



**City of Helena  
City Commission Meeting  
November 7, 2022 – 6:00 PM  
Zoom Online Meeting; <https://us06web.zoom.us/j/91327838455>  
City County Building Commission Chambers, Room 330**

**Time & Place**

A regular City Commission meeting was held on Monday, November 7, 2022 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/91327838455> and physically in the City County Building Commission Chambers, Room 330.

**Call to Order and Roll Call**

**(00:02:30)** The following responded present, either via zoom or in person:

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

The following members were absent:

Commissioner Reed arrived late

**Minutes**

- A. 11-08-21 Administrative Meeting
- B. 01-24-22 Commission Meeting
- C. 02-10-22 Commission Meeting
- D. 02-28-22 Commission Meeting
- E. 10-26-22 Administrative Meeting

**(00:03:21)** **There being no comments or questions from the Commission, Mayor Collins accepted Minutes A, B, C, D, and E.**

**Proclamations**

- A. Proclamation: Small Business Saturday



(00:03:48) There being no recipient of the proclamation, Mayor Collins moved to the next Agenda Item.

## Board Appointments

A. Board Appointments: Golf Advisory Board, Zoning Commission, Business Improvement District, Commission Appointment: Joint Governing Body

(00:03:54) Mayor Collins presented Item A.

(00:05:20) **Commissioner Dean made a motion to approve appointments to the Golf Advisory Board, Zoning Commission, Business Improvement District, and Commission Appointments. Commissioner Logan seconded the motion.**

(00:06:20) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 4:0.**

## Consent Agenda

A. Claims

B. Acceptance of a Subaward #FHE-21-003 in the amount of \$45,980.00 from the Montana Department of Natural Resources and Conservation (DNRC)

C. Consider approving a resolution declaring various vehicles owned by the City of Helena to be surplus property and authorizing the City Manager to dispose of that property.

(00:07:20) Commissioner Dean asked Transportation Systems Director Knoepke about the option for reserve funding for Item C.

(00:08:12) There were no further questions or comments by the Commission and/or public.

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

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

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**



Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 4:0.**

## **Bid Award**

**A.** Move to AWARD the Law and Justice Center 2<sup>nd</sup> Floor Renovation Project #CF23-01 to Abraham II Construction Services, Inc. in the amount of \$881,300.

**(00:09:13)** Facilities Superintendent Sampson presented Item A.

**(00:11:50)** Commissioner Dean asked Superintendent Sampson about the amount of City-occupied space in the building following renovation.

**(00:12:50)** Commissioner Shirliff asked Superintendent Sampson about the bidding process.

**(00:14:00)** There were no further questions or comments by the Commission and/or public.

**(00:14:07)** **Commissioner Shirliff made a motion to approve Bid Award Item A. Commissioner Logan seconded the motion.**

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

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Absent**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 4:0.**

**(00:14:40)** Commissioner Dean offered a correction regarding Board Appointment language stated in the meeting.

**B.** Transportation Systems – Benton Turn Lanes & Transfer Station Entrance Bid Award

**(00:15:20)** Director Knoepke presented Item B.

**(00:17:37)** Greg Wirth, Non-Motorized Travel Advisory Council member, provided public comment via zoom recommending against approval of Item B.

**(00:19:07)** **Commissioner Dean made a motion to deny Bid Award Item B. Commissioner Reed seconded the motion.**

**(00:19:25)** Mayor Collins called for a vote.



Commissioner Dean voted: **Aye**  
Commissioner Logan voted: **Aye**  
Commissioner Reed voted: **Aye**  
Commissioner Shirliff voted: **Aye**  
Mayor Collins voted: **Nay**

**The motion carried 4:1.**

## **Communications/Proposals from Commissioners**

### **A. City Manager Recruitment Agreement**

- (00:19:48)** Commissioner Logan presented Item A.
- (00:21:47)** Commissioner Dean thanked the subcommittee and expressed support for the process moving forward.
- (00:23:12)** Commissioner Reed expressed support for the process moving forward.
- (00:23:40)** Commissioner Dean asked for confirmation that all members of the Commission were in support of the process; Commissioner Shirliff and Mayor Collins also agreed.

## **Report of the City Attorney**

- (00:23:56)** City Attorney Dockter had nothing to report.

## **Report of the City Manager**

- (00:24:13)** Interim City Manager Burton introduced Human Resources Director McMahon.
- (00:24:42)** Director McMahon clarified the RFP process in regard to the Pay Plan Project.
- (00:27:11)** Interim Manager Burton introduced Director Knoepke.
- (00:27:21)** Director Knoepke provided an update on the snow removal plan.
- (00:29:05)** Commissioner Dean took over as Mayor Pro Tem; Mayor Collins stepped out of the meeting.
- (00:31:17)** Commissioner Reed thanked the plow drivers and Transportation Systems Department.
- (00:31:45)** Commissioner Logan asked Director Knoepke about the best way for citizens to submit requests for snow related services.
- (00:32:40)** Mayor Pro Tem Dean asked Director Knoepke about the GIS map system availability.

## **Communications from the Helena Citizens Council**



- (00:33:36) HCC Representative Lowell Chandler discussed recent and upcoming meeting agenda items, including the Centennial Trail Bridge project in honor of Late Commissioner Feaver.
- (00:38:10) Commissioner Shirliff, Commissioner Reed, Mayor Pro Tem Dean, and Rep Chandler discussed estimated cost and funding options for the project.

## Regular Items

- A. Consider an Ordinance establishing burning regulations within the City of Helena.

(00:43:10) Fire Chief Campbell presented Item A.

(00:44:50) There were no further questions or comments by the Commission and/or public.

(00:45:08) **Commissioner Logan made a motion to approve an Ordinance establishing burning regulations within the City of Helena. Commissioner Shirliff seconded the motion.**

(00:45:19) Mayor Pro Tem Dean called for a vote.

Mayor Pro Tem Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Absent**

**The motion carried 4:0.**

- B. Consider a Resolution Allocating General Fund Savings created from accepting United States Treasury State and Local Recovery Grant Funds and Declaring all Grant Funds as Revenue Loss used for General Government Services

(00:46:03) Finance Director Danielson presented Item B.

(00:48:42) Commissioner Logan explained the process for budget meetings.

(00:49:40) Commissioner Reed asked Interim Manager Burton about the order of process for the ERP.

(00:51:47) Mayor Pro Tem Dean asked Director Danielson about the allocation of Civic Center HVAC Funds and matching grant funds.

(00:53:20) There were no further questions or comments by the Commission and/or public.



(00:53:33) **Commissioner Shirliff made a motion to approve a Resolution Allocating General Fund Savings created from accepting United States Treasury State and Local Recovery Grant Funds and Declaring all Grant Funds as Revenue Loss used for General Government Services. Commissioner Logan seconded the motion.**

(00:53:57) Mayor Pro Tem Dean called for a vote.

Mayor Pro Tem Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Absent**

**The motion carried 4:0.**

C. Consider a Resolution of Intention Amending the Revised Final Budget Authorities, and Appropriations for Fiscal Year Beginning July 1, 2022, and Ending June 30, 2023, for the City of Helena, Montana, by Amending Resolution No. 20771 to Increase Appropriations by \$13,991,875 and to Set a Public Hearing

(00:55:15) Director Danielson presented Item C.

(00:56:38) Mayor Pro Tem Dean asked Director Danielson about the reserve process.

(00:57:09) Commissioner Logan asked Director Danielson about the date of the public hearing.

(00:57:35) There were no further questions or comments by the Commission and/or public.

(00:57:41) **Commissioner Logan made a motion to approve a Resolution of Intention Amending the Revised Final Budget Authorities, and Appropriations for Fiscal Year Beginning July 1, 2022, and Ending June 30, 2023, for the City of Helena, Montana, by Amending Resolution No. 20771 to Increase Appropriations by \$13,991,875 and to Set a Public Hearing. Commissioner Reed seconded the motion.**

(00:58:23) Mayor Pro Tem Dean called for a vote.

Mayor Pro Tem Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Absent**

**The motion carried 4:0.**



## Public Hearings

- A. Consider a Resolution granting tax benefits to Prickly Pear Development, LLC, by valuing their land at 50% of the taxable value as allowed by statute for construction of a building at 760 Florence Street in the City of Helena, Montana
- (00:59:07) Mayor Collins resumed meeting duties.
- (00:59:18) Planner Ellie Ray presented Items A and B concurrently.
- (01:06:13) Commissioner Dean asked Planner Ray and City Attorney Dockter about tax recapture circumstances being included in the Resolution language.
- (01:06:13) Commissioner Dean asked Planner Ray and City Attorney Dockter about tax recapture circumstances being included in the Resolution language.
- (01:09:03) Commissioner Dean asked Director Danielson about tracking procedures for code enforcement.
- (01:10:05) Commissioner Logan asked if the developers would be addressing the Commission.
- (01:10:25) Nick Kuntz of Five Star Leasing and Prickly Pear Development and Carson Warsler of the RTD Plant Badlander Spirits provided public comment, providing more information about the proposal.
- (01:15:23) Commissioner Logan asked Mr. Kuntz and Mr. Warsler about the context and difference in cashflow between 25% and 50% tax abatement.
- (01:16:41) Brian Obert of Montana Business Assistance Connection provided public comment via zoom, supporting approval.
- (01:18:55) Commissioner Dean explained support for this abatement and advocated for more economic development tools for the municipality.
- (01:20:18) **Commissioner Dean made a motion to approve a Resolution granting tax benefits to Prickly Pear Development, LLC, by valuing their land at 50% of the taxable value as allowed by statute for construction of a building at 760 Florence Street in the City of Helena, Montana. Commissioner Shirliff seconded the motion.**
- (01:20:42) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Reed voted: **Aye**
- Commissioner Shirliff voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 5:0.**



**B.** Consider a Resolution granting tax benefits for the statutorily allowed timeframe to Five Star Leasing, LLC, for 50% of the taxable value of the qualifying improvements (new equipment purchases) to property located at 760 Florence Street in the City of Helena, Montana

**(01:21:20)** There were no further comments or questions by the Commission and/or public.

**(01:21:37)** **Commissioner Shirliff made a motion to approve a Resolution granting tax benefits for the statutorily allowed timeframe to Five Star Leasing, LLC, for 50% of the taxable value of the qualifying improvements (new equipment purchases) to property located at 760 Florence Street in the City of Helena, Montana. Commissioner Reed seconded the motion.**

**(01:22:00)** Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 5:0.**

### Public Communications

**(01:22:30)** Charlie Gross, Director of Athletics at Carroll College, provided public comment advocating for the ARPA Funding proposal for Carroll College's Nelson Stadium enhancements.

### Adjournment

**(01:27:40)** There being no further business before the Commission, the meeting adjourned at 07:28pm.



CLERK OF THE CITY COMMISSION

  
MAYOR