



**City of Helena  
City Commission Meeting  
September 11, 2023 – 6:00 PM  
Zoom Online Meeting; <https://us06web.zoom.us/j/87841040011>  
City County Building Commission Chambers, Room 330**

**Time & Place**

A regular City Commission meeting was held on Monday, September 11, 2023 at 6:00 p.m. via Zoom Online Meeting ID: <https://us06web.zoom.us/j/87841040011> and physically in the City County Building Commission Chambers, Room 330.

**Call to Order and Roll Call**

**(00:00:28)** The following responded present, either via zoom or in person:

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

The following were absent:

Commissioner Logan

**Pledge of Allegiance**

**(00:01:30)** Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

**Moment of Silence**

**(00:02:00)** Mayor Collins asked attendees to please join in a moment of silence in honor of the anniversary of 9/11.

**Minutes**

**A. 8-21-23 Commission Meeting**

**(00:02:53)** There being no comments or questions from the Commission, Mayor Collins accepted Minutes A.



## Consent Agenda

### A. Claims

### B. Requesting a Mail Ballot Election for the City's 2023 General Election

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

**(00:04:20)** Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Absent**

Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 4:0.**

## Communications/Proposals from Commissioners

**(00:04:34)** There were no communications from Commissioners.

## Report of the City Attorney

**(00:04:39)** City Attorney Dockter had nothing to report.

## Report of the City Manager

**(00:04:46)** City Manager Burton introduced Clerk Clayborn to discuss uncontested, impending elections and public outreach.

**(00:07:36)** Commissioner Reed expressed support for the water bill insert flyer.

**(00:08:05)** Commissioner Shirliff thanked Clerk Clayborn.

**(00:08:40)** Mayor Collins and Clerk Clayborn confirmed consensus and discussed next steps.

## Communications from the Helena Citizens Council

**(00:09:28)** HCC Representative Emily Mowers provided an update about recent and upcoming agenda items.



## Regular Items – Item A moved to Public Hearings

### B. Consider Conceal Carry and Workplace Violence Policies

- (00:12:00) Human Resources Director McMahon presented Item A.
- (00:13:22) Commissioner Dean asked Director McMahon about the evolution of the state law.
- (00:15:04) Manager Burton asked Director McMahon to explain communications with Montana Municipal Interlocal Authority for liability, workers comp, and property insurance.
- (00:17:48) **Commissioner Dean made a motion to approve Conceal Carry and Workplace Violence Policies. Commissioner Shirliff seconded the motion.**
- (00:18:07) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Absent**
- Commissioner Reed voted: **Aye**
- Commissioner Shirliff voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 4:0.**

## Public Hearings

- (00:18:22) Mayor Collins read a statement regarding public comment conduct during Public Hearing.
- A. Consider a Resolution Adopting Final Budgets, Budget Authorities, and Appropriations for the Fiscal Year Beginning July 1, 2023 and ending June 30, 2024, and Setting the Salary for Municipal Court Judge**
- (00:19:50) Finance Director Danielson presented Item A.
- (00:23:47) Commissioner Dean thanked Director Danielson and Staff for their work and discussed aspects of the budget.
- (00:27:11) Commissioner Reed discussed addressing recreations issues in the next budget such as the pool.
- (00:28:24) Commissioner Shirliff thanked Director Danielson and Staff.



**(00:29:29) Commissioner Dean made a motion to approve a Resolution Adopting Final Budgets, Budget Authorities, and Appropriations for the Fiscal Year Beginning July 1, 2023 and ending June 30, 2024, and Setting the Salary for Municipal Court Judge. Commissioner Shirliff seconded the motion.**

**(00:29:50)** Mayor Collins called for a vote.  
Commissioner Dean voted: **Aye**  
Commissioner Logan voted: **Absent**  
Commissioner Reed voted: **Aye**  
Commissioner Shirliff voted: **Aye**  
Mayor Collins voted: **Aye**  
**The motion carried 4:0.**

**B. Consider a Resolution Providing for the Annual Tax Levy in Mills for the Fiscal Year Beginning July 1, 2023 and ending June 30, 2024.**

**(00:30:17)** Director Danielson presented Item B.

**(00:33:35) Commissioner Reed made a motion to approve a Resolution Providing for the Annual Tax Levy in Mills for the Fiscal Year Beginning July 1, 2023 and ending June 30, 2024. Commissioner Dean seconded the motion.**

**(00:33:54)** Mayor Collins called for a vote.  
Commissioner Dean voted: **Aye**  
Commissioner Logan voted: **Absent**  
Commissioner Reed voted: **Aye**  
Commissioner Shirliff voted: **Aye**  
Mayor Collins voted: **Aye**  
**The motion carried 4:0.**

**C. Consider 2021 Fire Code Adoption**

**(00:34:27)** Fire Marshal Lou Antonick presented Item C.

**(00:34:42)** Commissioner Reed asked Marshal Antonick about street width exceptions and conflicts with City Code.

**(00:36:28)** Commissioner Dean asked Marshal Antonick about other municipalities' compliance in Montana.



- (00:38:16) Commissioner Reed, Marshal Antonick, and Transportation Systems Director Knoepke discussed bulb out placement regarding street width and the adoption of Code.
- (00:40:46) Commissioner Shirliff asked Marshal Antonick about next steps upon approval, citing recent public communications and safety concerns.
- (00:42:42) Paul Cartwright provided public comment, expressing concerns.
- (00:43:28) **Commissioner Dean made a motion to adopt the 2021 Fire Code as presented. Commissioner Shirliff seconded the motion.**
- (00:43:44) Commissioner Reed asked for clarification of process.
- (00:43:57) Commissioner Dean asked Marshal Antonick for clarification of standards in the 2021 Fire Code compared to the current Code.
- (00:44:51) Mayor Collins called for a vote.  
Commissioner Dean voted: **Aye**  
Commissioner Logan voted: **Absent**  
Commissioner Reed voted: **Aye**  
Commissioner Shirliff voted: **Aye**  
Mayor Collins voted: **Aye**  
**The motion carried 4:0.**

**Regular Item A. Consider City of Helena Engineering Standards Travel Lane Width Amendment**

- (00:45:18) Director Knoepke presented Item B.
- (00:58:57) Commissioner Reed asked Director Knoepke about the process for adding parking lanes in new developments.
- (00:50:14) Commissioner Shirliff asked Director Knoepke about the street width will affect parking, bike lanes, and bulb outs.
- (00:51:30) Commissioner Dean asked Director Knoepke about creating consistency for community members.
- (00:55:05) Mayor Collins asked Director Knoepke about the width of Vandelay Street, referencing previous Commission Meeting conversations and decisions.
- (00:58:47) Commissioner Reed asked Director Knoepke and Marshal Antonick about the possibilities for exceptions.



- (01:01:26) Commissioner Reed discussed concerns.
- (01:02:30) Commissioner Dean asked Attorney Dockter about the ramifications of being out of compliance and moving forward.
- (01:04:50) Marshal Antonick addressed Attorney Dockter's questions.
- (01:07:48) Commissioner Shirliff discussed public safety concerns and asked Director Knoepke about the cost difference for paving and development.
- (01:11:28) Paul Cartwright provided public comment, expressing concerns.
- (01:15:04) Mark Runkle provided public comment, expressing opposition.
- (01:17:30) Forrest Zimmerman provided public comment, expressing concerns.
- (01:20:17) Clerk Clayborn read written public comment provided by Edward Santos into the record, expressing support.
- (01:20:56) Commissioner Reed asked Attorney Dockter about the process to table this item.
- (01:21:40) **Commissioner Reed made a motion to table the consideration of the City of Helena Engineering Standards Travel Lane Width Amendment pending a bit more information about how other cities accommodate Fire Codes and travel lanes and a revisit of this item at a later date. Commissioner Shirliff seconded the motion.**
- (01:22:12) Mayor Collins called for a vote.
- |                              |               |
|------------------------------|---------------|
| Commissioner Dean voted:     | <b>Aye</b>    |
| Commissioner Logan voted:    | <b>Absent</b> |
| Commissioner Reed voted:     | <b>Aye</b>    |
| Commissioner Shirliff voted: | <b>Aye</b>    |
| Mayor Collins voted:         | <b>Aye</b>    |
- The motion to table carried 4:0.**

**E. Consider an extension of the planned completion and Final Plat of Phase 1 of the Westside Woods Major Phased Subdivision from December 2023 to December 2024**

- (01:22:59) Community Development Director Brink presented Item E.
- (01:26:29) Mayor Collins asked Director Brink for clarification of the extension request.



- (01:27:44) Sarah Perry provided public comment, expressing concerns.
- (01:30:14) Director Brink addressed public comment.
- (01:30:50) Commissioner Reed asked Director Brink for clarification about annexation of Le Grande Cannon.
- (01:31:40) Bruce Newell provided public comment via Zoom, recommending annexation of Le Grande Cannon.
- (01:34:27) Mary Hollow provided public comment via Zoom, recommending annexation of Le Grande Cannon.
- (01:35:33) **Commissioner Dean made a motion to approve an extension of the scheduled overview of Phase 1 from December 2023 to December 2024. Commissioner Shirliff seconded the motion.**
- (01:35:50) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
- Commissioner Logan voted: **Absent**
- Commissioner Reed voted: **Aye**
- Commissioner Shirliff voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 4:0.**

#### **F. Consider Phase 2 Commencement for the Westside Woods Major Phased Subdivision**

- (01:36:17) Director Brink presented Item F.
- (01:39:30) Commissioner Reed asked Director Brink about the conditions for approval addressing egress.
- (01:40:45) Commissioner Dean asked Director Brink about the conditions affected by extensions and the timeline for development.
- (01:43:31) Greg Duncan provided public comment, expressing concerns on behalf of an adjacent property owner.
- (01:45:02) Sarah Perry provided public comment, expressing concerns about public safety.
- (01:48:12) Forest Zimmerman provided public comment, expressing concerns about public safety.
- (01:50:42) Clerk Clayborn read written public comment provided by Edward Santos, expressing concerns about public safety.



- (01:51:03) Commissioner Reed asked Director Brink and Attorney Dockter about the process for requesting an easement.
- (01:53:02) Commissioner Dean asked the developers, Ron Bartsch and Derek Davis of Sussex Construction, about the decision to commence Phase 2 while extending Phase 1.
- (01:55:11) Commissioner Dean asked Drew Pearson of WWC Engineering about the timeline for the traffic impact study.
- (01:55:48) Commissioner Shirliff asked Mr. Pearson about addressing drainage on adjacent properties.
- (01:57:10) Commissioner Shirliff asked Mr. Pearson about the connection between Overlook Boulevard and Lee Court.
- (01:58:31) Commissioner Reed asked Attorney Dockter about the ability to made additional requests in the future.
- (01:59:58) Commissioner Dean asked Attorney Dockter for clarification about the MCA requirements.

(02:00:27) **Commissioner Dean made a motion determining that there are no changed primary criteria impacts or is there any new information that exists creating new potentially significant adverse impacts for Phase 2 of the Westside Woods Major Phased Subdivision. Commissioner Reed seconded the motion.**

- (02:00:50) Mayor Collins called for a vote.
- Commissioner Dean voted: **Aye**
  - Commissioner Logan voted: **Absent**
  - Commissioner Reed voted: **Aye**
  - Commissioner Shirliff voted: **Aye**
  - Mayor Collins voted: **Aye**

**The motion carried 4:0.**

#### **G. Consider Exclusive Use Permit - Brothers Tapworks**

- (02:01:11) Director Knoepke presented Item G.
- (02:02:40) Commissioner Reed asked Director Knoepke about Multimodal Infrastructure Plan improvement compliance.





(02:03:49) **Commissioner Dean made a motion to approve the Brothers Tapworks Exclusive Right-of-Way use permit of 275 sqft. and an annual fee of \$565.95. Commissioner Shirliff seconded the motion.**

(02:04:07) Mayor Collins called for a vote.

Commissioner Dean voted: **Aye**

Commissioner Logan voted: **Absent**

Commissioner Reed voted: **Aye**

Commissioner Shirliff voted: **Aye**

Mayor Collins voted: **Aye**

**The motion carried 4:0.**

### Public Communications

(02:04:25) There were no further comments or questions from the Commission and/or public.

### Adjournment

(02:04:34) There being no further business before the Commission, the meeting adjourned at 8:05pm.



CLERK OF THE CITY COMMISSION