



Helena Citizens' Council (HCC)  
Monthly Meeting  
November 30, 2016 - 7:00 PM  
City/County Building - Room 326  
Helena, Montana

## ***MEETING MINUTES***

### **Attendance**

#### **Members Present:**

District 1      Mary Ann George, Sarah Sadowski

District 2      Gary Spaeth, John Rundquist, Robert Funk

District 3      Sumner Sharpe, Gary Dalton, Flannery Harpole

District 4      Tom Woodgerd, Dave Maslowski

District 5

District 6      Terry Ray

District 7      Bob Habeck, Denise Roth Barber, John Forbes, Dick Sloan

**Guests Present:** Brian Coplin, Help!; Jason Zander, Helena Police Department; Bill Caccia, Placer Condo Association; Sharon Haugen, Community Development Department Director; Thomas Jodoin, City Attorney

### **Call to Order, General Business and Announcements**

Chair Gary Spaeth called the meeting to order and all present were introduced. Spaeth reported on a neighborhood get together that he organized. Neighbors were invited to a restaurant, 20 came, and a neighborhood Facebook page was created.

## **Public Comment**

Bill Caccia spoke as a representative of the Placer Condo Association. He expressed his disappointment that the City would allow a bar next to a residential area and raised concerns specifically about the impact of Sapphire Bar patrons on residents of the Placer. The issues occur when patrons step outside the bar. He has spoken to the bar manager and the property manager, but not the building owner.

In response to questions from HCC members, Community Development Director Sharon Haugen explained that the Walking Mall is a City right-of-way. City Attorney Thomas Jodoin noted that a bar cannot control what people do in public areas.

Individual HCC members voiced their questions and suggestions, including the following: residents need to consider the existing land uses in the area, which are both commercial and residential; there has always been a bar next to the Placer building; the residents could request help in mediating the conflict from the Helena Chamber of Commerce or the Helena Business Improvement District; Placer residents could investigate how similar situations have been dealt with in Helena (e.g., condos across from Miller's Crossing, apartments west of Jesters Bar) and other cities; Placer residents could discuss the matter with the City Attorney, City Manager, and Mayor; and whether or not legal remedies have been investigated.

The HCC did not make a recommendation. Chairman Spaeth requested that HCC members from District 1 meet to discuss the matter and report back to the HCC with any recommendations.

## **October 26, 2016 Meeting Minutes**

The minutes of the October 26, 2016 HCC meeting were approved unanimously with the following changes:

- On page 2 under "HELP! – Community Collaboration," delete the sentence that says "At present, Coplin is the sole member of HELP!"

- On page 4, under “Ponderosa Team-Montana Avenue Underpass” delete this sentence “The Long Range Transportation Plan was prepared by the Montana Department of Transportation (MDT).” and insert “The Greater Helena Area Long Range Transportation Plan 2014 Update was adopted by the City Commission in 2015.” Insert a hyperlink to the referenced document.
- On page 5 under “Public Comment” add “ HCC member Sarah Sadowski announced that AERO (Alternative Energy Resources Organization) is working to secure resources to reengage the community in the climate change action plan and that Helena Food Share and the Governor’s Office of Community Service AmeriCorps will be conducting “Doorsteps to Backpacks” -- a citywide food drive -- on March 8, 2017.”

### **HCC Budget**

Treasurer Dick Sloan reported that spending is on track and a little less than the amount budgeted.

### **Helena Police Department**

Helena Police Department (HPD) officer Jason Zander reported that three new officers have been hired. In reference to issues raised by Bill Caccia, Zander explained that the bar owner is not responsible for the incidents described where patrons have left the bar and are disruptive in a common area. He noted that people can legally smoke, walk, and talk in the right-of-way. In response to noise violations, HPD officers check the noise level with a decibel meter; however, the limits are rarely exceeded at the time that officers measure.

### **Community Decay Regulations**

City Attorney Thomas Jodoin explained his proposal to amend the community decay regulations. He noted that the City has only cited one property owner in the last 10 years. The proposed changes would simplify and clarify which acts are prohibited and also create a civil enforcement procedure to be used instead of criminal prosecution.

Jodoin and Community Development Director Sharon Haugen explained that the property owner is often dealing with mental health or other issues and the appropriate service providers need to be involved. A civil enforcement procedure is a more appropriate way to address the issues in a timely manner.

In response to questions, Jodoin explained that the boulevard is the City right-of-way and residents cannot store items in the boulevard; and Haugen stated that the current screening requirement is different in different zones.

John Rundquist suggested that a resolution be prepared for formal action by the HCC and volunteered to prepare a draft resolution.

#### **Helena Wastewater Treatment Plant Update**

Dick Sloan explained that he is the HCC representative to the Lewis & Clark Water Quality Protection District. The City is looking at options for achieving compliance with new regulations affecting the Helena Wastewater Treatment Plant. It would cost approximately \$100 million to construct a wastewater treatment plant that complies with surface water regulations, so alternative options including other points of discharge are under consideration. John Rundquist stated that the pollution problem will not be solved unless other sources of pollution are addressed.

#### **City Budget**

HCC Treasurer Dick Sloan distributed a handout entitled "City of Helena Budget Process Flow Chart." Sloan intends to propose to the City Manager that 2 or 3 people from the HCC meet informally with City department representatives in mid-December. The first step will be to meet with the City Manager on Dec. 12. Sloan wants to be involved in the budget process early. Sarah Sadowski expressed interest in obtaining a copy of the budget instructions.

### **Helena Civic Center Management**

Flannery Harpole presented a proposed recommendation from the Sapphire Team regarding Civic Center Management. She explained that three HCC members met with the consultant hired to prepare a business plan for the Civic Center. She reported that the consulting firm was doing an excellent job and the Civic Center has hired a new manager. The HCC requested that the Sapphire Team bring a report from the fact-finding team to the HCC after the consulting firm's recommendations are presented.

### **Nominating Committee**

At the October meeting, Denise Roth Barber, Bob Habeck, and Tom Woodgerd volunteered to serve on the nominating committee. Chair Gary Spaeth stated that he would appoint a nominating committee

### **Next Meeting**

The next regularly scheduled meeting will be held on January 25, 2017. Chair Gary Spaeth requested an update from each fact-finding team in January. Secretary Mary Ann George encouraged teams to let go of topics and move on to something else if the current topic isn't going anywhere. The Executive Committee may call a special meeting before January 25.

### **Adjournment**

The meeting was adjourned at 9:00 p.m.