

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN – ROOM 108 (GYMNASIUM)
COUNCIL MEETING: 7:00 PM
DATE: TUESDAY, MARCH 2, 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 7:02 PM. Councilmember Harris 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: Mayor James Schell, Councilmember Wesley Feist, Councilmember Don Dahl, Councilmember Judy Leland, Councilmember Kelly Harris, Public Works Director Kevin Ore, Clerk/Treasurer Amy Thorngren, City Attorney Pete Elverum, and Zoning Officer Jeremy Fadness (via Zoom)

PUBLIC PRESENT: Rachel Bray, Vince Bray, Jerry Hamlin, and Joe Nistler

ABSENT/EXCUSED: City Judge Dennis Loveless, Police Chief William Harrington, and Fire Chief Troy Maness

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

PUBLIC HEARING:

1. **409 N Harrison Avenue Proposed Daycare Conditional Use Permit** – The public notice and staff report were in the council packet. Zoning Officer Jeremy Fadness noted that the new CUP would increase traffic by 5 cars (from 17), but that parking did not need to be increased from the existing 7 spaces. He recommended approval of the new CUP with the stipulation that the original CUP conditions still apply. This was an information-only item.
2. **409 N Harrison Avenue Proposed Daycare Conditional Use Permit** – No written public comment had been received. Mayor Schell called three times each for public comment in favor of, opposed to, and neutral toward the CUP and received none.
3. **409 N Harrison Avenue Proposed Daycare Conditional Use Permit** – Councilmember Leland made a motion to approve. Councilmember Harris seconded the motion. Councilmembers Leland, Harris, and Dahl voted aye. Councilmember Feist abstained. The motion passed.

APPROVAL OF MINUTES: The draft minutes of the February 16, 2021 meeting were in the packet for Council’s review. Councilmember Harris made a motion to approve the minutes as presented. Councilmember Feist seconded the motion. All councilmembers voted aye.

CITY COURT REPORT: A written report from City Judge Dennis Loveless is expected at the next meeting.

DEPARTMENTAL REPORTS:

Administration – A written report was in the council packet. Clerk/Treasurer Amy Thorngren reported that the admin office had been receiving more zoning and building permit applications for new houses in the Vigilante and Highland Meadows subdivisions.

Police Department – Police Chief William Harrington was excused.

Public Works – A written report was in the council packet. Public Works Director Kevin Ore reported that the department had successfully passed a recent surprise DEQ inspection.

Volunteer Fire Department - Fire Chief Troy Maness was excused.

UNFINISHED BUSINESS:

1. **East Helena Cemetery Future Cost Analysis** – City Attorney Elverum reported that he continues to work on this analysis. This was an information-only item.
2. **Montana Environmental Trust Group New Public Water Supply Well Agreement** – Mayor Schell reported that a test well and pump testing were forthcoming. There was no public comment. Councilmember Feist made a motion to table. Councilmember Dahl seconded the motion. All councilmembers voted aye.
3. **NRDP East Helena Water Systems Improvements Agreement** – The agreement approved at the February 16, 2021 meeting was in the council packet. Mayor Schell said that reapproval would not be needed unless updates were made by other parties in the agreement. There was no public comment. Councilmember Harris made a motion to table. Councilmember Feist seconded the motion. All councilmembers voted aye.

NEW BUSINESS:

1. **Resolution of Expression of Respect and Esteem for and to Boyd & Roberta Bomar** – Draft Resolution 550 and meeting minute excerpts mentioning the Bomars were in the council packet. Mayor Schell briefly described their service to the city and read the resolution aloud. There was no public comment. Councilmember Leland made a motion to approve. Councilmember Dahl seconded them motion. All councilmembers voted aye.
2. **Jerry Hamlin Request to Amend Wastewater Agreement for Red Fox Meadows** – An email and Red Fox Meadows Water & Sewer District report from Jerry Hamlin; an email and flow estimate report from City Engineer Brad Koenig; and the 2018 interlocal agreement for city sewer services were in the council packet. Jerry Hamlin handed out a usage report for the previous six months and a sewer capacity allocation report to Council. He requested amending the agreement to allow more sewer connections from Red Fox Meadows. Joe Nistler was also present to request sewer connections for some of the homes being built in the nearby Scenic Vistas Subdivision. City Attorney Elverum invited Mr. Nistler to approach Council with a separate request. Council discussed whether the city had enough sewer capacity to extend to developments outside of city limits after meeting its own needs and would like to discuss this with City Engineer Koenig in the future. Councilmember Harris made a motion to table pending the further review by the city engineer. Councilmember Feist seconded the motion. All councilmembers voted aye.
3. **Planning Board Appointment Ryan Loomis** – An email and application from Ryan Loomis, relevant city code, a draft updated Planning Board & Zoning Commission Roster, and a map of the Helena area were in the council packet. Mayor Schell requested that Council approve Ryan Loomis to the Planning Board. Councilmember Feist recommended Mr. Loomis. There was no public comment. Councilmember Dahl made a motion to approve. Councilmember Leland seconded the motion. All councilmembers voted aye.
4. **METG Waterline Easement Agreement Manlove Avenue & Hwy 282** – The draft easement agreement was in the council packet. There was no public comment. Councilmember Harris made a motion to approve. Councilmember Dahl seconded the motion. All councilmembers voted aye.
5. **Smelter Road & Leon Road Easement and Public Dedication Determination** – Maps of the area were included in the council packet. Mayor Schell and Public Works Director Ore explained that the easement and dedication would benefit the city in the future and is needed for the Montana Propane facility on Smelter Road. There was no public comment. Councilmember Dahl made a motion to move forward with supporting public access and utility easements for Leon Road and Smelter Road. Councilmember Leland seconded the motion. All councilmembers voted aye.

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

- 1.) Public Notice for Wednesday, March 24, 2021, 7PM Planning Board Public Meeting for Growth Policy public input and public comment.
 - 2.) City of East Helena employee benefits provider MMIA's Memorandum on Group Elections 2021-2022 and early Employee Benefits Rate Adjustment Indication for 2021-2022 (same as last meeting handout) indicating a possible 2-4% medical plan rate increase based on the most recent available information.
 - 3.) Montana Department of Environmental Quality 2020 Annual Review of wastewater discharge metals exceedances and previously discussed by Public Works Director Ore.
 - 4.) Lewis & Clark County Public Health Supervisor's February 26, 2021 email explaining the latest COVID-19 Emergency Rules and Regulations effective February 26, 2021.
 - 5.) Lewis & Clark County Public Health Suicide Prevention Coalition upcoming training opportunities (latest).
 - 6.) February 22, 2021 Carroll College SARS-CoV-2 Wastewater Testing result graphs from the latest samples for the City of East Helena & Helena.
- Mayor Schell proposed conducting tours of city facilities.

COUNCIL MEMBERS' REPORTS:

Don Dahl reported that he had attended the Planning Board meeting.

Wesley Feist reported that he had attended the Planning Board meeting and recommended a training that he had taken at the Lewis & Clark County Search & Rescue building.

Kelly Harris reported that he had met with Mayor Schell and Public Works Director Ore.

Judy Leland had nothing to report.

LEGAL REPORTS: City Attorney Elverum encouraged Council to come to him with questions and reported that he had been working on an ongoing personnel issue.

PAYMENT OF BILLS: Claims 293596 through 293647 were presented for Council's review. Councilmember Harris made a motion to pay the bills. Councilmember Leland seconded the motion. All councilmembers voted aye.

SPECIAL MEETINGS & ANNOUNCEMENTS:

1. Planning Board Meeting - Growth Policy Update, Wednesday, March 24, 2021, 7PM, City Hall Room 108 (Gym)

MEETING SCHEDULE:

1. East Helena Council Meeting, Tuesday, March 16, 2021, 7PM, City Hall Room 108 (Gym)
2. East Helena Council Meeting, Tuesday, April 6, 2021, 7PM, City Hall Room 108 (Gym)

ADJOURNMENT: Mayor Schell adjourned the meeting at 9:07 PM.

ATTEST:

Clerk/Treasurer

Mayor