

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**June 10, 2019 - 6:00 P.M.**  
**City Commission Chambers, Room 330**

**Time & Place** A regular City Commission meeting was held on Monday, June 10, 2019 at 6:00 p.m., in the City Commission Chambers, 316 N. Park Avenue, Helena, Montana.

**Members Present** Mayor Collins requested City Clerk Havens call roll call: City Attorney Jodoin, Acting City Manager Hagen, Deputy Clerk Clayborn, Commissioner Haladay, Commissioner Noonan, Commissioner O'Loughlin, and Commissioner Wicks all responded present. City Manager Cortez was excused.

**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; Special City Commission Meeting; and Executive Session Minutes of May 20, 2019 were approved as submitted.

**Board Appointments** BOARD APPOINTMENTS:  
A. Citizen Conservation Committee

Mayor Collins recommended the following appointments:

**Citizen Conservation Committee** Appointment of Valerie Stacey, representative for the Watershed or Water Conservation Sector, to the Citizen Conservation Board (only application received.) There is not a specific term for the members of the Citizen Conservation Board.

**Public Comment** Mayor Collins asked for public comments. None was received.

**Motion** **Commissioner O'Loughlin moved approval of the board appointment as outlined above.** Commissioner Wicks seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0.**

**Consent Agenda** CONSENT AGENDA:  
A. Claims  
B. Acceptance of pledged collateral for City deposits at financial institutions.  
C. Resolution declaring Indigenous Peoples' Day. **Resolution 20525**  
D. Resolution increasing the number of trustees on the Tourism Business Improvement District Board of Trustees. **Resolution 20526**

Acting City Manager Hagen recommended approval of the consent agenda, item A Claims.

**Public Comment** Mayor Collins asked for public comment.

The following individuals spoke in support of Consent Agenda, Item C:  
Duran Caferro, Roberta Duckhead Kittson Nyomo, Haley Thrall, Moffie

Funk, Shawn Reagor, Buster Caferro, and Lana Spino.

**Motion** Commissioner O’Loughlin moved approval of the claims and consent agenda item A - D. Commissioner Noonan seconded the motion.

**Discussion** Commissioner O’Loughlin thanked Ms. Duckhead for her efforts in bringing the matter addressed in item C before the Commission, stating this was a positive step in the process.

**Vote** City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O’Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. **The motions carried, 5-0.**

**Communications from City Commissioners** COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS

Commissioner Noonan reminded the Commission and the public the Commission and City Staff would have a booth at the Saturday Market.

Commissioner O’Loughlin requested Parking Supervisor Hewitt give an update to the Commission on the Parking Kiosks and Meters. Mr. Hewitt reported all on-street parking and parking lot kiosks have been installed; all are functional and excepting payment. City staff has been making efforts in public and business outreach on this matter. June is the soft opening and no citations will be issued during this time. A social media program in conjunction with the Chamber of Commerce has been developed to regularly update the public. The Smart Meter installation will begin next week and access to the Passport Parking app will begin by July 1<sup>st</sup>. The public is encouraged to contact the City with any questions.

**Discussion** Commissioner Wicks asked if there will be stickers on the new parking meters and kiosks with information regarding the Passport Parking App. Supervisor Hewitt stated there would be instructional stickers on the smart kiosks and meters, along with signage posted throughout the parking areas.

Mayor Collins inquired about the coins which were not working on the meters. Director Hewitt stated this matter had been addressed.

**Report of the City Attorney** REPORT OF THE CITY ATTORNEY  
No report given.

**Report of the City Manager** REPORT OF THE CITY MANAGER  
Nothing to report.

**Report from the Helena Citizens** REPORT FROM THE HELENA CITIZENS COUNCIL  
No report given.

**Regular Items** A. CONSIDER A RESOLUTION OF INTENTION DECLARING THE E10' OF S67.5' OF LOT 14 IN BLOCK 567 OF EASTERLY ADDITION SURPLUS REAL PROPERTY AND AUTHORIZE THE DISPOSAL BY QUITCLAIM DEED TO FRANK C. CROWLEY AND BONNIE ADEE.

## Staff Report

City Attorney Jodoin reported the city is shown as the owner of the above referenced property in the records of the Lewis and Clark County Clerk and Recorder's Office. The property is generally east of Raleigh Street and north of the platted, but undeveloped, 1st Street right-of-way. The property is immediately adjacent to city open space property and has been landscaped in such a fashion as to appear to be private. The clerk and recorder's records show this property as "miscellaneous."

Frank Crowley who owns property adjacent to city property wishes to acquire the above described property.

The city may have acquired the property from county via tax deed since the chain of title is incomplete. A 1926 warranty deed conveyed all of the south 67 ½' of Lot 14 from Lewis and Clark County to Ruth Baker. Ruth Baker then conveyed only the western 32' of Lot 14 to Wilkinson. Wilkinson then conveyed that same portion to Chriske. Sometime between 1926 and 1929 the entire 42' width of the south 67 ½' of Lot 14 was split into 32' and 10'. The chain of title for the western 32' is complete and is now owned by Mr. Crowley.

The eastern 10' of the south 67 ½' has been shown by the Lewis and Clark County Recorder as city owned since the 1960s or 1970s. However, the same records show all the south 67 ½' of Lot 14 as being owned by Mr. Crowley's predecessors in interest. After much research by Mr. Crowley in conjunction with First Montana Title and Helena Abstract and Title and the city attorney's office neither can locate a document that shows how or when the city came to the eastern 10' of the south 67 ½' of Lot 14 in Block 567 of the Easterly Addition.

Since it is unclear whether the city has a legal or equitable interest, the disposal of real property pursuant to the provisions Helena City Code §1-4-17 could arguably not apply. Nevertheless, the city attorney recommends that the city commission approve the "disposition" without regard to legal public notice and notification of adjacent property owners, pursuant to the exemption provided by §1-4-17(B), a copy of which is attached. The proposal will clarify ownership of property and avoid costs associated with a potential quiet title action.

City Attorney Jodoin recommended approval of a resolution declaring the eastern 10' of the south 67.5' of Lot 14 in Block 567 of Easterly Addition surplus property and authorize the disposal by quitclaim deed to Frank C. Crowley and Bonnie Adee.

## Public Comment

Mayor Collins asked for public comment.

Jonathan Rhys, Title examiner for First Title Montana, spoke as a representative on behalf of Crowley and Adee, requesting the Commission approve the resolution.

## Motion

**Commissioner Noonan moved to approve a resolution declaring the eastern 10' of the south 67.5' of Lot 14 in Block 567 of Easterly Addition surplus property and authorize the disposal by quitclaim deed to Frank C. Crowley and Bonnie Adee.** Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. **The motion carried, 5-0. Resolution 20527**

**Public Hearings**

## PUBLIC HEARINGS

- A. CONSIDER A RESOLUTION DECLARING THE OLD BUS DEPOT OWNED BY THE CITY OF HELENA SURPLUS REAL PROPERTY AND AUTHORIZING DISPOSAL BY SOLICITING REQUESTS FOR PROPOSALS FOR ITS REDEVELOPMENT.

## Staff Report

Community Development Director Sharon Haugen reported the property in question is located at 630 N. Last Chance Gulch. The City first purchased Last Chance Gulch in 1984. The site consists of two structures and other site improvements on a 24,987 SF lot. This City property was identified in the Downtown Neighborhood Plan as an underutilized parcel owned by the City and would be an excellent candidate for redevelopment. The City has chosen to do a Request for Proposal (RFP) process for solicitation of proposals for the redevelopment of the property on how to best re-use this parcel. The RFP process would have two connected but independent steps. The first step is an advertisement for "Request for Proposal for sale by the City of Real Property." The purpose of this RFP is to garner proposals leading to strategic redevelopment of the site. The evaluation criteria for the proposals include: a) downtown impact; b) mixed use with commercial space on the ground floor; c) a possible housing component, (If housing is included, the proponent will be asked to include mixed-income housing (for example at least 25 % of the proposed units affordable to houses at or below 120% of Area Median Income) ; d) community benefit; and e) capacity. The top three proposals would then be invited to submit a full proposal. A review committee consisting of MBAC representatives; HBID representatives; other economic intermediaries and City staff will review the proposals make a recommendation to the City Commission for final approval.

Section 1-4-17 of Helena City Code sets forth the process for sale, disposal or lease of real property owned by the city. Letters were sent to property owners within 300 feet of the parcel, and two legal notices were published in the Helena Independent Record. At this time no one has contacted the Community Development Department with any concerns. The Department has been received several inquiries regarding the property, and proposes the City declare the old bus depot surplus real property and solicit proposals for its redevelopment

The property is located in the Downtown Urban Renewal District and is one of the city-owned parcels identified in the Downtown Neighborhood Plan as having potential for redevelopment. By using the RFP process for disposal, the City can better ensure that the redevelopment of the parcel meets the goals of that plan. In addition, the City will no longer have to maintain the buildings and the property. Any new buildings constructed on the site will meet all the current building and energy codes, resulting in a more energy efficient structure.

Director Haugen recommended approval of a resolution declaring the old bus depot owned by the City of Helena surplus real property and authorizing disposal by soliciting requests for proposals for its redevelopment.

## Discussion

Commissioner O'Loughlin asked for the appraised value of the land. Director Haugen stated the appraisals ranged from approximately \$350,000 - \$400,000.

Commissioner Wicks thanked Director Haugen and City Staff for their efforts on this project, stating this was an opportunity to dispose of surplus property by the City and offer great community benefit.

Public Testimony

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

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

Motion

**Commissioner Wicks moved to approve resolution declaring the old bus depot owned by the City of Helena surplus real property and authorizing disposal by soliciting requests for proposals for its redevelopment.** Commissioner Haladay seconded the motion.

Discussion

Commissioner O'Loughlin stated she was in support of this proposal, and was hopeful the 45 day timeline for the RFP would be enough to get the best proposals possible. She urged patience on behalf of the City to ensure the best proposals are received from those interested parties.

Commissioner Haladay echoed support of the previous comments and thanked the City Staff for their thoughtful efforts, and making this a flexible process.

Commissioner Noonan thanked the City Staff for making this process an inclusive one.

Vote

City Clerk Havens called a roll call vote, as follows: Commissioner Wicks voted aye, Commissioner Haladay voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Pro Tem Haladay voted aye. **The motion carried, 5-0.**  
**Resolution 20528**

B. CONSIDER FIRST PASSAGE OF ORDINANCES NECESSARY TO CREATE AND ESTABLISH THE DOWNTOWN (DT) AND TRANSITIONAL RESIDENTIAL (TR) ZONING DISTRICTS AND ATTENDANT REGULATIONS.

Staff Report

Community Development Director Sharon Haugen introduced Planner Ellie Ray from the Community Development staff to present this evenings proposal. Ms. Ray reported in 2017, the planning process began to develop and new mixed-use district for the city's downtown, in alignment with the 2011 Growth Policy and the Downtown Neighborhood Plan. The code devised as part of the Zoning Commission's planning process has led to the creation of two new, proposed land use districts: the Downtown and Transitional Residential Districts. The Downtown District's intent is to promote mixed-use development and, by extension, bring renewed vitality to the city's historic downtown core in a manner that is sustainable and inclusive to current and prospective residents, businesses, and developers alike. The Transitional Residential District is intended to serve as a transitional buffer between the Downtown District and the residential districts bordering the downtown, with shorter height and, by extension, decreased density. The two new districts will ultimately replace the nine existing district that comprise the historic downtown core, in an effort to streamline the development permitting process for the area.

On March 13, 2018, the City of Helena Zoning Commission held a hearing and recommended amending City Code to establish regulations for both a Downtown District and a Transitional Residential District, thereby affirming that the proposed districts' code changes are both consistent with the 2011 Growth Policy and Montana zoning criteria.

Due to the scope of this rezoning effort, City staff spent the past year meticulously refining the language to assure the proposed changes are consistent with the current format of the adopted City Code, addressing errors of consistency between the proposed code language and existing chapters, reducing redundancies between the proposed and existing code, and parsing out the language into separate ordinances for chapters affected by the language update.

In recent months, City staff have conducted a public information session in March—and scheduled a further event for June 13, 2019—to present information about the proposed zoning changes and to allow the public to comment on the final code language and boundary. Thirty-three business owners, residents, developers, and commercial realtors attended the first event. Following this meeting, city staff met with the Zoning Commission to further refine code wording and review permitted and non-permitted uses. The Downtown and Transitional Residential Districts will promote mixed-use development patterns in the city's historic downtown core, in a manner that is consistent with both the 2011 Growth Policy and the 2016 Downtown Neighborhood Plan. Commercial development within city limits may produce lower resource(s) and infrastructural impacts by promoting the reuse of an undeveloped site with connections to City services and infrastructure. However, the implementation of zoning that includes building design standards and regulation of location of buildings and parking lots may make existing buildings nonconforming.

Ms. Ray reported the public commentary received by staff ahead of and following a public meeting in late March consisted of businesses, developers, and select residents, which was generally positive and in support of the proposed changes. However, a second group of comments were collected from a neighborhood group which expressed concerns over potential inclusion in the Transitional Residential District. Dan and Cynthia O'Leary, the neighborhood's organizers and spokespeople, had ongoing discussions with the City staff in recent months to clarify facets of the proposed code as it would apply to them, both verbally and in writing. The group was concerned over the allowable uses in the Transitional Residential District, especially taverns, certain retail operations, and increasing numbers of general professional uses, among other uses. They did not object to all proposed use changes for their neighborhood, but felt it was generally incompatible with the fabric their neighborhood because of the problematic uses. Due to the outreach of this group and their dialogue with the City staff, Director Haugen and Manager Cortez supported a decision to remove this 4 block section from the proposed district map, and to address this area individually at a later time for possible re-zoning. Due to outreach by Director Haugen, City staff had also received responses from several of those who would be impacted by the regulations, making them nonconforming. God's Love's staff/board understands the concept of grandfathering, and have no initial plans to expand. However, they are concerned about the impact of being non-permitted on long-term operations, and wish to continue operations in the downtown area, where most of their clients utilize services. Michael O'Neil (HHA) wrote an e-mail cautioning against outright disallowance of shelters in the downtown, strongly advocating for at least allowing them by CUP, as currently is allowed. Last Chance Casino, Gold Bar, Rialto, Miller's Crossing, and Sapphire all expressed a general concern over transferability of liquor licenses upon sale, and the ability to continue operations, generally. While none of the listed establishments have plans to expand, they may wish to add gaming machines. However, it

was felt the CUP process could adequately address concerns to public. Last Chance Casino is resistant to any additional restrictions on casinos, and sees design standards and a limit to development potential on their property.

Director Haugen and City Staff recommended the following motions:

1. Move to approve first passage of an ordinance creating the Downtown and Transitional Residential Zoning Districts and uses allowed therein by amending Chapter 2 of Title 11 of the Helena City Code.
2. Move to approve first passage of an ordinance establishing district dimensional and design standards for the Downtown and Transitional Residential Districts by amending Chapter 4 of Title 11 of the Helena City Code.
3. Move to approve first passage of an ordinance limiting setback variances in the Downtown and Transitional Residential Districts by amending Chapter 5 of Title 11 of the Helena City Code.
4. Move to approve first passage of an ordinance establishing Downtown and Transitional Residential District zoning regulations by adopting Chapter 9 of Title 11 of the Helena City Code.
5. Move to approve first passage of an ordinance establishing off-street parking regulations in the Downtown and Transitional Residential Districts by amending Chapter 22 of Title 11 of the Helena City Code.
6. Move to approve first passage of an ordinance establishing sign regulations for the Downtown and Transitional Residential Districts by amending Chapter 23 of Title 11 of the Helena City Code.
7. Move to approve first passage of an ordinance amending chapter 13 of Title 7 of the Helena City Code to allow sandwich board signs as a permitted encroachment.

#### Discussion

Commissioner Noonan asked Ms. Ray if there had been any changes to the map since the previous discussions. Ms. Ray confirmed the map did include the changes, as result of the neighborhood group and approved by the City Manager.

Commissioner O'Loughlin asked Ms. Ray if the Benton/Lyndale/Getchell area would remain zoned as it is currently. Ms. Ray stated the City Staff had been working with the residents in the area, and they were not opposed to the Transitional District as a whole, and they want to work with City staff to determine a more suitable zoning alternative in the future that would meet their needs and move toward greater conformance with the Growth Policy. However, until such time the area would remain zoned as R2 and R3 residential districts throughout.

Commissioner O'Loughlin asked Ms. Ray to confirm the Casinos, Pre-release Centers, and Homeless Shelters would be permissible use in the proposed plan for this evenings vote. Ms. Ray confirmed they were permissible in the Downtown District with this proposed plan, but would not be allowable in the Transitional Residential District.

#### Public Testimony

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

Dax Cetraro, owner Rialto Bar, spoke against any further restrictions on businesses which have gaming machines, as well as,

liquor licenses, urging the Commission to consider the impact on entertainment businesses like his, and the relationship to the future growth of the Downtown District.

Dan O'Leary, 902 N. Park, spoke on behalf of the residents of their 4 block area referenced in the City Staff report. He expressed some concerns over the Transitional District land uses listed in the proposed re-zoning, but stated the group he represented was encouraged by the City staff outreach and looked forward to further discussion to come to a zoning alternative which was more amenable to the neighborhood. He asked the commission to take their public commentary into consideration, when voting.

Mike McCabe, former chairman of the Zoning Commission, spoke in favor of the Transitional District, and stated the zoning commission had taken public safety and welfare into consideration, and this was a mixed-use proposal to bring housing back to the downtown area.

Rebecca Harbage, Zoning Commission Member, spoke in favor of the re-zoning ordinance. Ms. Harbage reiterated many of the remarks of Mr. McCabe, including the careful consideration of public welfare and safety when developing the plan. She stated the Zoning Commission was open to working with residents in the surrounding areas, City Staff and the City Commission. Lastly, she stressed the importance of housing as part of the plan, in revitalizing the Downtown District.

Mark Royslance, member of Business Improvement District Board, spoke in favor of the Transitional Residential District, and urged the Commission to take the downtown master plan into consideration when deliberating this issue.

Ann Truesdale, resident of the Benton/Lyndale/Getchell area, spoke in opposition of the proposed Zoning expanding into her neighborhood; however she spoke in opposition to the restrictions on Emergency Shelters expansion in the current zoning proposal.

Mark Ophus, Zoning Commission Member, asked for the Commission support of the changes to the Ordinances. He stated the Zoning Commission would be open to fine-tuning of the current plan.

Richard Boyd, 913 N. Park, asked the commission to consider the wishes of the residents in the Benton/Lyndale/Getchell area when voting.

Joy Jean Cocher, 811 N. Benton, spoke in opposition of the Transitional Residential District, and submitted letter to the Commission.

Don Johnson, 913 N. Park, spoke.

Wayne Cray, 938 N. Park, spoke in opposition of the Transitional Residential District.

Rex Sealey, former member of the Zoning Commission, spoke in favor of the re-zoning, and as a business owner and property owner in the Downtown area, he stated the tenants in his multiple properties in the Benton area were all supportive of the changes.

Mark Lawberg, realtor, spoke in opposition to the Transitional Residential District in the Getchell/Placer area, but was supportive of the efforts to revitalize the Downtown District.

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

#### Discussion

Commissioner Haladay asked for clarification on the Ordinances being considered this evening asking if the commission voted to pass the ordinances as written this evening, would Casinos and Emergency Service Shelters be permissible uses in the Downtown District, not the

Transitional Residential District. Director Haugen confirmed this. Director Haugen further stated, currently these types of businesses were required to operate under a CUP, but would no longer be required under this proposal. Commissioner Haladay asked if businesses which currently exist in the current Zoning map "grandfathered" in, if upon passage of the ordinance they are then considered non-conforming. Director Haugen responded the businesses which are currently in the Districts affected by this proposal would be considered non-conforming use, commonly referred to "grandfathered" which allows the business to continue to operate, without further expansion of the business, generally considered expansion of the building footprint of the business. Director Haugen also stated non-conforming businesses which do not discontinue their operations, can transfer their "grandfathered" status upon the sale of the business. Commissioner Haladay asked Director Haugen if the commission, upon further deliberation of the permissible use recommendations regarding Emergency Shelters and Casinos, decided to instead make this a CUP process, would this be essentially maintaining the status quo. Director Haugen confirmed.

Commissioner Noonan asked where the definition of "Casino," as it pertains to the Zoning Code originates from. Director Haugen stated the gaming licenses were regulated by State Law, however as it pertains to the Zoning Ordinances, 6 or more machines would be considered a "Casino."

Mayor Collins asked for confirmation on the definition of "Casino." Director Haugen stated an establishment which has 6 or more gaming machines would need to obtain a CUP.

Commissioner Wicks asked if the City's ordinance mirrored the State law. Director Haugen referred to City Attorney Jodoin. City Attorney Jodoin outlined the state law which defines the state code for gaming licenses, which does not include "Casino" as a legal definition, and it is City Code which triggers the CUP and defines an establishment as a "Casino" at 6 or more machines.

Commissioner O'Loughlin asked for confirmation that staff proposed removing the neighborhood area. Commissioner O'Loughlin stated there will be some challenges in the adoption of the ordinances, as they are written currently, and seeks further refinement on the ordinances before final adoption, and refinement of the CUP process.

Commissioner Noonan stated he supported the removal of the neighborhood in question, and stated he was open to further refinement of the details of the Zoning Commissions proposal before final passage. He encouraged those interested parties to consider the amount of effort, time and research which was taken into this proposal by all entities prior to making these recommendations.

Commissioner Wicks thanked all those individuals who spoke in public testimony this evening, and thanked the Zoning Commission for their work over the last two years. Commissioner Wicks noted after tonight's first passage this evening, there will be continued discussions and considerations before final passage.

Commissioner Haladay reiterated Commissioner Wicks's thoughts, and stated there should be further discussions on the CUP process in conjunction with further refinement of the ordinances before final passage. He supported further discussions with all relevant parties.

#### Motion

**Commissioner Noonan moved to approve first passage of an ordinance creating the Downtown and Transitional Residential Zoning Districts and uses allowed therein by amending Chapter 2 of Title 11 of the Helena City Code.** Commissioner Wicks seconded the

motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3256.**

**Commissioner Haladay move to approve first passage of an ordinance establishing district dimensional and design standards for the Downtown and Transitional Residential Districts by amending Chapter 4 of Title 11 of the Helena City Code.**

Commissioner Noonan seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3257.**

**Commissioner Wicks moved to approve first passage of an ordinance limiting setback variances in the Downtown and Transitional Residential Districts by amending Chapter 5 of Title 11 of the Helena City Code.**

Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3258.**

**Commissioner O'Loughlin moved to approve first passage of an ordinance establishing Downtown and Transitional Residential District zoning regulations by adopting Chapter 9 of Title 11 of the Helena City Code.**

Commissioner Noonan seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3259.**

**Commissioner Haladay moved to approve first passage of an ordinance establishing off-street parking regulations in the Downtown and Transitional Residential Districts by amending Chapter 22 of Title 11 of the Helena City Code.**

Commissioner Wicks seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3260.**

**Commissioner Noonan moved to approve first passage of an ordinance establishing sign regulations for the Downtown and Transitional Residential Districts by amending Chapter 23 of Title 11 of the Helena City Code.**

Commissioner Haladay seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3261.**

**Commissioner O'Loughlin moved to approve first passage of an ordinance amending chapter 13 of Title 7 of the Helena City Code to allow sandwich board signs as a permitted encroachment.**

Commissioner Noonan seconded the motion. City Clerk Havens called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Wicks voted aye, Commissioner Noonan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. **The motion carried, 5-0. Ordinance 3262**

**Public  
Communications**

PUBLIC COMMUNICATIONS

Dax Cetraro thanked the City and the Commission on their efforts in public outreach.

Dan Casey, resident of South Park Avenue, addressed concerns over the Reader's Alley block party and the lack of public outreach by the group throwing the event. He represented the residents of the 6 homes at the end of the South Park Avenue block. He expressed concerns over the lack of barricades and the access of residents to their homes in this area. He read a letter from Scott Parrot and Katie Wright. He read a letter from Mr. Franklin Hall and Mrs. Melanie Hall, also expressing concerns regarding the safety of a pile of dirt on another adjacent property, and the disorganization of the recent block party. A letter was read from Rick Bach, 340 S. Park, expressing concerns over the access the residents during the recent block party. Frank Nice, resident 316 S. Park, submitted information regarding his property. Exhibits were provided to the Commission to further illustrate the points being made in the letters and statements. The citizens requested a response from the relevant City departments. He further expressed concerns over the condition of the road in this area.

**Adjournment**

There being no further business to come before the City Commission, the meeting adjourned at 8:24 p.m.

**Meetings of Interest** MEETINGS OF INTEREST

Administrative Meeting – June 19, 2019 - 4:00 p.m. - Room 326, City-County Building

Regular City Commission Meeting – June 24, 2019 - 6:00 p.m. - Commission Chambers,  
City-County Building

/S/ WILMOT COLLINS

MAYOR

ATTEST:

/S/ DEBBIE HAVEN S  
CLERK OF THE CITY COMMISSION