

**MEETING MINUTES**  
**CITY OF EAST HELENA**  
**CITY HALL – 306 EAST MAIN - ROOM 110**  
**COUNCIL MEETING & PUBLIC HEARING: 6:30 PM**  
**DATE: TUESDAY, OCTOBER 4, 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, Councilmember Suzanne Ferguson, Public Works Director Kevin Ore, Clerk Treasurer Amy Thorngren, Police Chief Mike Sanders, City Attorney Pete Elverum, Fire Chief Troy Maness (via Zoom), and Zoning Officer Jeremy Fadness (via Zoom)

**PUBLIC PRESENT:** Joe Murphy, Dan Sampson, Charlie Hull, Dave Jensen, and Candace Payne

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

**PUBLIC COMMENTS:**

Referring to the September 21, 2022 Council Wastewater Work Session, **Dave Jensen** expanded on his previous comments by presenting examples of water and wastewater systems that charge less than the City of East Helena. He reiterated his positions that expenses were allocated disproportionately to enterprise funds; that approximately \$250,000 of the Pacific Street project should have been paid by the residents on that street and the money spent on wastewater infrastructure improvements instead; that the Main Street drainage improvements have been a costly mistake by the city; that Red Fox Meadows Subdivision's lagging wastewater connections did not provide the benefit promised from letting outsiders connect to the system and have contributed to the need to expand the wastewater treatment plant; and spoke in opposition to the city taking on more debt and increasing wastewater rates.

Lewis and Clark County Commissioner Candidate **Candace Payne** introduced herself to Council. She spoke about the importance of water and wastewater management and welcomed the opportunity to work cooperatively with East Helena on projects.

**PUBLIC HEARING:**

1. **Wiley Drive Lucky Lil's Casino, East Helena Conditional Use Permit**

**Application** – The public notice and staff report were included in the council packet. A report on the project was handed out. Zoning Officer Jeremy Fadness discussed the application for a casino and sales of alcohol for on premise consumption and recommended conditional approval to move the existing Lucky Lil's Casino on Wiley

Drive to Town Pump's proposed commercial building to the west. This was an information-only item.

2. **Wiley Drive Lucky Lil's Casino, East Helena Conditional Use Permit Application** – Mayor Harris called for public comment on the proposed conditional use application. Joe Murphy of Big Sky Civil & Environmental and Dan Sampson of Town Pump commented in favor of approving the application and answered questions from Council.
3. **Wiley Drive Lucky Lil's Casino, East Helena Conditional Use Permit Application** – Councilmember Feist made a motion to conditionally approve the application with staff recommendations. Councilmember Leland seconded the motion. The motion passed unanimously.

**APPROVAL OF MINUTES:** The draft minutes of the September 20, 2022 and September 21, 2022 meetings were in the council packet. There was no public comment. Councilmember Dahl noted that he had attended the meeting in person rather than remotely. He made a motion to approve the September 20, 2022 minutes as amended. Councilmember Leland seconded the motion. The motion passed unanimously. Councilmember Leland made a motion approve the September 21, 2022 minutes as presented. Councilmember Ferguson seconded the motion. The motion passed unanimously.

**CITY COURT REPORT:** A written report from City Judge Dennis Loveless for the months of August and September 2022 was on the council room table.

**DEPARTMENTAL REPORTS:**

**Administration** – A written report was on the council room table. Clerk/Treasurer Amy Thorngren reported the following:

- A conditional use permit application for a marijuana dispensary is forthcoming.
- Facility use has increased since school started.
- The Halloween Stroll cookie order has been placed.
- The window of opportunity to hold FitLot classes has closed for this year, but staff will try again in the spring.
- Lewis and Clark County Elections will hold the November 8<sup>th</sup> election in the gym as usual.
- The Lewis and Clark County Records Management and Storage Working Group plans to publish a request-for-proposals within the month.
- She attended the wastewater funding call.

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

- There had been 493 calls-for-service in the last month.
- Officers Johnston and DeBoo attended a firearms control scenario training.
- He was a member of the Helena Police Department's captain interview panel.
- The East Helena Police Policy Manual is finished.
- The new tasers have arrived and Officer Johnston will provide the training.

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

- A letter from DEQ regarding the July phosphorus violation was included with his report. Another is expected for August.

- The boring under the highway is complete.
- He and City Engineer Koenig met with the water rights attorney who recommend requesting a verification letter from La Casa Grande in order to include it in planning.
- The garbage truck compactor needs relining.

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

- The Fire Department Relief Association checks are now being issued from the admin office which will allow for direct deposit in the future.
- He will be meeting with the chiefs of Eastgate and East Valley Fire Departments.
- The department has been providing EMS coverage for East Helena High School football games.
- The department had responded to a downed power line and an arc and spark light switch call in addition to standard EMS calls.
- A new EMT member has joined the department.

**UNFINISHED BUSINESS:** There was no unfinished business.

**NEW BUSINESS:**

1. **Encroachment Permit Agreement Application 313 E Clark St** – The application was included in the council packet. Mayor Harris explained that a fence required replacement at an address with a long-standing encroachment agreement. There was no public comment. Councilmember Feist made a motion to approve the encroachment permit agreement. Councilmember Dahl seconded the motion. The motion passed unanimously.
2. **METG Reimbursement Agreement** – The signed agreement was included in the council packet. Public Works Director Ore explained that the agreement reduced the timeframe in which METG would reimburse the city for contractor invoices to thirty days. There was no public comment. Councilmember Dahl made a motion to approve the agreement. Councilmember Feist seconded the motion. The motion passed unanimously.
3. **Facilities Cleaning Proposal** – The request-for-proposals and proposals from two companies were included in the council packet. Public Works Director Ore compared the proposals and discussed the proposed cleaning schedule for each facility. Dave Jensen commented that cleaning the restrooms at the park three days per week rather than five would save a couple hundred bucks a month. Councilmember Feist made a motion to accept the proposal from Puritan Commercial Cleaning & Services. Councilmember Ferguson seconded the motion. The motion passed unanimously.
4. **Personnel Policy Manual Update** – The existing cost-of-living adjustment section of the personnel policy manual was included in the council packet. An updated version was on the council room table. City Attorney Elverum explained that the update allowed the flexibility to increase wages by a flat rate or a percentage at budget time. There was no public comment. Councilmember Dahl made a motion to approve the personnel policy manual update. Councilmember Leland seconded the motion. The motion passed unanimously.

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

- He attended the Board of Health meeting.

- He met with METG, PPLT, and Sussex Construction regarding development at the intersection of US 12 and Route 518.
- He attended the wastewater funding call.
- He met with Chief Sanders about Coffee with a Cop in East Helena.

**COUNCILMEMBERS’ REPORTS:**

**Don Dahl** reported that he attended the wastewater work session.

**Judy Leland** reported that she attended the wastewater work session and the tour of the water storage tanks and wastewater treatment plant.

**Wesley Feist** reported that he attended the wastewater work session; attended the tour of the water storage tanks and wastewater treatment plant; attended Coffee with the Chamber at Galaxy Roasters; has been a part of the Vision Helena meetings; plans to attend the Helena Area Chamber of Commerce’s Lunch with Local Officials on October 18th; and met with City Attorney Elverum.

**Suzanne Ferguson** reported that she attended the wastewater work session and the tour of the water storage tanks and wastewater treatment plant.

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

- He attended many of the same meetings with Mayor Harris, Council, and city staff.
- The fully staffed police department has been keeping the city court busy.
- He will be assisting with a case in Helena.
- He met with Councilmember Feist and encouraged Council to set up individual meetings with him to discuss issues.

**PAYMENT OF BILLS:** Claims 295513 through 295572 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 & Public Hearing, Tuesday, October 18, 2022, 6:30 PM, City Hall Room 110
2. East Helena Council Meeting, Tuesday, November 1, 2022, 6:30 PM, City Hall Room 110

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

ATTEST:

\_\_\_\_\_  
Clerk/Treasurer

\_\_\_\_\_  
Mayor