



**City of Helena
City Commission Meeting
October 30, 2023 – 6:00 PM
Zoom Online Meeting; <https://us06web.zoom.us/j/8258636435>
City County Building Commission Chambers, Room 330**

Time & Place

A regular City Commission meeting was held on Monday, October 30, 2023 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/8258636435> and physically in the City County Building Commission Chambers, Room 330.

Call to Order and Roll Call

(00:00:20) The following responded present, either via zoom or in person:

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

Pledge of Allegiance

(00:01:25) Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

Minutes

- A. 10-16-23 Commission Meeting
- B. 10-25-23 Admin Meeting

(00:01:49) There being no comments or questions from the Commission, Mayor Collins accepted Minutes A and B.

Board Appointments

- A. Board Appointments: Board of Adjustment, Business Improvement District, Citizens Conservation Board, Downtown TIF Advisory Board, Golf Advisory Board, Helena Public Art Committee, Railroad TIF Advisory Board



(00:02:08) Mayor Collins presented Item A.

(00:04:23) **Commissioner Logan made a motion to approve Board Appointments for Board of Adjustment, Business Improvement District, Citizens Conservation Board, Downtown TIF Advisory Board, Golf Advisory Board, Helena Public Art Committee, and Railroad TIF Advisory Board. Commissioner Shirliff seconded the motion.**

(00:06:03) 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.

Consent Agenda

A. Change Order 1 for City of Helena Project #18-17: 2018 Water/Sewer Main Replacements

B. Change Order 2 for City of Helena Project #19-35: 2019 CIPP Sewer Main Rehabilitation Project

(00:06:54) **Commissioner Reed made a motion to approve Consent Agenda Items A and B. Commissioner Dean seconded the motion.**

(00:07:05) 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.

Communications/Proposals from Commissioners

(00:07:25) Commissioner Logan requested a discussion during a future Administrative Meeting regarding winter conditions.



Report of the City Attorney

(00:08:09) City Attorney Dockter had nothing to report.

Report of the City Manager

(00:08:14) City Manager Burton introduced Transportation Systems Director Knoepke.

(00:08:35) Director Knoepke provided an update about the Metropolitan Planning Organization Agreement.

(00:09:57) Commissioner Dean asked Director Knoepke about the timeline for interlocal agreements and designation specifics.

Communications from the Helena Citizens Council

(00:13:28) HCC Representative Ben Kuiper discussed recent and upcoming meeting agenda items.

Regular Items

A. Variance request for extending sewer through the frontage of the property on Washington Street for the Kings Commons Development

(00:14:45) City Engineer Clark presented Item A.

(00:15:42) Commissioner Dean asked Engineer Clark about the recommendation for approval or denial.

(00:16:39) Commissioner Reed asked Engineer Clark for further confirmation of the staff recommendation as stated in the meeting packet.

(00:17:43) Manager Burton suggested this Item be tabled for further review.

(00:17:53) Commissioner Dean expressed support for tabling the item.

(00:18:30) **Commissioner Dean made a motion to table a Variance request for extending sewer through the frontage of the property on Washington Street for the Kings Commons Development. Commissioner Reed seconded the motion.**

(00:18:46) Commissioner Logan asked about the impact of tabling this Item on the overall timeline of the developer's project.

(00:19:50) Developer Larson addressed Commissioner Logan's question.



(00:20:46) Commissioner Logan asked Manager Burton about the timeline for review when tabling this Item.

(00:21:40) 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 to table carried 5:0.

B. Sidewalk Variance Request for 724 Custer Avenue

(00:22:11) Director Knoepke presented Item B.

(00:23:20) Commissioner Dean asked Director Knoepke about the instruction not to build sidewalks in the right-of-way and the future impacts for development of pedestrian safety.

(00:24:48) Commissioner Dean asked Director Knoepke about the sidewalks proposed compared to MDT standards.

(00:25:31) **Commissioner Dean made a motion to approve a Sidewalk Variance allowing public sidewalk to be installed along Custer Avenue on an easement on private property at 724 Custer Avenue. Commissioner Logan seconded the motion.**

(00:25:50) 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.

C. Consider Curb & Gutter Variance Request for 865 Hillsdale Street (#1)

(00:26:14) Director Knoepke presented Item C.

(00:28:17) Commissioner Reed asked Director Knoepke about the timeline for future road development in relation to the volume of recent variance requests.

(00:29:57) Manager Burton addressed Commissioner Reed's question.



(00:31:43) **Commissioner Logan made a motion to approve curb and gutter variance allowing a waiver of protest for any future SID to be signed in lieu of installation of curb and gutter along Hillsdale Street. Commissioner Dean seconded the motion.**

(00:32:02) 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.

D. Consider Curb & Gutter and Sidewalk Variance Request for 865 Hillsdale Street (#2)

(00:32:36) Director Knoepke presented Item D.

(00:33:57) Commissioner Dean asked Director Knoepke about adjacent property owner involvement and future implications.

(00:36:20) Commissioner Reed asked Director Knoepke for clarification of the differences in each variance type.

(00:38:05) Commissioner Shirliff asked Director Knoepke about the orientation of neighboring structures and if sidewalks in this area would interfere with ADA compliance.

(00:39:35) Tony Proof provided public comment, discussing the viability of the variance request.

(00:41:15) Manager Burton discussed the development of streets in this area being under the purview of County Standards, not City Standards.

(00:41:53) **Commissioner Dean made a motion to approve a sidewalk variance allowing a waiver of protest for any future SID to be signed in lieu of installation of sidewalk and curb and gutter along Shiland Street. Commissioner Shirliff seconded the motion.**

(00:42:20) 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.

E. Consider Curb & Gutter and Sidewalk Variance Request for 865 Hillsdale Street (#3)

(00:42:46) Director Knoepke presented Item E.

(00:44:11) **Commissioner Shirliff made a motion to approve a variance allowing a waiver of protest for any future SID to be signed in lieu of installation of curb and gutter and sidewalks along the Highland Street frontage of 865 Hillsdale. Commissioner Logan seconded the motion.**

(00:44:29) 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.

F. 1st Reading and Adoption of the Draft Ordinance Pre-Zoning to PLI, prior to annexation, properties related to Mt Helena City Park

G. Resolution of Intent to Annex properties related to Mt Helena City Park and to set the public hearing

(00:45:00) Community Development Director Brink presented Item F and G.

(00:50:38) Commissioner Dean thanked Director Brink and Staff.

(00:51:04) Commissioner Reed asked Director Brink about the process for annexation.

(00:52:00) Commissioner Shirliff thanked Director Brink and Staff.



(00:52:29) Commissioner Dean made a motion to approve an ordinance pre-zoning to PLI (Public Lands and Institutions), prior to annexing into the City of Helena, property legally described as Parcel I: Blocks 7, 8, 16, and 24 of Highland Park in Lewis and Clark County, Montana, as shown on Retracement Survey filed under Doc. No. 3339312; and, Parcel II: Blocks 17, 18, 22, and 23 of Highland Park in Lewis and Clark County, Montana, as shown on Retracement Survey /filed under Doc. No. 3331784; and, The West ½ of the Southwest 1/4 of Section 26, Township 10 North, Range 4 West, Page 59 of 164 P.M.M., Lewis and Clark County, Montana, excepting therefrom Tract A of Certificate of Survey filed under Doc. No. 589492-T, records of Lewis and Clark County, Montana, all being known as a portion of Mt. Helena City Park. Commissioner Shirliff seconded the motion.

(00:53:38) 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.

(00:54:19) Commissioner Shirliff made a motion to approve a Resolution of Intention to Annex, and to set the public hearing as outlined in the Resolution of Intent to Annex, property legally described as Parcel I: Blocks 7, 8, 16, and 24 of Highland Park in Lewis and Clark County, Montana, as shown on Retracement Survey filed under Doc. No. 3339312; and, Parcel II: Blocks 17, 18, Page 81 of 164 22, and 23 of Highland Park in Lewis and Clark County, Montana, as shown on Retracement Survey filed under Doc. No. 3331784; and The West 1/2 of the Southwest 1/4 of Section 26, Township 10 North, Range 4 West, P.M.M., Lewis and Clark County, Montana, excepting therefrom Tract A of Certificate of Survey filed under Doc. No. 589492-T, records of Lewis and Clark County, Montana and all adjacent rights into the City of Helena, Montana. Commissioner Reed seconded the motion.

(00:55:22) 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.

H. Adoption of the Community Development Public Participation Plan For Montana Land Use Planning Act Compliance (SB382)

(00:55:46) Director Brink and Planner Shirley presented Item H.

(00:59:45) Commissioner Dean thanked Director Brink and Staff.

(01:00:40) **Commissioner Dean made a motion to approve adoption of the Community Development Public Participation Plan. Commissioner Shirliff seconded the motion.**

(01:00:52) 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.

I. Adoption of a Resolution creating the City of Helena Planning Commission

(01:01:25) Director Brink presented Item I.

(01:12:18) Commissioner Dean asked Director Brink about interest from current members of the City-County Planning Board to join the Planning Commission.

(01:13:17) Commissioner Shirliff asked Director Brink about the recommendation for the total number of board members.

(01:14:36) **Commissioner Dean made a motion to approve a Resolution creating the City of Helena Planning Commission. Commissioner Shirliff seconded the motion.**

(01:14:50) 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 Hearings

A. Consider a Resolution Authorizing the Participation in the Board of Investments of the State of Montana Annual Adjustable-Rate Municipal Finance Consolidation Act Extendable Bond (Intercap Loan Program) Approving the Form and Terms of the Loan Agreement and Authorizing the Execution and Delivery of Documents Related Thereto

(01:15:24) Finance Controller Walsh presented Item A.

(01:18:16) Commissioner Reed discussed budget priorities related to debts.

(01:19:14) **Commissioner Logan made a motion to approve a Resolution Authorizing the Participation in the Board of Investments of the State of Montana Annual Adjustable-Rate Municipal Finance Consolidation Act Extendable Bond (Intercap Loan Program) Approving the Form and Terms of the Loan Agreement and Authorizing the Execution and Delivery of Documents Related Thereto. Commissioner Shirliff seconded the motion.**

(01:19:52) Mayor Pro Tem Dean 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

(01:20:13) There were no further comments or questions from the Commission and/or public.

Adjournment



City of Helena

(01:20:20) There being no further business before the Commission, the meeting adjourned at 7:21pm.



CLERK OF THE CITY COMMISSION

MAYOR