

CITY OF HELENA
City Commission Meeting
August 23, 2021 - 6:00 PM
City-County Building, Room 330
Zoom Online Meeting: <https://zoom.us/j/96919178312>

Time & Place

A regular City Commission meeting was held on Monday, August 23, 2021 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/96919178312>, as well as, the City Commission Chambers at 316 N. Park Ave, Helena 59623.

Call to Order and Roll Call

(00:01:45) Mayor Pro Tem Haladay requested City Clerk Clayborn call roll call: City Attorney Jodoin, City Manager Harlow-Schalk, Commissioner Dean, Commissioner Logan, Commissioner O'Loughlin, and Mayor Pro Tem Haladay all responded present. Mayor Pro Tem Haladay and Commissioner Logan participated virtually via Zoom and Commissioners Dean and O'Loughlin participated in-person. Clerk of the Commission, Danna Clayborn informed the Commission that Mayor Collins would be in attendance, however he would be a few minutes late.

Pledge of Allegiance

(00:02:14) Mayor Pro Tem Haladay asked those persons present to please stand and join him in the pledge of allegiance.

Minutes

A. Regular Commission Meeting - April 19th, 2021

(00:02:40) With no objections, the minutes were accepted as submitted.

Board Appointments

A. Airport Authority Commission; Board of Adjustment; Business Improvement District (BID); City Zoning Commission; Consolidated City-County Planning Board; Helena Housing Authority (HHA); Helena Open Lands Management Advisory Committee (HOLMAC); Helena Public Arts Committee (HPAC)

(00:03:12)

Airport Authority Commission

Appointment of Bob Heberly to an Interim Appointment on the Helena Airport Authority Commission. Term will begin upon appointment and expire on September 1, 2022.

Board of Adjustment

Appointment of Tracy Egeline to a first term on the Board of Adjustment. Term will begin upon appointment and expire on August 31, 2024.

City-County Consolidated

Appointment of Michael McCabe to a first term on the City-County Consolidated Planning Board as a city representative. Term will begin upon appointment and expire on September 1, 2024.

City Zoning Commission

Appointment of Alyssa Sorenson to an Interim Appointment on the City Zoning Commission. Term will begin upon appointment and expire on September 30, 2023.

Helena Business Improvement District (BID)

Appointment of Sean Morrison to an Interim Appointment on the Helena Business Improvement District. Term will begin upon appointment and expire on October 31, 2023.

Helena Housing Authority (HHA)

Appointment of Judy Nielson to an unexpired term on the Helena Housing Authority. Term will begin upon appointment and expires on August 1, 2026.

Appointment of David Ragghanti to a second term on the Helena Housing Authority as a resident representative. Term will begin upon appointment and expires on August 1, 2023.

Appointment of Liese Zebrun-Gero to a second term on the Helena Housing Authority as a housing commissioner. Term will begin upon appointment and expires on August 1, 2026.

Helena Open Lands Management Advisory Committee (HOLMAC)

Appointment of Grant Jackson to a first term on the Helena Open Lands Management Advisory Committee. Term will begin upon appointment and expire on June 30, 2024.

Helena Public Art Committee

Appointment of Maxwell Hay to an Interim Appointment on the Helena Public Art Committee. Term will begin upon appointment and expire on December 31, 2022.

Appointment of Helen Paulson to an Interim Appointment on the Helena Public Art Committee. Term will begin upon appointment and expire on December 31, 2023.

Appointment of Meghan Harrington to an Interim Appointment on the Helena Public Art Committee. Term will begin upon appointment and expire on December 31, 2023.

(00:03:36) Mayor Pro Tem Haladay referenced current negotiations between the Airport and the city and questioned if the applicant for the Airport Authority Commission had been vetted to make sure the city's representative would represent both the city's and airport's interests or if the appointment might lend to the adversarial stance that the Airport has taken with regard to the payment of assessments.

(00:04:20) City Manager Harlow-Schalk stated the appointment of this person did not receive a review with that analysis by the City Manager's office.

(00:04:37) Clerk of the City Commission, Dannai Clayborn informed the Commission that appointment of the boards is a recommendation by the Mayor who reviews the applications. This application was brought forward to the Commission at the August 18, 2021 Administrative Meeting for discussion and it was not her understanding at the time that there was any objection to the appointment.

(00:05:07) Mayor Pro Tem Haladay apologized for being unable to attend the Administrative Meeting and clarified that he was not objecting to the appointment, rather he was curious if the city discussed this as potential issue.

(00:05:23) City Clerk Clayborn confirmed that no discussion of that nature was had.

(00:05:32) City Manager Harlow-Schalk stated that she was unaware of a reason the city would have any concern over this appointment.

(00:05:50) Commissioner Dean moved to approve the board appointments for the following boards: Airport Authority Commission; Board of Adjustment; Business Improvement District (BID); City Zoning Commission; Consolidated City-County Planning Board; Helena Housing Authority (HHA); Helena Open Lands Management Advisory Committee (HOLMAC); and Helena Public Arts Committee (HPAC). Commissioner O'Loughlin seconded the motion. The motion carried 4:0.

Consent Agenda

- A. Claims
- B. Adoption of the Official Zoning Map for the City of Helena with a revision date of August 31, 2021

(00:08:30) City Manager Harlow-Schalk recommended a motion to approve Consent Agenda Items A through B.

(00:09:40) Commissioner O'Loughlin made a motion to accept Consent Agenda Items A through B. Commissioner Dean seconded the motion.

(00:10:07) There were no public comments.

(00:10:24) The motion carried 4:0.

Communication/Proposals from Commissioners

(00:10:50) There were no comments or proposals from the Commission.

Report of the City Attorney

(00:10:58) City Attorney Jodoin had nothing to report.

Report of the City Manager

City Manager Harlow-Schalk provided updates to the commission regarding the following:

- (00:11:04) The Transportation Security Administration has extended its mask wearing requirement on public transit through January 18, 2022. Therefore, masks will be required within our city's Capital Transit Bus system.
- (00:12:01) Public Works Director, Ryan Leland gave a project update to the Commission regarding Rodney Street, Benton Avenue, and Euclid Avenue.

(00:16:48) Discussion was had between the Commission and Director Leland regarding the timeline of when and how projects are added or subtracted to the city's list of active projects.

Communications from the Helena Citizens Council

(00:19:58) HCC representative, Benjamin Kuiper gave a report.

(00:21:12) There were no questions by the Commission for Mr. Kuiper.

Regular Items

- A. A Resolution removing one streetlight in the alley behind 510 West Lawrence Street from Special Improvement Lighting District No. 362 in the City of Helena, Montana.

(00:21:35) City Manager Harlow-Schalk gave a brief introduction to Regular Item A.

(00:22:44) Discussion was had between Commissioner Dean and city staff on how the process could be improved specifically in addressing the timeline to address such issues.

(00:24:47) There were no further questions by the City Commission.

(00:25:13) There were no public comments.

(00:25:31) Commissioner Dean moved to approve a Resolution removing one streetlight in the alley behind 510 West Lawrence Street from Special Improvement Lighting District No. 362 in the City of Helena, Montana. Commissioner Logan seconded the motion.

(00:26:00) Discussion was had between Commissioner O'Loughlin and city staff regarding the public protest process and how the public safety component was evaluated.

(00:28:58) The motion carried 4:0.

- B. A Resolution Amending Resolution No. 20411 that created Special Improvement Lighting District No. 225 in the City of Helena to alter the boundaries of and add twenty-nine streetlights in SILD No. 225.

(00:29:22) City Manager Harlow-Schalk gave a brief introduction to Regular Item B.

(00:30:57) There were no further questions by the City Commission.

(00:31:08) There were no public comments.

(00:31:46) Commissioner Logan moved to approve a Resolution Amending Resolution No. 20411 that created Special Improvement Lighting District No. 225 in the City of Helena to alter the boundaries of and add twenty-nine streetlights in SILD No. 225. Commissioner O'Loughlin seconded the motion. The motion carried 4:0.

- C. A Resolution creating Special Improvement Lighting District No. 399 in the City of Helena, Montana.

(00:32:38) Mayor Pro Tem Haladay acknowledged City Manager Harlow-Schalk's recommendation to move or delay Regular Item C until a full Commission quorum of five (5) was present to vote.

(00:33:00) There was a general consensus by the Commission to move or delay Regular Item C down the Agenda until Mayor Collins arrived.

(00:46:04) City Manager Harlow-Schalk gave a brief introduction to Regular Item C.

(00:46:39) Finance Director, Sheila Danielson presented to the Commission a PowerPoint for Regular Item C.

(00:48:02) Commissioner Dean asked Director Danielson if the proposal was for one hundred and five (105) properties and Director Danielson confirmed that to be correct.

(00:48:22) Discussion was had between Commissioner Haladay and city staff regarding how the cost that will be imposed on the residents is determined.

(00:52:55) Discussion was had between Commissioner Dean and Director Danielson regarding how the city planned to improve their processes to prevent these types of issues in the future.

(00:56:23) Northwest Energy Director of Community Connections, Rick Edwards addressed the Commission and spoke in support of the proposed Resolution.

(01:00:50) Commissioner Haladay and Mr. Edwards discussed Northwestern Energy's public outreach process approaching the petition in this case.

(01:01:28) There were no further questions by the City Commission.

(01:01:43) Clerk of the Commission, Dannai Clayborn read a written public comment into the record from Sonda Gaub.

(01:02:03) Commissioner Dean stated this issue was a lesson learned and she was supportive of the work city staff were doing to improve this process. Commissioner Dean was empathetic for those folks who protested this, however she also noted that over 90% of the district did not protest.

(01:03:10) Commissioners O'Loughlin and Haladay voiced their concern over the property tax increase to these individuals and the lack of information regarding how these rates are established by Northwestern Energy. In conclusion, Commissioner Haladay described alternative methods that Northwestern Energy could've taken for a much healthier and transparent public process.

(01:06:46) Mayor Collins asked city staff how many letters of outreach were sent to the neighborhood informing them. Staff confirmed the first and second letters indicated that should the light district not

be approved, then Northwestern Energy may consider coming in and removing the lights. This information was boldened in the second letter for emphasis. All residents within the district were sent a letter informing them that the public hearing would be happening tonight. Staff confirmed there were seven (7) protests after the first round of notices were sent to property owners, and there were nine (9) protests and three (3) public comments after the second round of notices some of which were the same individuals protesting.

(01:09:00) There were no further comments.

(01:09:03) Commissioner Logan moved to approve a Resolution creating Special Improvement Lighting District No. 399 in the City of Helena, Montana. Commissioner Dean seconded the motion. The motion carried 3:2 with Commissioners Haladay and O'Loughlin voting nay.

Public Hearings

- A. Demolition for a garage at 400 Floweree Street and that approval be contingent upon receipt of and review by the Helena/Lewis and Clark County Heritage Tourism Council of a revised site plan.

(00:33:59) City Manager Harlow-Schalk gave a brief introduction to Public Hearings Item A.

(00:34:25) Community Development Director, Sharon Haugen presented to the Commission a PowerPoint for Public Hearings Item A.

(00:39:12) Mayor Pro Tem Haladay acknowledged Mayor Collins arrival to the meeting.

(00:39:36) Discussion was had between Commissioner Haladay and Director Haugen regarding the process that would follow a conditional approval contingent upon receipt of and review by the Helena/Lewis and Clark County Heritage Tourism Council.

(00:42:54) There were no further questions by the City Commission.

(00:43:16) The applicants, Hanna Warhank and Daniel Stevens addressed the Commission and spoke in support of the proposed demolition.

(00:44:10) There were no public comments.

(00:44:26) Commissioner Dean disclosed to the Commission that the proposed property was directly next door to a family member. However, after consulting the City Attorney, Commissioner Dean was advised that there was not a conflict, and she did not have to recuse herself from the vote.

(00:44:57) Commissioner Logan moved to approve the granting of a demolition for a garage at 400 Floweree Street and that approval be contingent upon receipt of and review by the Helena/Lewis and Clark County Heritage Tourism Council of a revised site plan. Commissioner O'Loughlin seconded the motion. The motion carried 5:0.

- B. A Resolution specifying the assessment option for the Street Maintenance and Improvements District NO. 1 for Fiscal Year 2022 and levy and assess all properties within the district.

(01:10:05) City Manager Harlow-Schalk gave a brief introduction to Public Hearings Item B.

(01:12:15) There were no questions or comments by the City Commission.

(01:12:29) There were no public comments.

(01:12:41) Commissioner Dean moved to approve a Resolution specifying the assessment option for the Street Maintenance and Improvements District NO. 1 for Fiscal Year 2022 and levy and assess all properties within the district. Commissioner O'Loughlin seconded the motion. The motion carried 5:0.

Public Communications

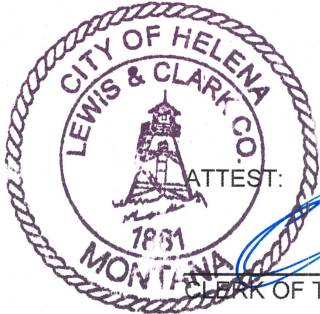
- A. Letter/Public Comment Street Assessments – Sandrock

(01:13:27) Mayor Collins acknowledged a letter from Mr. Sandrock was received and entered into the public record.

(01:13:56) There were no public comments.

Adjournment

(01:14:13) There being no further business to come before the City Commission, the meeting adjourned at 7:14 p.m.



CLERK OF THE CITY COMMISSION

A handwritten signature in blue ink, appearing to read "D. Ameller", is written over a horizontal line.

MAYOR