

**MEETING MINUTES**  
**CITY OF EAST HELENA**  
**CITY HALL – 306 EAST MAIN - ROOM 110**  
**COUNCIL MEETING & PUBLIC HEARINGS: 6:30 PM**  
**DATE: TUESDAY, AUGUST 16, 2022**  
**INTERNET ZOOM MEETING: <https://zoom.us/j/84979380604>**  
**CONFERENCE CALL-IN: 1-301-715-8592 MEETING ID: 849 7938 0604**

**MEETING CALLED TO ORDER:** Mayor Harris called the meeting to order at 6:30 PM. Councilmember Leland led the Pledge of Allegiance.

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

**PUBLIC PRESENT:** Kristeena Bakker, Thomas Kendall, Blaine Verbanac, Charlie Hull, Sally Hull, Shaun Murgel, Michael Hossfeld, Robin Hossfeld, Franchesca Talbot, Kathy Moore, Bridget Williams, Doug Strong, Dave Jensen, and Bill Waddington

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

**PUBLIC HEARING 1:**

1. **Ordinance 281 Adopting Building Related Codes** – The public notice, draft ordinance 281, and an email from the Montana Department of Labor & Industry regarding adoption of building codes were in the council packet. City Attorney Elverum explained that the city needs to adopt the codes it enforces when the state adopts updated building-related codes. Draft Ordinance 281 also amended the requirement in 4-1-7 from a certificate of occupancy to a final building inspection approval. This was an information-only item.
2. **Ordinance 281 Adopting Building Related Codes** – Mayor Harris called for public comment and received none. No written public comment had been received.
3. **Ordinance 281 Adopting Building Related Codes** – Councilmember Dahl made a motion to adopt Ordinance 281. Councilmember Leland seconded the motion. The motion passed unanimously.

**PUBLIC HEARING 2:**

1. **Ordinance 282 Revising Building Regulations by Amending Chapter 1 of Title 4 of the East Helena City Code Regarding Certificate of Occupancy** – The public notice and suggested revisions were included in the council packet. City Attorney Elverum explained that the revision was addressed in Ordinance 281. This was an information-only item.
2. **Ordinance 282 Revising Building Regulations by Amending Chapter 1 of Title 4 of the East Helena City Code Regarding Certificate of Occupancy** – No written public comment had been received. There was no public comment.
3. **Ordinance 282 Revising Building Regulations by Amending Chapter 1 of Title 4 of the East Helena City Code Regarding Certificate of Occupancy** – As the update to city code regarding certificate of occupancy was addressed in Ordinance 281, no vote was taken on Ordinance 282.

**PRESENTATION: Lewis & Clark Public Health LEAP Update** – Lewis and Clark Public Health Environmental Division Administrator Kathy Moore introduced new Lead Education Office Representative Franchesca Talbot and EPA Representative Bridget Williams. Franchesca Talbot reported that METG had requested institutional controls for some redevelopment in the area. Kathy Moore invited Council to attend the next Board of Health meeting which METG and LEAP would be attending. This was an information-only item.

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

**APPROVAL OF MINUTES:** The draft minutes of the August 2, 2022 meeting were included in the council packet. There was no public comment. Councilmember Leland made a motion to approve the minutes as presented. Councilmember Ferguson 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 on the following:

- The draft FY23 preliminary budget was completed.
- Classes for the new AARP FitLot equipment in Kennedy Park are expected to begin in September.

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

- There had been 239 calls-for-service since August 1<sup>st</sup>.
- Policy establishment and implementation with Lexipol is 97% complete.
- The new patrol vehicle has been ordered.

**Public Works** - Public Works Director Kevin Ore reported the following:

- Construction of the water system improvements had been keeping the department very busy.
- The results of the nitrogen study revealed that the current plant can't meet the limits. Working group sessions to explore options are forthcoming.
- The public works crew had mitigated a screw auger failure.
- RPA was still working with DN Tanks on the wall-break tests.
- RPA was working with Mike Coleman Construction on the sewer line break under the highway.
- CAP Paving was doing road improvements in town.
- MDOT had adjusted speed limits on Main Street.
- One of the Fire Department's pickups will be converted to a plow truck.

**Volunteer Fire Department** - Fire Chief Troy Maness reported the following:

- He expected that the Fire Department pickup being converted to a plow truck would serve the city well.
- The department is still looking for new members.

**UNFINISHED BUSINESS:**

1. **Second Reading of Ordinance 280 Revising Meetings by Amending Chapter 5 of Title 1 of the East Helena City Code** – The draft ordinance was included in the council packet. City Attorney Elverum explained that if the second reading was approved the

ordinance would go into effect in 30 days and that a resolution setting the time for regular council meetings would follow. There was no public comment. Councilmember Dahl made a motion to approve the second reading of Ordinance 280. Councilmember Feist seconded the motion. The motion passed unanimously.

**NEW BUSINESS:**

1. **Cub Scout Pack 212 Meetings on 1<sup>st</sup> & 3<sup>rd</sup> Thursdays, September through June** – Pack Leader Thomas Kendall requested Council’s permission to use the Fire Hall for meetings at no charge on first and third Thursdays from September through June. There was no public comment. Councilmember Feist made a motion to approve the request. Councilmember Dahl seconded the motion. The motion passed unanimously.
2. **227 Days Celebrating East Helena’s Birthday – Main Street Park – September 17, 2022**– The event flier and gazebo brick order form were included in the council packet. Robin & Mike Hossfeld requested Council’s permission to use the park at no charge, sell alcohol during the event under Eagles 4040’s state catering license, and waive the city’s open container ordinance in the park during the event. They also requested a blanket business license at no charge to cover the food and craft vendors and access to power for the band. There was no public comment. Councilmember Ferguson made a motion to approve the requests. Councilmember Leland seconded the motion. The motion passed unanimously.
3. **East Helena High School Activities** – East Helena High School Athletic Director Shaun Murgel updated Council on upcoming high school sporting events, the Homecoming parade, and proposed projects. This was an information-only item.
4. **Transfer of Surplus Police Department Firearms and Ammunition** – Relevant Montana Code and purchase orders from Capital Sports and Range 406 were in the council packet. Draft Resolution 573 was on the council room table. Police Chief Sanders requested Council’s permission to sell unneeded surplus ammunition and firearms. There was no public comment. Councilmember Feist made a motion to approve Resolution 573. Councilmember Leland seconded the motion. The motion passed unanimously.
5. **Appointment of Suzanne Ferguson to the East Helena Planning Board and/or Zoning Commission** – Rosters, by-laws, and relevant Montana Code were included in the council packet. City Attorney Elverum explained that a councilmember could serve on the zoning commission, but not the planning board. There was no public comment. Councilmember Dahl made a motion to appoint Suzanne Ferguson to the East Helena Zoning Commission. Councilmember Leland seconded the motion. Councilmembers Dahl, Leland, and Feist voted aye. Councilmember Ferguson abstained. The motion passed.
6. **Assessment of Delinquent Payments for Utilities on Property Owners’ 2022 Tax Bill** – Relevant Montana Code, draft Resolution 572, and a letter to the county tax assessor were included in the council packet. Clerk/Treasurer Thorngren reported that this method was a last resort for collecting overdue utility payments. There was no public comment. Councilmember Dahl made a motion to approve Resolution 572. Councilmember Feist seconded the motion. The motion passed unanimously.
7. **FY23 Preliminary Budget Timeline & Meeting Schedule** – Mayor Harris, Council, and staff coordinated schedules. There was no public comment. Councilmember Leland made a motion to hold budget work sessions on August 24<sup>th</sup> and 25<sup>th</sup> at 6:00 PM. Councilmember Feist seconded the motion. The motion passed unanimously.

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

- He presented at Hometown Helena with Councilmember Feist.
- He met with Eagles 4040 about 227 Days.
- He shopped for a pickup with Public Works Director Ore.
- He met with Athletic Director Murgel about high school events.
- He and Public Works Director Ore met with Head Football Coach Murray to coordinate a community service project by high school football players.

**COUNCILMEMBERS' REPORTS:**

**Don Dahl** had nothing to report.

**Judy Leland** had nothing to report.

**Wesley Feist** reported the following:

- He presented at Hometown Helena with Mayor Harris.
- He would be attending another tour of the downtown East Helena businesses with members of the Helena Chamber of Commerce and the Helena Ambassadors.
- He received a resident complaint about the discontinuation of special garbage pickups.

**Suzanne Ferguson** had nothing to report.

**LEGAL REPORTS:** City Attorney Elverum reported that he was working on more ordinance updates.

**PAYMENT OF BILLS:** Claims 295357 through 295405 were presented for Council's review. There was no public comment. Councilmember Leland made a motion to pay the bills. Councilmember Dahl seconded the motion. The motion passed unanimously.

**MEETING SCHEDULE:**

1. East Helena Council Meeting & Public Hearing, Tuesday, September 6, 2022, 6:30 PM, City Hall Room 110
2. East Helena Council Meeting & Public Hearing, Tuesday, September 20, 2022, 6:30 PM, City Hall Room 110

**ADJOURNMENT:** Mayor Harris adjourned the meeting at 7:25 PM.

ATTEST:

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Clerk/Treasurer

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Mayor