

**CITY OF HELENA**  
**REGULAR CITY COMMISSION MEETING**  
**March 22, 2021 – 6:00 P.M.**  
**Zoom Online Meeting: <https://zoom.us/j/99708509754>**

- Time & Place** A regular City Commission meeting was held on Monday, March 22, 2021 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/99708509754>, as well as, the City Commission Chambers at 316 N. Park Ave, Helena 59623.
- Members Present** **(00:22)** Mayor Collins requested City Clerk Clayborn call roll call: City Attorney Jodoin, City Manager Harlow-Schalk, Commissioner Haladay, Commissioner Dean, Commissioner Logan, Commissioner O’Loughlin and Mayor Collins all responded present. All participated remotely via Zoom.
- Pledge of Allegiance** **(01:28)** Mayor Collins asked those persons present to please stand and join him in the pledge of allegiance.
- Minutes** **(02:16)** Minutes for the following were approved as submitted:
- A. 09-14-20
  - B. 09-28-20
  - C. 12-07-20
  - D. 12-21-20
  - E. 01-11-21
  - F. 02-08-21
  - G. 02-22-21
- Consent Agenda** **(02:41)** CONSENT AGENDA
- A. Claims
  - B. BaRSSA 2021 Allocation
  - C. Western States Wildland Urban Interface Grant Award - Mount Helena Fuels Mitigation from Department of Natural Resources and Conservation
- Motion** **(03:46)** Commissioner Dean moved to approve Consent Agenda item A Claims. Commissioner Logan seconded the motion. 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.**
- (05:18)** Commissioner Logan moved to approve a resolution requesting distribution of Bridge and Road Safety and Accountability program funds to be used for Rodney Street Project # 19-31. Commissioner Dean seconded the motion. 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.**
- (07:08)** Commissioner Haladay moved for acceptance of Western States Wildland Urban Interface Grant Award. Commissioner Dean seconded the motion. 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.**

**Bid Award**

**(07:52) BID AWARD**

- A.** Bid Award for Lyndale Avenue Park Avenue Water Main Replacement Sewer Main Extension Project #19-27

**(08:04)** Public Works Director, Ryan Leland presented a summary of the Bid Award for Lyndale Avenue Park Avenue Water Main Replacement Sewer Main Extension Project #19-27.

Presently there are 6-inch cast iron water mains located in Lyndale Avenue between Benton Avenue and Kessler Street, and north of Benton Avenue on North Park Avenue that leak badly. The water mains were installed in 1934 and 1936. The water mains on Lyndale have a history of breaks and excessive leakage that have caused them to be unusable for at least the past 5 years and are currently out of service.

North Park Avenue north of Lyndale Avenue is currently unsewered, with two existing residences (1004 and 1108 North Park) sharing sanitary sewer services and a third residence (1120 North Park) being served with a sewer service that is over 250 feet long. All three sewer services have a history of excessive maintenance, backup and clogging and are presently connected to the existing sewer main in Lyndale Avenue.

The Lyndale Avenue – Park Avenue Water Main Replacement Sewer Main Extension Project will replace the existing undersized, leaky and non-functional water mains on Lyndale and North Park Avenues with new 8 inch mains and extend a new 8-inch sanitary sewer main on North park Avenue to eliminate the shared and excessively long existing residential sewer services.

The project was bid in 2020 and received no bids. The project was revised in 2020 to reduce the amount of work needed in Lyndale Avenue, which is Montana Department of Transportation Right of Way. The project has required extensive coordination with MDT and Carroll College and needs to be constructed starting in May to allow for traffic adjustment and to reduce the impacts to the college.

The City received 3 bids for the Lyndale Avenue – Park Avenue Water Main Replacement Sewer Main Extension Project. Bids were received from Hard Rock Road Building and Utilities Inc., Helena Sand and Gravel Inc. and Bullock Contracting LLC. Bids were opened on February 4, 2021. The apparent low bidder for the project was Hard Rock Road Building and Utilities Inc of Helena, MT with a bid of \$756,555.25.

**(10:10)** Commissioner Dean asked Director Leland what type of traffic adjustments would be made during the duration of the project and how long is the project expected to last.

**(10:32)** Director Leland explained that they would only need to shut down the west bound lane closest to Carroll College reducing it to one lane traffic through that section rather than two. The project was expected to take six (6) weeks. In conclusion, Director Leland informed the Commission that they were looking at a night-time tie in at the Euclid Avenue and Benton Avenue intersection when they got to that portion of the project.

**(11:54)** Commissioner O'Loughlin asked Director Leland where and when

this project fit into the budget.

**(12:12)** Director Leland explained the project was originally budgeted in fiscal year 2019 when the project was being designed. Then, there were some budget amendments when the project cost more than the estimate due to the increasing price of concrete. As a result, Public Works shifted around some projects to accommodate the FY19 budget carryover along with some adjustment to the FY20 budget. There would not be anything in the upcoming FY22 budget.

**(12:58)** Commissioner Logan asked Director Leland to clarify where the sewer line would be extended to and which properties this line would serve.

**(13:14)** Using his cursor on the screen, Director Leland addressed Commissioner Logan's inquiry.

There were no public comments.

**(14:53) Commissioner O'Loughlin moved to award the Lyndale Avenue – Park Avenue Water Main Replacement Sewer Main Extension Project #19-27 to the lowest responsible bidder, Hard Rock Road Building and Utilities Inc., in the amount of \$756,555.25.** Commissioner Logan seconded the motion. 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.**

***Communications from  
City Commissioners***

**(15:41) COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS**

No comments or proposals were received from the Commission.

***Report of the City Attorney***

**(15:58)** Nothing to report other than to remind the Commission they were sent a corrected PSA for a Special Litigation Meeting scheduled for Monday, March 29, 2021 at 6:00 PM.

***Report of the City Manager***

**(16:21)** City Manager Rachel Harlow-Schalk

**A.** Presentation w/ Good Sams on Gap Identified Causing Return to Homelessness

City Manager, Rachel Harlow-Schalk informed the Commission that city staff was currently working on E-bikes and E-scooters as two issues in the community that will be brought before the Commission at the April 7<sup>th</sup> Administrative Meeting.

City Manager, Rachel Harlow-Schalk reminded the Commission that during the January 6, 2021 Administrative Meeting, Commissioner Haladay asked Good Samaritan what gaps there are and how the City could offer support.

**(18:42)** Theresa Ortega with Good Samaritan Ministries presented an update on homelessness in the community and how Covid-19 has impacted it.

**(31:50)** Commissioner O’Loughlin informed the Commission that it was her understanding there was going to be funding available to address homelessness in the American Rescue Plan Act. Commissioner O’Loughlin then asked Theresa Ortega if she and her partners could put a proposal together for the City to submit for this funding.

**(32:49)** Theresa Ortega explained the obstacles and circumstances that would need to be considered, specifically the intent to create a Women’s Homeless Shelter and how this population differs from that of the homeless population resulting from Covid-19.

**(35:43)** Mayor Collins asked Theresa Ortega if she was currently in talks with the County and she stated she was not at this time. Mayor Collins asked Ms. Ortega if she intended to contact the County and she stated that she would consider it for the future.

**(36:53)** Commissioner Dean asked Ms. Ortega if she knew the specific number that pertained to the current homeless population overflow.

**(37:12)** Theresa Ortega explained they have served 105 people since November and their existing shelter downtown has a capacity limit of 30 people.

**(38:24)** Ms. Ortega suggested the Commission implement a case manager position to track the homeless community.

**(39:19)** City Manager, Rachel Harlow-Schalk thanked Ms. Ortega and her staff for their efforts to address the homeless population. The City Manager also identified two areas to continue the conversation:  
1) the alternative idea of “Middle Housing”; and  
2) support for those who have become homeless and are coming out of a treatment center, they have the support to move into permanent housing.

In conclusion, City Manager, Rachel Harlow-Schalk offered to add an agenda item to the joint City-County Meeting on April 6<sup>th</sup> to discuss this issue further.

**(40:41)** Mayor Collins expressed his support to include the County on this issue.

**(40:59)** In regard to the limited federal funding available, Commissioner O’Loughlin asked City Manager Harlow-Schalk what the best next step would be as far as identifying which projects are ready, competitive, and with the right community partners ready to launch so that they could potentially submit a funding application by the end of April.

**(42:27)** City Manager Harlow-Schalk explained the projects would need to be applied for and the competition for that funding is competitive. She expressed her support to include the County on the application process as well and proposed to further discuss this initiative at the Joint City-County Meeting on April 6<sup>th</sup>. The City Manager identified affordable housing and homelessness as two potential areas of interest to consider for the application process. The solution proposed by Theresa Ortega would also require a department or place for the position to be housed, someone to monitor it, and someone to manage it. City Manager Harlow-Schalk informed the Commission that she has yet to receive information in regard to when those federal dollars will become available. She also

reminded the Commission that city staff plans to bring a process for the federal money spending to the April 14<sup>th</sup> Administrative Meeting based on some of the higher priorities previously set out by the Commission. City Manager Harlow-Schalk explained that federal dollars implies a one-time expense and there is an ongoing expense that also needs to be considered when discussing a potential support position.

**(44:57)** Mayor Collins invited Theresa Ortega to present at the Joint City-County Meeting on April 6<sup>th</sup> and she stated she would be happy to come and go over the issues outlined in this meeting.

**(45:47)** Commissioner Haladay expressed his general agreement with Commissioner O'Loughlin regarding looking at the opportunities for federal funding coming in. If for some reason, the County is unable to engage in the time necessary to apply for the funding, Commissioner Haladay expressed his support to give direction to the City Manager in conjunction with community stakeholders to ensure an efficient and tactical approach rather than miss the opportunity. Commissioner Haladay suggested funding go towards private organizations, similarly to the City of Service grant awards. However, acknowledged if the Commission decided to implement an ongoing expense like the one Ms. Ortega suggested, then that funding would need to remain with the City.

**(47:51)** Mayor Collins was in support of Commissioner Haladay's suggestion to have the City Manager work with Theresa Ortega to establish a proposal so they may expedite the process when the funds become available.

**(48:24)** Commissioners Logan spoke in support of the directive.

**(48:28)** Commissioner Dean was also in support and added there was a need to understand the full scope of what the ongoing support looks like and that the Commission is continually being proactive in their efforts to address the needs of the homeless community long term.

**(49:15)** Mayor Collins asked City Manager Harlow-Schalk if she understood the directive of the Commission and she confirmed she did citing the following next steps:

- 1) Identifying the best ways to use the one-time dollars and working on a response to the idea brought forward by Teresa Ortega; and
- 2) Add an agenda item to the next Joint City-County Meeting to continue this conversation.

**(49:37)** Commissioner O'Loughlin clarified the City has a separate set of funding coming to the City, however those are not the funds she is talking about. She explained her request was to have a group that is ready to submit a proposal to the state for the housing specific money.

No more questions by the City Commission.

There were no public comments.

### **Report from HCC**

**(50:44)** COMMUNICATIONS FROM THE HELENA CITIZENS COUNCIL

HCC representative, John Andrew gave a report.

**Regular Items****(53:31) REGULAR ITEMS**

- A.** A Resolution of Intention to vacate a portion of alley right-of-way south of 1775 University between University Street and Le Grande Cannon Boulevard.

**(53:48)** Public Works Director, Ryan Leland introduced a resolution of intention to vacate a portion of alley right-of-way south of 1775 University between University Street and Le Grande Cannon Boulevard.

Tim and Jan Horan, applicants, are requesting the City to vacate a portion of alley located between Lots 1-2 and Lots 15-16 in Block 189 of the Bradford Addition. The alley is an existing platted alley connecting Laurel Street and Glendale Street. Northwestern Energy, Century Link and the City of Helena currently have utilities located within the alley right-of-way.

The applicants are requesting to vacate the alley between Lots 1-2 and Lots 15-16 in Block 189 of the Bradford Addition in order to maintain it in an undeveloped landscaped state and remove the right-of-way between the lots they own.

There are several undeveloped lots located adjacent to the applicants' property of the south side of the alley. These lots could use the alley for access. The vacation would create a long dead end alley without a turnaround making it difficult for access and potentially limiting the development of the existing lots. The undeveloped lots are adjacent to Le Grand Cannon Boulevard but do not have physical access because of the grade differential. Depending on how the adjacent lots are developed the alley could be the main access point. The vacation would also limit solid waste collection to the undeveloped lots.

If the alley is vacated, an easement would be maintained for the utility companies to maintain the existing utilities. The calculated square foot transfer price is \$7.10. The total area to be transferred is 1800 square feet. The total transfer fee is \$12,870.00.

Dead ending the alley from Glendale right-of-way would limit the City of Helena's ability to collect solid waste. The vacation would also limit access to the undeveloped lots next to applicant's property.

**(57:10)** The applicants, Jan and Tim Horan addressed the Commission.

There were no comments or questions from the Commission.

There were no public comments.

**(01:01:33) Commissioner Logan moved to deny a Resolution of Intention to vacate a portion of alley right-of-way located between Lots 1-2 and Lots 15-16 in Block 189 of the Bradford Addition, south of 1775 University between University Street and Le Grande Cannon Boulevard due to limiting the ability for the City to collect solid waste.** Commissioner Dean seconded the motion. 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**

**(01:02:26) PUBLIC COMMUNICATIONS**

The applicant, Tim Horan asked the Commission if he could work with city staff on a potential land swap to prevent the permanent alley from encroaching on their property.

**(01:04:31)** Director Leland acknowledged he would work with the Horan's for a potential land swap or any other options that might be available.

No other public comments.

**Adjournment**

**(01:05:27)** There being no further business to come before the City Commission, the meeting adjourned at 7:05 p.m.

**/S/ WILMOT COLLINS**  
MAYOR

ATTEST:

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