



**City of Helena
City Commission Meeting
August 22, 2022 – 6:00 PM
Zoom Online Meeting: <https://zoom.us/j/92797897907>
City County Building Commission Chambers, Room 330**

Time & Place

A regular City Commission meeting was held on Monday, August 22, 2022 at 6:00 p.m. via Zoom Online Meeting ID: <https://zoom.us/j/92797897907> and physically in the City County Building Commission Chambers, Room 330.

Call to Order and Roll Call

(00:00:30) The following responded present, either via zoom or in person:

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

Pledge of Allegiance

(00:01:00) Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

Minutes

- A. Regular Commission Meeting – January 24, 2022
- B. Regular Commission Meeting – February 28, 2022

(00:02:00) **There being no comments or questions from the Commission, Mayor Collins accepted Minutes A and B.**

Presentations

- A. Introduction of New Parks Director, Doug Smith
- (00:02:14)** Interim Manager Burton presented Item A and introduced Director Smith.
- (00:03:00)** Director Smith Addressed the Commission and thanked the City for welcoming him.



- (00:04:14) Commissioner Dean, Commissioner Reed, and Commissioner Logan welcomed and thanked Director Smith.
- (00:05:34) Interim Manager Burton welcomed Director Smith and thanked Interim Director Langsather.

Consent Agenda

A. FY22 Carryover Requests to Budget Year 2023

- (00:06:13) Interim Manager Burton recommended approval of Item A and introduced Budget Coordinator Smith.
- (00:06:30) Coordinator Smith explained typos in the packet language.
- (00:09:15) Commissioner Dean asked Coordinator Smith and Director Danielson to explain the purpose of adopting carryovers.
- (00:11:54) **Commissioner Logan made a motion to approve Consent Agenda Item A. Commissioner Dean seconded the motion.**
- (00:12:18) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Reed voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 4:0.**

Communications/Proposals from Commissioners

- (00:12:32) There were no communications from Commissioners.

Report of the City Attorney

- (00:12:39) City Attorney Dockter had nothing to report.

Report of the City Manager

- (00:12:52) Interim City Manager Burton had nothing to report.

Communications from the Helena Citizens Council

- (00:13:08) HCC Representative Morris discussed recent and upcoming meeting agenda items.

Regular Items



- A. Consider an Ordinance Adopting by Reference the Current and Future State Adopted Editions of the International Building Code (IBC), the International Residential Code (IRC), the International Energy Conservation Code (IECC), the International Existing Building Code (IEBC), the Uniform Plumbing Code (UPC), the National Electrical Code (NEC), the International Mechanical Code (IMC), the International Fuel Gas Code (IFGC), and the International Swimming Pool and Spa Code (ISPSC).

(00:14:13) Community Development Director Brink presented Item A.

(00:16:17) **Commissioner Dean made a motion to approve an Ordinance Adopting by Reference the Current and Future State Adopted Editions of the International Building Code (IBC), the International Residential Code (IRC), the International Energy Conservation Code (IECC), the International Existing Building Code (IEBC), the Uniform Plumbing Code (UPC), the National Electrical Code (NEC), the International Mechanical Code (IMC), the International Fuel Gas Code (IFGC), and the International Swimming Pool and Spa Code (ISPSC). Commissioner Logan seconded the motion.**

(00:16:48) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

(00:17:04) Mayor Collins and Clerk Clayborn introduced new hire Curtis Kotecki.

(00:18:20) Curtis Kotecki thanked the Commission.

(00:18:28) Commissioner Dean, Commissioner Reed, and Commissioner Logan welcomed Curtis Kotecki.

Public Hearings

- A. Consider a Resolution granting a K-12 (Educational Facility) use in the (R-2) Residential Zoning District for a property with a legal description of Parcel 1 and Tract A-1 of the Dean Minor Subdivision of the Bradford Addition to the City of Helena and more particularly described on the COS filed under Document Number 493013/B, records of Lewis and Clark County, Montana, on property with the street address of 1900 Flowerree St. and generally



occupies a tract of land that fronts on Linden St, is south of the property that occupies the southwest corner of Linden and Stuart streets and is to the north and east of PUD #10.

- (00:20:05) Planner Alvarez presented Item A.
- (00:31:25) Commissioner Dean asked Planner Alvarez about the number of homes within 150 feet and parking/pedestrian safety measures.
- (00:33:08) Commissioner Logan asked Planner Alvarez about the affect on emergency services access.
- (00:35:07) **Commissioner Logan made a motion to approve a Resolution granting a K-12 (Educational Facility) use in the (R-2) Residential Zoning District for a property with a legal description of Parcel 1 and Tract A-1 of the Dean Minor Subdivision of the Bradford Addition to the City of Helena and more particularly described on the COS filed under Document Number 493013/B, records of Lewis and Clark County, Montana, on property with the street address of 1900 Flowerree St. and generally occupies a tract of land that fronts on Linden St, is south of the property that occupies the southwest corner of Linden and Stuart streets and is to the north and east of PUD #10. Commissioner Dean seconded the motion.**
- (00:36:16) Commissioner Reed asked Mayor Collins if the conditions should be included in the motion.
- (00:36:25) Commissioner Logan added: **with the conditions that were outlined by the Zoning Commission. Commissioner Dean seconded the motion.**
- (00:36:36) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Reed voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 4:0.**
- B. Consider a Resolution Creating Special Improvement Lighting District No. 398 in the City of Helena, Montana**
- (00:37:16) Director Danielson presented Item B.
- (00:40:15) Commissioner Dean asked Director Danielson about communications from property owners in the proposed District.
- (00:40:51) Victoria Howard, a homeowner in the proposed District, provided public comment recommending denial.



- (00:43:52) Cameron Sapp, a homeowner in the proposed District, provided public comment recommending denial.
- (00:45:17) Commissioner Dean asked Director Danielson about polling the affected property owners.
- (00:48:13) Director Danielson addressed Mr. Sapp's question about joining another lighting district.
- (00:49:14) Commissioner Reed asked Director Danielson about the process for consideration.
- (00:51:04) Commissioner Logan asked Director Danielson about the protest threshold for denial.
- (00:51:36) Attorney Dockter addressed Commissioner Dean's question about expanding lighting districts.
- (00:53:25) Mayor Collins expressed intention to approve.
- (00:53:53) Commissioner Dean asked Director Danielson about the petition of protest missing a signature.

(00:54:49) **Commissioner Logan made a motion to deny a Resolution Creating Special Improvement Lighting District No. 398 in the City of Helena, Montana. Commissioner Dean seconded the motion.**

- (00:55:04) Commissioner Dean and Mayor Collins discuss the neighborhood's majority and opposition.
- (00:56:38) Mayor Collins asked Director Danielson about the number of notices and contact were attempted for the homeowners.
- (00:56:54) Commissioner Reed asked Director Danielson about the distribution of names on the petition.
- (00:58:26) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**
Commissioner Logan voted: **Aye**
Commissioner Reed voted: **Aye**
Mayor Collins voted: **No**

The motion to deny carried 3:1.

- C. Consider an ordinance amending the official zoning map for the City of Helena that changes the zoning district from R-2 (Residential) to (R-3) Residential for properties legally described as A tract of land located in the SE of the NE of Section 23, Township 10 N, Range 4 W, P.M.M.; AND all of Lots 1 through 8 of Block 171 of the Syndicate Addition to the City of Helena, as shown on COS 484404, City of Helena, Lewis and Clark County, Montana. These properties are located at 1625 & 1655 Joslyn St. and; a tract of land in the SE of the NE of Section 23, Township 10 N, Range 4 W, M.P.M., described more fully in the Book of Deeds Bk. 271 Pg. 770. This property is located at 1805 Joslyn St.



(01:00:08) Planner Alvarez presented Item C.

(01:07:08) **Commissioner Dean made a motion to approve an ordinance amending the official zoning map for the City of Helena that changes the zoning district from R-2 (Residential) to (R-3) Residential for properties legally described as A tract of land located in the SE of the NE of Section 23, Township 10 N, Range 4 W, P.M.M.; AND all of Lots 1 through 8 of Block 171 of the Syndicate Addition to the City of Helena, as shown on COS 484404, City of Helena, Lewis and Clark County, Montana. These properties are located at 1625 & 1655 Joslyn St. and; a tract of land in the SE of the NE of Section 23, Township 10 N, Range 4 W, M.P.M., described more fully in the Book of Deeds Bk. 271 Pg. 770. This property is located at 1805 Joslyn St. Commissioner Logan seconded the motion.**

(01:08:20) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

D. Consider a Resolution Levying an Assessment on Properties to Recover the Amortized Loans Issued Under the Residential Energy Efficiency and Renewable Energy Loan Program for Tax Year 2022.

(01:08:43) Budget Coordinator Smith presented Item D.

(01:09:12) **Commissioner Logan made a motion to approve a Resolution Levying an Assessment on Properties to Recover the Amortized Loans Issued Under the Residential Energy Efficiency and Renewable Energy Loan Program for Tax Year 2022. Commissioner Dean seconded the motion.**

(01:09:45) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.



E. Consider a Resolution Specifying the Assessment Option for the Landfill Monitoring and Maintenance District for Fiscal Year 2023 and Levying an Assessment On All Properties Within the District.

(01:10:13) Budget Coordinator Smith presented Item E.

(01:10:30) **Commissioner Dean made a motion to approve a Resolution Specifying the Assessment Option for the Landfill Monitoring and Maintenance District for Fiscal Year 2023 and Levying an Assessment On All Properties Within the District. Commissioner Logan seconded the motion.**

(01:11:06) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

F. Consider a Resolution Specifying the Assessment Option for the Special Street Lighting Districts for Fiscal Year 2023 and Levying an Assessment on All Property Within the Districts.

(01:11:34) Budget Coordinator Smith presented Item F.

(01:12:00) **Commissioner Logan made a motion to approve a Resolution Specifying the Assessment Option for the Special Street Lighting Districts for Fiscal Year 2023 and Levying an Assessment on All Property Within the Districts. Commissioner Dean seconded the motion.**

(01:12:30) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

G. Consider a Resolution Levying an Assessment on Properties to Recover the Cost of Removal of Snow and Ice from Sidewalks on the Adjacent Public Rights of Way.

(01:12:52) Budget Coordinator Smith presented Item G.

(01:13:11) Mayor Collins asked Coordinator Smith about the penalties.



(01:13:35) Commissioner Dean encouraged people to shovel their sidewalks.

(01:13:50) **Commissioner Dean made a motion to approve a Resolution Levying an Assessment on Properties to Recover the Cost of Removal of Snow and Ice from Sidewalks on the Adjacent Public Rights of Way. Commissioner Logan seconded the motion.**

(01:14:06) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

H. Consider A Resolution Specifying the Assessment Option for the Collection and Disposal of Residential Garbage and Refuse for Fiscal Year 2023 and Levying an Assessment on All Properties Receiving Residential Solid Waste Collection.

(01:14:34) Budget Coordinator Smith presented Item H.

(01:13:05) **Commissioner Logan made a motion to approve A Resolution Specifying the Assessment Option for the Collection and Disposal of Residential Garbage and Refuse for Fiscal Year 2023 and Levying an Assessment on All Properties Receiving Residential Solid Waste Collection. Commissioner Dean seconded the motion.**

(01:15:36) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

I. Consider a Resolution Specifying the Assessment Option for the Stormwater Utility Service Area for Fiscal Year 2023 and Levying an Assessment on All Properties within the Service Area.

(01:16:04) Budget Coordinator Smith presented Item I.



(01:16:21) Commissioner Dean made a motion to approve a Resolution Specifying the Assessment Option for the Stormwater Utility Service Area for Fiscal Year 2023 and Levying an Assessment on All Properties within the Service Area. Commissioner Logan seconded the motion.

(01:16:48) Mayor Collins called for a vote.
Commissioner Dean voted: **Aye**
Commissioner Logan voted: **Aye**
Commissioner Reed voted: **Aye**
Mayor Collins voted: **Aye**

The motion carried 4:0.

J. Consider a Resolution Specifying the Assessment Option for the Special Urban Forest Management District for Fiscal Year 2023 and Levying an Assessment on All Properties within the District.

(01:17:02) Budget Coordinator Smith presented Item J.

(01:17:35) Commissioner Logan made a motion to approve a Resolution Specifying the Assessment Option for the Special Urban Forest Management District for Fiscal Year 2023 and Levying an Assessment on All Properties within the District. Commissioner Dean seconded the motion.

(01:18:00) Mayor Collins called for a vote.
Commissioner Dean voted: **Aye**
Commissioner Logan voted: **Aye**
Commissioner Reed voted: **Aye**
Mayor Collins voted: **Aye**

The motion carried 4:0.

K. Consider a Resolution Levying Assessments for Improvement of Sidewalks, Curbs, Gutters, and Alley Approaches in the City of Helena, Montana for Tax Year 2022.

(01:18:20) Mayor Collins tabled Item K at the recommendation of Interim Manager Burton.

L. Consider A Resolution Specifying the Assessment Option for the Open Space Maintenance District No. 1 for Fiscal Year 2023 and Levying an Assessment on All Properties within the District.

(01:18:37) Budget Coordinator Smith presented Item L.



(01:19:37) Commissioner Dean made a motion to approve A Resolution Specifying the Assessment Option for the Open Space Maintenance District No. 1 for Fiscal Year 2023 and Levying an Assessment on All Properties within the District.

Commissioner Logan seconded the motion.

(01:19:57) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

M. Consider a Resolution specifying the assessment option for the Street Maintenance and Improvements District NO. 1 for Fiscal Year 2023 and levying an assessment on all properties within the district.

(01:20:20) Transportation Systems Director Knoepke presented Item M.

(01:20:50) Commissioner Logan made a motion to approve a Resolution specifying the assessment option for the Street Maintenance and Improvements District NO. 1 for Fiscal Year 2023 and levying an assessment on all properties within the district. Commissioner Dean seconded the motion.

(01:21:20) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:0.

Public Communications

(01:21:45) There were no further comments or questions from the public.

Adjournment

(01:22:06) There being no further business before the Commission, the meeting adjourned at 07:23pm.



City of
Helena

MAYOR



CLERK OF THE CITY COMMISSION