

CITY OF HELENA
City Commission Meeting
November 8, 2021 - 6:00 PM
Commission Chambers, Room 330 &
Zoom Online Meeting; <https://zoom.us/j/95846619068>

Time & Place

A regular City Commission meeting was held on Monday, October 17, 2022 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/95846619068> the City Commission Chambers, Room 330.

Call to Order and Roll Call

(00:00:20) Mayor Pro Tem Haladay requested City Clerk Clayborn call roll: City Attorney Jodoin, City Manager Harlow-Schalk, Commissioner Logan, Commissioner O’Laughlin, Commissioner Dean and Mayor Pro Tem Haladay all responded present and participated in person. Mayor Collins did not attend.

Pledge of Allegiance

(00:01:04) Mayor Pro Tem Haladay asked those persons present to please stand and join him in the pledge of allegiance.

Proclamations

- A.** Family Court Awareness Month, Mayor’s Proclamation

(00:01:25) Mayor Pro Tem Haladay presented the proclamation.

Board Appointments

- A.** Board Appointments Review: Business Improvement District, Consolidated City-County Planning Board

(00:03:40) Mayor Pro Tem Haladay presented recommendations for Board Appointments.

(00:04:11) There were no comments or questions by the Commission or public.

(00:04:37) Commissioner Dean made a motion to approve the Board Appointments. Commissioner O’Laughlin seconded the motion.

(00:05:09) Mayor Pro Tem Haladay called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Mayor Pro Tem Haladay voted: **Aye**

Commissioner O’Laughlin voted: **Aye**
Mayor Collins voted: **Absent**

The motion carried 4:0.

Bid Award

- A.** Bid Award for City of Helena Project #19-12 Pressure Reducing Valve and Hale-Malben Interzone Replacement Project.

(00:05:40) Manager Harlow-Schalk introduced the Bid Award.

(00:06:13) Commissioner Dean asked Director Leland about budget clarifications.

(00:07:27) There were no comments or questions by the Commission or public.

(00:07:48) Commissioner O’Laughlin made a motion to award the bid for Project #19-12 Pressure Reducing Valve and Hale-Malben Interzone Replacement Project. Commissioner Logan seconded the motion.

(00:08:22) Mayor Pro Tem Haladay called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Mayor Pro Tem Haladay voted: **Aye**

Commissioner O’Laughlin voted: **Aye**

Mayor Collins voted: **Absent**

The motion carried 4:0.

Communication/Proposals from Commissioners

- A.** Discussion of Reconsideration of Agenda Item 9E from the October 18, 2021 Regular Commission Meeting Agenda

(00:08:48) Commissioner O’Laughlin proposed Item A.

(00:10:00) Manager Harlow-Schalk provided an update on the project in question.

(00:11:11) Commissioner O’Laughlin asked Manager Harlow-Schalk about the timeline for reconsideration and possible necessary variances.

(00:19:30) Mayor Pro Tem Haladay discussed intent to speak with the applicant directly about these questions.

(00:20:36) There were no further comments and/or questions from Commissioners.

Report of the City Attorney

(00:20:45) City Attorney Jodoin had nothing to report.

Report of the City Manager

(00:20:55) Manager Harlow-Schalk provided an update of the FY22 work plan status.

(00:26:21) Commissioner Logan thanked Manager Harlow-Schalk for meeting with the Fire Chief Candidate.

(00:27:38) Commissioner Dean agreed with Commissioner Logan.

Communications from the Helena Citizens Council

(00:28:22) HCC representative did not attend.

Regular Items

- A. Consider first Passage of An Ordinance Granting a Franchise to TDS Metrocom, LLC, and Allowing the Construction, Operation, Regulation, and Control of a Cable Communication System within the City of Helena, Montana, and set a public hearing for November 22, 2021.

(00:29:04) Manager Harlow-Schalk and Attorney Jodoin presented Item A.

(00:36:43) Commissioner Dean asked Attorney Jodoin about a common franchise agreement negotiation window.

(00:37:55) Mayor Pro Tem Haladay asked Attorney Jodoin and TDS Representative Bob Duchene about the repercussions to TDS in the event of a 6.5-year contract, the timeline of the process, and how multiple franchise agreements affects the viewing experience/logistics.

(00:44:10) Commissioner Logan asked Representative Bob Duchene about the repercussions of having terms out of alignment.

(00:47:32) There were no further comments and/or questions from the public.

(00:48:00) Commissioner Logan made a motion to approve first Passage of An Ordinance Granting a Franchise to TDS Metrocom, LLC, and Allowing the Construction, Operation, Regulation, and Control of a Cable Communication System within the City of Helena, Montana, and set a public hearing for November 22, 2021. Commissioner O’Laughlin seconded the motion.

(00:48:32) Commissioner O’Laughlin provided clarification of intent met with challenges posed by the existing laws and ordinances.

(00:50:42) Mayor Pro Tem Haladay called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Mayor Pro Tem Haladay voted: **Aye**

Commissioner O’Laughlin voted: **Aye**

Mayor Collins voted: **Absent**

The motion carried 4:0.

Public Hearings

- A.** Consider an ordinance amending City of Helena ordinance no. 3097 and amending the official zoning map for the City of Helena for a zone change from CLM (commercial light manufacturing) to R-4 (residential) for properties described as Tract 1A on certificate of survey no. 3198943, City of Helena, Lewis and Clark County, Montana. This property is located at 2605 N Sanders St.

(00:51:20) Attorney Jodoin presented Item A.

(00:55:50) Commissioner O’Laughlan asked Attorney Jodoin and Manager Harlow-Schalk about fee alternatives, fee comparisons, and applicant fee responsibility ordinances.

(01:03:25) Commissioner Dean asked Attorney Jodoin about the possibility of refining the fee amount.

(01:05:14) Mayor Pro Tem Haladay asked Attorney Jodoin about an example of this type of franchise agreement use in the future and the qualifications of utility companies versus telecommunications companies.

(01:11:30) There were no further comments and/or questions from Commissioners.

(01:11:47) Commissioner Dean made a motion to approve an ordinance amending City of Helena ordinance no. 3097 and amending the official zoning map for the City of Helena for a zone change from CLM (commercial light manufacturing) to R-4 (residential) for properties described as Tract 1A on certificate of survey no. 3198943, City of Helena, Lewis and Clark County, Montana. This property is located at 2605 N Sanders St. Commissioner Logan seconded the motion.

(01:12:18) Mayor Pro Tem Haladay expressed support for the current fee amount and advised caution regarding compensation for staff time within fees.

(01:14:08) Mayor Pro Tem Haladay called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Mayor Pro Tem Haladay voted: **Aye**

Commissioner O'Laughlin voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

Public Communications

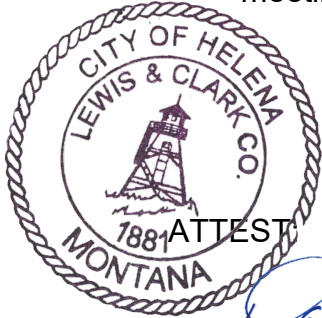
(01:14:40) There were no further public comments.

Meetings of Interest

(01:15:08) Mayor Pro Tem Haladay reminded the Commission of the upcoming Administrative meeting.

Adjournment

(01:15:32) There being no further business to come before the City Commission, the meeting adjourned at 6:16 p.m.



CLERK OF THE CITY COMMISSION

MAYOR