

**MEETING MINUTES**  
**CITY OF EAST HELENA**  
**CITY HALL – 306 EAST MAIN - ROOM 110**  
**COUNCIL MEETING: 6:30 PM**  
**DATE: TUESDAY, MAY 3, 2022**  
**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 Harris called the meeting to order at 6:30 PM. Councilmember Feist led the Pledge of Allegiance.

**CITY OFFICIALS & STAFF PRESENT:** Mayor Kelly Harris, Council President Don Dahl, Councilmember Judy Leland, Councilmember Wesley Feist, Councilmember Suzanne Ferguson, Public Works Director Kevin Ore, Police Chief Mike Sanders, Clerk/Treasurer Amy Thorngren (via Zoom), City Attorney Pete Elverum, Patrol Officer Cliff Cox, and City Engineer Jeremy Perlinski

**PUBLIC PRESENT:** Tom Johnson and Dave Jensen

**ABSENT/EXCUSED:** City Judge Dennis Loveless and Fire Chief Troy Maness

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

**APPROVAL OF MINUTES:** The draft minutes of the April 19, 2022 meeting were in the council packet. Councilmember Dahl made a motion to approve the minutes as presented. Councilmember Leland seconded the motion. The motion passed unanimously.

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

**DEPARTMENTAL REPORTS:**

**Administration** – Clerk/Treasurer Amy Thorngren reported the following:

- She and Deputy Clerk Shannon were currently in Bozeman attending the annual Montana Municipal Clerks Institute for Clerks, Treasurers, and Finance Officers.
- Utility Clerk Shipman was covering the administration office while taking many swimming lesson registrations.
- The office billed for 137 wastewater connections in Red Fox Meadows Subdivision and that a check for 59 new zoning applications had been received for new construction in Highland Meadows Subdivision.
- She would be attending the next meeting of the Lewis and Clark County records management and storage working group.

**Police Department** – Police Chief Mike Sanders reported the following:

- He attended the quarterly Missouri River Drug Task Force (MRDTF) meeting and the department had met with the commander of the Helena MRDTF. He said that

fentanyl seizures for 2022 have already surpassed that of 2021 and that methamphetamine is selling for half what it did 3 to 5 years ago.

- The police department had met with the Lewis and Clark County Juvenile Probation staff to coordinate protocols for dealing with juveniles.
- The department had attended a 4-hour training provided by the Helena Police Department Detective Division that covered domestic violence, sexual assault, and suicide investigations.
- The department met with County Attorney Gallagher to discuss protocols for felony filings. He explained that the department would not be doing drug field testing because of the danger of fentanyl contamination and arrests would not result in charges without presumptive tests which are not readily available to the department.
- He had attended meetings with Lexipol regarding departmental policies that would be rolling out soon.
- East Helena High School students are building a clearing barrel for department firearms.
- Patrol Officer Cliff Cox has been selected as Deputy Police Chief.
- On May 30<sup>th</sup> the department will move to two 10-hour shifts: 7:00 AM to 5:00 PM and 4:30 PM to 2:30 AM. The four- and one-half hour gap will be covered by the Lewis and Clark County Sheriff's Department at no additional charge.

**Public Works** – A written report was in the council packet. Public Works Director Kevin Ore reported the following:

- The city maintenance crew was changing the diffuser tubes at the wastewater treatment plant. Pictures were included in the council packet.
- He completed the response to the Montana Department of Labor and Industry's inspection of the wastewater treatment plant. Per recommendation, a forklift training is scheduled and a safety meeting was held. Councilmember Feist volunteered to be on the Safety Committee. A copy of the inspection report is available upon request.
- A sand filter at the metals removal building requires replacement. The city crew will do the work unless it proves to be a more difficult project.
- The Pacific Street reconstruction project is going well. Construction will be paused while NorthWestern Energy replaces aging gas lines.

**Volunteer Fire Department** - Fire Chief Troy Maness was excused.

### **UNFINISHED BUSINESS:**

1. **Request for approval of Influent Pump Station Replacement to be Included in 2022 Wastewater Headworks System Improvements Utilizing Additional SRF Funding Loan Forgiveness** – Mayor Harris explained that this item had inadvertently been left off the last meeting's agenda. A copy of the report presented at the last meeting was in the council packet. There was no public comment. Councilmember Feist made a motion to approve. Councilmember Dahl seconded the motion. The motion passed unanimously.
2. **Montana Environmental Trust Group New Public Water Supply Well Agreement** –Public Works Director Ore reported that the long-awaited agreement had arrived. A copy was in the council packet. There was no public comment. Councilmember Feist made a motion to approve the agreement. Councilmember Leland seconded the motion. The motion passed unanimously.

3. **East Helena Cemetery District** – City Attorney Elverum reported that a notice of public hearing to be held on May 17, 2022 for a vote on a resolution of intent to create a ballot initiative would be published twice and a notification mailer would be sent. A 60-day protest period would follow and another public hearing would be held on August 2, 2022. If approved, the proposed cemetery district referendum would be on the November 8, 2022 election ballot. If voters approve the referendum, a resolution to create the cemetery district would follow. Dave Jensen asked for clarification on the estimate that would be mailed to voters. Councilmember Dahl made a motion to table. Councilmember Leland seconded the motion. The motion passed unanimously.
4. **Ordinance 279 – An Ordinance Amending Title 7, Chapter 3 of the City Code of the City of East Helena Regarding Sewer Regulations to Align the Regulations with City Engineering Standards and Current City Policies and Procedures – Second Reading** – A copy of the amended draft ordinance was in the council packet. Councilmember Dahl made a motion to approve the second reading of Ordinance 279. Councilmember Feist seconded the motion. The motion passed unanimously.

#### **NEW BUSINESS:**

1. **Request for Use of Kennedy Park for VFW District Picnic** – VFW District Chair Tom Johnson requested use of the park and pavilion at no charge for the event. There was no public comment. Councilmember Leland made a motion to approve the request. Councilmember Ferguson seconded the motion. The motion passed unanimously.
2. **Request for Fee Waiver for School District #9 Use of Kennedy Park & Pavilion** – Public Works Director Ore presented the school district’s request to use the park and pavilion during the day at no charge until the end of the school year. There was no public comment. Councilmember Feist made a motion to approve the request. Councilmember Leland seconded the motion. The motion passed unanimously.
3. **Letter of Support for Sullivan Street Approach** – A copy of the draft letter to the Montana Department of Transportation (MDT) in support of the Montana Environmental Trust Group’s (METG) application for an approach at Highway 518 and Sullivan Street was in the council packet. Mayor Harris requested Council’s approval of the letter. There was no public comment. Councilmember Feist made a motion to approve the letter. Councilmember Leland seconded the motion. The motion passed unanimously.
4. **Rodeo Parade Street Closure July 9, 2022** – The draft MDT special use permit application was in the council packet. Mayor Harris requested Council’s approval to apply for street closure for the rodeo parade. Council discussed the process for other parades throughout the year and whether it was more appropriate for the city or the event organizer to make the road closure application to MDT. City Attorney Elverum recommended that the event organizer make the application. There was no public comment. Councilmember Feist made a motion to approve street closure with the parade organizer submitting the application. Councilmember Leland seconded the motion. The motion passed unanimously.

**MAYOR’S REPORT:** Mayor Harris reported the following:

- He attended the Deputy Police Chief interview.
- Met with Cindy Brooks of METG regarding the future of the trust group.
- He met with Sussex Construction regarding development of the lots on the south side of the highway.
- He met with City Engineer Brad Koenig regarding the possibility of system development and impact fees.

**COUNCILMEMBERS’ REPORTS:**

**Don Dahl** reported that he had remotely attended the meeting with Cindy Brooks of METG regarding the future of the trust group and that he had attended the Deputy Police Chief interview. He discussed the extent of the need for insurance on various events at the parks with City Attorney Elverum who would be consulting with the city’s insurance company.

**Judy Leland** reported that she had attended the Water Quality Protection District meeting and that she’d met with some young men who were becoming Eagle Scouts.

**Wesley Feist** had nothing to report.

**Suzanne Ferguson** had nothing to report.

**LEGAL REPORTS:** City Attorney Elverum reported the following:

- He would be going to Bozeman for the Jim Tillotson Service Program training.
- He was asked about liquor and beer licensing in city limits and will be bringing more information to Council at a future meeting.
- He will bring options to Council for handling land development within city limits.

**PAYMENT OF BILLS:** Claims 294996 through 295028 were presented for Council’s review. Councilmember Leland made a motion to pay the bills. Councilmember Feist seconded the motion. The motion passed unanimously.

**MEETING SCHEDULE:**

1. East Helena Council Meeting, Tuesday, May 17, 2022, 6:30 PM, City Hall Room 110
2. East Helena Council Meeting, Tuesday, June 7, 2022, 6:30 PM, City Hall Room 110

**ADJOURNMENT:** Mayor Harris adjourned the meeting at 7:20 PM.

ATTEST:

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Clerk/Treasurer

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Mayor