



Helena Citizens' Council (HCC)

Minutes

July 26th, 2023, 7-9PM
Room 326 or via Zoom

Meeting was called to order by Chair Cole Rosling at 7:05PM

Attendance: John E Andrew, John R. Andrew, Diana Hammer, Nancy Perry, Joe Lehman, Ben Kuiper, Paige Myers, Bob Schlack, Cole Rosling, Steve Allen, Bob Habeck, Denis Roth Barber, Chelly Hasquet, Peggy Benkelman (coordinator)

Excused: Pat Bik, Lowell Chandler, Nolan Harris, Emily Mowers, Susan Steffens, Rick Boleware, Ryan Schwochert, Erinn Donnell

Absent: Michael Monaco, Margaret Strachan, Heidi Friedlander

Guests - David Knoepke and Chris Couey (Transportation Department)

A Quorum was established – yes

Approval of June 2023 Minutes – Chair Rosling opens the floor to comments/discussion/changes to the June Minutes. Paige Myers mentions the Library will have 3 showings of movies in August and her name was misspelled later in the minutes. Diana Hammer says the EV charging stations are at the Golf Course and the Jackson St. Parking Garage (not 6th St.) Chair Rosling moves to approve the minutes as amended. All were in favor.

Public Comment – none

8:01 Guest Speakers – David Knoepke and Chris Couey (From the City Transportation Dept.)

David K. mentions the new solar array at the City Shop where the Transportation Office is located. He says the new MPO (Metropolitan Planning Organization) was/is formed from the 2020 Census and Urban census. Blocks were redrawn and now the area does exceed 50K people, so an MPO can now be formed. There are many requirements to form an MPO such as Bylaws, Plans and Committees. The City's Transportation Coordinating Committee was dissolved due to a requirement from the State Department of Transportation. To form the MPO the following is needed:

1. Designation Letter signed by Helena, E Helena and L&C County needs to have signatures from all three entities.
2. Interlocal agreements: who is involved – meetings – committees – cost (where monies will be spent).
3. Designation Letter Signed by the Governor
4. Plans

Committees that will most probably be formed in relation to the MPO are:

1. **Policy Coordinating Committee** – made up of elected officials e.g. Helena Mayor, E Helena Mayor, L&C County Chair of Commission, MDT (Montana Department of Transportation) Representative.
2. **Technical Advisory Committee** – Persons in the Industry of Transportation and Planning. City of Helena, East Helena, L&C County, Engineers, School Districts and a handful of non-voting members of the public, so that they can be kept informed of what is happening and can bring forth their ideas.

3. UPWP (Unified Planning Work Program) This document, that will be completed over the next year with the funds that the MPO received. This is in the Public Participation Plan. The Long-Range Transportation Plan (LRTP) needs to be updated, and go to the State and Feds for official designation. Hope to have that completed by November of 2023.

Diana Hammer asks where will the HCC get information now that the Transportation Coordinating Committee has been disbanded? David Knoepke says you can always contact him via phone or email.

John E. Andrew asks if Senate Bill 382 will affect the LRTP? David Knoepke answers that a designated body has to make up 75% of the MPO. Helena will have to be designated as the Policy Coordinating Committee of the MPO.

Diana Hammer asks if the MPO enables Helena to receive more funding? David Knoepke says yes, but most money is Planning Grant Money. It is a static Grant that will be divided 5 ways, between Billings, Great Falls, Missoula, Bozeman and Helena. A staff person will need to be hired to manage the MPO.

Other Transportation projects were noted: paving of 11th Ave. has been complete. Phoenix Ave is next for paving. Work continues on other trouble spots, such as pot holes. The new electric sweeper is working well. Transit numbers are up.

Peggy Benkelman (coordinator) asks when MPO meetings may start and if information on them will be posted on the City's webpage. David Knoepke notes that the meetings may start within the next 6 months and probably the MPO will have its own webpage embedded in the City of Helena website.

Cole Rosling welcomes new HCC members Bob Schlack District #4 and Rock Boleware District #5.

Officer Reports

Chair – Cole Rosling – Cole mentions he is resigning because of his move out of his District (out of the city limits)

24:31 HCC members thank Cole for all his hard work – they congratulate him on the quality of the work.

Vice-Chair – Ben Kuiper – Ben mentions the letter regarding HCC having membership/voting rights on advisory boards that was mailed to HCC members from the Commission. The letter states that HCC members will be removed from advisory boards immediately. This decision is the polar opposite of what was decided at the June 20th Commission Meeting. Ben K. explains the importance of having HCC members sit on boards so that the HCC can make better informed decisions/recommendations to the Commission. Many HCC members do not agree with the Local Government Center's reasonings for the removal of HCC members. A letter of disagreement will be crafted and sent to the Commission.

John R. Andrew attended the Commission meeting on July 24th where the decision to remove HCC members from boards was discussed. He was surprised because less than a month ago the decision was the opposite. He feels this shows a real communication problem between the Commission, the HCC and the public.

Diana Hammer – talked with Ashely from Local Government Center (LGC) in Bozeman. Diana felt there is a lot of misunderstanding about who the HCC is (an elected body) and what they do.

Diana H. feels this situation is a bit heavy-handed and seems to limit HCC's abilities to serve the public and make quality recommendations to the Commission. The Commission feels that the public may get the idea that the only way Commissioners can be reached is through the HCC, which is very much an unfounded idea. The idea was brought up to have a facilitated discussion with the LGC, the Commission and the HCC. Diana Hammer asks if the HCC would like to vote on having such a facilitated discussion.

Denise R. Barber – Denise agrees that the letter removing all HCC members came from left field. She attended the June 20th meeting with the Commission and at that time the Commission

agreed to have HCC remain on boards and retain their voting rights. Now, they did an about face on that issue. It seems certain members of the Commission did not like the consensus decision, so went elsewhere (the LGC) to get the answer they wanted. The Commission received quality guidance from HCC members, and guidance from the LGC. After approving our request on June 20th – to retain HCC members on boards and continue to allow them voting rights - the Commission took guidance from the LGC which reversed their decision. It feels like the Commission is neutering the effectiveness of these boards. Denise would like a letter, (approved by the HCC) sent to the Commission, stating their disagreement with their decision on removing HCC members from advisory boards. Denise is not interested in having a facilitated discussion.

Denise R. Barber says it seems the Commission does not value or respond to our HCC recommendations/communications. The HCC rarely gets acknowledged when they submit them.

John E. Andrew states sometimes the Commission loses sight of the goals of HCC. They have been trying to streamline/consolidate boards for the 6 years that John has been on the HCC. He wants to continue to try to improve communication with the Commission.

Cole Rosling asks Nancy Perry or Bob Habeck, since they have served on HCC for several years, if they have any additional advice to add.

Bob Habeck says he is tired of this topic. The recent letter from the Commission seems like a done deal. The HCC needs to consider the long gain. After elections, and when a new Mayor and Commissioners are elected, is the time to really engage the topic again. Bob does feel the HCC needs to write a letter of disagreement to the Commission. Bob H. likes what HCC member Lowell Chandler wrote in his email (attached at the end of these minutes). The HCC should strive to maintain its goals stated in the City Charter, and start re-grouping.

Nancy Perry – Nancy wonders if the LGC is fully aware of what HCC does, that it is an elected body, not just an appointed body. Nancy wonders if there are equivalent organizations in the State of Montana that are similar to the HCC. Regardless of what the LGC says, the Commission is capable of acting and making their own decisions.

Ben Kuiper – reads the email from HCC member Lowell Chandler.

Denise R. Barber - says the Commission feels there shouldn't be the same person serving on a board and on the HCC – that they then get “two bites of the apple”. This is not true in that neither an advisory board, nor the HCC makes laws/ordinances. All they give is advice and recommendations. Also, there seems to be continuous openings for the public to serve on boards, and the openings are never filled. Removing HCC members, just creates more board openings. HCC likes having the input from serving on boards. The HCC feels more informed with their members going to these meetings. In the future, if HCC members have no voice or voting rights on the board, it is less likely they will attend. HCC members are purely volunteer and their time is valued.

Diana Hammer – The city is not knee deep in applications to serve on boards. This recent letter from the Commission may actually result in resignations from these boards – making the public feel like “what is the point”.

John R. Andrew – When you take away the voice and voting rights of a board member – you may end up with less concentration of public input and more power to the Commission with a narrowing opinion. There may not even be an upcoming election because there are no applications, and no one wants to run for office.

In response to Diana Hammer's ask about a facilitator for a discussion between the Commission and HCC – this may be a good idea and have a positive outcome with the right facilitator.

John R Andrew - agrees with Lowell Chandler's letter and think we should have advisory board chairs come to HCC meetings to present updates.

Ben Kuiper – asks the HCC if anyone is opposed to meeting with the Commission via a facilitator? No opposition. Joe Lehman says “go for it”.

Steve Allen mentions that Bob Habeck wants to start over with a new push after elections, but there will be no new Commissioners or Mayor for several years, because no one wants to run for office. There may not even be an election.

Denise R. Barber – says the HCC needs to let the public know about the Commission’s letter. Publish the information in the Newspaper and in a guest editorial. This may show the Commission’s action actually reduces their public engagement.

Ben Kuiper says for the HCC to bring the recommendation letter, stating the HCC disagrees with the Commission, to the next meeting for a vote.

Paige Myers – states she is neutral on the topic, but would like to be an editor on the letter. Paige also brings up a sentence in the letter that says the Commission, in the future, may change its mind and again allow HCC members to be appointed on advisory boards.

Denise R. Barber – restates that the LGC letter is only for guidance. They are not a decision-making body. There are no attorneys there.

Ben Kuiper – says that Denise R. Barber, Pat Bik and Lowell Chandler will compose the letter to the Commission stating the HCC’s disapproval with the decision. Paige Myers will help with the editing. The HCC as a full body should vote on the letter and also vote about having a facilitated meeting.

Treasurer – Nolan Harris – Absent – report will be next meeting.

Secretary – Diana Hammer – Diana refers to information regarding the Outreach Committee(OC). The committee is still in the process of drafting a policy on how to interact with non-profits. The OC is also working on a tracking option/document for HCC members to use regarding recommendations and what they will report at Commission Meetings. The Polling information will be pushed to the August HCC meeting. Diana asks if you have not yet completed the poll she emailed to you, please do so soon.

Old Business

Block parties - John R. Andrew reports on behalf of HCC member Patricia Bik. The City Attorney missed Pat’s email to her regarding block parties, so currently on hold. Hopefully Pat Bik will have an answer at the next meeting.

New Business

Report/update on Tax Assessments – John E. Andrew – tax assessments for roughly 66K County residents and 44K City residents. To file an appeal, you must do so by July 30th. Market value of homes was based on an average of `800 homes sold in the Helena area. For more details, and to walk you through the process, please visit the Department of Revenue <https://mtrevenue.gov/property/property-assessment-town-hall-information/> . Just because the appraised value of your property went up, it doesn’t necessarily mean your taxes will go up exponentially.

Paige Myers asks who creates the equations to determine appraisal values? The State or the Feds? John E. Andrew refers Paige to the Department of Revenue.

The League of Women Voters in Helena is holding a meeting re: Helena's form of government at the Library Small Meeting Room on September 6th at 4:00PM and they'd like to meet with 2-3 HCC Reps. Ben Kuiper, Denise Roth Barber, and possibly Paige Myers will attend.

Ben Kuiper confirms that when the Chair resigns, the Vice-Chair becomes the new Chair. See Bylaws Newest Version November 2022 - note below:

Section 3. The Vice Chair shall:

- A. Perform all duties as mutually agreed upon with the Chair;
- B. Assume all responsibilities of the Chair should the person be absent or unable to serve; and,
- C. Succeed to the position of Chair in the event of a vacancy. The Vice Chair position shall then be declared vacant and must be replaced following Article III, Section 3.

Article III, Section 3

Section 3. Officers shall be members of HCC and serve a one-year term as an officer until their successors have been elected. HCC shall fill any unexpired officer positions at the next regular monthly meeting following the vacancy. Vacant officer positions shall be advertised to the Council and interested members must notify the Executive Committee. Prior to member voting, the Chair will solicit floor nominations.

Commission Attendees' Reports

7/10 Nancy Perry – Nancy reported she logged into the meeting late but could not get in. The Clerk later reported having issues with the system and never saw Nancy's email. No report.

7/19 John R. Andrew – New trail on Mt. Helena will be named the Eric Feaver Trail, and where it connects with the Ambrose trail, it will be called the Eric Feaver Union. The Fire Master Plan was presented and discussed. There should be a 3rd Fire Station built. The City paid for a Police study to be performed and it was determined that there should be 30 officers. Currently it is hard to train and recruit officers. With new hires the number of officers should be at 28. The City/County Health Department wants to have an 8 bed facility for crisis management. There were further discussions regarding ARPA allocations. The Commission came up with an average of some funding applications, so some applicants were only getting a portion of the money they asked for, making it harder to complete projects.

7/24 Pat Bik – Diana Hammer reported for Pat – There was approval/dispersal of Tax Increment Funding for ADA projects, one was in the 6th Ward. There was a discussion about Parklet fees and various business owners' complaints. A parklet costs \$2500/yr. Capital Transit Fees are going up – they haven't been raised since the 1990s. The Solar Revolving Program has had 6 new applicants and 38 loans outstanding. There will be a 5% increase in street lighting despite the replacement to use LED lights, which uses less energy. There is \$33000 loss in city revenue for the tennis courts on Washington St. A demolition project was approved for 30 S. Rodney.

Coordinator Report – Peggy Benkelman – Peggy calls out dates where HCC volunteers need to attend Commission meetings. Peggy reminds members that September 5th is the last day to file as a write-in candidate. Members please – when you are speaking at a Commission meeting turn on your camera. Peggy will remind the Clerks of Commission, and explain to the Commissioners, that the Webinar Coordinator must allow permission for person's camera to be on.

Outreach Committee Report – Emily Mowers is excused from the meeting. Diana Hammer reported much of what was discussed in her secretary report.

Boards, & Standing Committees

City County Consolidated Planning Board – John E. Andrew – Because of Senate Bill 382, there will now be formed The Land Use Planning Act. This will eliminate the Consolidated Planning Committee and change the Growth Policy to the Land Use Plan. This new plan must accommodate a growing population. There will be several requirements and criteria that must be met by May of 2026.

HOLMAC – Pat Bik – will attend when meetings resume

HPAC – Paige Myers – A 6th Ward group approached the HPAC for funding for a new mural. There was a budget/future spending discussion, but no decisions made. The HPAC hopes to have a new Mural painted inside the Lyndale Tunnel. There is still an opening for a youth member with HPAC.

Non-Motorized Travel – Lowell Chandler – no longer a member – no report.

Transportation Coordinating Committee - Dissolved due to new MPO – Joe Lehman

Water Quality – Diana Hammer – The meeting was cancelled.

Citizen Conservation Board – Denise Roth Barber. Denise resigned today and is no longer a member. No report

Library Board – Paige Myers – Paige did not attend.

Golf – Ryan Schwochert – Ryan is excused from the meeting.

Parks – Ben Kuiper – Meeting was cancelled.

Cole Rosling again thanks the HCC members for all they have done as he now steps down. He feels the HCC is in good hands.

Cole Rosling calls for the meeting to be adjourned. Paige Myers motions for adjournment and John R. Andrew seconds the motion.

Meeting Adjourned – 8:41 PM

Next HCC Full Board Meeting is scheduled for August 23rd, 7:00 – 9:00PM. In Room 326 or via Zoom.

From: [Lowell Chandler](#)
To: [Peggy Benkelman](#)
Subject: Re: HCC - Members of HCC will no longer be able to serve on Advisory Boards - see attachment
Date: Wednesday, July 26, 2023 9:47:44 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Peggy and fellow HCC Members (bcc'd),

I'm sorry I will miss tonight's meeting. This email can be either read into the record or just attached to the meeting minutes.

This is an unfortunate decision and in my view a step in the wrong direction when it comes to moving our City forward. I'm disappointed with the Commission's decision. In my opinion, this is unnecessarily limiting public participation in city governance as well as the effectiveness of the Helena Citizens' Council at meeting our stated purpose in the Charter of making recommendations regarding the future development of the City. I also disagree with the Center for Local Government's memo as it inaccurately equates the HCC as merely another advisory board. We're not, we're a 28-member elected body that has the mission, among others, of acting as a liaison between the City and the residents of Helena, gathering and disseminating information about district and citywide issues, and fostering civic involvement in city issues. Eliminating our involvement, which is the effect of this decision, undermines the purpose and goals of the HCC and citizen participation in City government.

Moving forward, it would be my recommendation that we invite the Chair from each advisory board to our meetings periodically to discuss their recent action items and updates related to their board. We could have 2 or 3 advisory boards present each month. Or just one, whatever makes sense. Speaking personally, and I assume it applies to most HCC reps, I am not going to attend an advisory meeting if I don't have voting rights nor the ability to speak. We are all busy and attending a two hour advisory meeting without having speaking nor voting rights is not going to happen.

Thanks everyone for your commitment to making Helena better.

Lowell Chandler (He/Him)
Representative for District 3
Helena Citizens' Council

On Wed, Jul 26, 2023 at 7:23 AM Peggy Benkelman <PBENKELMAN@helenamt.gov> wrote:

Good Morning HCC Members:

The attached letter was delivered to us last night. It will be discussed at tonight's meeting. It seems HCC members will no longer have voting rights on advisory boards. The HCC will however be allowed to attend advisory board meetings and report back to the entire HCC body, where we can then make strong recommendations to the Commission.

See you tonight.

Peggy Benkelman

Coordinator - Helena Citizens' Council



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Lowell Chandler (He/Him)
Representative for District 3
Helena Citizens' Council