



**City of Helena  
City Commission Meeting  
November 6, 2023 – 6:00 PM  
Zoom Online Meeting; <https://us06web.zoom.us/j/85621425713>  
City County Building Commission Chambers, Room 330**

**Time & Place**

A regular City Commission meeting was held on Monday, November 6, 2023 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/85621425713> and physically in the City County Building Commission Chambers, Room 330.

**Call to Order and Roll Call**

**(00:00:56)** 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**

**(00:01:52)** Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

**Minutes**

**A.** 10-30-23 Commission Meeting

**(00:02:16)** **There being no comments or questions from the Commission, Mayor Collins accepted Minutes A.**

**Consent Agenda**

**A. Consider Buy/Sell Agreement for purchase of land as described as Parcel A2 of C.O.S. 3088241 in Lewis and Clark County for the purpose of drilling wells to perfect City of Helenas Groundwater Reservation**

**(00:03:10)** Public Works Director Leland presented Item A.



(00:04:10) Commissioner Dean asked Director Leland about the difference in budget versus actual cost.

(00:04:55) **Commissioner Shirliff made a motion to approve Consent Agenda Item A. Commissioner Dean seconded the motion.**

(00:05:08) 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**

(00:05:20) There were no communications from the Commissioners.

#### **Report of the City Attorney**

(00:05:25) City Attorney Dockter had nothing to report.

#### **Report of the City Manager**

(00:05:30) City Manager Burton had nothing to report.

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

(00:05:49) HCC Representative Perry discussed recent and upcoming meeting agenda items.

#### **Regular Items**

**A. Consider a Request for Enlargement of Sanitary Sewer Service Boundary for Property Located at 2167 Head Lane. Legally described as Lot 5 of the Country Club Park Subdivision Lewis and Clark County**

(00:08:53) Director Leland presented Item A.

(00:10:38) Commissioner Dean asked Director Leland about the type of residence proposed and if the property is within the Urban Standards boundary.



- (00:11:10) Commissioner Reed asked Director Leland about the existing City Limits in relation to the property and the timeline for the location in terms of annexation.
- (00:12:48) Commissioner Dean asked Director Leland about the rationale for separation of the septic system for this property and why this area is unsuitable for development.
- (00:14:30) Manager Burton asked Director Leland if the waived right to protest includes annexation.

(00:14:53) **Commissioner Logan made a motion to approve enlargement of the existing sanitary sewer service boundary to include the Ramirez property located at 2167 Head Lane Road and enter into a development agreement with the City of Helena with the following conditions: waiver of the right to protest annexation into the City of Helena, waiver of the right to protest future special improvement districts (SIDs) for water, streets and sidewalk, obtain all applicable City permits and pay all applicable fees, accept city metering on the sanitary sewer service for billing and the associated costs, purchase sewer capacity for the proposed residence in the Stone Meadows pump station at \$0.42 per GPD for 268 GPD at a cost of \$112.56, restrict the use for one single family residence only, participate in the construction and extension of the City Water System at such time as the water system would benefit the Owner's property. Commissioner Shirliff seconded the motion.**

- (00:16:30) Mayor Collins called for a vote.
  - Commissioner Dean voted: **No**
  - Commissioner Logan voted: **Aye**
  - Commissioner Reed voted: **No**
  - Commissioner Shirliff voted: **No**
  - Mayor Collins voted: **Aye**

**The motion failed 3:2.**

**B. Consider a variance request to not extend sewer through the frontage of the property on Washington Street for the Kings Commons Development**

- (00:17:35) Director Leland Presented Item B.
- (00:21:11) Commissioner Reed asked Director Leland for clarification on the Staff recommendation for this Item.



- (00:22:18) Commissioner Dean asked Director Leland about future implications for development.
- (00:24:00) Commissioner Logan asked Director Leland if the developer needs the main and the rationale for asking them to install if it is not required via City Code.
- (00:26:33) Jeff Larson, the developer for this Item, provided public comment, discussing additional details.
- (00:31:04) Commissioner Reed asked Mr. Larson about the decision-making process.
- (00:32:00) **Commissioner Logan made a motion to approve a variance request to not extend sewer through the frontage of the property on Washington Street for the Kings Commons Development. Commissioner Shirliff seconded the motion.**
- (00:32:17) 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 approval for the reconstruction/replacement of 3 sets of double exterior doors and restore approximately 100 windows for property subject to a Scenic (Facade) Easement, located at 104 E. Broadway**

- (00:34:47) Heritage Preservation Officer Attardo presented Item C.
- (00:37:39) Commissioner Dean asked Officer Attardo about the timeline for completion.
- (00:37:55) Commissioner Shirliff asked Officer Attardo about Housing Urban Development and TIF funding.
- (00:38:46) Commissioner Dean discussed the Business Improvement District's Façade Grant.



**(00:39:26) Commissioner Reed made a motion to approve the reconstruction/replacement of 3 sets of double exterior doors and restore approximately 100 windows for property subject to a Scenic (Facade) Easement, located at 104 E. Broadway. Commissioner Dean seconded the motion.**

**(00:39:47)** 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 granting a conditional use permit to allow a residence, multiple dwelling-units (3 or more units) in an R-2 (residential) zoning district in the city of Helena, Montana; this project is located at 2211 Hauser Blvd**

**(00:41:10)** Planner Alvarez presented Item A.

**(00:46:53)** Commissioner Dean asked Planner Alvarez if the units proposed would be rental or owner occupied.

**(00:47:29)** Jacob Augenstine, the developer's representative for this Item, provided public comment, addressing Commissioner Dean's question.

**(00:48:23) Commissioner Shirliff made a motion to approve a resolution granting a conditional use permit to allow a residence, multiple dwelling-units (3 or more units) in an R-2 (residential) zoning district in the city of Helena, Montana; with the conditions that: a building permit must be submitted for within one (1) year, all conditions must be met within one year of CUP approval, as per Sec. 11-3-9 of the Helena City Code. Commissioner Dean seconded the motion.**

**(00:48:54)** 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**

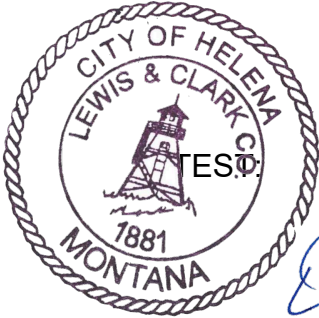
**The motion carried 5:0.**

### Public Communications

(00:49:20) There were no further communications from the Commission and/or public.

### Adjournment

(00:49:27) There being no further business before the Commission, the meeting adjourned at 6:50pm.



CLERK OF THE CITY COMMISSION

MAYOR