

CITY OF HELENA
City Commission Meeting
May 3, 2021 - 6:00 PM
Zoom Online Meeting: <https://zoom.us/j/97173910717>

(00:26) Call to Order and Roll Call

(00:40) 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 virtually via Zoom.

Pledge of Allegiance

(01:38) Mayor Collins asked those persons present to please stand and join him in the pledge of allegiance.

Consent Agenda

A. Claims

(05:16) Commissioner Dean moved to approve Consent Item A. Commissioner O'Loughlin seconded the motion. The motion passed 5:0.

Communication/Proposals from Commissioners

(04:15) Commissioner Logan recognized the Helena Police Department, Emergency Responders, and the Helena Fire Department for their efforts in putting out a fire that morning at 315 State Street.

Report of the City Attorney

(05:32) City Attorney Jodoin offered a brief update to the commissioners on their previous discussions with the EPA. They were currently discussing an administrative consent order with the EPA to resolve allegations against the City. City Attorney Jodoin anticipated they would be bringing a decision to the commission regarding litigation at an executive session in the near future.

Report of the City Manager

(07:05) City Manager Harlow-Schalk updated the City Commission on the following topics:

A. Congratulated staff on a successful Arbor Day event held the previous week and the Civic Center's Centennial celebration.

Communications from the Helena Citizens Council

(07:56) HCC representative, Dylan Klapmeier gave a report.

There were no public comments.

Regular Items

A. Consider a Resolution of Intention to vacate Powderhorn Court located off Alpine View Drive within Aspen Park at Mountain View Meadows.

(09:36) Public Works Director, Ryan Leland presented on Regular Item A.

(15:04) City Manager Harlow-Schalk informed the commission of a new development review process that would invite the developers to speak with city staff before the item is brought to the commission to inform them of staff recommendations prior to the meeting.

Discussion was had between City Manager Harlow-Schalk, Director Leland, and the commission regarding the city's recommendation to approve the resolution of intent to vacate Powderhorn Court as well as the recommendation to waive the transfer fee of \$43,691 due to the property currently being undeveloped.

(21:11) Commissioner Dean made a motion to consider waiving the transfer fee of \$43,691 and approve a Resolution of Intention to vacate Powderhorn Court located off Alpine View Drive within Aspen Park at Mountain View Meadows. If approved a public meeting will be set for May 17, 2021. Commissioner Haladay seconded the motion.

(22:22) The applicant, Mark Runkle offered public comment in favor of the resolution.

(24:38) The project engineer, Jeff Larson offered public comment in favor of the resolution.

No further public comments.

(26:27) The motion carried 5:0.

- B. Consider a Final Plat for the Anderson Village Major Subdivision creating 18 lots from 5.76 acres and to accept the dedication to the City of the property and public improvements so designated thereon, for property legally described as Lots 8, 9 & 13 of the Anderson Business Park Subdivision as shown in COS#3050024, in the records of the Clerk and Recorder of Lewis and Clark County, Montana.

(27:29) Community Development Director, Sharon Haugen introduced staff that would present on Regular Item B.

(27:44) City Planner II, Michael McConnell presented on Regular Item B.

(32:12) There were no public comments.

(32:25) Commissioner Haladay made a motion to approve the Final Plat for the Anderson Village Major Subdivision creating 18 lots from 5.76 acres and to accept the dedication to the City of the property and public improvements so designated thereon, for property legally described as Lots 8, 9 & 13 of the Anderson Business Park Subdivision as shown in COS#3050024, in the records of the Clerk and Recorder of Lewis and Clark County, Montana. Commissioner Logan seconded the motion. The motion passed 5:0.

- C. Consider a Resolution amending Resolution No. 20595 Declaring a State of Local Disaster Emergency to allow the City Commission to meet in person in the chambers for regular meetings and continue to meet via Zoom for administrative meetings.

(33:51) Facilities Superintendent, Troy Sampson presented on Regular Item C.

(38:15) Commissioner Dean asked if this would also mean all of the upcoming work sessions would happen via Zoom and not in-person and City Manager Harlow-Schalk confirmed that was correct.

(38:50) Mayor Collins asked Superintendent Sampson if the audio issues previously experienced by the public listening via Zoom had since been corrected and he confirmed they had. Superintendent Sampson explained all equipment was tested as well as some changes were made to the configuration of the equipment for a much clearer audio.

(39:40) Mayor Collins asked Superintendent Sampson to expand on the possibility of a larger crowd that may result in relocating the meeting space. Superintendent Sampson explained that was a suggestion made from the Health Department and would be considered on a case-by-case basis.

(40:34) Montana State Legislator, Mary Ann Dunwell offered public comment in favor of allowing the City Commission to meet in person for regular meeting while still offering the virtual attendance option. Ms. Dunwell expressed her appreciation for the precautions and protections the city demonstrated during the pandemic.

(42:52) No further public comments.

(43:04) Commissioner Dean made a motion to approve a Resolution amending Resolution No. 20595 Declaring a State of Local Disaster Emergency to allow the City Commission to meet in person in the chambers for regular meetings and continue to meet via Zoom for administrative meetings. Commissioner Logan seconded the motion. The motion passed 5:0.

Public Hearings

- A. Consider a Resolution amending Resolution No. 19818 that created Special Improvement Lighting District No. 222 to alter the boundaries by adding sixteen streetlights and to remove property in SLID No. 222 in the City of Helena, Montana.

(44:17) Finance Director, Sheila Danielson presented on Public Hearing Item A.

(48:53) Mary Ann Dunwell residing at 2811 Alexis Avenue offered public comment in favor of the resolution.

(52:14) Robert Brown residing at 2877 Vista Avenue offered public and written comment in opposition to the resolution.

(55:45) Owner of the Subdivision, Mark Runkle offered public comment in favor of the resolution.

(59:12) Kathryn Munro residing at 2771 Stacia Avenue offered public comment in opposition to the resolution.

(01:01:15) There were no further public comments. However, Clerk of the City Commission, Dannai Clayborn informed the commission she did receive one additional written comment from James Sorvo asking if there was data that supports the claim that streetlights reduce crime rates or vehicle accidents.

(01:01:51) Commissioner Dean asked if the proposed lights also met the Dark Skies Ordinance, and city staff could not confirm if they did at that time and offered to look into the matter further.

(01:03:07) Mark Runkle confirmed after running tests with Northwestern Energy, the LED lights included screens that cut the light off just at the edge of the sidewalk.

(01:04:09) Commissioner Logan questioned if an adjustment could be made for those property owners who voiced concern about being included in the assessment but would not benefit from it. City Manager Harlow-Schalk explained her team did conduct a review on the appropriate method of assessment calculation, however whether or not property owners benefited from that assessment was not included in the calculation. Director Danielson confirmed the calculation used was the same used for all light districts in the City of Helena which is based on the proportionate square footage that the parcel owner has.

(01:06:43) Discussion was had between Commissioner O'Loughlin and Director Danielson regarding the internal process for routing public comments, whether they were distributed prior to the meeting, and how staff could distribute comments prior to future meetings.

(01:08:31) Commissioner O'Loughlin asked Mark Runkle to confirm if condos were assessed differently than single-family properties and he confirmed they were.

(01:10:41) Commissioner Haladay asked if the city dealt with streetlighting on private drives and Director Danielson confirmed private drives can petition to the city to have streetlights installed. Commissioner Haladay added further comment regarding the complexity of assessing condos.

(01:14:00) City Manager Harlow-Schalk concurred with Commissioner Haladay's comments and stated the City Attorney could provide greater detail in a summary at a later time should the commission desire it.

(01:15:07) Commissioner O'Loughlin moved to approve a Resolution to amend Resolution No. 19818 that created Special Improvement Lighting District No. 222 Amend SILD No. 222 to add sixteen (16) additional lights to the assessment area and remove property known as Tract 2-A-2, Property ID No.

45445, GEO Code No. 05-1888-35-2-09-01-000 from the district. Commissioner Haladay seconded the motion.

Commissioner O’Loughlin thanked Director Danielson for all the information the commission received on this item and appreciated the concerns from the few, she thought it was an important investment and was comfortable supporting it.

(01:17:06) The motion carried 4:1.

Public Communications

(01:19:05) Montana State Legislator, Mary Ann Dunwell offered public comment regarding recent legislation passed during the recent session concerning local communities being able to pass their own ordinances, governing themselves according to their community’s needs such as dismantling public health authority, banning inclusive zoning and housing, prohibiting vaping, regulating firearms or creating a sanctuary city. Ms. Dunwell asked the commission to consider litigation because she believed some of these laws violated our constitution as well as the commission’s ability to govern.

(01:21:22) No further public comments.

Meetings of Interest

Adjournment

(01:21:46) There being no further business to come before the City Commission, the meeting adjourned at 7:22 PM.

/S/ WILMOT COLLINS

MAYOR

ATTEST:

/S/ DANNAI CLAYBORN

CLERK OF THE CITY COMMISSION