



**City of Helena  
City Commission Meeting  
June 26, 2023 – 6:00 PM  
Zoom Online Meeting; <https://us06web.zoom.us/j/82764920645>  
City County Building Commission Chambers, Room 330**

**Time & Place**

A regular City Commission meeting was held on Monday, June 26, 2023 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/82764920645> and physically in the City County Building Commission Chambers, Room 330.

**Call to Order and Roll Call**

**(00:00:14)** The following responded present, either via zoom or in person:

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

The following members were absent:

Commissioner Reed

**Pledge of Allegiance**

**(00:01:23)** Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

**Minutes**

**A. 6-12-23 Commission Meeting**

**(00:01:50)** **There being no comments or questions from the Commission, Mayor Collins accepted Minutes A.**

**Communications/Proposals from Commissioners**

**A. Audit Committee Update and Recommendations**

**(00:02:06)** Commissioner Logan presented Item A.



- (00:04:08) Finance Director Danielson discussed Audit specifics.
- (00:05:36) Manager Burton asked Director Danielson about the number of years that Helena has been selected for the Award for Financial Excellence.
- (00:06:15) Commissioner Dean asked Director Danielson about accounting trends and the need for hiring out of state firms.
- (00:08:52) **Commissioner Logan made a motion to approve acceptance of the FY2022 financial and federal single audit performed by JCCS. Commissioner Dean seconded the motion.**
- (00:09:20) Mayor Collins called for a vote.
- (00:09:22) Attorney Dockter advised Mayor Collins to entertain public comment on this item before voting.
- (00:10:16) Richard Schuette provided public comment, asking about how the audit relates to other cities.
- (00:11:10) 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.**

### Report of the City Attorney

- (00:11:32) City Attorney Dockter had nothing to report.
- (00:11:50) **Commissioner Logan made a motion to approve the Audit Committee's recommendation to enter into a service agreement with Mayor Deussel for the FY23, FY24, and FY25 financial and federal single audits. Commissioner Dean seconded the motion.**
- (00:12:23) 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.**

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

(00:12:35) City Manager Burton had nothing to report.

### **Public Hearings (Item Relocated on Agenda)**

#### **E. Consider a Resolution of Intention to re-create a Special District to Annual Finance the Maintenance and Management of Public Trees on Public Rights-Of-Way and in City Parks.**

- (00:13:10) Director Danielson presented Item E.
- (00:17:52) Commissioner Dean asked Director Danielson about continuing to employ arborists in the event of storm damage if the district is not recreated.
- (00:19:40) Ken Bailey provided public comment, expressing opposition.
- (00:22:08) Jim Campbell provided public comment, expressing opposition.
- (00:25:35) Thomas Bowe provided public comment, expressing opposition.
- (00:26:55) A community member provided public comment, expressing opposition.
- (00:30:24) Robert Throssell of Growing Friends Helena provided public comment, expressing support.
- (00:32:28) Mackenzie Peterson provided public comment, expressing support.
- (00:33:33) Colleen Street provided public comment, expressing opposition.
- (00:35:20) Peter Berns provided public comment, expressing support.
- (00:36:22) Mark Juedeman provided public comment via zoom, expressing support.
- (00:37:30) Clerk Clayborn read written comment into the record, submitted by Jill Caldwell.
- (00:37:48) Commissioner Logan discussed his reasons for opposition.
- (00:40:55) Commissioner Dean asked Attorney Dockter to address legal concerns.
- (00:44:46) Manager Burton discussed the legislative decision prompting this Item.



(00:45:40) Commissioner Dean asked Director Danielson about next steps.

(00:48:25) Commissioner Dean discussed her reasons for support.

(00:51:20) **Commissioner Dean made a motion to approve a Resolution of Intention to re-create a Special District to Annual Finance the Maintenance and Management of Public Trees on Public Rights-Of-Way and in City Parks. Commissioner Shirliff seconded the motion.**

(00:51:45) Mayor Collins discussed his reasons for support and requested an effort to better inform the public.

(00:52:30) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **No**

Commissioner Reed voted: **Absent**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 3:1.**

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

(00:53:10) No HCC representatives were in attendance to provide an update.

### **Regular Items**

**A. Consider a Resolution distributing Railroad Urban Renewal District Tax Increment Financing funds to Megan Malkin for the installation of a mural at 1316 Bozeman Avenue.**

(00:53:40) Planner Ray presented Item A.

(00:55:16) Mayor Collins asked Planner Ray if the request included the Helena Public Arts Committee.

(00:55:40) Commissioner Dean discussed support.

(00:56:12) Commissioner Shirliff discussed support.



**(00:56:52) Commissioner Shirliff made a motion to approve a Resolution distributing Railroad Urban Renewal District Tax Increment Financing funds to Megan Malkin for the installation of a mural at 1316 Bozeman Avenue. Commissioner Dean seconded the motion.**

**(00:57:10)** 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.**

**B. Consider approval for the elimination of an access restriction and establish a limited access agreement for Lot 1A-1E1C3 as shown on Certificate of Survey 3286330**

**(00:57:48)** Planner Ray presented Item B.

**(01:00:45)** Jacob Kuntz of Helena Habitat for Humanity provided public comment, expressing support.

**(01:01:42) Commissioner Logan made a motion to approve the elimination of an access restriction and establish a limited access agreement for Lot 1A-1E1C3 as shown on Certificate of Survey 3286330. Commissioner Dean seconded the motion.**

**(01:02:08)** 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.**

**C. Consider Approval of Second Reading of City Ordinance Revision: Trap-Neuter-Return (TNR)**

**(01:02:40)** Police Chief Petty presented Item C.



(01:03:22) Commissioner Logan asked Chief Petty about next steps pending approval.

(01:03:57) **Commissioner Dean made a motion to approve a second reading of updated City Code Title 5 Police Regulations Chapter 2 Animal Control to include language and definitions for the Trap-Neuter-Return Program. Commissioner Logan seconded the motion.**

(01:04:15) 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.**

#### **D. Consider approval of Community Aid Grant Agreements**

(01:04:40) Attorney Dockter presented Item D.

(01:07:34) Commissioner Dean asked Director Danielson about reporting requirements, performance monitoring, and fund recovery.

(01:10:03) Mayor Collins asked Manager Burton for a summary of additional allocations discussed at the most recent Administrative Meeting.

(01:10:56) Commissioner Logan thanked Manager Burton and Staff.

(01:12:12) **Commissioner Shirliff made a motion to approve Grant Agreements for Rocky Mountain Development Council and Tri-County Fire Safe Working Group. Commissioner Dean seconded the motion.**

(01:12:27) 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.**



**E. Consider a Resolution Allocating Additional 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**

(00:00:00) Item E was relocated on the Agenda due to oversight.

**Public Hearings**

**A. Consider a Resolution Adopting Preliminary Budget, Budget Authorities, and Appropriations for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2023, and Setting the Salary for the Municipal Court Judge.**

(01:13:02) Director Danielson presented Item A.

(01:16:04) Commissioner Dean asked Director Danielson about highlights of the FY24 budget.

(01:20:03) **Commissioner Dean made a motion to approve a Resolution Adopting Preliminary Budget, Budget Authorities, and Appropriations for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024, and Setting the Salary for the Municipal Court Judge. Commissioner Logan seconded the motion.**

(01:20:20) 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.**

(01:20:45) Commissioner Dean, Commissioner Logan, Mayor Collins, Director Danielson discussed addressing Regular Item E.

(01:22:05) Clerk Clayborn confirmed that Regular Item E had been overlooked.

**Regular Items (Item Relocated on Agenda)**



**E. Consider a Resolution Allocating Additional 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**

(01:24:48) Director Danielson presented Item E..

(01:25:24) Mayor Collins asked Parks Director Smith if there are enough employees to operate at full capacity.

(01:26:06) **Commissioner Dean made a motion to approve a Resolution Allocating Additional 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.**

(01:26:29) 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.**

**Public Hearings (continued)**

**B. Consider a Resolution Approving the Workplan and Budget for the Business Improvement District and Levying an Assessment on all Properties within the District for Fiscal Year 2024**

(01:27:08) Director Danielson presented Item B.

(01:28:12) **Commissioner Logan made a motion to approve a Resolution Approving the Workplan and Budget for the Business Improvement District and Levying an Assessment on all Properties within the District for Fiscal Year 2024. Commissioner Dean seconded the motion.**

(01:28:30) 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.**

**C. Consider a Resolution Approving the Workplan and Budget for the Tourism Business Improvement District and Levying an Assessment on All Properties within the District for Fiscal Year 2024.**

(01:28:52) Director Danielson presented Item C.

(01:29:36) **Commissioner Dean made a motion to approve a Resolution Approving the Workplan and Budget for the Tourism Business Improvement District and Levying an Assessment on All Properties within the District for Fiscal Year 2024. Commissioner Shirliff seconded the motion.**

(01:29:50) 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.**

**D. Consider a Resolution setting fees to be charged for disposal of garbage and refuse at the City of Helena Transfer Station and Repeal Resolution 20507.**

(01:30:13) Director Danielson presented Item D.

(01:31:00) **Commissioner Logan made a motion to approve a Resolution setting fees to be charged for disposal of garbage and refuse at the City of Helena Transfer Station and Repeal Resolution 20507. Commissioner Dean seconded the motion.**

(01:31:20) 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.**

### Public Communications

- (01:31:50) Clerk Clayborn read written public comment into the record, submitted by Denise Roth Barber of the HCC.
- (01:32:06) Richard Scheutte provided public comment, thanking the Commission.

### Adjournment

- (01:32:30) There being no further business before the Commission, the meeting adjourned at 7:33pm.



CLERK OF THE CITY COMMISSION

  
MAYOR