326

Members present: Jim McCormick, Ellen Bell, Jim Penner, John Forbes, Albert B. Clark, Roy Hemry, David Scrimm, Kris Goss and HCC Coordinator Shannyn Henkel.

Members absent: Lorabelle Behlmer, Winston Greely, Janet Hess-Herbert, Stanley Johnson, Bob Clarkson, Eric Woodland, Olivia Tooley, Dan Bernhardt, Collin Waters, Randy Phillips, M.C. Beeby, Carrie Severson, Bob Habeck and Frank Rives.

Visitors: Mark Lerum; Retired Helena Police Department. Troy McGee, Chief of Helena Police Department. Jenny Sika, Fish Wildlife and Parks. Ron Alles, City Manager of City of Helena

HCC Chair Jim McCormick called meeting to order at 7:02 p.m.

Introductions

Jim McCormick asked for discussion on the minutes from the October 26th meeting. There was no discussion

Kris Goss moved adoption of minutes, Albert Bruce Clark second, all voted; unanimously approved.

Helena Police Department Report

Chief Troy McGee had no report and was available for questions or comment. David Scrimm mentioned the Winne Avenue traffic issues and asked Chief McGee, as a resident on Winne Avenue, his opinion on the traffic issue. McGee indicated the problem with speeders and violators has been an issue for years, although there has been a recent increase in traffic, the violations are not new. David Scrimm asked about the digital speed limit post sign located on Rodney and inquired about possibly purchasing another. The cost is \$5,000 and purchasing another has been discussed amongst Police Department staff. The current digital sign, which includes data counts of speed, was purchased with grant funds. There is also an older speed trailer with older software available. Mr. Scrimm said the ability to move the sign is important to keep it “fresh”. Chief McGee agreed.

Ron Alles indicated City staff is working with Bob Habeck and have made a commitment from the City to help with traffic issues. Mr. Alles relayed the City Commission also endorses support.

HCC Coordinator’s Report

Shannyn Henkel provided an updated list of vacancies at board or committee meetings for members to review.

Ms. Henkel also reported the election results for candidates on the ballot. The elected HCC members for next term are:

- District 1: Janet Hess-Herbert
- District 2: Mary Christine DuVernay
- District 2: Bobette Madonna (has relocated and seat will need to be appointed)
- District 3: Brian C. DeKiep
- District 3: Jim McCormick
- District 3: Olivia Tooley

District 3: Kris Goss
District 4: Ellen Bell
District 5: Albert Bruce Clark
District 5: Roy Hemry
District 5: Randy Phillips
District 6: Mary Cheryl "M.C." Beeby
District 6: Abigail St. Lawrence
District 7: John Forbes
District 7: Bob Habeck

The Elections Office has sent out letters to all the elected members on the ballot, as well as the eligible write-in candidates, asking acceptance of the seat. Swearing in of newly elected officials will be at the January 9th, 2012 City Commission meeting. Jim McCormick reported the Elections Office indicated there are many write-in candidates and was pleased to have a positive election result from the write-in candidate campaign. Kris Goss asked for an agenda item for December to discuss the vacant seats.

Ms. Henkel expressed gratitude to Jim Penner for his assistance in training her new position. Mr. Penner will not be at the December meeting and Mr. Penner's term ends December 31st. Jim McCormick also thanked Mr. Penner for his years of service on the Council.

District Reports

District 1 - No Representative present

District 2 - David Scrimm reported some concern regarding the "boom cars" and may have some conversation with HPD regarding the presence of "boom cars" in residential areas and frustration of residents in the area. Mr. Scrimm expressed dissatisfaction in the current ordinance and its ability to be enforced.

District 3 - Kris Goss agreed on the nuisance of the "boom car" issues to the extent the "boom cars" created personal concern of a possible earthquake and feels the issue needs to be raised again.

District 4 - Ellen Bell reported concern from a resident about snow plow drifts making the trash cans too high to reach into for use. Ms. Bell said the City Streets Department promptly remedied the problem.

District 5 - No report.

District 6 - No report.

District 7 - John Forbes reported Bob Habeck intends to hold another meeting with the Winne Avenue traffic issue. Mr. Forbes also noticed an increase in traffic near the hospital on Winne Avenue due to the entrance of the hospital being relocated. It may cause additional concern to the Winne Avenue topic.

Winne Avenue Traffic Study - Jim McCormick reported Bob Habeck's Winne Avenue Traffic Study Group (WATSG) meeting minutes. Bob briefed the City Commission on November 7 about the WATSG. WATSG is an information gathering process to learn more about the roads, funding and safety projects. Next month, Bob Habeck and the traffic consultant will gather information to present a project to the City and City Engineer. Jim McCormick spoke about the traffic safety concern heard from Randy Wendt, brother of Steve Wendt, who passed away due

to a pedestrian/vehicle incident. Mr. Wendt expressed willingness to help coordinate a safety education message in Helena. Mr. Wendt was also very appreciative for the outpouring of sympathy from Helena residents. Steve Wendt had challenges and had been estranged from his family. Randy Wendt was impressed by the caring support Helena citizens gave him and his family.

Administrative Meeting: Kris Goss reported the main topic for Administrative Meeting was facility use fees for parks. There was also discussion of the loan given to the golf course. Forgiveness of this loan will be on the next City Commission meeting. Jim McCormick reported an email from Lora Behlmer who attended Administrative meeting. Ms. Behlmer presented the letter and the minutes from WATSG and recommended a meeting with Ron Alles and Public Works Director John Rundquist.

City Commission Meeting: Members who went to the City Commission were not present to report. Ron Alles indicated there was a report from Bob Habeck on the Winne Ave traffic issue.

Committee/Board Updates

Finance Committee: John Forbes reported the Treasurer's report as of October 31, 2011. Personnel expenses for the HCC Coordinator have been pulled out separately on the report.

Marketing Committee: No Report.

Transportation/Non-Motorized and Governmental Committees:

Intergovernmental Transportation: The last meeting was held October 25th. Kris Goss had no major items to report.

NMTAC: David Scrimm reports the bike/ped bridge over the interstate is essentially complete and in use. Custer Avenue will also have good bike/ped facilities when it is complete. There has been discussion electronically with NMTAC members regarding the Placer Avenue bulb-out infrastructure. Mr. Scrimm introduced a project the City will be looking at from Reeder's Alley to Grizzly Gulch. They are seeking public input on the impact of the project specifically sidewalk issues. Other issues include building in the current public right of way that may cause constraints. Ryan Leland, City Engineer, has been present at the meetings to provide information and input and is very helpful and appreciated. Sarah Sadowski is the new Chair of the committee. NMTAC would like an education component as an advisory committee and a calendar of action items.

HPAC: Ellen Bell reported the Public Art Grant meeting resulted in a Letter of Inquiry for 455,000 to fund. Holter Museum would be the project manager for this project and submitted the Letter of Inquiry. The project is described as "five Montana artists mixing discipline with ceramic, steel, concrete and mixed media electronics to create a vibrant and engaging legacy for the non-motorized corridor connecting Montana's most historic mile that will serve as a catalyst for Helena Montana, the State's Capital City with approximately 29,000 residents". This corridor is the tunnel under Lyndale Ave connecting the Great Northern area and Centennial Park. Exploration Works volunteered to be the fiscal agent and 5 artists have started working on a concept. Jan 2 will be the notification date if they have been invited to submit an official grant application. The mural celebration was today downtown on the trolley block. Jim McCormick reported the Executive Committee agreed to provide partnership to the Public Art Grant. Roy Hemry asked if they were going to paint the tunnel. Ellen Bell clarified, per the letter of intent; artists include work with ceramic, steel, concrete and potential electronic. There has been a safety concern in the past at this tunnel and this part of town.

Safety has become less worrisome now that the area has been developed and the park improved. Carroll College has been asked to become a partner in the Public Art Grant due to this safety concern misconception.

HIAC: No report

UWAC: Ron Alles provided report from his prospective. Mr. Alles provided a history of the Urban Deer issue and a very extensive deer culling report, including different culling methods and possible outcomes. Overtime the City Commission accepted this plan that recommended the deer population come as close to 25 per square mile as possible. Introduced Jenny Sika from Fish Wildlife and Parks (FWP) and Mark Lerum a retired police officer from Helena Police Department and thanked them for attending. In the first year, the pilot project was around 50 deer culling, the next year 150 deer, and last year approximately 25. The difference between last year and previous years, in Mr. Alles' opinion, is the City Commission's goal last year was 25 deer per square mile for every square mile as opposed to an average 25 deer per square mile across the City. This year the City in conjunction with FWP conducted inventory of the deer population. The FWP report indicates there are between 26 - 39 deer per square mile, with an average estimate of 32 deer per square mile. Mr. Alles recommended HCC members come and read the initial urban deer management report available. Chief McGee had only a few complaints the year there was culling of 150 deer. The City of Helena has become a model in Urban Deer management. City Staff and HPD have been invited nationwide to speak to the Urban Wildlife Management issue. The City would like to request at the FWP commission meeting culling of 175 deer and may include an additional 25 later in the year. Helena Food Share receives the meat harvested from culled deer and appreciates the food they get. It costs approximately \$130 a deer for the City to cull a deer and it costs Helena Food Share approximately \$60 per deer to process the meat. They were short from expected food available from deer last year. Ron Alles deferred discussion to Jenny Sika and commended her on her knowledge of the deer management plan and how respected she is at the City and FWP board.

Jenny Sika reported the FWP recommendation to cull 175 deer with option to go up to an additional 25 if there's not enough females culled. HPD did the surveys this fall. This year the HPD surveyed more during nights than day times which helped accuracy in the 26-39 square mile. Based on the survey FWP estimates there are 32 deer per square mile within the City, or a total of 350 deer. The number fawns added to the population will be around 36-93 with a target of 62 with removal of the 175 deer. That would result in 10 to 26 deer per square miles, a total of 200-300. Hesitation last year was due to the apprehension to move toward low end estimate and this program is relatively new. There have been questions raised about the jump in number recommended to cull. Possible reasons for the jump in deer count may be the lack of visibility of fawns, the harsh winter last year may have caused a migration of deer into town, or other unknown factors. The culling of 175 deer would result in less culling in the coming years. With this taking, the deer population would be in a maintenance state and the hope to have future culling around 50 to 100 deer per year.

Jim McCormick asked during harsh winters if urban deer mortality rates mimic forest deer mortality rates. Ms. Sika speculated due to lack of predators there may not be as much stress, however the food source may not be as suitable, so it could be anticipated it would be about the same. Chief McGee reported there are rare cases of dead deer of natural causes or starvation, most dead deer in town are the result of car accidents or attacks by dogs.

Mr. Alles gave the timeline if the culling is approved. Culling will begin around February 15th and last for approximately a month. The City would like to get on the FWP Board agenda in

December. Once presented to FWP it will take about a month for final approval. If that occurs in January, they will start culling at that time.

Albert Bruce Clark noted a news report on Fort Benton about their deer problem. Mr. Clark asked if anyone from Fort Benton had contacted the City about Helena's management plan. Chief McGee explained Fort Benton has been culling before Helena started and the deer are culled outside city limits.

David Scrimm inquired about the budget for the management plan. Ron Alles stated it is included in the City of Helena budget. The current budget doesn't have as much available for culling due to the example last year. It is likely the budget will not have enough for the full 175. Mr. Alles may ask the City Commission for a contingency or cull as many as budget allows at this time, wait for next budget year and have another culling after budget approved. Mr. Alles' concern with waiting for later next year is if they don't cull this winter, there are additional fawns that would have otherwise not been included in the estimated count.

David Scrimm asked how the Helena Police Department are culling the deer and if there have been any injuries. Chief McGee indicated Mark Lerum is heading the culling effort. Officers may volunteer and can get paid overtime. Mr. Lerum sets up the traps around 8 or 10 in the evening, then an officer returns with Mr. Lerum and FWP officials in the morning around 6 a.m. Mr. Lerum indicated the public is usually completely unaware and visibility to the public is minimal. The traps are set only with the permission of the property owner and the neighbors consent. There have been no significant injuries. The trapping mechanism collapses down on the deer and bucks can be a challenge. The only injury reported was a finger caught in the collapsing of the trap and the officer was at work the next day.

David Scrimm asked if culling of the deer, reducing the population creates an environment for more deer to come in and is maintenance possible. Jenny Sika feels they are close to maintenance based on the City willing to continue the survey and to adjust the culling numbers to keep the deer population at the goal as well as continued learning on population survival. Neighboring hunting districts in the Helena Valley also influence the deer populations. Area populations are sustained due to hunting license availability.

Kris Goss asked if there are any action items necessary from HCC. Mr. Alles felt action may not be necessary unless there are concerns from the HCC. Mr. Alles offered to provide additional information if needed.

Kris Goss recommend a note to the City Commission from HCC indicating here are no objections would be more appropriate rather than an action item as it is not duly noted on the agenda.

Jim McCormick called for any objections.

Ellen Bell expressed she has experienced no objections since the plan was enacted.

Albert Bruce Clark concurred he has heard no objections to the Urban Management Plan.

David Scrimm indicated the culling is unpleasant but this is the best solution under the current plan until a better plan comes along

John Forbes felt financially this is the best plan available and thinks it seems to be working.

Jim McCormick described a situation where his wife saw officer putting a deer down that had been hit by a car and his wife was more disturbed by the suffering of the animal than managed culling. Mr. McCormick is in support of the culling plan.

No objections to the 2012 culling plan. HCC supports the 2012 culling plan.

Urban Wildlife Advisory Committee Transition Report: Continued

Cooperative Committee Transition subcommittee

Jim McCormick reported Kris Goss has put the suggested bylaw amendments together. The Cooperative Committee Transition subcommittee meeting was last week to discuss the draft amendments and timing. Jim McCormick also thanked David Scrimm for his work on the proposed changes.

Kris Goss discussed the draft changes to the HCC bylaws as well as the other committees' formation documents. The goal of these documents is to begin the discussion to transition these 3 committees as well as future committee integration into the HCC. As far as the governing documents for UWAC, HIAC and HPAC, the effort is to design language that will fit in with the proposed HCC bylaw amendment. On each of these committees there will be one member of the committee as a HCC liaison to report to HCC. The City Commission will acknowledge receipt of requests by the cooperative committees concurred by HCC.

The draft proposed amendments to HCC bylaws lay out the 4 standing committees within HCC bylaws. The draft will add a new section 6 to the bylaws which details how the HCC would adopt any future cooperative committees. Cooperative committees will retain their budget authority but will work with the HCC. If the Cooperative committees come forward to the HCC, the HCC can discuss the issue at HCC meetings as well. Cooperative committee can only be incorporated by 2/3 vote of the HCC. They may also accept requests to take over committees. Approval of potential cooperative committee is depended on if the formation document for the committee meets the HCC bylaws intent. One liaison from HCC creates the cooperation while they stay autonomous from the HCC. On the "parking lot" presented by Mr. Goss is if the liaison is a voting member or just a liaison. A cooperative committee would exist for a one year "trial period" before they are fully integrated into the HCC to a standing committee. The final vote to make Cooperative committee permanent would be by 2/3 vote of HCC.

David Scrimm expressed how complicated this process is and with change of staff at the City and new HCC members coming in, it is likely to continue to be a process.

Jim McCormick indicated this report tonight is to provide transparency of the process and encouraged discussion with other HCC members as the process goes along.

David Scrimm asked how recommendations will come forward from the cooperative committees. For example, if a committee comes to the HCC with recommendations and the HCC concurs is more action necessary from the City Commission on these projects. Mr. Scrimm asked if cooperative committee budgets become part of HCC budget, and there is a budget cut is it part of HCC or is it separate.

Albert Bruce Clark concurred a comingling of budgets may reflect badly on HCC budget if a committee is cut.

John Forbes would like more emphasis on HCC budget and make our own request. The HCC finance committee would have to get more involved if HCC held responsibility over the cooperative committee's budgets. Mr. Forbes asked how involved the HCC wants to get involved

in cooperative committee budget requests. Do the committees come to HCC to move forward with their projects?

Roy Henry was under the impression the HCC would act as a sounding board and support with input and information but there would be no comingling of budgets.

Jim McCormick indicated the consensus from committees is that association with HCC is positive and it gives each committee more credibility and visibility to the City Commission because HCC is an elected body. One issue is the chairmanship and make up of committee. Committees want to continue to act in under their focus. The bylaws will need to be written to create quasi autonomy which allows them to be brought into the HCC gradually.

Kris Goss pointed out the comingling of budgets would create decision making of HCC for the committee budgets.

Ellen Bell expressed concerned for HPAC. With the Art grant proposals one of the issues of the art committee is that the committee is in limbo doesn't know what direction to go to get approval for proposals. In the past it has been done through City Staff process involving the Community Development director then the City Manager, rather than the HCC voting on proposals and they do not have clear direction on how to proceed. Another year trial will continue this ambiguity of process for the Helena Public Art Committee.

Kris Goss suggested a change in the bylaws that allows for shortening of the year probationary period upon 2/3 vote.

Jim McCormick said there should a move forward with the draft amendments to the formation documents with Ron Alles.

Kris Goss would like one more Cooperative Committee Transportation subcommittee meeting to address concerns brought up with this meeting and to allow time for members to review the draft amendments. Next discussion can be at the December HCC meeting before meeting with Mr. Alles. Mr. Goss suggested an ad hoc committee meet on the week of Dec 5th, present recommendations to HCC at the December 14 meeting and to schedule meeting with Mr. Alles subsequent to the HCC meeting.

Nominations:

Jim McCormick reported the HCC by-laws state a committee of 3 must be formed by next meeting to present four nominations for elections of officers at January meeting.

Kris Goss, Albert Bruce Clark and Roy Henry volunteered to serve on nominations committee

Kris Goss stated the bylaws call for slate of candidates to be mailed to the HCC, can there be a suspension of rules to allow for email.

David Scrim was concerned if candidates are not mailed in; it is invalidated election of officers. This creates a challenge to the election of officers.

Candidate selection needs to be mailed within 15 days of election.

Post-election orientation and potluck

No update

Partnership with HPAC for Public Art Grant

Ellen Bell reported the HPAC is asking for partners with no financial match for the Public Art Grant. HPAC will receive notification by January 2 if they get to apply for the grant. Ellen Bell asked the HCC to become partners with HPAC to assist other committees such as NMTAC to make that tunnel more walk able and bike able.

Jim McCormick asked for confirmation it is a non-monetary commitment of support and the commitment to HPAC is to be on the list of other entities as a supporting body in the City. Ellen Bell concurred.

Kris Goss moved that the HCC endorse the Public Art Grant and names as its partner and supporter and notify the City Commission to that effect. John Forbes seconded the motion.

Discussion on the motion: John Forbes asked if there was a specific plan for the art project. HPAC has emailed the plan to HCC and will be forwarded to members. David Scrimm was concerned about the word “partner” as opposed to “supporter” and what the legal definition connotation of a “partner” has with the grant and if the HCC can be a partner with another group.

John Forbes asked if there are the others partners or supporters. Ellen indicated there are other partners, many non-profit. January 2nd is the milestone to know if they may apply for the grant.

David Scrimm believes a “partner” to actively participate in the process; as opposed to “supporter”, i.e. HCC likes the project.

All voted, 6 ayes, 2 nays motion passed.

Ellen Bell will prepare partnership letter and notify the CC.

HCC Member Bios

HCC Coordinator requested in the new term, brief biographies of each of the HCC representatives be submitted for availability on the webpage. With the recent elections, there have been many inquiries on the candidates and current representatives of who they are and what they do. With these mini-biographies available on the webpage, it gives more public involvement and information on representation of each district.

Action request is to have mini biographies of each representative submitted for the next term.

HCTV HCC Report

Jim Penner

Public Comment

None.

Announcements

None

Adjournment - There being no further business, the meeting was adjourned at 9:17 pm. The next HCC meeting is, 2009 at 7:00pm in Room 326 of the City/County Building.