



City of Helena
City Commission Meeting
July 24, 2023 – 6:00 PM
Zoom Online Meeting; <https://us06web.zoom.us/j/8015760937>
City County Building Commission Chambers, Room 330

Time & Place

A regular City Commission meeting was held on Monday, July 24, 2023 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/8015760937> and physically in the City County Building Commission Chambers, Room 330.

Call to Order and Roll Call

(00:00:10) 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

(00:01:11) Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

Minutes

A. 7-10-23 Commission Meeting

(00:01:38) **There being no comments or questions from the Commission, Mayor Collins accepted Minutes A.**

Presentations

A. Consider the Confirmation of Officer Chris Gosvener

(00:02:00) Police Chief Petty presented Item A and introduced Officer Gosvener.



(00:05:00) Commissioner Dean, Commissioner Shirliff, Commissioner Logan, Commissioner Reed, and Mayor Collins welcomed Officer Gosvener and thanked him for his service.

(00:06:25) **Commissioner Dean made a motion to approve Confirmation of Officer Chris Gosvener. Commissioner Shirliff seconded the motion.**

(00:06:37) 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.

Board Appointments

A. Board Appointments: ADA Compliance Committee, City-County Regional Airport Authority

(00:07:16) Mayor Collins presented Item A.

(00:08:12) **Commissioner Dean made a motion to approve Board Appointments: ADA Compliance Committee, City-County Regional Airport Authority. Commissioner Shirliff seconded the motion.**

(00:08:48) 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

(00:09:00) There were no communications from Commissioners.

Report of the City Attorney



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

Report of the City Manager

- (00:09:15) City Manager Burton introduced Human Resources Director McMahon.
- (00:09:38) Director McMahon discussed SSD Dispatch contract negotiations.
- (00:13:50) Commissioner Dean expressed support for interest-based bargaining.
- (00:14:12) Mayor Collins thanked Director McMahon.
- (00:14:18) Commissioner Logan thanked Management Staff and the local union.

Communications from the Helena Citizens Council

- (00:15:00) HCC Representative Patricia Bik discussed recent and upcoming meeting agenda items.

Public Hearings (Item commuted due to time)

B. Consider approval of Ziplly Franchise Agreement

- (00:17:17) Attorney Dockter and River Oaks Communication Vice President Duchon presented Item B.
 - (00:20:04) **Commissioner Logan made a motion to approve Ziplly Franchise Agreement. Commissioner Dean seconded the motion.**
 - (00:20:26) 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. Claims



(00:21:10) Mayor Collins presented Item A.

(00:23:05) **Commissioner Dean made a motion to approve Consent Agenda Items A. Commissioner Logan seconded the motion.**

(00:23:30) 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.

Regular Items

A. Consider a resolution distributing Railroad Urban Renewal District Tax Increment Financing funds to Larson Building, LLC, for accessible parking and ingress improvements.

(00:23:57) Senior Planner Ray presented Item A.

(00:25:26) Commissioner Dean asked Planner Ray about the remaining amount of Railroad TIF funds and expressed support for the project/district revitalization.

(00:26:22) John Ivanson provided public comment, adding background information and advocating for approval.

(00:27:33) **Commissioner Shirliff made a motion to approve a resolution distributing Railroad Urban Renewal District Tax Increment Financing funds to Larson Building, LLC, for accessible parking and ingress improvements. Commissioner Reed seconded the motion.**

(00:27:52) 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.



B. Consider a resolution distributing Railroad Urban Renewal District Tax Increment Financing funds to Charles Albert Properties, LLP, to install sidewalks, ADA ramps, and landscaping at the Hustad Center.

(00:28:17) Planner Ray presented Item B.

(00:29:45) Commissioner Dean asked Planner Ray about additional ADA improvements by the Montana Department of Transportation.

(00:30:31) Ed Beal provided public comment, adding background information and advocating for approval.

(00:31:56) **Commissioner Shirliff made a motion to approve a resolution distributing Railroad Urban Renewal District Tax Increment Financing funds to Charles Albert Properties, LLP, to install sidewalks, ADA ramps, and landscaping at the Hustad Center. Commissioner Dean seconded the motion.**

(00:32:15) 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 a Sidewalk Variance Request for 3424 HWY 12 East.

(00:32:37) Transportation Systems Director Knoepke presented Item C.

(00:33:50) **Commissioner Logan made a motion to approve a Sidewalk Variance Request for 3424 HWY 12 East. Commissioner Shirliff seconded the motion.**

(00:34:11) 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 a Resolution of Intention to set fees charged by the Helena Transportation Systems Department and set a public hearing for August 7, 2023.

- (00:34:39) Transportation Systems Deputy Director Couey presented Item D.
- (00:38:22) Commissioner Reed asked Deputy Director Couey and Director Knoepke about parklet fee calculations.
- (00:41:13) Mayor Collins asked Director Knoepke about the comparison to charging fees directly related to per-space fees.
- (00:41:30) Commissioner Dean expressed support for the fees and requested updates regarding parklet permit holders and statuses of other cities experiencing the same situation.
- (00:42:56) Director Knoepke discussed additional considerations.
- (00:43:50) Commissioner Reed discussed communications from a local business owner regarding costs related to parklet fees and expressed concerns.
- (00:45:15) Jordan Conley of Downtown Helena provided public comment, advocating for parklets and a reduction of fees.
- (00:48:13) Sarah Hamblock of The Western/Gold Bars provided public comment, advocating for parklets and a reduction of fees.
- (00:50:38) Mayor Collins asked Ms. Hamblock for clarification of the number of parking spots used by their parklet.
- (00:51:12) Mayor Collins asked Director Knoepke about the number of parking spots used by the Gold Bar parklet.
- (00:51:48) Mayor Collins discussed concerns about equity of fees and recommended this Item be tabled.
- (00:52:11) Commissioner Reed, Mayor Collins, and Manager Burton discussed possible courses of action for this Item.
- (00:52:55) **Commissioner Reed made a motion to approve a Resolution of Intention to set fees charged by the Helena Transportation Systems Department and set a public hearing for August 7, 2023. Commissioner Dean seconded the motion.**
- (00:53:22) Commissioner Reed discussed the comparison of one parallel parking space versus four angled parking spaces when reconsidering parklet fees.
- (00:53:53) Commissioner Shirliff requested that the increased Capital Transit fee also be reconsidered.



(00:54:35) Commissioner Dean asked Deputy Director Couey about the last time Capital Transit rider fees were increased.

(00:55:25) 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: **Aye**

The motion carried 5:0.

E. Consider a Resolution of Intention to specify the assessment option for the collection and disposal of residential garbage and refuse for fiscal year 2024 and levy and assess all properties receiving residential solid waste collection.

(00:56:02) Finance Director Danielson presented Item E.

(00:58:53) Commissioner Dean asked Public Works Director Leland if rates will also be reconsidered next fiscal year.

(01:00:16) Commissioner Dean asked Director Leland about renewal timing for the RFP regarding the Master Plan.

(01:01:25) **Commissioner Dean made a motion to approve a Resolution of Intention to specify the assessment option for the collection and disposal of residential garbage and refuse for fiscal year 2024 and levy and assess all properties receiving residential solid waste collection and set a public hearing for August 21, 2023. Commissioner Logan seconded the motion.**

(01:01:47) 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.

F. Consider A Resolution of Intention to Levy and Assess Properties to Recover the Amortized Loans issued under the Residential Energy Efficiency and Renewable Energy Loan Program for the Tax year 2023.



(01:02:12) Director Danielson presented Item F.

(01:03:41) **Commissioner Logan made a motion to approve A Resolution of Intention to Levy and Assess Properties to Recover the Amortized Loans issued under the Residential Energy Efficiency and Renewable Energy Loan Program for the Tax year 2023 and to set a public hearing for August 21, 2023. Commissioner Dean seconded the motion.**

(01:04:07) 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.

G. Consider a Resolution of Intention to Levy and Assess properties to recover the cost of reimbursement for water and wastewater infrastructure installed by the City for Tax Year 2023.

(01:04:30) Director Danielson presented Item G.

(01:05:22) **Commissioner Dean made a motion to approve a Resolution of Intention to Levy and Assess properties to recover the cost of reimbursement for water and wastewater infrastructure installed by the City for Tax Year 2023 and set a public hearing for August 21, 2023. Commissioner Logan seconded the motion.**

(01:05:40) 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 carried 5:0.



H. Consider a Resolution of Intention to specify the assessment option for the Landfill Monitoring and Maintenance District for Fiscal Year 2024 and levy and assess all property within the District.

(01:06:04) Director Danielson presented Item H.

(01:07:55) **Commissioner Reed made a motion to approve a Resolution of Intention to specify the assessment option for the Landfill Monitoring and Maintenance District for Fiscal Year 2024 and levy and assess all property within the District and to set a public hearing date. Commissioner Dean seconded the motion.**

(01:08:12) 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. Consider a Resolution of Intention to specify the assessment option for the Open Space Maintenance District No. 1 for Fiscal Year 2024, and to levy and assess all property within the District.

(01:08:39) Director Danielson presented Item I.

(01:10:07) **Commissioner Dean made a motion to approve a Resolution of Intention to specify the assessment option for the Open Space Maintenance District No. 1 for Fiscal Year 2024, and to levy and assess all property within the District and to set a public hearing date. Commissioner Shirliff seconded the motion.**

(01:10:28) 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.



J. Consider a Resolution of Intention to levy and assess properties to recover the cost of removal of snow and ice from sidewalks on the adjacent public rights-of-way, and to set a public hearing date

(01:10:52) Director Danielson presented Item J.

(01:12:25) **Commissioner Logan made a motion to approve a Resolution of Intention to levy and assess properties to recover the cost of removal of snow and ice from sidewalks on the adjacent public rights-of-way, and to set a public hearing date. Commissioner Dean seconded the motion.**

(01:12:44) 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.

K. Consider a Resolution of Intention to specify the assessment option for the Stormwater Utility Service Area for Fiscal Year 2024 and levy and assess all property within the District

(01:13:08) Director Danielson presented Item K.

(01:14:20) **Commissioner Reed made a motion to approve a Resolution of Intention to specify the assessment option for the Stormwater Utility Service Area for Fiscal Year 2024 and levy and assess all property within the District and to set a public hearing date for August 21, 2023. Commissioner Logan seconded the motion.**

(01:14:42) 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.



L. Consider a Resolution of Intention to levy assessments for improvement of sidewalks, curbs, gutters, and alley approaches in the City of Helena, Montana for Tax Year 2023

(01:15:07) Director Danielson presented Item L.

(01:16:16) **Commissioner Logan made a motion to approve a Resolution of Intention to levy assessments for improvement of sidewalks, curbs, gutters, and alley approaches in the City of Helena, Montana for Tax Year 2023 and to set a public hearing date. Commissioner Shirliff seconded the motion.**

(01:16:36) 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.

M. Consider a Resolution of Intention to specify the assessment option for the Special Street Lighting Districts for Fiscal Year 2024 and levy and assess all property within the District

(01:17:00) Director Danielson presented Item M.

(01:18:30) Commissioner Shirliff asked Director Danielson about the cost savings for LED lights versus traditional street lights.

(01:19:50) **Commissioner Dean made a motion to approve a Resolution of Intention to specify the assessment option for the Special Street Lighting Districts for Fiscal Year 2024 and levy and assess all property within the District and to set a public hearing date. Commissioner Reed seconded the motion.**

(01:20:08) 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.

N. Consider a Resolution of Intention to specify the assessment option for the Street Maintenance and Improvements District No. 1 for Fiscal Year 2024 and levy and assess all property within the district

(01:20:33) Director Danielson presented Item N.

(01:21:29) **Commissioner Shirliff made a motion to approve a Resolution of Intention to specify the assessment option for the Street Maintenance and Improvements District No. 1 for Fiscal Year 2024 and levy and assess all property within the district and to set a public hearing date. Commissioner Logan seconded the motion.**

(01:21:49) 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 approving the Tax Abatement Application of Mathew Culpo and Christine Thennis for that Property Located at 3 Washington Place in the City of Helena, Montana

(01:22:12) Director Danielson presented Item A.

(01:25:04) **Commissioner Logan made a motion to approve a Resolution approving the Tax Abatement Application of Mathew Culpo and Christine Thennis for that Property Located at 3 Washington Place in the City of Helena, Montana. Commissioner Shirliff seconded the motion.**

(01:35:25) Commissioner Dean explained the reasoning for her vote.

(01:36:14) Mayor Collins called for a vote.

Commissioner Dean voted: **No**

Commissioner Logan voted: **Aye**



Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 4:1.

B. (Item commuted) Consider approval of Ziplly Franchise Agreement

C. Consider a request for a Demolition Permit to allow demolition of a contributing property, located in the Helena Historic District in a R-3 zoning district for a building located at 39 S. Rodney, legally described as the north 10 of Lot 20, and Lots 21-22 and 73, Block 29, Helena Townsite 1869 to the City of Helena, Lewis and Clark County, Montana

(01:27:17) Heritage Preservation Officer Attardo presented Item C.

(01:37:44) Commissioner Dean asked Officer Attardo about complying with the ordinance in question as well as the City's design standards regarding demolition by neglect.

(01:39:55) Seth O'Connell provided public comment, adding background information, and advocating for approval.

(01:42:13) Commissioner Reed asked Mr. O'Connell about the decision to demolish rather than rehabilitation/remodeling.

(01:43:38) Chris Averill of the Heritage Tourism Council provided public comment, discussing the Board's recommendation.

(01:47:44) **Commissioner Reed made a motion to approve a request for a Demolition Permit to allow demolition of a contributing property, located in the Helena Historic District in a R-3 zoning district for a building located at 39 S. Rodney, legally described as the north 10 of Lot 20, and Lots 21-22 and 73, Block 29, Helena Townsite 1869 to the City of Helena, Lewis and Clark County, Montana per Chapter 15 Title 3 of City Code, City of Helena, Lewis and Clark County, Montana. Commissioner Logan seconded the motion.**

(01:48:30) 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

- (01:49:06)** Juneau and Isaiah Stevenson advocated for the addition of lights at the skate park.
- (01:53:58)** Commissioner Dean requested that City Staff make a recommendation regarding feasibility.
- (01:54:48)** Commissioner Reed requested that solar options be discussed as well.
- (01:55:06)** Commissioner Shirliff thanked Juneau and Isaiah for bringing the idea to the Commission.
- (01:56:01)** Manager Burton and Mayor Collins requested contact information.
- (01:56:50)** Red Monte provided public comment, advocating for resources for unhoused populations in Helena.
- (02:04:54)** Mayor Collins agreed to visit the camp.
- (02:05:02)** Commissioner Reed described her experience at the camp and encouraged the Commissioners to visit.
- (02:05:36)** Theresa Ortega provided public comment, advocating for resources for unhoused populations in Helena.

Adjournment

- (02:07:02)** There being no further business before the Commission, the meeting adjourned at 7:08pm.



CLERK OF THE CITY COMMISSION

MAYOR