

**MEETING MINUTES  
CITY OF EAST HELENA  
CITY HALL – 306 EAST MAIN – GYMNASIUM - ROOM 108  
PUBLIC HEARING & COUNCIL MEETING: 7:00 PM  
DATE: TUESDAY, OCTOBER 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 7:02 PM. Councilmember Leland led the Pledge of Allegiance. Masks and physical distancing were recommended for those in attendance at City Hall.

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

**PUBLIC PRESENT:** Julie Stoner, Sally Nyland, Nick Smith, Dave Jensen, Jennifer Opie, Tim Opie, Dan Rispens, N. Rogers (via Zoom), Brook (via Zoom), Steve Strong (via Zoom) and Sean Uhlich (via Zoom)

**ABSENT/EXCUSED:** City Judge Dennis Loveless

**PUBLIC HEARING:**

1. **Water Rate Increase, for Water Infrastructure Projects, Scheduled to Start January 1, 2022** – A presentation by Robert Peccia & Associates summarizing the projects, public meetings, project funding, rate composition, water rates and schedule was handed out. The published notice of water rate increase and public hearing was in the council packet. Engineer Brad Koenig explained the water main improvements and storage tank replacement. He answered related questions from Sally Nyland. This was an information-only item.
2. **Water Rate Increase, for Water Infrastructure Projects, Scheduled to Start January 1, 2022** - Mayor Schell called three times each for public comment in favor of, opposed to and neutral toward the water rate increase and received none. No written comments were received.
3. **Resolution 558 - Water Rate Increase, for Water Infrastructure Projects Scheduled to Start January 1, 2022** – Draft Resolution 558 to increase rates for the users of the municipal water system was in the council packet. There was no public comment. Councilmember Feist made a motion to approve the resolution. Councilmember Leland seconded the motion. All councilmembers voted aye.
4. **Ordinance 276 - Water Rate Increase, for Water Infrastructure Projects, Scheduled to Start January 1, 2022** – Draft Ordinance 276 amending city code to establish and modify rates by resolution was in the council packet. City Attorney Elverum explained that the ordinance would align city code with city processes and Montana code. Sally Nyland commented that city code should be amended to remove the option to reduce the base rate water charge during periods no water usage because the base rate covers the city's water loans. Nick Smith commented that rates should have been adjusted over time. Councilmember Harris made a motion to approve the first reading of Ordinance 276. Councilmember Leland seconded the motion. All councilmembers voted aye.

**PUBLIC COMMENTS:** New School District 9 Superintendent Dan Rispens was present to introduce himself to Council and continue the good working relationship between the school district and the city. He reported that the school district had received a grant to build sidewalks along Lewis Street and in front of the cemetery to build on the existing safe routes to school.

**APPROVAL OF MINUTES:** The draft minutes of the September 21, 2021 council meeting were in the council packet. Councilmember Leland made a motion to approve the minutes as presented. Councilmember Feist seconded the motion. All councilmembers voted aye.

**CITY COURT REPORT:** A written report for the month of September 2021 from City Judge Dennis Loveless will be in the packet at the next council meeting.

**DEPARTMENTAL REPORTS:**

**Administration** – A written report was in the council packet. Clerk/Treasurer Amy Thorngren reported that more zoning and building applications had been received for Vigilante and Highland Meadows subdivisions and that wastewater connections in Red Fox Meadows subdivision had increased. She added that the cookies had been ordered for the Halloween Stroll.

**Police Department** – Mayor Schell said he would update Council during Unfinished Business #3.

**Public Works** – A written report, a map of sewer line jetting progress and a new stop-sign map were in the council packet. Public Works Director Kevin Ore reported that DEQ violation letters for September are expected while the clarifier was rebalancing, that the water meter order had been delayed again due to manufacturer delays, and that the bid for 2022 asphalt projects would be awarded within the week.

**Volunteer Fire Department** - Fire Chief Troy Maness reported that he had been working on the VFD and FRA by-laws, that he had recruited new members, that the trucks were running well, that the fire station would be participating in the Halloween Stroll and that the volunteer admin staff had been rejuvenating the station.

\*\*\*At this time, Mayor Schell requested Council's approval to move to New Business #1.

**UNFINISHED BUSINESS:**

1. **Montana Environmental Trust Group New Public Water Supply Well Agreement** – Mayor Schell reported that an agreement would be presented to council after the county approves the St. Clair certificate of survey. There was no public comment. This was an information-only item.
2. **City-County Board of Health Interlocal Agreement and 2021 HB121** – There was no update, nor public comment. This was an information-only item.
3. **Vigilante & Highland Meadows Subdivisions Special (Road) Improvement District Creation** – Attorney Elverum reported that the ball was rolling on this project. There was no public comment. This was an information-only item.
4. **Police Department Update and Lewis & Clark County Sheriff Interlocal Agreement Discussion** – Mayor Schell reported that Officer Palumbo was on vacation, that the sheriff's office was providing coverage and that he had been receiving applications for the police chief position. City Attorney Elverum reported that negotiations about an interlocal agreement with the sheriff's office were ongoing. Sally Nyland verified that the city had one officer and that emergency and non-emergency dispatch were still available. This was an information-only item.
5. **Review for Building Inspection Services** – The draft RFP and information on the current building inspection process were in the council packet. Mayor Schell reported that he had verified with the city's insurance provider MMIA that the city's errors and omissions insurance would cover a city employee, but not an independent building inspector. Council discussed whether an independent contractor or a part-time employee would best suit the position. There was no public comment. Councilmember Harris made a motion to approve. Councilmember Feist seconded the motion. All councilmembers voted aye.

**NEW BUSINESS:**

1. **Amended Plat Vigilante Subdivision Phase 1, Aggregate Lots 1 & 2 and Set 3 Witness Corners** – A copy of the amended plat was in the council packet. Zoning Officer Jeremy Fadness discussed the change and additions and recommended council approval. There was no public comment. Councilmember Harris made a motion to approve the amended plat. Councilmember Feist seconded the motion. All councilmembers voted aye.

\*\*\*Mayor Schell returned to Unfinished Business #1.

2. **Policy Manual Update Review – Department Head Compensation Increases** – Council discussed adjusting department head salaries separately from cost-of-living adjustments while budgeting and aligning

department head evaluations with the budget process. There was no public comment. This was an information-only item.

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

- 1.) Handouts from September 28, 2021, On-Site Update at Prickly Pear Creek Greenway.
- 2.) Latest graphs of Carroll College SARS-CoV-2 Wastewater Testing from Lewis and Clark County website containing the latest samples for the City of East Helena & Helena.

Mayor Schell reported that he had attended the greenway and former smelter site update presentation, that he had attended the MLCT virtual conference, asked Council for a schedule to hand out cookies during the Halloween Stroll, and that he would be having a meeting with an MBAC representative regarding a potential new turning lane in Jefferson County on Highway 518.

**COUNCIL MEMBERS' REPORTS:**

**Don Dahl** reported that he had attended the AARP meeting,

**Wesley Feist** reported that the tour of East Helena businesses with Andy Shirtliff of the Small Business Administration had gone well and that there would be an article in the Independent Record about it. A written report of businesses visited during the tour was on the table. He attended the AARP meeting and the meeting with the Lewis & Clark County Sheriff's Office and had received a call from a resident about the water rate increase.

**Kelly Harris** reported that he had attended the greenway and smelter site update presentation, that he had attended the meeting with the Lewis & Clark County Sheriff's Office, that he had gone on the SBA tour, that he had attended a Vigilante football game, and had attended the meeting with the East Helena Police Officers Association's union representative.

**Judy Leland** reported that she had attended the AARP meeting and witnessed the sheriff's department respond to a recent call within the city.

**LEGAL REPORTS:** City Attorney Elverum reported that he had been working on SIDs, had attended the meeting with the Lewis & Clark County Sheriff's Office, and had attended the meeting with the East Helena Police Officers Association's union representative.

**PAYMENT OF BILLS:** Claims 294319 through 294375 were presented for Council's review. Councilmember Leland made a motion to pay the bills. Councilmember Dahl seconded the motion. All councilmembers voted aye.

**SPECIAL MEETINGS & ANNOUNCEMENTS:**

1. Halloween Walk Along Main Street, Sunday, October 31, 2021, 5PM to 7PM
2. Halloween Movie in Main Street Park, Sunday, October 31, 2021, Dusk

**MEETING SCHEDULE:**

1. East Helena Council Meeting, Tuesday, October 19, 2021, 7PM, City Hall Room 110
2. East Helena Council Meeting, Tuesday, November 2, 2021, 7PM, \*\* Cancelled \*\* {Election}
3. East Helena Council Meeting, Tuesday, November 16, 2021, 7PM, City Hall Room 110

**ADJOURNMENT:** Mayor Schell adjourned the meeting at 9:17 PM.

ATTEST:

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Clerk/Treasurer

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Mayor