

**CITY OF HELENA**  
**City Commission Meeting**  
**September 7, 2021 - 6:00 PM**  
**City-County Building, Room 330**  
**Zoom Online Meeting: <https://zoom.us/j/94914328787>**

**Time & Place**

A regular City Commission meeting was held on Tuesday, September 7, 2021 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/94914328787>, as well as, the City Commission Chambers at 316 N. Park Ave, Helena 59623.

**Call to Order and Roll Call**

**(00:00:54)** Mayor Collins requested City Clerk Clayborn call roll call: City Attorney Jodoin, City Manager Harlow-Schalk, Commissioner Dean, Commissioner Logan, Commissioner O'Loughlin, and Mayor Collins all responded present. Commissioner O'Loughlin participated virtually via Zoom. Commissioner Haladay advised the City Clerk that he would be late due to the Board of Adjustment meeting.

**Pledge of Allegiance**

**(00:01:34)** Mayor Collins asked those persons present to please stand and join him in the pledge of allegiance.

**Minutes**

**(00:02:15)**

- A. Regular Commission Meeting - May 17th, 2021
- B. Regular Commission Meeting - June 28th, 2021
- C. Regular Commission Meeting - July 12th, 2021
- D. Regular Commission Meeting - August 9, 2021

**(00:02:39) With no objections, the minutes were accepted as submitted.**

**Proclamations**

- A. Suicide Prevention Month

**(00:02:43)** Mayor Collins read the Proclamation and declared September 2021 as Suicide Prevention Month – Hope, Resilience & Recovery throughout the City of Helena, Montana.

**(00:16:13)** Linda Kinsey, representing the Lewis and Clark County Suicide Prevention Coalition addressed the Commission and spoke in support of the Proclamation.

**Board Appointments**

- A. **(00:06:32)** Regional Airport Authority Commission; Business Improvement District (BID); Heritage Preservation & Tourism Board; Non-Motorized Travel Advisory Council (NMTAC).

<b>Airport Authority Commission</b>	Reappointment of Tom McGree to a second term on the Helena Airport Authority Commission. Term will begin upon appointment and expire on September 1, 2024.
<b>Business Improvement District</b>	Appointment of Seth Brandenberger to an Interim Appointment to the BID*. Term will begin upon appointment and expire on October 31, 2022.
<b>City-County Heritage Preservation &amp;</b>	Reappointment of Tom O'Connell to a second term on

**Tourism Board**

the City-County Heritage Preservation & Tourism Board as its joint member. Term will begin upon appointment and expire on June 30, 2024.

**Non-Motorized Travel Advisory Council (NMTAC)**

Appointment of Kevin Rechko to a first term on the Non-Motorized Travel Advisory Council. Term will begin upon appointment and expire on March 31, 2024.

**(00:10:03) Commissioner Logan moved to approve the board appointments for the following boards: Regional Airport Authority Commission; Business Improvement District (BID); Heritage Preservation & Tourism Board; Non-Motorized Travel Advisory Council (NMTAC). Commissioner Dean seconded the motion. The motion carried 5:0.**

**Consent Agenda**

**A. Claims**

**(00:12:03)** City Manager Harlow-Schalk recommended a motion to approve Consent Agenda Item A.

**B. Westside Major Phased Subdivision applicants request for a 30-working day extension to the subdivision review period, thus moving the City's decision deadline from October 13, 2021, to November 29, 2021.**

**(00:12:48)** City Manager Harlow-Schalk recommended a motion to approve Consent Agenda Item B.

**(00:15:04) Commissioner Dean made a motion to accept Consent Agenda Items A through B. Commissioner Logan seconded the motion. The motion carried 5:0.**

**Communication/Proposals from Commissioners**

**(00:18:03)** Commissioner Logan thanked the Helena Fire Department for their response that morning at 24 South Ewing Street, better known as the Tower Hill Apartments.

**(00:21:12)** Commissioner Logan expressed his desire to begin attending the Golf Advisory Board meetings and asked the rest of the Commission if they had any concerns or objections. There were no objections by the other Commissioners.

**(00:22:15)** Commissioner O'Loughlin proposed the Commission formally discuss moving all Commission meetings back to being entirely remote given they were already transitioning back. Mayor Collins agreed and asked City Manager Harlow-Schalk to reach out to the Lewis and Clark County Health Department for their guidance.

**(00:24:32)** The Commission discussed their preference for holding virtual meetings.

**Report of the City Attorney**

**(00:26:58)** City Attorney Jodoin had nothing to report.

**Report of the City Manager**

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

- **(00:27:09)** Manager Harlow-Schalk recommended tabling Regular Item A.
- **(00:27:45)** Manager Harlow-Schalk thanked the Helena Fire Department for responding to the fire at the Tower Hill Apartments.
- **(00:31:20)** Manager Harlow-Schalk informed the Commission that she as well as City Attorney Jodoin were working with the Department Directors to see how they might be able to reduce transmission rates among city staff.

**Communications from the Helena Citizens Council**

(02:26:23) HCC representative, Karen Wilson gave a report.

### Regular Items

- A. Consider an Emergency Ordinance Establishing an Application Fee for Companies Seeking New Cable or Telecommunications Franchises or Other Agreements for Use of City Right-Of-Way or Facilities within the City Limits of the City of Helena, Montana, and Requiring Companies to Reimburse the City for Reasonable Outside Attorneys Fees, Consultants Fees and Expenses Incurred in Connection with such Telecommunications Franchises or Other Agreements.

**(00:34:10) Commissioner Dean moved to table Regular Item A. Commissioner O'Loughlin seconded the motion. The motion carried 5:0.**

- B. Consider First Passage of an Ordinance amending Title 5, Chapter 7, of the Helena City Code by changing certain definitions found in 5-7-11 and setting a public hearing date for September 20, 2021.

(00:35:08) City Manager Harlow-Schalk gave a brief introduction to Regular Item B.

(00:35:42) Deputy City Attorney, Erik Coate addressed the Commission and gave a report on Regular Item B.

(00:37:39) Discussion was had between Commissioner Dean and Deputy Attorney Coate regarding the impacts that would result should this ordinance take effect.

(00:40:56) There were no public comments.

**(00:41:11) Commissioner Logan moved to approve first passage of an Ordinance amending Title 5, Chapter 7, of the Helena City Code, by changing certain definitions found in § 5-7-11 and setting a public hearing date for September 20, 2021. Commissioner O'Loughlin seconded the motion. The motion carried 5:0.**

- C. Consider a Resolution annexing an 11.42-acre parcel from a tract legally described as Tract A-1-A-1-A-1-A-1-A-1-A as shown on Certificate of Survey No. 3368415 generally located north of Jeannette Rankin Drive and east of South Alice Street in Lewis and Clark County, Montana, into the City of Helena, Montana.

(00:43:00) City Manager Harlow-Schalk gave a brief introduction to Regular Item C.

(00:43:54) Planner II, Michael McConnell addressed the Commission and gave a report on Regular Item C.

(00:48:42) The project engineer, Greg Wirth of Stahly Engineering addressed the Commission and spoke in support of the Resolution.

(00:49:27) Discussion was had between the Commission, city staff and the applicants regarding the number of lots that have already been developed and how many still needed to be developed.

**(00:52:37) Commissioner O'Loughlin moved to approve a resolution annexing The Craftsman Village Phase 6 of The Crossroads at Mountain View Meadows Subdivision in Lewis and Clark County, into the City of Helena, Montana. Commissioner Dean seconded the motion. The motion carried 5:0.**

- D. Consider approval of a final plat for the Craftsman Village Major Subdivision creating 41 lots and street right-of-way from approximately 11.42 acres and to accept the dedication to the City of the property and public improvements so designated thereon, for property legally described as an approximately 11.42-acre portion of A-1-A-1-A-1-A-1-A-1-A as shown on Certificate of Survey No. 3368415 in the records of the Clerk and Recorder of Lewis and Clark County, Montana.

(00:53:58) City Manager Harlow-Schalk gave a brief introduction to Regular Item D.

(00:43:54) Planner II, Michael McConnell addressed the Commission and gave a report on Regular Item D.

(01:00:27) The project engineer, Greg Wirth of Stahly Engineering addressed the Commission and spoke in support of the Resolution.

**(01:02:43) Commissioner Logan moved to approve the final plat for the Craftsman Village Phase 6 Major Subdivision creating 41 lots and street right-of-way from approximately 11.42 acres and to accept the dedication to the City of the property and public improvements so designated thereon, for property legally described as an approximately 11.42-acre portion of tract A-1-A-1-A-1-A-1-A-1-A as shown on Certificate of Survey No. 3368415 in the records of the Clerk and Recorder of Lewis and Clark County, Montana. Commissioner Haladay seconded the motion. The motion carried 5:0.**

- E. Consider a Dedication of a sixty-foot (60') wide Vandelay Avenue right-of-way (ROW) and the seventy-foot wide (70') Oakes Street ROW to allow for construction of sidewalks and on-street parking within public ROW, for property generally located south of Prospect Avenue, north of 11th Avenue, and east of North Sanders Street, in the City of Helena, Montana.

(01:04:18) City Manager Harlow-Schalk gave a brief introduction to Regular Item E.

(01:05:36) Planner II, Ellie Ray addressed the Commission and gave a report on Regular Item E.

(01:11:35) Discussion was had between the Commission and city staff regarding the proposed and existing width of Sanders Street, as well as the proposed perpendicular parking along Vandelay Avenue. Additional discussion was had between the Commission and city staff regarding the complications surrounding Vandelay Avenue such as fire and emergency access and its deviations from engineering standards.

(01:45:35) The project engineer, Greg Wirth of Stahly Engineering addressed the Commission and spoke in support of the proposed right-of-way dedication.

(01:53:10) Mayor Collins asked Mr. Wirth if there was any reason his team could not go back and accommodate a dedication for sixty (60') feet. Mr. Wirth explained the parallel parking is not very efficient, especially in a commercial area such as this. The desire from the development perspective is to have perpendicular shared parking in lieu of parallel parking.

(01:54:30) Additional discussion was had between Commissioner Haladay, Director Knoepke and Mr. Wirth regarding what would be required per the city's engineering standards. In conclusion, Commissioner Haladay stated that he did not believe the Commission could take the staff's recommendation given the applicant is not offering a sixty-foot (60') wide right-of-way (ROW) on Vandelay Avenue.

(01:56:54) Commissioner Dean voiced her concerns over the proposed sidewalks on Vandelay Avenue.

(01:58:09) Discussion was had between Commissioner O'Loughlin and Mr. Wirth regarding the proposed sidewalks as well as how this proposal compares to that of the Great Northern Town Center.

(02:03:14) Dani Grebe of LPW Architects and speaking in the interest of Benefis Health System, addressed the Commission and spoke in favor of the proposed dedication.

(02:04:24) Mark Esponda of Dick Anderson Construction, addressed the Commission and spoke in favor of the proposed dedication.

(02:07:15) There were no further public comments.

(02:09:15) Mayor Collins proposed the Commission tabled this item until further information or adjustments have been provided. Commissioners Dean spoke in support of tabling the item.

**(02:14:08) Commissioner Dean moved to table Regular Item E for a future agenda. Commissioner Logan seconded the motion to table. The motion carried 5:0.**

#### Public Hearings

- A. Consider a Resolution providing for the annual tax levy in mills for the Fiscal Year beginning July 1, 2021, and ending June 30, 2022.

(02:15:13) City Manager Harlow-Schalk gave a brief introduction to Public Hearing Item A.

(02:16:12) Budget Officer, Christopher Couey addressed the Commission and gave a report on Public Hearings Item A.

(02:24:34) Commissioners Dean and O'Loughlin thanked Mr. Couey for his presentation.

(02:25:22) There were no public comments.

**(02:25:33) Commissioner Haladay moved to approve a Resolution providing for the annual tax levy in mills for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022. Commissioner Dean seconded the motion. The motion carried 5:0.**

- B. Consider a Resolution adopting Final Budgets, Budget Authorities, and Appropriations for the Fiscal Year beginning July 1, 2021, and ending June 30, 2022, and setting the salary for Municipal Court Judge.

(02:28:16) City Manager Harlow-Schalk gave a brief introduction to Public Hearing Item B.

(02:29:34) Finance Director, Sheila Danielson addressed the Commission and gave a report on Public Hearings Item B.

(02:33:26) City Manager Harlow-Schalk added by stating this budget represents a balanced budget. It is not increasing fines, fees, or assessments at this time and represents a current reflection, including carryover which was previously not a part of the budget.

(02:34:00) Commissioner Dean thanked city staff for the work plan update.

(02:34:50) Discussion was had between Commissioner Haladay and Director Danielson regarding the cost allocation changes.

(02:37:21) Discussion was had between Commissioner O'Loughlin, Director Danielson and City Manager Harlow-Schalk regarding ARPA funds and how it will be reflected in the budget.

(02:44:45) Discussion was had between Commissioner Haladay and Director Danielson regarding the cost allocation changes for various funds.

(02:48:27) There were no public comments.

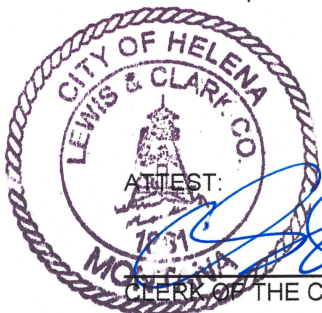
**(02:48:43) Commissioner Dean moved to approve a Resolution adopting Final Budgets, Budget Authorities, and Appropriations for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022, and setting the salary for Municipal Court Judge. Commissioner Logan seconded the motion. The motion carried 5:0.**

#### Public Communications

(02:49:49) There were no public comments.

#### Adjournment

(02:50:09) There being no further business to come before the City Commission, the meeting adjourned at 8:50 p.m.



CLERK OF THE CITY COMMISSION

MAYOR