



**City of Helena
City Commission Meeting
October 4, 2021 – 6:00 PM
Zoom Online Meeting; <https://zoom.us/j/94996466523>
City County Building Commission Chambers, Room 330**

Time & Place

A regular City Commission meeting was held on Monday, October 4, 2021 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/94996466523> and physically in the City County Building Commission Chambers, Room 330.

Call to Order and Roll Call

(00:05:23) The following responded present, either via zoom or in person:

City Attorney Jodoin
City Manager Harlow-Schalk
Commissioner Haladay
Commissioner Dean
Commissioner Logan
Commissioner O’Laughlin
Mayor Collins

Pledge of Allegiance

(00:06:42) Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

Presentations

A. Approval of the Confirmation of Firefighter Chris Mork and Assistant Chief Jon Campbell

(00:07:20) Manager Harlow-Schalk introduced Firefighter Chris Mork and Assistant Chief Campbell

(00:07:51) Mayor Collins presented administered the Oaths of Office.

(00:11:51) Commissioners Logan, Dean, thanked and welcomed Firefighter Mork and Assistant Chief Campbell

(00:13:18) **Commissioner Dean made a motion to approve Confirmation of Firefighter Chris Mork and Assistant Chief Jon Campbell. Commissioner O’Laughlin seconded the motion.**

(00:28:16) Mayor Collins called for a vote.



Commissioner Dean voted: **Aye**
Commissioner Logan voted: **Aye**
Commissioner Haladay voted: **Aye**
Commissioner O'Laughlin voted: **Aye**
Mayor Collins voted: **Aye**

The motion carried 5:0.

B. Update on the ADA Trail Project on Mt. Helena -Moved to Public Comment section of agenda

Proclamations

A. Fire Prevention Week, Mayor's Proclamation
(00:14:25) Mayor Collins presented Proclamation A.

Board Appointments

A. Helena Open Lands Management Advisory Committee; Non-Motorized Transportation Committee; Lewis & Clark Heritage Preservation Committee
(00:18:00) Mayor Collins recommended appointments for Item A.

(00:19:24) Commissioner Haladay asked Clerk Clayborn about the correct terms for the HOLMAC appointment.

(00:20:20) Mayor Collins indicated that Presentation Item B shall be moved to the public comment section of the agenda.

(00:20:30) **Commissioner Haladay made a motion to approve appointments to the Helena Open Lands Management Advisory Committee; Non-Motorized Transportation Committee; Lewis & Clark Heritage Preservation Committee. Commissioner O'Laughlin seconded the motion.**

(00:28:16) Mayor Collins called for a vote.
Commissioner Dean voted: **Aye**
Commissioner Logan voted: **Aye**
Commissioner Haladay voted: **Aye**
Commissioner O'Laughlin voted: **Aye**
Mayor Collins voted: **Aye**

The motion carried 5:0.

Consent Agenda



A. Consider a resolution adopting revised local limits for permitted industrial dischargers to the wastewater treatment plant.

(00:21:37) Manager Harlow-Schalk recommended approval of Item A.

(00:22:26) There were no further comments or questions by the Commission and/or public.

(00:22:33) **Commissioner O’Laughla made a motion to approve Consent Agenda Item A. Commissioner Dean seconded the motion.**

(00:22:53) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Haladay voted: **Aye**

Commissioner O’Laughlin voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 5:0.

Communications/Proposals from Commissioners

(00:23:19) Commissioner Dean reminded the public about Carroll College’s Community and Family Weekend and sports events.

Report of the City Attorney

(00:24:04) City Attorney Jodoin had nothing to report.

Report of the City Manager

(00:24:10) City Manager Harlow-Schalk explained Fire Prevention Week events and staff participation and planning.

Communications from the Helena Citizens Council

(00:25:38) HCC Representative Susan Steffens discussed recent and upcoming meeting agenda items.

Regular Items

A. Consider a Resolution amending Resolution No. 20551 to add marijuana to voluntary outdoor smoke-free areas.

(00:27:00) Manager Harlow-Schalk and Attorney Jodoin presented Item A.

(00:28:41) Commissioner Dean asked Attorney Jodoin about the number of businesses participating in the voluntary program.



- (00:29:10) There were no further comments or questions by the Commission and/or public.
- (00:29:28) **Commissioner Logan made a motion to approve a Resolution amending Resolution No. 20551 to add marijuana to voluntary outdoor smoke-free areas. Commissioner Dean seconded the motion.**
- (00:29:56) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Haladay voted: **Aye**
- Commissioner O’Laughlin voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 5:0.**
- B. Consider first Passage of An Ordinance Amending Title 7, Chapter 13 of the Helena City Code by Enacting New 7-13-6, Which Requires an Application Fee and Cost Reimbursement for Cable and Telecommunications Franchises and Agreements to Use City Right-Of-Way or Other Property for the Installation of Telecommunications Facilities.**
- (00:30:45) Manager Harlow-Schalk and Attorney Jodoin presented Item B.
- (00:33:12) Commissioner Dean asked Manager Harlow-Schalk and Attorney Jodoin about the ability of the existing staff capacity to achieve such goals, and additional FTE inclusion in the next FY Budget..
- (00:36:25) Commissioner Haladay asked Attorney Jodoin about consulting with industry council in relation to existing contracts.
- (00:38:55) Commissioner O’Laughlin asked Attorney Jodoin and Manager Harlow-Schalk about the process compared to other municipalities.
- (00:41:00) There were no further comments or questions by the Commission and/or public.
- (00:41:24) **Commissioner Dean made a motion to approve first Passage of An Ordinance Amending Title 7, Chapter 13 of the Helena City Code by Enacting New 7-13-6, Which Requires an Application Fee and Cost Reimbursement for Cable and Telecommunications Franchises and Agreements to Use City Right-Of-Way or Other Property for the Installation of Telecommunications Facilities. Commissioner Logan seconded the motion.**
- (00:41:56) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**



Commissioner Logan voted: **Aye**

Commissioner Haladay voted: **Aye**

Commissioner O’Laughlin voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 5:0.

Public Hearings

- A. Consider a Resolution authorizing the City of Helena to apply for a Community Development Block Grant CARES (CDBG-CV) grant administered by the Montana Department of Commerce on behalf of the Helena Area Habitat for Humanity and authorizing the City Manager to execute any document necessary for the grant application and award.
- (00:42:44) Manager Harlow-Schalk and Community Development Director Sharon Haugen introduced Grants Coordinator Kara Snyder.
- (00:43:40) Coordinator Snyder presented Item A.
- (00:46:45) Commissioner Dean asked Director Haugen and Helena Habitat for Humanity Representative Jacob Kuntz about the new layout of the house, and the logistics of sidewalks and public transportation given the proximity to CR Anderson Middle School.
- (00:49:45) Citizen Greg Wirth, Board Chair for Helena Habitat for Humanity, provided public comment via zoom recommending approval.
- (00:50:51) Commissioner O’Laughlin asked Director Haugen about the decision making process, and if there were any additional proposals for the use of these funds.
- (00:56:15) Clerk Clayborn requested Citizen “Collins” provide their first and last name for the record before their public comment be read aloud, at the direction of Mayor Collins.
- (00:57:16) **Commissioner Logan made a motion to approve a Resolution authorizing the City of Helena to apply for a Community Development Block Grant CARES (CDBG-CV) grant administered by the Montana Department of Commerce on behalf of the Helena Area Habitat for Humanity and authorizing the City Manager to execute any document necessary for the grant application and award. Commissioner Dean seconded the motion.**
- (00:57:53) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Haladay voted: **Aye**
- Commissioner O’Laughlin voted: **Aye**



Mayor Collins voted: **Aye**

The motion carried 5:0.

B. Consider a Resolution authorizing the City of Helena to apply for a Community Development Block Grant CARES (CDBG-CV) Grant administered by the Montana Department of Commerce on behalf of the YWCA Helena and authorizing the City Manager to execute any document necessary for the grant application and award

(00:58:30) Manager Harlow-Schalk introduced Director Haugan.

(00:59:00) Director Haugan, Planner Ellie Ray, and YWCA Representative Jenifer Gursky presented Item B.

(01:07:46) Commissioner Dean asked Director Haugan and Manager Harlow-Schalk about the possibility of the proposal being denied or only partially funded.

(01:09:39) Citizen Gina Lytle provided public comment via zoom, asking if an accessible parking spot was part of this proposal.

(01:10:40) Citizen Becky Lawson, YWCA Board Member, provided public comment via zoom, recommending approval.

(01:11:34) Citizen Sonda Gaub provided public comment via zoom, asking about air quality measures.

(01:12:14) Citizen Jessica Stewart-Kuntz, YWCA Board President, provided public comment via zoom, recommending approval.

(01:13:24) There were no further comments or questions by the Commission and/or public.

(01:13:32) **Commissioner Dean made a motion to approve a Resolution authorizing the City of Helena to apply for a Community Development Block Grant CARES (CDBG-CV) Grant administered by the Montana Department of Commerce on behalf of the YWCA Helena and authorizing the City Manager to execute any document necessary for the grant application and award. Commissioner Logan seconded the motion.**

(01:13:56) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Haladay voted: **Aye**

Commissioner O’Laughlin voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 5:0.

Presentation – Moved from previous agenda section



B. Update on the ADA Trail Project on Mt. Helena

- (01:14:30)** Manager Harlow-Schalk provided an update and introduced Parks and Recreation Director Kristi Ponozzo.
- (01:18:35)** Director Ponozzo presented Item B.
- (01:28:31)** Manager Harlow-Schalk stated relevant policy items related to language used in the project proposal.
- (01:33:06)** Commissioner O'Laughlin asked Director Ponozzo about the expected completion timeline.
- (01:34:05)** Commissioner Dean asked Manager Harlow-Schalk and Director Ponozzo about the Open Lands project requirement for historic review, and the environmental impact review process.
- (01:36:56)** Commissioner Haladay thanked Director Ponozzo for the Parks and Recreation Department's work and asked about the future plans for providing administrative review and easing public tension.
- (01:40:30)** Mayor Collins read a statement to the public regarding decorum standards when providing public comment.
- (01:42:15)** Independent Living Project Representative Jack Rocicot provided public comment via zoom, recommending testing the trail surface for accessibility.
- (01:44:12)** City/County Historic Preservation Officer, Pamela Attardo, provided public comment via zoom, explaining the requirements for historic review on Open Lands projects.
- (01:45:33)** Citizen Jennifer Hensley provided public comment, supporting trail accessibility improvements.
- (01:47:54)** Citizen Noreen Freistadt provided public comment via zoom, recommending trail surface testing for accessibility and involving disabled citizens in the decision making process.
- (01:51:45)** Mayor Collins stated that all emails pertaining to this Agenda Item have been submitted to the public record.
- (01:52:17)** Citizen Gina Lytle provided public comment via zoom, supporting trail accessibility improvements.
- (01:54:39)** Citizen Jacob Krisovich provided public comment via zoom, supporting trail accessibility improvements.
- (01:57:08)** Citizen Joel Peden provided public comment via zoom, supporting trail accessibility improvements and recommendations from members of the community with disabilities.
- (02:01:42)** Citizen Chantel Schieffer provided public comment via zoom, supporting trail accessibility improvements.
- (02:04:15)** Citizen Ken Eden provided public comment via zoom, opposing project continuation.




- (02:07:40)** Citizen Sonda Gaub provided public comment via zoom, supporting trail accessibility improvements, along with further project considerations.
- (02:09:48)** Citizen Tony Jewett provided public comment via zoom, expressing concern about the discrepancies between the approved project and the existing work.
- (02:14:10)** Citizen Jesika Fisher provided public comment via zoom, supporting trail accessibility improvements and recommendations from members of the community with disabilities.
- (02:15:23)** Clerk Clayborn read a written public comment from Jolena Goden-Collins into the public record, asking Director Ponozzo if the Parks Department has plans for volunteerism regarding erosion mitigation in the future.
- (02:15:51)** Citizen Tony Zammit provided public comment via zoom, providing clarification about the highlighted map proposal.
- (02:18:52)** Citizen Claudia Clifford provided public comment via zoom, providing explanation from the Helena Open Lands Management Committee.
- (02:22:22)** Citizen Ed Worrell provided public comment via zoom, supporting trail accessibility improvements and recommending further testing for service animal use.
- (02:25:00)** Citizen Ann Brodsky provided public comment via zoom, supporting trail accessibility improvements and recommendations from members of the community with disabilities.
- (02:27:14)** Mayor Collins thanked the public for their comments and acknowledged their importance to the City of Helena Staff.
- (02:27:47)** Commissioner Logan and Mayor Collins discussed communications with property and business owners regarding homeless populations living in public right-of-way areas.
- (02:31:13)** Commissioner Dean supported addressing the homeless population communications, and expressed disappointment in the tone of electronic communications regarding Item B, also expressing support for following through on the City's commitments while considering public comment and feedback to adjust/implement projects.
- (02:35:54)** There were no further comments or questions by the Commission and/or public.

Adjournment

- (02:36:28)** There being no further business before the Commission, the meeting adjourned at 08:37pm.



City of Helena


MAYOR




CLERK OF THE CITY COMMISSION