



Helena Citizens' Council (HCC)
Minutes
February 23rd, 2022
Via Zoom

Meeting was called to order by HCC Chair Cole Rosling at 7:02pm 18:15

Attendance: Eric Seidle, John Andrew, Diana Hammer, Patricia Bik, Nancy Perry, Joe Lehman, Mike Rooney, Nolan Harris, Lowell Chandler, Paige Myers, Margaret Strachan, Emily Mowers, Michael Monaco, Rachel Okapal, Dylan Klapmeier, , Cole Rosling, Karen Wilson, Heidi Freidlander, Elizabeth Maida-Gerhart, Pat Bollinger, Chelly Hasquet, Bob Habeck, Susan Steffens, Peggy Benkelman (HCC Coordinator)

Excused: Ben Webster, Ryan Schwochert, TJ Lehman, Denise Roth-Barber, Susan Smith

Guests: Commissioners Eric Feaver & Melinda Reed, Emily Kittleson, Pat Marron, Forrest Zimmerman, Sarah Perry, LC, Colleen, Leandra MNA, Edward Santos, Dr. G Thomas.

A Quorum was established

Approval of January 2022 Minutes – A voice vote was taken. All in favor, no objections or abstentions. Minutes stand approved with no changes. 19:00

Public Comment on Non-Agenda Items None 19:15

Guest Speakers:

21:16 Commissioner Melinda Reed Speaks: Commissioner Reed states she moved here in 2013 after working with an International Humanitarian Organization for many years. She then was the Executive Director of the local non-profit The Friendship Center. She was there for about 5 years and was very impressed with the support that Helena mobilized around sexual and domestic violence. The new facility built was very helpful in support of these issues. After leaving the Friendship Center, Melinda again travelled overseas. Upon returning to Helena in 2019 and accepting the position of Interim City Manager, in early 2020, COVID 19 shut down the city. So, it was a very interesting time for her. She loved the job of interim and learned so much. She was in that position for 8 1/2 months. Currently she is working for the State Department of Health and Human Services on opioid prevention. When a City Commission position became open, Melinda decided to run. Both because she enjoyed working for the City and felt it important to have a female run for the office. Melinda states that campaigning was exhausting, but she felt she heard great things from community members. Issues Melinda heard from the community that were important to them were that they want the City to run the City. Our community wants high quality city services like streets, water and sewers. She heard that Helenans value open land and recreation for all, especially areas for seniors and those with disabilities to recreate in all seasons. Melinda says the housing crisis is not just about homelessness, but across the entire range of housing prices. Commissioner Reed looks forward to working in an active 2 way street with the HCC. She feels the HCC is a valuable resource to both the community and its commissioners.

27:48 Commissioner Eric Feaver Speaks: Eric states that he has lived in Helena for 50 years. He served as the chair of the original HCC for which he had an opponent to run against. He says having the HCC embedded in the City Charter is a good thing. The Commissioner worked for

many years for the Montana Federation of Public Employees. (MFPE) is **Montana's largest union**. He retired right before COVID hit. After being retired for a while, he decided to run for City Commission. During his campaign, he learned about city members' wants and wishes from going door to door. Many citizens asked what the City and Commission does. Citizens also wanted to know what party Eric belonged to. He explained that the City, the HCC and its employees are to remain non-partisan. Commissioner Feaver also had to often explain what the City does – saying it provided services to its citizens that they could not provide to themselves. Eric says the HCC has had a relationship with the Commission and also makes recommendations to the Commission. While the number of recommendations presented to the Commission by the HCC is commendable, he wonders how many have actually been adopted. This is something for the HCC to review. The City of Helena has many open positions now that need to be resolved:

- Permanent City Manager – one that stays for 5-10 years
- New Community Development Director
- New Parks, Open Lands and Recreation Director
- New City Attorney
- New Police Chief

There are also many controversial issues:

- Westside Subdivision
- Conditional Use Permit (CUP) for Casino on the Walking Mall
- L&C County asking for a public vote on 3% Marijuana Tax – on June Ballot – how will city utilize these funds.
- Lawsuit against the City on roads assessments – especially affecting Rodney and Knight St.
- Vacant Land and poorly attended properties all over town that could be improved upon.
- Open Land Issues: both natural and developed. Possible large recreation/event center being developed
- Absence of City Manager now during the early stages of the City Budget Process.

Commissioner Feaver looks forward to working collaboratively with the HCC and he mentions the HCC should push harder to get their recommendations heard and to get a response from the Commission.

Dylan Klapmeier – HCC Member asks what is/are the best way to communicate with city employees and the Commission? Eric says to always feel free to present ideas at the HCC's opening on the Commission agendas, participate in meetings as much as possible, and keep pushing on getting the HCC recommendations heard. Try to get in front of the Commission and be heard as much as possible.

Eric Seidle – HCC Member asks –When do you hope to hire a new City Manager?

Commissioner Feaver says that is a long process. Thomas Jodoin will only be acting manager until the end of March at which time they hope to have an interim manager in place while they start to look for a permanent City Manager. Eric Feaver reiterates he is not interested in another short term city manager (someone that stays for less than 5 years).

Unfinished Business:

49:14 Approval of Amendments to Bylaws: Floor is open for discussion regarding the changes to the HCC Bylaws. Diana Hammer motions to approve the Bylaws as amended, Mike Rooney seconds the motion. Floor opened again – any changes, comments or concerns? None noted. Cole Rosling elected to take a voice vote, all were in favor, none opposed and no abstentions. Motion passes, Bylaw amendments are approved.

52:55 Eric Seidle speaks regarding the Marijuana Tax. He helped lobby for the House Bill that became this proposed tax. Eric says there will be two separate questions placed on the upcoming ballot.

As far as income goes, the County can only guess about the amount of actual revenue. For example, state sales in January were around \$22M with \$12M from recreational and \$9M from medical. There may still be a market for medical sales in the future, but in 2 months of sales starting in 2022, there has been a marked slowing. Patients who use marijuana, feel it is just as easy to purchase it recreationally. A good question then, is there a point of taxing medical if the numbers are so low? L&C County could get \$600,000 if the 3% tax is implemented. Municipalities such as Helena could receive upwards of 45% of this \$600,000. It is more likely that Helena would receive about 25% of the \$600,000 which equals \$150,000. Helena may as well receive this tax money as it certainly will grow over time. Eric realizes that HCC makes recommendations to the City not the County, but it may be a good idea show the City Commission that HCC is in favor of the tax and would like to have and utilize it.

Heidi Freidlander – HCC District #6 – Heidi would like to speak with shop owners in her area. She is a nurse and is a proponent for the medical side of marijuana use. Eric Siedle says could ask shop owners their opinions as well.

Susan Steffens – HCC District #7 asks in the Chat Room – Would the price of marijuana still be the same for the consumer regardless of the tax? Eric replies that the price would be the same and that the only thing inflating the price is the County tax.

Dylan Klapmeier- Vice- Chair HCC wants to figure out what HCC's role is regarding the tax. This money may be outside of the budget that the HCC works with to make a recommendation.

Paige Myers – HCC District #3 – Ask: are there any counties that we can observe that take precedent? Eric Seidle thinks that Missoula County is the only one that has separated the taxes into recreational and medical. Eric feels the medical market will be gone within the next year.

Nolan Harris – HCC District #2 – Nolan is not sure what HCC's role will be in the marijuana tax issues. Maybe the HCC can disseminate info to the public via the HCC's Outreach Committee. Would a recommendation to the City Commission be a moot point since it is a County tax?

1:11:20 Diana Hammer speaks regarding the Westside Woods Development - The HCC District #1 had intended to bring a recommendation forward at this meeting, but the developer's subdivision of Westside Woods was denied. So now, the developer has to bring forward another development with many changes. Diana H. wants HCC members to understand how the development impacts both HCC District #1 and the entire City of Helena. The proposed development is mostly a concern for Public Health and Safety. It would:

- Substantially increase traffic – up to 2900 new car trips per day
- Create huge conflicts with work commutes and school pick-ups
- With little to no egress and many cul-de-sacs, creating few exits for emergency and fire routes
- Adequacy of water and sewer is questionable

Diana H. says they are not opposed to a development, just opposed to the design of this one.

Sarah Perry – Chair of Save Our Westside – Sarah has 3 children that attend Kessler Elementary School. Several neighbors were concerned about the safety and design of Westside Woods so they formed the group *Save Our Westside*. Sarah P. states again they are not opposed to development, just this one, the way it is designed. Its design has huge safety concerns. Public Safety is part of the City of Helena's growth policy.

Sarah P. shows two slides on the zoom of the development. Shown are the areas with single family homes, duplexes and four-plexes. Many of the street lengths are longer than 600ft -which is a violation of city code. There are only two access points to get to Highway 12 (Euclid) and they are via Granite St. (which is next to Kessler School) and Hiawatha St. So essentially the only access for over 500 homes is on Granite Street. School pick up at Kessler is already highly congested, problematic and chaotic. Parents are parking all over, even along Highway 12,

making U-turns etc. A construction truck got stuck and blocked traffic for hours. The group *Save Our Westside* presented a signed petition with 600 signatures to the City Commission stating their concerns. Many of the signees were EMTs, PAs, MDs and Trauma Specialists. This development is also in an area with extreme wildfire risk and with no way to evacuate quickly, there could be a terrible disaster in the case of a wildfire. Again, this group is not against development, but if access is too limited, then perhaps the number of homes being built in this area should be far less.

Eric Seidle – HCC District #1 – Eric states he is for this development and that Sussex Construction also has a petition with 600 signatures. Eric S. states that Jacob Kuntz of Habitat for Humanity is in favor of the development. Eric also says that MDT (Montana Department of Transportation) won't support another outlet for the development.

Sarah Perry – if there truly is only one exit for this large development, then there are too many houses being built there.

Forrest Zimmerman of Save Our Westside – Forrest says: the traffic study submitted by Sussex Construction was flawed and violated professional traffic standards. Helena's engineering standards say they should demonstrate a process that can be followed logically. Forrest states the study is very illogical and hard to follow and he is an engineer.

Pat Marron – 2590 Knight St. –Pat requests that HCC reach out to the developer and have a public forum with HCC, Sussex Construction, Save Our Westside and maybe include PPLT (Prickley Pear Land Trust) PPLT offered to purchase a portion of the development property making the housing less dense, but the developer refused.

Diana Hammer also wants to have a public forum with the developer, citizens of District #1, a city representative etc. Diana H. suggests next steps that would include closely following the development, a formal recommendation, and a public forum discussion.

1:42:49Paige Myers HCC District #3 – Paige asks if there is a formal trail within the development that will be disrupted? Would this development make Helena lose more of its trail system and further negatively affect what makes Helena special. Paige would like an update on trails in the area.

Eric Seidle HCC Member District #1 – Eric feels all members of HCC need education about the Westside Woods development.

Margaret Strachan HCC Member District #3 – Margaret notes that the Westside development affects all of the city, not just District #1. She feels it behooves HCC to know all the facts about the development because it may set a precedent for future developments. Margaret also wants to know the impact of the development on Kessler School which is already at full capacity. She would like to see the traffic studies and the school overcrowding study as well.

Edward Santos – Public Member, mentions in the Chat that Jacob Kuntz (Habitat for Humanity ED) spoke to the need for housing in Helena – he did not mention that he was specifically in favor of the Westside Development. Edward also mentioned that Sussex construction did have signatures but it was in the amount of less than 300, vs the 600 plus signatures gathered by Save Our Westside group.

Reports of Officers and Standing Committees:

Chair – Cole Rosling –Coles wishes to have a better process in terms of bringing matters forward for discussion at HCC meetings. Does the matter affect the city as a whole or is it just a District Issue?

Chair Rosling also wants to see how members feel about the future format of HCC meetings - continue with a more hybrid option – with both zoom and in person? Continue with meetings solely in person? Only Zoom?.

Emily Mowers wants to have more in-person meetings.

Nancy Perry states that from her experience, zoom has much better attendance.

Coordinator Peggy Benkelman says we don't have a room large enough for a hybrid option. We also need a large screen to display in the room. Maybe the best option is to have meetings at the Civic Center 3-4 times per year and then the other meetings would be via zoom. (for example, this meeting tonight has 33 attendees with 5 members of HCC excused= 38 people total. There is no way that room 326 can hold that many people – and we can't control the number of the public attending, or the number of HCC members attending in person)

Susan Steffens HCC District #7 – Susan likes the idea of having 3-4 meetings per year at the Civic Center and the rest on zoom.

HCC Officer and Committee Reports:

Chair Rosling Chair - would like for the HCC to have voting rights on more City Advisory Boards, especially on the Housing and Board of Adjustments. Are other members interested in joining those boards?

1:54:12 Dylan Klapmeier – Vice Chair – Dylan K. mentions that it would be nice for HCC to have voting rights on more of the boards mentioned. Also, please give the executive committee your feelings about future meeting formats – hybrid, in person, zoom etc.

Nolan Harris Treasurer – his meeting with the Finance Director (Sheila Danielson) was put on hold due to City Manager resignation. Nolan does ask for HCC members to join the Budget Committee. HCC's level in the budget report process needs to be determined. Areas of particular interest may be infrastructure. Nolan will approve the Outreach Committee water bill insert at next meeting – it is \$650 and it is already an item in the HCC budget.

Michael Rooney – Secretary – Mike reminds everyone to sign up to attend Commission Meetings – the calendar is almost full through June 2022. Peggy B. will send out the updated list. Mike says the Outreach Committee is looking for more members too. Upcoming events – Water bill insert \$650, Spring Art (May 13th) Walk Table at Ten Mile Brewery, Farmers Market Table \$250 (still in discussion).

Commission Attendees Reports

Dylan Klapmeier 1/5 & 1/24 – nothing new to update, agrees with what Commissioners Reed and Feaver shared tonight regarding city updates.

John Andrew – 1/10 – State of City Address. Mayor Collins stated the Accomplishments and Goals of the City. John suggested HCC members should check out the Be Heard Helena <https://beheardhelena.com/> and comment.

Karen Wilson – 1/19 – Karen mentions employee salaries will be a big challenge for the upcoming budget. The City is finding it hard to recruit. For example, Muni's restaurant cannot find employees or a manager. Pay increases may be in the forefront of the budget issues.

Denise Roth Barber 2/14 (Peggy Benkelman reads her notes) The Helena City Attorney (Thomas Jodoin) steps down. Two new Police officers were hired. More discussion was had about 3% marijuana tax.

Nolan Harris 2/23 – There was discussion about General Fund Savings. The Commission also requested more information about the Housing Trust Fund. Nolan says because the City Manager has stepped down, the budget meetings will still go forward but format is still being decided.

Coordinator Report – Peggy Benkelman – Peggy B. states she has no information about why the City Manager has quit. If/when information becomes available, she will report to the HCC. She continues to update websites, help formulate agendas, and prepare the minutes. Peggy B.

reminds HCC members that there is a free training at the Civic Center tomorrow, or via zoom, regarding board member training.

Committees Report

Outreach – Mike Rooney adds if any HCC members want to join, please contact him. He was elected as Chair of the Committee. He is hoping to have more social media outreach within Helena.

HOLMAC – TJ Lehman excused not report

Civic Center Steering Committee– John Andrew – John A. says because of City Manager's resignation, how the Civic Center will be managed in the future is on hold. Options were:

- Run by staff and still managed by the City
- Run by a non-profit, but still owned by the City
- Create a brand new Civic Center Advisory Board

HPAC (Helena Public Art Committee)– Eric Siedle – Eric, who is new to this board, says it is a good group. At the meeting he attended, a new Chair was voted in: Amanda Reese, with Vice-Chair Max Hay. The HPAC budget was reviewed as well.

NMTAC – Non-Motorized Transportation Advisory Council – Lowell C. advised the HCC of a lawsuit filed against the City. It questions the City's ability to assess street taxes. This is a major issue and will impact the City's ability to fund sidewalks, street rebuilds and continue on projects such as Rodney St. and Knight St. sidewalks.

Discussion was made about a railroad crossing on Benton Ave. and expanding the trail, but there are right-of-way issues.

2:17:19 There was a discussion about placing Flashing Lights near Jefferson School (HCC District #2) MDT confirmed that they would only place one flasher there, not two.

Better crossing proposals were being advertised for Lyndale and Montana Avenues.

Funding was discussed to pave the Centennial Trail to Henderson Ave.

TCC – Transportation Coordinating Committee – Joe Lehman – Joe L. states the committee only meets quarterly, so no new information.

Water Quality Protection District – Diana Hammer – At the January 2022 meeting the members noted that nitrate monitoring was going on in the Valley. They also plan to monitor arsenic level in wells in the valley.

Citizen Conservation Board – Denise Roth Barber report by Diana Hammer – At the meeting there was a report presented on greenhouse gases. Diana does mention that the City of Helena has saved an annual amount of \$670,000 because of energy conservation measures.

Library Board – Paige Myers – she was not able to attend, so no report.

Golf Course – Ryan Schwochert – excused from meeting so no report.

Cole Rosling – Chair – would like to see discussions carried over to next meeting regarding the Westside Development, the Marijuana Tax, the possible Casino on the walking mall.

Emily Mowers – she mentions she is on the board of “Young Professionals” and perhaps they could have an informal meeting with HCC and help with community outreach. Emily states she would like to be a member of the Outreach Committee.

Meeting Adjourned at 9:07 PM by Chair Cole Rosling

Next meeting will be March 23rd, via Zoom