

**CITY OF HELENA**  
**SPECIAL CITY COMMISSION MEETING**  
**June 29, 2020 - 6:00 P.M.**  
**Zoom Online Meeting <https://zoom.us/j/92881606451>**

**Time & Place** A Special City Commission meeting was held on Monday, June 29, 2020 at 6:00 p.m., conducted as an online meeting via Zoom utilizing the following link: <https://zoom.us/j/92881606451>

**Members Present** Mayor Wilmot Collins requested Interim City Clerk Clayborn call roll call: City Attorney Thomas Jodoin, Interim City Manager Reed, Commissioner Haladay, Commissioner Dean, Commissioner Logan, 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.

**Consent Agenda** CONSENT AGENDA  
A. Consider a resolution granting Downtown Urban Renewal Tax Increment Financing funds to provide a public performance space and associated facilities at Hill Park.

City Attorney Thomas Jodoin stated he was bringing this item back in front of the Commission due to the item not having the correct Resolution attached to the agenda item when it was originally brought forward at the June 22<sup>nd</sup>, 2020 regular Commission meeting. This was merely a procedural review of the unanimous passage of the resolution from that evening.

**Public Comment** Mayor Collins asked if there was anyone wishing to make public comment on this this item.

Sean Morrison spoke as a representative of Downtown Helena stating while DHI was not in opposition to the project it would not be suited the events held by DHI.

Pam Attardo spoke in opposition of the proposal.

Kristen Jacobson, 712 Gilbert St., spoke in opposition of the proposal.

Sandra Holland, gave public comment.

Carolyn Truscott, 920 Silverette St., stated further public engagement was needed on this topic.

Jason McNees, 532 E. Breckenridge, spoke in opposition to the project.

There being no one wishing to make comment, public comment was closed.

**Discussion** Commissioner Logan stated he had some concerns regarding the project after hearing from constituents since last week and with the comments made this evening.

Commissioner Dean stated she also believed there needed to be further public outreach prior to voting on this item, possibly tabling this item until the next meeting.

Commissioner Haladay stated he would be comfortable tabling the item this evening.

Commissioner O'Loughlin asked Ms. Attardo for a timeline to organize the Historical Preservation Advisory board to weigh in on the matter.

**Motion**

**Commissioner Logan moved to table the Consent Agenda, item A, a resolution granting Downtown Urban Renewal Tax Increment Financing funds to provide a public performance space and associated facilities at Hill Park.** Commissioner Dean seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted nay, Commissioner O'Loughlin voted nay and Mayor Collins voted aye. The motion carried, 4-1.

***Communications from City Commissioners***

**COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS**

Commissioner O'Loughlin asked if there was a consensus to pursue discussions with the County regarding use of masks within the City-County building, in addition to an update from the County Public Health Department. Consensus was given.

***Report of the City Attorney***

**REPORT OF THE CITY ATTORNEY**

City Attorney Jodoin stated there was nothing to report

***Litigation Strategy***

**LITIGATION STRATEGY**

City Attorney Jodoin stated there was nothing to report.

***Report of the City Manager***

**REPORT OF THE CITY MANAGER**

Interim City Manager Reed stated the first of 7 policing discussions would occur this week July 9<sup>th</sup>, at 4:00 p.m. via Zoom. Manager Reed also stated staff was recommending a phased approach to allowing the advisory boards to begin meeting, following the guidelines outlined by the City Manager.

***Communications from the Helena Citizens***

**COMMUNICATIONS FROM THE HELENA CITIZENS COUNCIL**

HCC Chair Dylan Klapmeier gave a report from the Helena Citizens Council.

***Regular Items***

**REGULAR ITEMS**

- A. CONSIDER A RESOLUTION REPEALING THE 2011 CITY OF HELENA GROWTH POLICY AND ADOPTING THE 2019 CITY OF HELENA GROWTH POLICY.

**Staff Report**

Community Development Director Haugen introduced City Planner Michael McConnell. Mr. McConnell reported with a public process involving over ten stakeholder meetings, twenty public outreach events and seven Helena/Lewis and Clark County Consolidated Planning Board meetings, as well as a several months of receiving comments and editing, the 2019 City of Helena Growth Policy Update has been recommended for approval by the City-County Consolidated Planning Board during a special meeting held on November 6, 2019. The Helena City Commission has approved a Resolution of Intention to repeal the 2011 City of Helena Growth Policy and adopt the 2019 City of Helena Growth Policy at their regular meeting on March 9<sup>th</sup>, 2020. Changes that were proposed at the Planning Board meeting have been included as attachments and will be incorporated into the document pending any other changes or additions made at this City Commission Public Hearing.

The changes recommended by the Planning Board have been posted on the City's website and no public comments have been

received since the November 6th Planning Board meeting. Any comments received prior to the City Commission Public Hearing will be included in staff's presentation.

This item was originally scheduled to be heard on March 23rd, 2020 but due to the provisions of the City of Helena's Declaration of Emergency due to the Covid-19 crisis, was postponed indefinitely. Since that time the City has implemented policies and procedures that will allow this important item to proceed.

A growth policy is a central tenant of a city's prosperity and evolution. It is the goal the City of Helena to provide its citizens with a quality of life that matches our surroundings and provides ample opportunities for personal growth and civic progress. This Growth Policy Update along with our shared desire to make Helena a better place to live goes a long way to achieving that goal.

The 2019 Growth Policy's fundamental themes are to change the way we grow, expand our input priorities, and manage our collaboration systems in order to achieve the types of growth that will better serve our residents. This update builds on the successes of the 2011 Growth Policy while also addressing its weaknesses and provides the public and staff with a clearer policy direction moving forward.

The neighborhood centers development concept is ideal for cities that have established neighborhoods with varying degrees of prosperity. By growing in centers, we allow for more efficient utilization of City resources, a greater degree of public input during the planning process, and in many cases will provide goods and services closer to existing neighborhoods. These were identified as important during the public process in order to seamlessly accommodate this growth into the existing urban fabric, a set of joint development standards between city and county needs to be created and adhered to within the newly altered Urban Standards Boundary. The Growth Policy provides a framework to address a very real affordable housing issue and promotes mechanisms to develop actions for constructive results. This update provides a focus for other policy reform and offers a way forward through the implementation matrix of goals, objectives and actions. A renewed focus on the public process is another major step forward. This update will formalize the process for public input on planning issues which will in turn provide the direction City staff and officials need to address projects with the surety that they provide a public good while meeting a public need. With a greater emphasis on dense compact development in the form of Neighborhood Centers while also focusing on making non-motorized transit a realistic possibility for all Helenans, this Growth Policy update will make a significant impact on the amount of energy residents and businesses use daily.

Director Haugen recommended approval of the resolution repealing the 2011 City of Helena Growth Policy and adopting the 2019 City of Helena Growth Policy.

#### Public Comment

Mayor Collins opened the floor for public comment.

Ann Brodsky, HCC member, spoke in favor of the adoption of the 2019 Growth Policy.

Dennison Rivera, 685 Legend Loop, spoke regarding several concerns within the Growth Policy and asked the Commission to table the item this evening.

Discussion

Commissioner Dean asked Mr. McConnell to summarize the entire public outreach for the Growth Policy which occurred around the development of the Growth Policy updates.

Commissioner Haladay thanked the entire Community Development staff and the consultants for their hard work on the Growth Policy.

Motion

**Commissioner Dean moved to approve repealing the 2011 city of helena growth policy and adopting the 2019 city of helena growth policy.** Commissioner Logan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. The motion carried, 5-0.

**Public Hearings**

**PUBLIC HEARINGS**

- A. CONSIDER A RESOLUTION ADOPTING REVISED FINAL BUDGETS, BUDGET AUTHORITIES AND APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 AND SETTING THE SALARY FOR MUNICIPAL COURT JUDGE

Staff Report

The City Commission was presented with and accepted a Preliminary Revised FY2021 budget on May 4, 2020. Following the acceptance of the Preliminary Revised FY2021 budget, the commission participated in, along with staff and the public, a series of work sessions to review, analyze and amend the budget authorities throughout the city. Appendix A shows the outcome of those work sessions by providing the change in balance by fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021. Staff recommends the consideration of a resolution adopting revised final budgets, budget authorities and appropriations for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and setting the salary for Municipal Court Judge. As a part of this adoption the Commission must review and approve or deny, either singularly or as a group, all amendments to the Preliminary Revised FY2021 budget. Additionally, any member of the commission may propose an amendment not included with this list, providing that it identifies a specific item and dollar amount. Adopting the final budget prior to the start of the fiscal year allows staff to begin the fiscal year with clear operational parameters. The final budget, as presented, includes various sustainability projects, especially in relation to energy conservation. Adopting the final budget prior to receiving certified taxable values creates some variance in expected tax revenues. Also, COVID-19 is still a major factor in everyday life and as such fee-based revenues will vary as well but will be closely monitored in the months to come to ensure departments are remaining financially responsible.

Discussion

Commissioner O'Loughlin asked Mr. Couey to confirm the transfer of General Fund dollars in the amount of \$280,000 for the Golf Course, and this would be part of the FY20, not FY21. Mr. Couey confirmed this.

Commissioner O'Loughlin asked if the approximate amount of dollars increased expenditures from the General Fund was a \$450,000. Mr. Couey stated this was accurate.

Commissioner O'Loughlin asked Interim Manager Reed to inform the Commission of the rough costs of the School Resource Officer program. Interim Manager Reed stated the approximate cost was \$242,000 for personnel costs, but when including other cumulative costs the number was more accurately described as \$292,000. Police Chief Hagen confirmed this \$292,000, number. Commissioner O'Loughlin asked Chief Hagen if he was expecting to have vacancies this upcoming fiscal year. Chief Hagen stated he expected to have up to 4 vacancies in the coming fiscal year.

Commissioner Dean thanked City Staff for their work on the budget and stated she would be making recommendations for the FY22 budget process based upon her experience this past budget season.

Public Testimony

Mayor Collins opened the Public Hearing for Public Testimony.

SK Rossi, ACLU Montana, spoke on the issue of Policing and the budget allocated to the Police in the City's budget.

Ella Smith spoke in favor of a hiring freeze for the SRO program.

Samara Sant, representing the Back the Blue chapter of Helena. Ms. Sant spoke in favor of the current budget proposed for the Police department.

Andrew Martinez spoke in favor of the budgetary freeze for the Police budget.

Kim Abbot, Co-Director in Montana Human Rights Network, spoke in favor of the hiring freeze.

Dennison Rivera spoke in opposition of the hiring freeze.

Chad Wright spoke in favor of the hiring freeze.

Luke Muszkiewicz spoke in favor of the SRO program.

Ann Truesdale spoke in opposition of the SRO program.

Shelby Demars, representing the Helena Police Protective Association, spoke in favor of the SRO funding within the City's budget.

Patrick Webb, Americans for Prosperity, asked for caution in proceeding within any decision on the Police budget.

Sanjay Talwani spoke in favor of the SRO program but could certainly use a revisiting of specific pieces of the program.

Colleen Murphy spoke about several concerns over the SRO program.

Kali Kind spoke in favor of SRO budget.

Matt English spoke in favor of the SRO program and urged any consideration of the police budget on this matter be tabled at this time.

Dr. Gregory Thomas, spoke in opposition of any freezing of the Police budget.

Brandi Swingle spoke in opposition of the SRO program.

Kelly Twoteeth spoke in opposition of the SRO program.

Elena Hodges spoke in opposition of the SRO program.

Karen English spoke in favor of the SRO program.

Motion

**Commissioner O'Loughlin moved to approve adopting revised final budgets, budget authorities and appropriations for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and setting the salary for Municipal Court Judge.** Commissioner Haladay seconded.

Amendment

**Commissioner Haladay moved to amend the current motion to reflect the changes shown on Appendix B.** Commissioner O'Loughlin seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted nay, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. The motion carried, 4-1.

Amendment

**Commissioner O'Loughlin moved to amend the make the expenditures of \$292,000 of fund 012 Police & Courts, Personnel Services contingent upon future approval of City Commission.** Commissioner Haladay seconded.

Discussion

Commissioner O'Loughlin had discussion regarding her thought process behind her amendment this evening on this item, stating she looked forward to the sessions planned for a more informative look at the SRO program and the money allocated. Commissioner Dean asked if an amendment would be considered, labeling the money be set aside for Helena Public Schools. Commissioner O'Loughlin stated she would resist the idea only to not make any decisions prior to the study sessions which might inform the decision as to how to allocate funds. Mayor Collins agreed with this statement. Commissioner Logan stated that while he was in favor of the study sessions and looking at what reforms were necessary in the HPD, he felt this amendment was "putting the cart before the horse." And as a result, Commissioner Logan stated he could not support this amendment. Commissioner Haladay stated this amendment was only a pause button on the funding, given the timeline of the budget process, this was necessary and thoughtful approach to allowing the money to be available for other uses, if necessary.

Budget Analyst Chris Couey asked for clarification of the motion for the specific line item within the fund.

Amendment

**Commissioner O'Loughlin moved to amend the make the expenditures of \$292,000 of fund 012 Police & Courts, Personnel Services, tied to Police Operations, contingent upon future approval of City Commission. Commissioner Haladay seconded.** Commissioner Haladay seconded the motion.

Discussion

Chief Hagen responded to a timeline question posed by Commissioner Dean, stating August 1<sup>st</sup> would be a deadline for staffing issues. Superintendent Tyler Ream stated the sooner the better for a decision, so the School District could make staffing and budgeting decisions.

Amendment

**Commissioner O'Loughlin moved to amend the make the expenditures of \$292,000 of fund 012 Police & Courts, Personnel Services, tied to Police Operations, contingent upon future approval of City Commission.** Commissioner Haladay seconded.

Amendment

**Commissioner O'Loughlin moved to amend the make the expenditures of \$292,000 of fund 012 Police & Courts, Personnel Services, tied to Police Operations, contingent upon future approval of City Commission, with a deadline of August 1st.** Commission Dean seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted nay, Commissioner O'Loughlin

voted aye, and Mayor Collins voted aye. The motion carried, 4-1.

**Amendment**

**Commissioner Dean moved to amend the General Fund contribution to the 440, from \$500,000 to \$400,000.** Commissioner Logan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted nay, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted nay, and Mayor Collins voted aye. The motion carried, 3-2.

**Amendment**

**Commissioner Logan moved to reduce funding for 2<sup>nd</sup> Fire Inspector.** Commissioner O'Loughlin seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. The motion carried, 5-0.

**Amendment**

**Commissioner Dean moved to reduce the City Manager contingency budget by \$15,000 to Housing First Partners Initiative.** Commissioner Logan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted nay, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. The motion carried, 4-1.

**Amendment**

**Commissioner O'Loughlin moved to reallocation portions of the HCC budget in a total amount of \$8435 to support personnel services to increase the Coordinator position hours from 15 hours to 20 hours, and to reduce the HPAC 233 general fund contribution by \$513.** Commissioner Haladay seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye, and Mayor Collins voted aye. The motion carried, 5-0.

**Amendment**

**Commissioner Dean moved to allocate \$38,000 for an Organizational/Climate survey spread across departments based upon FTE.** Commissioner Logan seconded the motion. Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted nay, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted nay, and Mayor Collins voted aye. The motion carried, 3-2.

**Amendment**

**Commissioner Dean moved to eliminate the \$25,000 Community Development budget 014-3099 labeled City Surplus.** No second was given.

**Amendment**

**Commissioner Dean moved to change item within 3099 of the Community Development budget labeled "other studies" for \$10,000, and relabel the item "to achieve action 45" of the Growth Policy.** No second was given.

**Amendment**

**Commissioner Dean moved to establish an appropriation \$50,000 from Streets to provide a pedestrian connection to Cruse Park from Broadway, and to create an ADA ramp from the apartments above.** No second was given.

**Vote**

**Interim City Clerk Clayborn called a roll call vote, as follows: Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O’Loughlin voted aye, and Mayor Collins voted aye. The motion carried, 5-0.**

**Public  
Communications**

**PUBLIC COMMUNICATIONS**

Mayor Collins asked if anyone would like to offer Public Comment at this time.

A written comment by Colleen Murphy was read into the record.

**Adjournment**

There being no further business to come before the City Commission, the meeting adjourned at 10:36 p.m.

**/S/ WILMOT COLLINS**  
MAYOR

ATTEST:

**/S/ DANNAI CLAYBORN**  
CLERK OF THE CITY COMMISSION