

**ADMINISTRATION AND FINANCE COMMITTEE
CITY COUNCIL CHAMBERS
140 WEST PINE STREET
MISSOULA MONTANA
July 29, 2009 1:05pm**

Members present: Stacy Rye, Chair; Ed Childers; Marilyn Marler; Renee Mitchell; Pam Walzer; Jason Wiener; Dick Haines; Lyn Hellegaard; John Hendrickson; Dave Strohmaier; and Jon Wilkins; Bob Jaffe.

Others present: Marty Rehbein, Brentt Ramharter, Dee Krevey.

I. Administrative Business

A. Approve committee minutes dated: [July 22, 2009](#)-approved as submitted.

B. **Public Comment on items not listed on the agenda-none**

II. Consent Agenda

A. Approve claims (accounts payable). -Consent Agenda (Brentt Ramharter)

Motion: The committee recommends the City Council approve [claims](#) totaling \$1,009,688.65 ([Detailed claims](#))

B. Resolution levying a special assessment and tax upon property for annual weed assessments to reimburse the city for hazardous vegetation and nuisance weed cut orders performed in 2008 in the total amount of \$1,905.00 pursuant to section 7-22-4101 Montana Code Annotated and section 8.40.040 Missoula Municipal Code. ([memo](#)) – Regular Agenda (Marty Rehbein) (Referred to committee: 07/27/09) **REMOVE FROM AGENDA**

Motion: The committee recommends the City Council adopt a resolution levying a special assessment and tax upon property for annual weed assessments to reimburse the City for Hazardous vegetation and nuisance weed cut orders performed in 2008 in the total amount of \$1905.00 pursuant to section 7-22-4101 Montana code Annotated and section 8.40.040 Missoula Municipal Code.

Marty Rehbein, City Clerk, explained that each year the city receives hazardous vegetation and nuisance weed complaints, which the Public Works Department inspects and if found in violation, send out a notice to the property owner to cut the property. If the property is not cut in the time outlined, the City's contractor cuts the weeds and the Public Works Department sends out an invoice. If the property owner does not pay the invoice, state law and the city ordinance allow the City Council to collect the debt through a property tax levy. She pointed out that no public hearing is required.

Bob Jaffe asked how many letters were sent out and how many actual cuts did they do?

Ms. Rehbein said she would have Public Works provide that information.

Mr. Jaffe said he thought the administration fee of \$233.00 seemed really high and asked how that fee is calculated.

Ms. Rehbein said there was fee study conducted a few years ago, and she explained that the weed ordinance is a very labor intensive ordinance. There is a lot of work done before it gets to this point of levying a special assessment. She pointed out that after the first notice if the property owner cuts the property there is no administrative fee charged.

Mr. Jaffe asked at what rate we calculate City time.

Brentt Ramharter, Finance Director, said the fee has not been raised in quite some time.

Ms. Rehbein said it's it is a flat fee and represents the actual cost of staff time. It was part of the Maximus study done in 2002, so that staff person's salary may have increased over the years but we have not increased the fee.

Pam Walzer moved to adopt the resolution.

Ed. Childers added that the \$233.00 fee is maybe 10 hours of staff time, and all along the process there are many opportunities to avoid paying this fee. For whatever the reasons there are five property owners who prefer to pay this fee.

Jon Wilkins supported the motion and suggested raising the fee.

Mr. Childers commented that there are property owners who refuse to cut their weeds and go through this process every year.

Upon a voice vote the motion passed unanimously.

Regular Agenda

- A.** Resolution levying annual assessments for street lighting districts. ([memo](#)) – Regular Agenda (Marty Rehbein) (Referred to committee: 07/27/09)**REMOVE FROM AGENDA**

Motion: The committee recommends the City Council set a public hearing August 24, 2009 on a resolution of the Missoula City Council levying and assessing a special assessment and tax on the lots, pieces and parcels of land situated within special lighting districts of the City of Missoula Montana, to defray the cost of street lighting in special lighting districts during the fiscal year 2010 in accordance with sections 7-12-4301 through 4354, Montana Code Annotated.

Marty Rehbein, City Clerk, requested a public hearing on a resolution levying the assessments on our street lighting districts. The recommended public hearing date is August 24, 2009. She explained that the City of Missoula is billed for lighting the streets in the street lighting districts. This past year the total was \$318,905.95. The general fund pays 10% of the cost and that amount is approximately \$29,000, there is an expected 5% rate increase. There is an administrative support fee of \$12,950 for the Finance staff to process the billing. There was a fund balance of \$11,000 so we are decreasing the estimate for a total of \$306,356.44.

Mr. Jaffe moved to set the public hearing for August 24, 2009.

Ms. Walzer said she would like to know how much electricity is used in the area and if there is a way to reduce consumption.

Ms. Rehbein replied that the Mayor has a committee on climate change and they are looking at street lighting and she expects they will be reporting their findings to Council.

Jason Wiener inquired about the administration support fee and if Northwestern Energy gets a cut of the fee.

Mr. Ramharter replied that the fee goes to Finance Department for billing out the accounts.

Ms. Rehbein clarified that the \$12,950 does not go to Northwestern energy is an assessment for City staff time for billing the assessments to the property owners. The fee is assessed to the property owners and its revenue for the City.

Mr. Wiener asked if the administration is interested in re-evaluating the way the City pays for street lighting. He referred to the City of Great Falls, who purchased the contracts and they own and maintain the lights themselves. He said their City Manager wrote a detailed report on how much more cost effective it is.

Mr. Ramharter said he looked at their analysis, and compared it to ours and he said he thought it would play out similarly. In their initial approach, he said he didn't think they were able to deal with all of the street lights, but they did address a large component of them. The majority of this charge is rental for the poles. He said we would have to create a separate utility, and purchase equipment and get staff certified for the maintenance. It would be a good item to discuss in the climate committee.

Ms. Rehbein added that one of the things Great Falls has in their sub division regulations is that when ever a new sub division is created there is a requirement for street lights and they create lighting districts at the time of the sub division and the lights, poles and wires are the property of the city, which is not currently a part of our sub division regulations.

Ms. Walzer asked if there was a way we could get a break down on the power cost versus renting the poles, and said she is looking forward to receiving information from the Mayors climate committee that could help reduce our energy costs.

Mr. Ramharter said he would provide that information. (The breakdown is as follows: *The electricity usage is 36%, on average, of the total cost of street lighting charges. The other 64% is for ownership, operating & maintenance by NorthWestern Energy*)

Jon Wilkins commented that when he lived in Great Falls they owned their own power company, and asked if perhaps that made it less difficult for them to own and maintain the poles.

Dick Haines mentioned that when Council was dealing with the dark skies issue, this idea was brought forward and it became clear that there are challenges in purchasing the lights, poles and wires as there is different ownership in different locations. He added that he is not sure a public hearing will bring that aspect into focus.

Dave Strohmaier agreed, and suggested they have further committee discussions on this topic which is distinctly different from the street lighting assessment.

Upon a voice vote the motion passed with Haines voting Nay.

III. **Held in committee**

- A. Update from the Missoula Performing Arts Center ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 04/07/08)**REMOVE FROM AGENDA Per Dave**
- B. [Resolution](#) revising the City's sewer use fee structure and increasing sanitary sewer rates by 5% per year for four years to support infrastructure improvements required to operate the city's sanitary sewer system. ([A&F](#)) ([Slideshow presentation as a webpage](#)) (Returned from Council floor: 11/03/08)
- C. An ordinance amending the municipal code as it relates to bike licensing. ([A&F](#)) (Returned from council floor: 12/15/08)
- D. Amend City Council Rule 21(a) to clarify quorum requirements ([memo](#)).—Regular Agenda (Jason Wiener) (Referred to committee: 04/28/08) (*Tabled in Committee on 02/11/09*)
- E. Implications of establishing maintenance districts. ([memo](#)) – Regular Agenda (Bob Jaffe) (Referred to committee: 05/11/09)
- F. Review the FY 2010-14 CIP projects in committee ([memo](#)).—Regular Agenda (Brentt Ramharter) (Referred to committee: 03/23/09)
- G. Consider the establishment of Parks and Street Maintenance Districts ([memo](#)).—Regular Agenda (Bob Jaffe) (Referred to committee: 05/04/09)
- H. Clarify position of council member who also serves on the board of a non-profit agency that has dealings with the city. ([memo](#)) – Regular Agenda (Ed Childers) (Referred to committee: 07/20/2009)

IV. **Adjournment**

The meeting was adjourned at 1:30pm

Respectfully submitted,

Dee Krevey

Administrative Secretary
Finance Department