



**City of Helena  
City Commission Meeting  
April 10, 2023 – 6:00 PM  
Zoom Online Meeting; <https://us06web.zoom.us/j/81011894558>  
City County Building Commission Chambers, Room 330**

**Time & Place**

A regular City Commission meeting was held on Monday, April 10, 2023 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/81011894558> and physically in the City County Building Commission Chambers, Room 330.

**Call to Order and Roll Call**

**(00:00:05)** The following responded present, either via zoom or in person:

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

**Pledge of Allegiance**

**(00:01:43)** Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

**Minutes**

**A.** 3-27-23 Commission Meeting

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

**Consent Agenda**

**A.** **Approval of Rudd & Company to Perform the Annual Financial Audit for the Airport Authority.**



**B. Approval of a resolution annexing a 36.55 acre parcel described as Tract B1 on the Certificate of Survey filed under document No. 3203658, Lewis and Clark County, Montana, as well as the rights-of-way adjacent thereto, into the City of Helena, Montana.**

**(00:03:22) Commissioner Logan made a motion to approve Consent Agenda Items A and B. Commissioner Dean seconded the motion.**

**(00:03:36)** 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**

**(00:03:55)** There were no communications from the Commissioners.

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

**(00:04:00)** City Attorney Dockter had nothing to report.

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

**(00:04:06)** City Manager Burton had nothing to report.

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

**(00:04:21)** HCC Representative Susan Stephens discussed recent and upcoming meeting agenda items.

#### **Public Hearings Process – Craftsman Village**

**(00:06:03)** Mayor Collins outlined the presentation and public comment structure for the Public Hearings Process Items.

**A. Consider an ordinance pre-zoning, prior to annexation, Craftsman Village Phases 8, 9, and 10 of the Crossroads at Mountain View Meadows as R-U (Residential Urban)**



- (00:07:50) Community Development Director Brink presented Items A, B, and C.
- (00:49:24) Commissioner Dean asked Director Brink to confirm that the applicant intends for the zoning to be used as residential only and to confirm that no public comment was received for any of the Craftsman Village items on this agenda.
- (00:50:39) Applicant Greg Wirth of Stahly Engineering provided public comment, recommending approval and offering to answer questions.
- (00:52:13) **Commissioner Dean made a motion to approve an ordinance pre-zoning to R-U (Residential Urban), prior to annexation the City of Helena, property legally described as “a portion of Tract A-1-A-1-A-1-A-1-A-1-A of the amended Plat Number 3386391, located within the South ½ of Section 26 and the North ½ and Southeast ¼ of Section 35, Township 10 North, Range 3 West, P.M.M, Lewis and Clark County” and being known as Craftsman Village Phases 8, 9, and 10 of the Crossroads at Mountain View Meadows Subdivision. Commissioner Shirliff seconded the motion.**
- (00:53:00) 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.**
- B. Consider a resolution of intention to annex Craftsman Village Phases 8, 9, and 10 of the Crossroads at Mountain View Meadows into the City of Helena, Montana and establish conditions for annexation.**
- (00:53:20) **Commissioner Logan made a motion to approve a Resolution of Intention to Annex property legally described as “a portion of Tract A-1-A-1-A-1-A-1-A-1-A of the amended Plat Number 3386391, located within the South ½ of Section 26 and the North ½ and Southeast ¼ of Section 35, Township 10 North, Range 3 West, P.M.M, Lewis and Clark County”, and being known as Craftsman Village Phases 8, 9, and 10 of the Crossroads at Mountain View Meadows Subdivision, and adjacent rights of way into**



**the City of Helena, Montana and establish conditions for annexation. Those conditions are: Number one – infrastructure: the property owner must install all infrastructure and improvements required by the City of Helena to all City standards and adopted in the Public Infrastructure Master Plans or enter into a development agreement acceptable to the City that defines responsibility for installation or deferment of the improvements. Number two – the project developer must submit along with the required commencement notifications for Phase 9 and 10 updated traffic data and supporting documentation for the study area to include crash data and traffic volume forecasts incorporating the most recent Phases of Mountain View Meadows. Number three – prior to the commencement of Phases 8, 9, and 10, the project developer must provide the City with a water system design report that fully evaluates and analyzes the available storage and any additional storage required for the proposed Phases of the development. This report must be provided prior to infrastructure review for the initial phase of development. If the submitted water system design report indicates the need for additional storage, said storage must be available prior to final plat approval of the Phase which triggered the additional storage requirement and prior to final plat approval of each subsequent phase of the development. Number four – review of new construction: the property owner must submit plans for full review by the City of Helena for compliance with the City infrastructure, zoning, and other code requirements, provide proof of compliance with all building and fire codes for all new construction or remodels subsequent to the adoption of this resolution and prior to the annexation of the property and pay all fees for such reviews in the same manner and on the same basis as do all owners of properties already in the City. Number five – taxes and assessments: taxes and assessments must be paid and current at the time of filing of the resolution of annexation. Number six – notice of special districts: the property owner must waive the right to notification and protest and consent to the alteration of boundaries of Urban Forest Maintenance District and Landfill Monitoring District in order to include the property prior to annexation pursuant to 7-11-1023 of MCA. Number seven – final plat: the final plat of each Phase of the subdivision must be submitted to the City Commission for approval prior to final annexation. Number eight – the completion of conditions: these annexation conditions must be completed prior to the end of the period**



**during which the preliminary plat approval is enforced, including any agreement extending the preliminary plat approval period. If the conditions are not completed within that timeframe, the City is under no obligation to annex the property and may discontinue any City services to the property including water and sewer service. Commissioner Shirliff seconded the motion.**

- (00:58:16)** 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 the preliminary plat for Craftsman Village Phases 8, 9, and 10 of the Crossroads at Mountain View Meadows Major Phased Subdivision creating 207 lots and street rights-of-way from approximately 32.268 acres and to adopt the Findings of Fact and the conditions contained therein for the property legally described in the Findings of Fact**

- (00:58:38) Commissioner Logan made a motion for conditional approval of the preliminary plat for Craftsman Village Phases 8, 9, and 10 of the Crossroads at Mountain View Meadows Major Phased Subdivision creating 207 lots and street rights-of-way from approximately 32.268 acres and to adopt the Findings of Fact and the conditions contained therein for the property legally described in the Findings of Fact. The following conditions shall apply to the preliminary plat approval and must be satisfied before the final plat may be approved. Number one – the project developer must submit along with the required commencement notification for Phase 9 and 10 and updated traffic data and supporting documentation for the study area, to include crash data and traffic volume forecasts incorporating the most recent Phases of Mountain View Meadows. Number two – a plan for noxious and invasive species control on any land dedicated as City park land and all land uses to satisfy park land and dedication requirements of the City will be submitted and approved by the City and implemented prior to the final platting. Number three – prior to final plat approval, all new storm drainage facilities must be within an easement granted**



**to the City that allows for access and maintenance and restricts any encroachments. Number four – prior to the commencement of Phases 8, 9, and 10, the project developer must provide the City a water system design report that fully evaluates and analyzes the available storage and any additional storage required for the proposed Phases of the development. This report must be provided prior to infrastructure review for the initial Phase of development. If the submitted water system design report indicates the need for additional storage, said storage must be available prior to the final plat approval for the Phase which triggered the additional storage requirement prior to the final plat approval of which each subsequent phase of the development. Number five – in accordance with City standards, all sewer mains that are at or exceed 75% of capacity will have to be upsized by the developer. Commissioner Dean seconded the motion.**

- (01:00:55)** 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 Process – Westside Woods**

**A. Consider a resolution of intention to annex the Westside Woods Major Phased Subdivision and adjacent rights of way into the City of Helena, Montana and establish conditions for annexation.**

- (01:02:15)** Community Development Director Brink presented Items A and B.  
**(01:43:28)** Commissioner Shirliff informed the Commission and public of his signature of support for Westside Woods prior to his service as a Commissioner in the interest of transparency.  
**(01:44:30)** Mayor Collins called for a brief recess.  
**(01:54:40)** Mayor Collins reconvened the meeting.  
**(01:55:08)** Applicants Bekka Cantrell and Derek Davis of Sussex Construction provided public comment, recommending approval and providing additional information.



- (02:35:30)** Commissioner Reed asked Director Brink why block lengths are required to be 600 feet by code and how pedestrian crossing might address concerns.
- (02:37:40)** Commissioner Dean asked Attorney Dockter about the decision process as a quasi-judicial body.
- (02:39:23)** Commissioner Logan discussed this being the first time all of the current Commissioners have deliberated these items.
- (02:40:10)** Commissioner Dean asked Transportation Systems Director Knoepke about the conditions for a signal within the traffic impact studies.
- (02:41:40)** Commissioner Dean asked Director Knoepke about snow removal services.
- (02:43:07)** Commissioner Dean asked Director Knoepke about what is considered a “Complete Street.”
- (02:44:20)** Commissioner Dean asked Director Brink about addressing additional points of egress outlined by the Planning Board and discussed the possibility of adding this as a condition for approval.
- (02:47:20)** Commissioner Shirliff asked Director Knoepke about the standard width of streets.
- (02:48:04)** Commissioner Shirliff asked Director Knoepke about efforts to redirect traffic near schools and protect students in the area.
- (02:49:34)** Commissioner Logan asked Attorney Dockter and Director Brink about the process for adding and editing conditions.
- (02:52:07)** Public Works Director Leland discussed concerns regarding the sewer main capacity condition.
- (02:53:17)** Commissioner Dean asked Director Knoepke about the Complete Street Policy specified in the conditions.
- (02:54:52)** Commissioner Logan asked Attorney Dockter about Edit #16.
- (02:55:30)** Attorney Alan McCormick, representing Sussex Construction, addressed Commissioner Logan’s question.
- (02:59:00)** Proponents of this Item provided public comment in-person, online via zoom, or in written form, including Soren Covered, Dave Carlson, Emily McVey, Carrie Wolf, Derek Headelin, Brent Cotton, Todd Rickman, and Austin Witham.





- (03:14:20) Opponents of this Item provided public comment in-person, online via zoon, or in written form, including Susan Newell, Forest Zimmerman, Eloise Candy, Kim Wilson, Greg Duncan, Penny Herbert, Lu Driessen, Sarah Perry, Scott Freeler, Ed Santos, Nancy Rolfe, Pete Larson, Andrea Allen, Abigail McClane, Jim Lund, Cory Chenowith, Rick Sherwood, Colleen Nichols, Terry McLaurin, Jen Pentecost, Anna Hull, Bruce Newell, Rob Farris Olson, Richard Josephson, Einar Larsen, Michael Griffith, Matt Johnson, Jan Larsen, Mary Hall, Jessie Herbert Many, Jeff Allen, Galen McAllister, Miranda Niedham, Dan Woodland, Tom Palmer, and Anne Woodland.
- (04:31:10) Mayor Collins asked Attorney Dockter and Director Leland for clarification about private property encroachment and easements addressed in public comment.
- (04:33:10) Mayor Collins asked Attorney Dockter about quasi-judicial proceedings.
- (04:35:48) Commissioner Dean asked Director Brink about next steps in the event of approval, Complete Streets standards alignment, and the option to postpone the decision.
- (04:38:00) Commissioner Logan asked Director Brink about the recommendation from the Planning Board and documentation relating to edits.
- (04:41:10) Commissioner Dean discussed desire to add another condition via motion amendment regarding traffic studies.
- (04:43:20) Applicant Ron Bartsch addressed questions from Commissioners.
- (05:02:27) Mayor Collins called for a brief recess.
- (05:11:55) Mayor Collins reconvened the meeting.
- (05:12:20) Commissioner Logan asked Director Brink and Fire Chief Campbell about west side access requirements and evacuation concerns.
- (05:18:45) Commissioner Shirliff asked Fire Chief Campbell for clarification about the proposal related to fire code.
- (05:20:45) **Commissioner Logan made a motion to approve a Resolution of Intention to Annex property described as “the SW ¼ of the SW ¼ of Section 23, Township 10 North, Range 4 West, P.M.M., Lewis and Clark County, Montana. Together with a tract of land being Portion A, located in Block 307 of the Bellview Addition as shown on the Amended Plat filed**





under Document # 3310725. Excepting therefrom COS filed under Document # 462306 - T, and Deed of Highway Right of Way recorded in Book 241 of Deeds, Page 177 and Blocks 4, 5, 6, and 9 of Highland Park in Section 26, Township 10 North, Range 4 West, P.M.M, in Lewis and Clark County Montana as shown on the Retracement filed under Document # 3339312 and adjacent rights of way into the City of Helena, Montana and establish conditions for annexation: conditions 1 through 14.

**(05:23:18)** Commissioner Dean made a motion to amend condition 9 to read: during each phase of the project development, the applicant must submit an update to their traffic impact study including signal warrant analysis and supporting documentation during the build out prior to the final annexation of each phase of the development. The new counts must be conducted during mid-week while school is in session and updated TIS should also clarify vehicle crash types and identify any safety mitigation strategies and evaluate any need for the creation of an additional point or points of egress. Commissioner Shirliff seconded the motion to amend.

**(05:26:32)** Commissioner Dean discussed her reasoning for proposing an amendment.

**(05:27:21)** Commissioner Logan asked Director Knoepke about the Traffic Impact Study's viability relating to the proposed amendment.

**(05:28:15)** Commissioner Reed discussed her support for the amendment, but not for Le Grand Cannon as an option for an additional egress.

**(05:28:53)** Manager Burton informed the Commission that decisions regarding Le Grand Cannon need to be discussed with Lewis and Clark County.

**(05:29:27)** Mayor Collins called for a vote of the amendment by Commissioner Dean.

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.**



**(05:30:20) Commissioner Dean seconded the motion by Commissioner Logan as amended.**

**(05:30:30)** Mayor Collins called for a vote of the motion by Commissioner Logan as amended.

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 the preliminary plat for the Westside Woods Major Phased Subdivision creating 100 lots and street rights-of-way from approximately 58.85 acres and to adopt the Findings of Fact and the conditions contained therein for the property legally described in the Findings of Fact**

**(05:31:15) Commissioner Logan made a motion to conditionally approve the preliminary plat for the Westside Woods Major Phased Subdivision creating 100 lots and street rights-of-way from approximately 58.85 acres and to adopt the Findings of Fact and the conditions contained therein for the property legally described in the Findings of Fact. The following conditions shall apply to the preliminary plat approval and must be satisfied before the final plat may be approved: conditions 1 through 21.**

**(05:32:17) Commissioner Dean made a motion to amend condition 1 to read: the developer must submit an update to their traffic impact study including signal warrant analysis during the development and buildout of each project phase. New counts must be conducted during mid-week while school is in session and evaluate any need for the creation of an additional point or points of egress. Commissioner Reed seconded the motion to amend.**

**(05:33:03)** Commissioner Dean explained her reasoning for proposing the amendment.

**(05:33:10)** Commissioner Logan asked for clarification on voting process.

**(05:33:17)** Mayor Collins called for a vote of the amendment by Commissioner Dean.



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.**

**(05:33:33) Commissioner Dean seconded the motion by Commissioner Logan as amended.**

**(05:33:44)** Mayor Collins called for a vote of the motion by Commissioner Logan as amended.

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

**(05:34:38)** Commissioner Dean thanked the public for participating.

**(05:34:52)** Mayor Collins thanked the City Staff for their work.

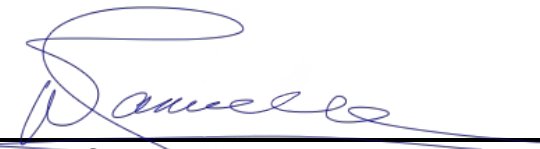
**(05:35:00)** Commissioner Shirliff thanked the public for participating.

### Adjournment

**(05:35:17)** There being no further business before the Commission, the meeting adjourned at 11:36pm.



CLERK OF THE CITY COMMISSION

  
MAYOR