

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN – ROOM 110
COUNCIL MEETING: 7:00 PM
DATE: TUESDAY, JUNE 1, 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 Dahl led the Pledge of Allegiance. Masks and physical distancing were recommended for those in attendance at City Hall.

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

PUBLIC PRESENT: Ken Erdahl, Bill Anderson, Terry McCartney, Lynne Hall, Nolan Lister (via Zoom), and Dave Jensen

ABSENT/EXCUSED: City Judge Dennis Loveless

PUBLIC COMMENTS: Terry McCartney requested that the city repair the potholes on Smelter Road. Bill Anderson voiced his concerns about traffic at the Lane Avenue and Main Street intersection. He handed out a written copy of his comments and his November 2020 written comments on the same topic to Council.

APPROVAL OF MINUTES: The draft minutes of the May 18, 2021 meeting were in the packet for Council's review. Mayor Schell requested a small addition to the language regarding the shorter duration of a suggested rate increase by Dave Jensen during his public comments. Councilmember Harris made a motion to approve the draft minutes as requested. Councilmember Feist seconded the motion. All councilmembers voted aye. The draft minutes of the May 26, 2021 special meeting were not yet available for review.

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

DEPARTMENTAL REPORTS:

Administration – A written report was in the council packet. Clerk/Treasurer Amy Thorngren reported that grant funds had been received for the growth policy update and that alcohol license renewal reminder letters were being mailed.

Police Department – Mayor Schell reported that there had been extra patrols over the Memorial Day weekend.

Public Works – A written report and data on spring cleanup were in the council packet. Public Works Director Kevin Ore reported that he had met with Brad Koenig of Robert Peccia & Associates regarding the use of ARPA funds to complete current water and sewer projects.

Volunteer Fire Department - Fire Chief Troy Maness reported a leak repair on Engine 1 and that the department had given mutual aid for a fire in York.

UNFINISHED BUSINESS:

1. **Red Fox Meadows Wastewater Agreement Connection Increase Request** – Relevant portions of the agreement, usage data, relevant portions of the wastewater master plan, and plats of the subdivision were in the council packet. Flow estimates of the proposed 26 additional lots were on the council room table. City Attorney Elverum discussed the reserve capacity as calculated by engineer Brad Koenig. He anticipated presenting an addendum to the agreement for the proposed additional dwellings at the next meeting. Dave

Jensen clarified his comments from the last meeting regarding using revenue from wastewater connections outside of city limits to offset debt by raising the rate for these users by 13%. Councilmember Leland made a motion to table pending the addendum. Councilmember Harris seconded the motion. All councilmembers voted.

2. **East Helena Cemetery Future Cost Analysis** – City Attorney Elverum reported that he was still working with engineer Brad Koenig. Dave Jensen expressed his opinion that getting into the cemetery business was a lot of risk and no reward for the city. This was an information-only item.
3. **Montana Environmental Trust Group New Public Water Supply Well Agreement** – Mayor Schell reported that surveyors were working on an easement with the landowner. There was no public comment. This was an information-only item.
4. **Montana Environmental Trust Group (METG) COS/Boundary Line Relocation for Montana Propane on Smelter Road** – The draft certificates of survey were in the council packet. Mayor Schell answered questions from Smelter Road residents Ken Erdahl, Terry McCartney, and Lynne Hall about the location of propane tanks, railroad line route, and the timeline of the proposed hiking trails in the Greenway. Councilmember Feist made a motion to table until a final COS is received. Councilmember Dahl seconded the motion. All councilmembers voted aye.
5. **METG Public Access & Utility Easement Allocations of Leon Road & Smelter Road** – The draft easement agreement was in the council packet. Mayor Schell explained the location of the easement. City Attorney clarified that this was an effort by the City to secure legal access through private property inside city limits to homes outside city limits. Terry McCartney commented that Smelter Road residents had been told it was a public road and asked Council to fix the potholes, plow snow, and consider repaving it. Lynne Hall commented that it was her understanding that the road was paved for environmental quality and expressed her concern that Smelter Road residents would be responsible for road repairs due to heavier use. Ken Erdahl agreed with McCartney and Hall and voiced his concerns about additional traffic on the road. Mayor Schell told them he would provide contact information for METG, the property owner. Councilmember Harris made a motion to approve the easement agreement. Councilmember Dahl seconded the motion. All councilmembers voted aye.
6. **METG New Utility Easement Allocations West Side of Hwy 282 Manlove Ave South to Leon Road** – The draft easement agreement was in the council packet. Mayor Schell explained the location of the easement. There was no public comment. Councilmember Feist made a motion to approve the easement agreement. Councilmember Leland seconded the motion. All councilmembers voted aye.
7. **Fee Waiver for Fireman’s Hall Tuesday Night AA Meetings 5PM to 9:30PM** – Mayor Schell relayed Brandy Pennington’s report that 5 or 6 people usually stop by during this time on Tuesdays. There was no public comment. Councilmember Feist made a motion to approve six more months of free use of the fire hall. Councilmember Harris seconded the motion. All councilmembers voted aye.

NEW BUSINESS:

1. **2021 American Rescue Plan Act (ARPA) Funds Review and Allocation Discussion** – Montana League of Cities and Towns (MLCT) ARPA information memo was in the council packet. Referencing his meeting with engineer Brad Koenig, Public Works Director Ore discussed the various pots of money the city could receive and made suggestions for their use including the sewer and water project along Pacific Street and improving the headworks at the wastewater treatment plant. Dave Jensen expressed his disbelief that so much money needed to be spent on the Pacific Street improvement and agreed with City Attorney Elverum that the funds should be leveraged for maximum effectiveness. Mayor Schell reported that there will be another public meeting or two before any final decisions were made. Councilmember Harris made a motion to table. Councilmember Feist seconded the motion. All councilmembers voted aye.
2. **Main Street Closure Request for Rodeo Parade July 10 from Noon to 3:30PM** – Mayor Schell requested Council’s approval with MDT’s permission to close the street and adequate event insurance obtained by the organizer. There was no public comment. Councilmember Feist made a motion to approve. Councilmember Harris seconded the motion. All councilmembers voted aye.
3. **Donation for July 4, 2021 Community Fireworks Show** – A flier from Prickly Pear Community Fireworks was in the council packet. Mayor Schell requested Council’s approval to donate \$1,000 as

budgeted. There was no public comment. Councilmember Feist made a motion to approve. Councilmember Leland seconded the motion. All councilmembers voted aye.

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

- 1.) Notice of Public Hearing for Zoning Variance Request for 8 North 3rd Street.
- 2.) Notice of Public Comment Period for Karen Shepherd, 201 E. Main Street, to Move and Reconstruct Existing Fencing Floodplain Permit Application.
- 3.) East Helena Planning Board and Zoning Commission Roster
- 4.) Montana Legislature 2021 Session Passed Bills/Resolutions
SJ 23 – Joint Resolution Requesting an Interim Study on Public Notice Provided Electronically.
- 5.) May 24, 2021, Carroll College SARS-CoV-2 Wastewater Testing result graphs from the latest samples for the City of East Helena & Helena.

He reported that he was still looking for a Board of Health member and a Police Commissioner; that 26 utility bill payments had been made by ACH; that a Scrivener’s error affidavit had been signed and filed with the county for 804 E Groschell Street to remove an easement that should have been removed on a plat revision; and that the first full week of June was Noxious Weed Awareness Week.

COUNCIL MEMBERS’ REPORTS:

Don Dahl reported that he had attended the sign unveiling at the high school and that the turnout for the Memorial Day Parade had been good.

Wesley Feist reported that he had met with Brian Obert of the Montana Business Assistance Connection as the East Helena designate on their Board of Directors.

Kelly Harris reported that he had attended the sign unveiling at the high school and a booster club meeting.

Judy Leland reported that she had attended the sign unveiling at the high school and participated in the lifeguard interviews.

LEGAL REPORTS: City Attorney Elverum reported that he had been working on an ongoing personnel issue.

PAYMENT OF BILLS: Claims 293895 through 293936 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. East Helena Planning Board Meeting, Tuesday, June 22, 2021, 6PM, City Hall Room 110

MEETING SCHEDULE:

1. East Helena Special Council Meeting, Thursday, June 3, 2021, 5:30PM, City Hall Room 110
2. East Helena Council Meeting and Public Hearing, Tuesday, June 15, 2021, 7PM, City Hall Room 110
{Zoning Variance Request 8 N. 3rd Street}
3. East Helena Council Meeting, Tuesday, July 6, 2021, 7PM, City Hall Room 110

ADJOURNMENT: Mayor Schell adjourned the meeting at 9:11 PM.

ATTEST:

Clerk/Treasurer

Mayor