



**City of Helena
City Commission Meeting
August 8, 2022 – 6:00 PM
Zoom Online Meeting; <https://zoom.us/j/93497508424>
City County Building Commission Chambers, Room 330**

Time & Place

A regular City Commission meeting was held on Monday, August 8, 2022 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/93497508424> and physically in the City County Building Commission Chambers, Room 330.

Call to Order and Roll Call

(00:00:47) The following responded present, either via zoom or in person:

City Attorney Dockter
Interim City Manager Burton
Commissioner Dean
Commissioner Logan
Mayor Collins

The following members were absent:

Commissioner Reed

Pledge of Allegiance

(00:02:03) Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

Presentations – Items A and B were postponed in the Agenda

A. Resolution Declaring Police K-9, Filu, to be Surplus Property and Authorizing the Transfer of Ownership to Corporal Josh Ray.

(00:00:00)

(00:00:00)

B. Introduction of new K9 Handler, Officer Jacob Scavone and his partner, Copper.

(00:00:00)

(00:00:00)



Board Appointments

A. Board Appointments: ADA Compliance Committee; Helena Housing Authority; Pre-Release Screening Committee; and Zoning Commission.

(00:02:45) Mayor Collins presented Item A.

(00:03:39) Clerk Clayborn provided an update on the Pre-Release Committee's governing documents and recommended approval of appointments.

(00:05:21) **Commissioner Dean made a motion to approve appointments for ADA Compliance Committee, Helena Housing Authority, Pre-Release Screening Committee, and Zoning Commission. Commissioner Logan seconded the motion.**

(00:06:26) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Mayor Collins voted: **Aye**

The motion carried 3:0.

Consent Agenda

A. Claims

B. Change Order #1 for City of Helena Project #19-12: Pressure Reducing Valve and Hale/Malben Interzone Replacement

C. Resolution of Intention to set residential and commercial wastewater base and usage rates

D. Resolution of Intention to set rates for all customers of the City of Helena water system

(00:07:08) Interim Manager Burton recommended approval of all Consent Agenda Items.

(00:07:30) **Commissioner Dean made a motion to approve Consent Agenda Items A, B, C and D. Commissioner Logan seconded the motion.**

(00:07:42) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**



Mayor Collins voted: **Aye**

The motion carried 3:0.

Communications/Proposals from Commissioners

(00:08:10) There were no communications from the Commission.

Report of the City Attorney

(00:08:17) City Attorney Dockter communicated on July 17, 2022, the Commission's acceptance of a public hearing for this meeting, which had been moved to August 22, 2022.

Report of the City Manager

(00:09:03) Interim City Manager Burton had nothing to report.

Communications from the Helena Citizens Council – This item was postponed in the Agenda.

(00:09:11) There was no representative of the HCC present.

Regular Items

A. Consider a Right-of-Way Use Permit for 2210 Dodge Avenue

- (00:09:31) Transportation Systems Deputy Director Couey and Engineer Young presented Item A.
- (00:12:30) Commissioner Dean asked Deputy Director Couey for clarification of need for a boulevard.
- (00:13:35) Mayor Collins and Commissioner Dean asked Attorney Dockter about the voting process with three Commission members.
- (00:14:30) Commissioner Dean asked Engineer Young about how the process affects neighbors and other property owners.
- (00:16:18) Commissioner Logan asked Deputy Director Couey and Engineer Young about snow storage on Elm Street without the boulevard.
- (00:19:54) Ben Tintinger, Project Architect, provided public comment, addressing Commission questions, and recommending approval.
- (00:22:32) Pastor Doug Greenman provided public comment, addressing Commission questions and recommending approval.
- (00:23:10) **Commissioner Logan made a motion to approve a Right-of-Way Use Permit for 2210 Dodge Avenue. Commissioner Dean seconded the motion.**



(00:23:35) Commissioner Dean expressed support.

(00:24:46) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Mayor Collins voted: **Aye**

The motion carried 3:0.

Communications from the Helena Citizens Council

(00:24:57) HCC Representative Federman provided an update about recent agenda items and upcoming projects.

(00:27:08) Commissioner Logan asked Interim Manager Burton about the childcare updates happening in State Legislation.

Presentations

A. Resolution Declaring Police K-9, Filu, to be Surplus Property and Authorizing the Transfer of Ownership to Corporal Josh Ray.

(00:28:39) Police Chief Petty presented Item A.

(00:31:20) **Commissioner Dean made a motion to approve a Resolution Declaring Police K-9, Filu, to be Surplus Property and Authorizing the Transfer of Ownership to Corporal Josh Ray. Commissioner Logan seconded the motion.**

(00:31:50) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Mayor Collins voted: **Aye**

The motion carried 3:0.

B. Introduction of new K9 Handler, Officer Jacob Scavone and his partner, Copper.

(00:32:24) Police Chief Petty presented Item B.

(00:33:54) Commissioner Logan congratulated and welcomed Officer Scavone and Copper.

Regular Items - Continued



B. Consider a Sidewalk Variance Request for 1970 Piper Place

- (00:35:52)** Deputy Director Couey presented Item B.
- (00:37:00)** Attorney Dockter provided context of this project within City Code.
- (00:38:46)** Commissioner Logan asked Engineer Young why the variance was granted in the past.
- (00:41:13)** Commissioner Dean asked Engineer Young about the justification for a variance.
- (00:43:00)** Mayor Collins asked Engineer Young about pedestrian access.
- (00:43:26)** Commissioner Dean asked Engineer Young about the anticipated development on the other side of the street.
- (00:43:56)** Jeff Downer, Project Architect, provided public comment, addressing Commission questions about street grade and justification for variance related to ADA Compliance.
- (00:46:03)** Commissioner Dean asked Engineer Young about the evaluation of risk compared to other places in town.
- (00:48:17)** Leonard Lantz provided public comment, recommending approval.
- (00:49:20)** Commissioner Logan asked Architect Downer about how the grades compare on each side of the street.

(00:51:26) **Commissioner Logan made a motion to approve a Sidewalk Variance Request for 1970 Piper Place. Commissioner Dean seconded the motion.**

(00:52:06) Commissioner Dean expressed intent to vote no.

(00:53:50) Mayor Collins called for a vote.

Commissioner Dean voted: **No**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Mayor Collins voted: **Aye**

The motion carried 2:1.

C. Consider a Sidewalk Variance Request for 2210 Dodge Avenue

- (00:54:20)** Deputy Director Couey and Engineer Young presented Item C.
- (00:56:05)** Ben Tintinger, Project Architect, provided public comment, offering context and justification.
- (00:56:56)** Commissioner Dean asked Architect Tintinger for clarification about the sidewalk on Dodge Avenue.



(00:57:27) **Commissioner Logan made a motion to approve a Sidewalk Variance Request for 2210 Dodge Avenue. Commissioner Dean seconded the motion.**

(00:57:50) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Mayor Collins voted: **Aye**

The motion carried 3:0.

D. Consider a Sidewalk Variance Request for 347 Clancy Street

(00:58:14) Engineer Young presented Item D.

(00:59:57) Commissioner Dean asked Engineer Young about the applicant's intent to waive protesting rights.

(01:00:30) Commissioner Dean asked Engineer Young about the timeline in regard to the CCIP Plan.

(01:01:33) Ryan Wilkinson provided public comment, recommending approval due to drainage issues.

(01:05:03) Mayor Collins asked Mr. Wilkinson about the number of neighbors.

(01:06:06) Tony Van Douer provided public comment, recommending approval.

(01:07:51) Commissioner Dean asked Attorney Dockter about adding conditions.

(01:08:34) **Commissioner Dean made a motion to approve a Sidewalk Variance Request for 347 Clancy Street with the condition that the property owner waive their right to protest any special improvement district. Commissioner Logan seconded the motion.**

(01:09:04) Attorney Dockter and Deputy Director Couey clarified the motion.

(01:09:46) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Mayor Collins voted: **Aye**

The motion carried 3:0.

E. Consider a Sidewalk Variance Request for the Capital Hill Town Center



- (01:10:04) Deputy Director Couey presented Item E.
- (01:11:16) Greg Wirth of Shahly Engineering provided public comment, offering additional specifics and justification.
- (01:13:20) Commissioner Dean asked Mr. Wirth for clarification of the boulevard width.
- (01:13:56) **Commissioner Logan made a motion to approve a Sidewalk Variance Request for the Capital Hill Town Center. Commissioner Dean seconded the motion.**
- (01:14:26) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Reed voted: **Absent**
- Mayor Collins voted: **Aye**
- The motion carried 3:0.**

Public Communications

- (01:14:47) There were no further comments by the Commission and/or public.

Adjournment

- (01:15:02) There being no further business before the Commission, the meeting adjourned at 07:16pm.



CLERK OF THE CITY COMMISSION

MAYOR