

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN – ROOM 108 (GYMNASIUM)
PUBLIC HEARING & COUNCIL MEETING: 7:00 PM
DATE: TUESDAY, JANUARY 5, 2021
INTERNET ZOOM MEETING: <https://zoom.us/j/8976327748>
CONFERENCE CALL-IN: 1-301-715-8592 MEETING ID: 897 632 7748

MEETING CALLED TO ORDER: Mayor Schell called the meeting to order at 7:00 PM. Councilmember Feist led the Pledge of Allegiance. Due to the COVID-19 pandemic, only legally required and essential agenda items were to be considered. Masks and physical distancing were required for those in attendance at City Hall.

CITY OFFICIALS & STAFF PRESENT: Zoning Officer Jeremy Fadness, Mayor James Schell, Clerk/Treasurer Amy Thorngren, City Attorney Pete Elverum, Councilmember Wesley Feist, Councilmember Don Dahl, Councilmember Judy Leland, Councilmember Kelly Harris, Public Works Director Kevin Ore, and Fire Chief Troy Maness (via Zoom)

PUBLIC PRESENT: Chet Carpenter (via Zoom), Greg Wirth (via Zoom), Shay Diehl, Jason Crawford, and Jerry Kittson (via Zoom)

ABSENT/EXCUSED: City Judge Dennis Loveless and Police Chief William Harrington

PUBLIC COMMENTS: There was no public comment on non-agenda items.

PUBLIC HEARING:

1. **Resolution to Annex a Parcel to be known as the Vigilante Major Subdivision into the City of East Helena** – The public notice, draft resolution, and staff report were in the council packet. Zoning Officer Jeremy Fadness reported that the conditions of approval had been met and recommended approval of the final plat of phase 1 of the subdivision. In response to a question by Councilmember Dahl, Jason Crawford of Triple Tree Engineering clarified that the boulevards would be 7’ wide rather than the 4’ in width that had been approved. This was an information-only item.
2. **Resolution to Annex a Parcel to be known as the Vigilante Major Subdivision into the City of East Helena** – Mayor Schell called three times each for public comment in favor of, opposed to, and neutral toward annexing the subdivision into the city. Jerry Kittson of Vigilante Developers spoke in favor of the annexation.
3. **Resolution to Annex a Parcel to be known as the Vigilante Major Subdivision into the City of East Helena** - This was an information-only item. {See Unfinished Business Agenda Items 2, 3, & 4}

APPROVAL OF MINUTES: The draft minutes of the December 15 and 21, 2020 meetings were in the council packet. Councilmember Dahl made a motion to approve the December 15, 2020 minutes as presented. Councilmember Feist seconded the motion. All councilmembers voted aye. Councilmember Leland made a motion to approve the December 21, 2020 minutes as presented. Councilmember Harris seconded the motion. All councilmembers voted aye.

CITY COURT REPORT: A written report for the month of December 2020 by City Judge Dennis Loveless was on the council table.

DEPARTMENTAL REPORTS:

Administration – A written report was in the council packet. Clerk/Treasurer Amy Thorngren reported that she was preparing paperwork for the final request for CARES Act funding.

Police Department – A written report was in the council packet. Police Chief William Harrington was excused.

Public Works - A written report was in the council packet. Public Works Director Kevin Ore reported that there would be a Street Safety Committee meeting regarding stop signs in the next few weeks.

Volunteer Fire Department - Fire Chief Troy Maness reported that Deputy Fire Chief Grabinski and Assistant Fire Chief Maness had been approved to renew their positions with the department.

UNFINISHED BUSINESS:

1. **Highland Meadows Subdivision Resolution of Intention to Create Special Improvement Lighting District** – The petition and the draft Resolution 544 were in the council packet. City Attorney Elverum explained how the lighting district would work. Greg Wirth of Stahly Engineering spoke in favor of the resolution. Councilmember Harris made a motion to approve. Councilmember Feist seconded the motion. All councilmembers voted aye.
2. **Certificate of Survey Extending Plant Road Right-of-Way for Vigilante Subdivision** – The certificate of survey (COS) was in the council packet. An updated COS was on the council table. Zoning Officer Jeremy Fadness explained that extending the Plant Road ROW was a condition of approval for annexation. There was no public comment. Councilmember Feist made a motion to approve. Councilmember Leland seconded the motion. All councilmembers voted aye.
3. **Resolution to Annex a Parcel to be known as the Vigilante Major Subdivision into the City of East Helena** – The draft Resolution 545 was in the council packet. Zoning Officer Jeremy Fadness recommended approval. There was no public comment. Councilmember Leland made a motion to approve. Councilmember Harris seconded the motion. All councilmembers voted aye.
4. **Vigilante Subdivision Phase 1 Final Plat Approval** – The draft final plat was in the council packet and the final plat was on the council table. Zoning Officer Jeremy Fadness recommended approval. There was no public comment. Councilmember Harris made a motion to approve. Councilmember Feist seconded the motion. All councilmembers voted aye.
5. **Vigilante Subdivision Resolution of Intention to Create Special Improvement Lighting District** – The petition and the draft Resolution 546 were in the council packet. Jason Crawford of Triple Tree Engineering said that there were no changes to what had been presented. Councilmember Dahl made a motion to approve. Councilmember Feist seconded the motion. All councilmembers voted aye.
6. **Extension of Rental of Volunteer Firehall for 2021 By Living Church of God** – The proposed dates of use were in the council packet. Chet Carpenter requested the church's use of the fire hall at \$85 per day (rather than \$100 previously approved by Council) because the church is a regular, dependable facility user. Mayor Schell agreed that the church is a good facility user. Councilmember Feist suggested a 15% for all regular users in the future. Fire Chief Maness said that the fire hall had been unavailable for the department's annual banquet because the church had it rented every Saturday. Chet Carpenter said that the church was flexible and willing to work with the VFD to schedule the banquet. There was no public comment. Councilmember Feist made a motion to extend the rental agreement for one year at \$85 per day. Councilmember Dahl seconded the motion. Councilmembers Feist, Dahl, and Leland voted aye. Councilmember Harris voted no.
7. **East Helena Cemetery Future Cost Analysis** – City Attorney Elverum did not have an update. This was an information-only item.

8. **Montana Environmental Trust Group New Public Water Supply Well Agreement** – Mayor Schell said that a test well will likely be drilled in the near future if the landowner is willing and moves forward with an agreement. This was an information-only item.

NEW BUSINESS:

1. **Presentation & Q&A for AARP Fitlot Park for Kennedy Park** – Mayor Schell said that a presentation by Nancy Anderson and Joel Hartleroad could be expected at the first meeting in February. This was an information-only item.
2. **Covid-19 State of Montana CARES Act & Funding Submittal Update** – Mayor Schell said that the final round of funding requests for expenses to December 30, 2020 was upcoming. Clerk/Treasurer Thorngren said that Local Government Services would begin accepting submissions on January 11, 2021. This was an information-only item.
3. **Main Street Park Dedication & Appreciation Sign** – A draft example of sign text which included a draft contributor list was in the council packet. An updated list was on the council table. Mayor Schell suggested a sign dedicating the pavilion to former mayor Ed Stipich and a listing of the major donors to the project. Councilmember Harris suggested having the high school shop students make the sign. Councilmember Dahl suggested two signs, one on the front facing Main Street that included the dedication to Mr. Stipich and another smaller sign within the pavilion with the contributor list. There was no public comment. Councilmember Harris made a motion to table pending an updated proposal. Councilmember Leland seconded the motion. All councilmembers voted aye.
4. **City Hall Drinking Fountain Water Bottle Station Retrofit Funding Option** – Public Works Director Kevin Ore requested Council’s permission to use CARES Act funds to upgrade the water fountain in City Hall if a grant was not received for the project. Information about the proposed water fountain equipment was in the council packet. There was no public comment. Councilmember Harris made a motion to approve. Councilmember Feist seconded the motion. All councilmembers voted aye.

MAYOR’S REPORT: Mayor Schell included the following handouts in the council packet:

- 1.) Lewis & Clark County Order of Health Officer 14-2020 issued December 21, 2020 adopting the City-County Board of Health Emergency Rules and Regulations in effect for weeks of December 21, 2020 through January 4, 2021.
- 2.) Lewis and Clark City-County Board of Health Emergency Rules and Regulations in Response to the COVID-19 Pandemic.
- 3.) December 31, 2020 released State of Montana Proposed COVID-19 Vaccine Allocation Plan
- 4.) Montana Local Government Center Ethics Class Handout – Montana Code of Ethics (2019) MCA for scheduled January 11, 2021, 3:30PM Ethics class.
- 5.) December 31, 2020 Prickly Pear Land Trust Prickly Pear Creek Greenway Project Press Release and Fact Sheet
- 6.) December 30, 2020 Carroll College SARS-CoV-2 Wastewater Testing result graphs from the latest samples for the City of East Helena & Helena.
- 7.) Lewis & Clark County Public Health 31 minutes video titled “What Is Public Health?” available at tinyurl.com/y98om3yy or youtu.be/udG2hNjC0OA.

Mayor Schell reported that the legislature was in session and that comments were being taken on bills; that he had attended Zoom meetings for WQPD, MBAC, CJCC, and TCC; and that the city’s grant-writer Mia Whitfield had sadly retired. Mayor Schell queried the council on their availability and scheduled a public water rate work session for Tuesday, January 26th at 5:30 PM.

COUNCIL MEMBERS' REPORTS:

Don Dahl reported that he had attended the press event for the greenway project and the Street Safety Committee meeting.

Wesley Feist reported that he had attended the press event for the greenway project and the Street Safety Committee meeting.

Kelly Harris reported that he had attended the press event for the greenway project and the Street Safety Committee meeting.

Judy Leland reported that she had attended the press event for the greenway project and the maintenance worker interviews.

LEGAL REPORTS: City Attorney Elverum reported that there was a building code citation going the court and that he had attended the press event for the greenway project.

PAYMENT OF BILLS: Claims 293429 through 293488 were presented for Council's review. Councilmember Leland made a motion to pay the bills. Councilmember Feist seconded the motion. All councilmembers voted aye.

SPECIAL MEETINGS & ANNOUNCEMENTS:

1. Ethics Training, Monday, January 11, 2021, 3:30PM, WebEx Meeting

MEETING SCHEDULE:

1. East Helena Council Meeting, Tuesday, January 19, 2021, 7PM, City Hall Room 108 (Gym)
2. East Helena Council Work-Session (Water Rates), Tuesday, January 26, 2021, 5:30 PM, City Hall Room 110 (Council Room)
3. East Helena Council Meeting, Tuesday, February 2, 2021, 7PM, City Hall Room 108 (Gym)

ADJOURNMENT: Mayor Schell adjourned the meeting at 8:30 PM.

ATTEST:

Clerk

Mayor