

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
COUNCIL MEETING: 6:30 PM
DATE: TUESDAY, FEBRUARY 7, 2023
JOIN ZOOM MEETING: <https://us06web.zoom.us/j/3787705872>
CONFERENCE CALL-IN: 1-253-205-0468 MEETING ID: 378 770 5872

MEETING CALLED TO ORDER: Mayor Harris called the meeting to order at 6:30 PM. Councilmember Ferguson 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, City Attorney Pete Elverum, Fire Chief Troy Maness (via Zoom), and Zoning Officer Jeremy Fadness

PUBLIC PRESENT: Blaine Verbanac, Landy Leep, Dot Vieth, Rachel Ward, Micky Zurcher, Greg Wirth, Neal Blossom (via Zoom), Ryan Casne (via Zoom), Cindy Brooks (via Zoom), Erica Menard (via Zoom), and Dave Jensen

ABSENT/EXCUSED: City Judge Dennis Loveless

(00:00:29) PUBLIC COMMENTS: Regarding the January 17, 2023 presentation by Robert Peccia & Associates, Dave Jensen commented in opposition to the estimated sewer system operating expenses, expansion of the existing plant, certain expenses allocated to the sewer fund, and the proposed wastewater rate increase. Mr. Jensen provided a written version of his public comments for the record.

(00:05:38) PRESENTATION:

1. **Montana Main Street Program** – The slides of the presentation were displayed for those present in the room and on Zoom. A copy of the presentation was on the council room table. Rachel Ward of the Montana Department of Commerce Community and Economic Vitality Program presented an overview of the Montana Main Street Program whose mission is to better the economic, historic, and cultural vitality of Montana downtowns through community development, revitalization, and historic preservation. There was no public comment. This was an information-only item.

(00:26:53) APPROVAL OF MINUTES: The draft minutes of the January 17, 2023 meeting were included in the council packet. Councilmember Feist requested a correction to his report. There was no public comment. Councilmember Dahl made a motion to approve the minutes as amended. 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:

(00:28:25) Administration – A written report was included in the council packet.

Clerk/Treasurer Amy Thorngren reported that the Lewis and Clark County Records Management and Storage working group would be unsealing the responses to the request for proposals on February 9th; the Helena Transportation Advisory Committee will be meeting March 7th; she attended the interviews for the open Deputy Clerk position; East Helena Public School students will be touring the building on February 27th for 227 Day; there will be a City-County Community Needs Assessment public hearing on February 16th; and that Ryan Fetherston had delivered a list of local businesses in support of the United Way's St. Patrick's Day celebration event as requested at the last meeting.

(00:31:15) Police Department – Police Chief Mike Sanders reported that the police department was celebrating a year of service to the city; Officer Harris will be leaving the department on April 17th; responses to the request for proposals for the Records Management System had been reviewed; the new patrol vehicle was scheduled to be delivered in 8 weeks; there were 219 calls-for-service in January; and SHIELDS 616 was working to supply level 3 ballistic vests to the department.

(00:35:32) Public Works – A written report was included in the council packet. Public Works Director Kevin Ore reported that only objection received to the city's water right was its own and that the water distribution map had been updated; the new ortho pumps will be shipped March 1st; House Bill 355 has the potential to bring funding through the county for Valley Drive improvements; and the new Public Works pickup has been purchased.

(00:39:17) Volunteer Fire Department - Fire Chief Troy Maness reported that the proposed merger of area fire departments was progressing and that the department's Leukemia and Lymphoma Society StairClimb team was doing well raising money for the organization.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

1. **(00:40:43) East Helena Farmers Market – Main Street Park July 18 to September 26, 2023** – Dot Vieth was present to request the use of Main Street Park for the East Helena Farmers Market for another season. There was no public comment. Councilmember Ferguson made a motion to approve the request. Councilmember Feist seconded the motion. The motion passed unanimously.
2. **(00:41:53) Missouri River Drug Task Force Memorandum of Understanding** – A copy of the MOU was included in the council packet. Police Chief Sanders summarized the MOU. There was no public comment. Councilmember Leland made a motion to approve the memorandum of understanding. Councilmember Ferguson seconded the motion. The motion passed unanimously.
3. **(00:44:15) Manlove-282 Minor Subdivision Preliminary Plat Application** – A copy of the staff report was in the council packet. Zoning Officer Fadness discussed the report with Council and recommended approval of the preliminary plat with conditions. Ryan Casne of Casne & Associates, Inc. and Neal Blossom of American Chemet Corporation commented in favor of the Manlove-282 Subdivision preliminary plat application. Councilmember Dahl made a motion to approve the preliminary plat with staff-recommended conditions. Councilmember Leland seconded the motion. The motion passed unanimously.
4. **(01:01:25) Highland Meadows Phase III Final Plat Application** – A copy of the staff report was included in the council packet. Zoning Officer Fadness discussed the report with Council and recommended approval of the final plat with conditions. Greg Wirth of

- Stahly Engineering commented in favor of the final plat application. Councilmember Leland made a motion to approve the Highland Meadows Phase III final plat with conditions as recommended by staff. Councilmember Ferguson seconded the motion. The motion passed unanimously. Councilmember Leland made a motion to approve the Highland Meadows Phase III subdivision improvements agreement. Councilmember Dahl seconded the motion. The motion passed unanimously.
5. **(01:09:19) Ordinance 284 Amending Title 7, Chapter 4 of the City Code of the City of East Helena, Montana, to Provide for Establishing and Modifying Sewer Rates and Charges by Resolution** – The draft ordinance was included in the council packet. City Attorney Elverum explained that adjusting rates by resolution was a more efficient method than adjusting them by ordinance. Dave Jensen commented in opposition to the proposed sewer rate increase. Mr. Jensen provided a written version of his public comments for the record. Councilmember Dahl made a motion to approve the first reading of Ordinance 284. Councilmember Feist seconded the motion. The motion passed unanimously.
 6. **(01:11:30) Resolution of Intention of The City of East Helena, Montana to Increase Rates for the Users of the Municipal Sewer System** – The draft Resolution 580 was included in the council packet. City Attorney Elverum summarized the resolution and noted that the rate increase would also apply to sewer connections outside of city limits. Dave Jensen commented in opposition to the proposed sewer rate increase and in support of seeking wastewater project funding through House Bill 355 and development fees. Mr. Jensen provided a written version of his public comments for the record. Councilmember Leland made a motion to approve Resolution 580. Councilmember Ferguson seconded the motion. The motion passed unanimously.
 7. **(01:15:00) East Helena Water Main Improvements Change Order No. 2** – A copy of the change order was included in the council packet. Mayor Harris noted that contingency funds were available to cover the unexpected expense. There was no public comment. Councilmember Feist made a motion to approve the change order. Councilmember Dahl seconded the motion. The motion passed unanimously.
 8. **(01:15:48) Valley Drive TA Grant Application Scope of Services** – A copy of the scope-of-services was included in the council packet. Public Works Director Ore reviewed that the funds would be used for the walking trail along Valley Drive to Lewis and King Streets. There was no public comment. Councilmember Ferguson made a motion to approve the scope-of-service. Councilmember Feist seconded the motion. The motion passed unanimously.
 9. **(01:16:43) Robert Peccia & Associates Task Order Twenty-Five Wastewater Treatment Plant Facility Plan** – A copy of the task order was included in the council packet. Public Works Director Ore reported that the city was not awarded the CBDG wastewater master plan grant funding. Dave Jensen commented in opposition to certain estimated engineering costs and commented in favor of securing funding assistance from METG. Mr. Jensen provided a written version of his public comments for the record. Councilmember Feist made a motion to approve RPA Task Order Twenty-Five. Councilmember Dahl seconded the motion. The motion passed unanimously.
 10. **(01:20:27) Robert Peccia & Associates Task Order Twenty-Six Ground Water Disposal Permitting and Preliminary Design** – A copy of the task order was included in the council packet. Public Works Director Ore discussed the task order with Council. Dave Jensen commented in support of the task order. Mr. Jensen provided a written version of his public comments for the record. Councilmember Feist made a motion to approve RPA Task Order Twenty-Six with clarification of ownership of the aquifer

pumping test appurtenances. Councilmember Leland seconded the motion. The motion passed unanimously.

(01:24:50) MAYOR'S REPORT: Mayor Harris reported that the new public works pickup had been purchased; he met with the Boy Scout pack that meets at the Fire Hall; he attended the Deputy Clerk interviews; and he met with Mike Coleman Construction regarding the change order.

(01:26:35) COUNCILMEMBERS' REPORTS:

Don Dahl reported that he had attended the Zoning Commission meeting.

Judy Leland reported that she had attended the Water Quality Protection District meeting and the Deputy Clerk interviews.

Wesley Feist reported that he had attended the Chamber of Commerce board meeting; attended Coffee with the Chamber at Galaxy Roasting and will attend again on the 28th; and that Vision Helena will be holding a retreat on the 21st.

Suzanne Ferguson reported that she had attended the Zoning Commission meeting.

(01:28:02) LEGAL REPORT: City Attorney Elverum reported that he had attended the Deputy Clerk interviews and meetings with Robert Peccia & Associates regarding projects within the city.

(01:28:22) PAYMENT OF BILLS: Claims 295913 through 295984 were presented for Council's review. Councilmember Leland made a motion to pay the bills. Councilmember Ferguson seconded the motion. The motion passed unanimously.

MEETING SCHEDULE:

1. East Helena Planning Board Meeting, Wednesday, February 8, 2023, 6:00 PM, City Hall Room 110
2. East Helena Council Meeting, Tuesday, February 21, 2023, 6:30 PM, City Hall Room 110
3. East Helena Council Meeting, Tuesday, March 7, 2023, 6:30 PM, City Hall Room 110

ADJOURNMENT: Mayor Harris adjourned the meeting at 7:59 PM.

ATTEST:

Clerk/Treasurer

Mayor