

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
PUBLIC HEARING & COUNCIL MEETING: 6:30 PM
DATE: TUESDAY, JULY 18, 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 p.m. Councilmember Feist led the Pledge of Allegiance.

CITY OFFICIALS & STAFF PRESENT: Mayor Kelly Harris, Council President Don Dahl (via Zoom), Councilmember Judy Leland, Councilmember Wesley Feist, Councilmember Suzanne Ferguson, City Attorney Pete Elverum, Clerk/Treasurer Amy Thorngren, and Police Chief Mike Sanders

PUBLIC PRESENT: Andrew Bassak, Andrew Bassaks's dad (via Zoom), Raphaelle Bassak, Unidentified Man, Sally Nyland, Greg Wirth, Gary Oakland, Landy Leep, Rick Pyfer, Kaila Matteson, and Dave Jensen

ABSENT/EXCUSED: Public Works Director Kevin Ore, City Judge Dennis Loveless, and Fire Chief Troy Maness

(0:00:35) PUBLIC HEARING:

- 1. Zoning Variance Requests - Lot 2A of Block 10, East Helena Townsite COS# 3067063** – The public notice and staff report were included in the council packet. Zoning Officer Fadness reported that the applicant was requesting the variance for a reduction in the minimum lot size requirement to accommodate a tri-plex. He recommended approval of the variance with the condition that the applicant will apply for a conditional use permit for a tri-plex and answered questions from Council. This was an information-only item.
- 2. Zoning Variance Requests - Lot 2A of Block 10, East Helena Townsite COS# 3067063** – Mayor Harris called for public comment on the proposed variance. (0:06:15) Dave Jensen expressed his concerns regarding runoff drainage and parking if the variance were to be granted. (0:08:05) Sally Nyland expressed her concerns about parking if the variance were to be granted. (0:09:20) Applicant Andrew Bassack responded to the concerns about drainage and parking.
- 3. Zoning Variance Requests - Lot 2A of Block 10, East Helena Townsite COS# 3067063** – Councilmember Feist made a motion to approve the variance with the condition of application for a conditional use permit as recommended by staff. Councilmember Ferguson seconded the motion. The motion passed unanimously

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

(0:13:15) APPROVAL OF MINUTES: The draft minutes of the June 20, 2023 meeting were included in the council packet. There was no public comment. Councilmember Leland made a motion to approve the minutes as presented. Councilmember Feist seconded the motion. The motion passed unanimously.

CITY COURT REPORT: A written report from City Judge Dennis Loveless was included in the council packet.

DEPARTMENTAL REPORTS:

(0:14:00) Administration – Clerk/Treasurer Amy Thorngren reported that the Montana State Fund worker compensation audit was scheduled for July 31st; she attended a MCEP monitoring visit with representatives from the Montana Department of Commerce; and that the USDA-RD triannual compliance review would happen the next day.

(0:15:35) Police Department – Police Chief Mike Sanders reported that there had been 167 calls-for-service in June and 97 so far in July; he attended Coffee with the Chamber at Galaxy Roasting; the rodeo weekend had been successful; the department had delivered Narcan to local businesses; the department welcomed Chaplain Gloria Soja; and that the department could contribute \$50,000 to the new records management system being implemented in coordination with Lewis and Clark County and the City of Helena.

Public Works – A written report was included in the council packet. Public Works Director Kevin Ore was excused.

Volunteer Fire Department - Fire Chief Troy Maness was excused.

UNFINISHED BUSINESS:

1. **(0:21:15) Prickly Pear Estates/City of East Helena Letter of Understanding** – The draft letter of understanding and correspondence from City Engineer Brad Koenig were included in the council packet. City Attorney Elverum discussed the terms of the letter with Council. (0:21:50) Greg Wirth of Stahly Engineering updated Council on the project and commented in favor of approval of the letter of understanding. (0:28:10) Sally Nyland commented in favor of amending the letter of understanding and expressed her concerns about the varied sizes of water lines to be installed. (0:31:25) Dave Jensen commented in favor of amending the letter of understanding. Councilmember Ferguson made a motion to approve the letter of understanding. Councilmember Feist seconded the motion. The motion passed unanimously.
2. **(0:38:35) Reappointment of Planning Board Members** – Clerk/Treasurer Thorngren explained that Ana Glueckert would prefer not to serve another term and that another party was interested in serving. There was no public comment. Councilmember Leland made a motion to deny Ana Glueckert’s reappointment to the East Helena Planning Board. Councilmember Ferguson seconded the motion. The motion passed unanimously.

NEW BUSINESS:

1. **(0:39:45) Appointment of New Planning Board Member** – MCA 76-1-221 was included in the council packet. A letter of support from Shawn White Wolf was on the council room table. (0:40:30) Kaila Matteson introduced herself to Council. There was no public comment. Councilmember Leland made a motion to appoint Kaila Matteson to the East Helena Planning Board. Councilmember Feist seconded the motion. The motion passed unanimously.
2. **(0:41:55) 201 S Montana Avenue Sewer Rate Adjustment** – A transaction report was included in the council packet. Mayor Harris noted that a refund was due to the customer as they had been billed the car wash rate for wastewater although the property was now being used as an automotive shop. There was no public comment. Councilmember Feist made a motion to approve the adjustment. Councilmember Leland seconded the motion. The motion passed unanimously.
3. **(0:44:05) MOU between the City of East Helena, City of Helena, and Lewis and Clark Public Health** – A copy of the MOU was included in the council packet. Mayor Harris explained that the agreement allowed for continued wastewater testing at no cost to the city. There was no public comment. Councilmember Ferguson made a motion to approve the MOU. Councilmember Feist seconded the motion. The motion passed unanimously.
4. **(0:45:30) Dorsey & Whitney Scope of Work – Valley Drive Bonding** – A copy of the engagement letter was included in the council packet. City Attorney Elverum explained that this was the process by which residents could vote on a general obligation bond to reconstruct Valley Drive. (0:50:25) Dave Jensen commented opposition to the scope of work. Councilmember Feist made a motion to approve the scope of work Councilmember Leland seconded the motion. The motion passed unanimously.
5. **(0:52:10) East Helena Smoke Show Blanket Business License** – A copy of the business license application and the flyer for the event were included in the council packet. Mayor Harris noted that the barbeque competition was a fundraiser for Impact Montana. (0:53:00) Rick Pyfer commented in support of the blanket business license Councilmember Leland made a motion to approve the blanket business license for the East Helena Smoke Show. Councilmember Ferguson seconded the motion. The motion passed unanimously.
6. **(0:53:20) Resolution of Intent to Modify Existing Lighting District No. 101** – Information about the lighting district for Highland Meadows Subdivision was included in the council packet. The draft resolution was on the council room table. City Attorney Elverum discussed the process of creating and expanding the district as more building phases are added. There was no public comment. Councilmember Leland made a motion to approve Resolution 587. Councilmember Feist seconded the motion. The motion passed unanimously.
7. **(0:59:55) Resolution of Intent to Modify Existing Lighting District No. 201** – Information about the lighting district for Vigilante Subdivision was included in the

council packet. The draft resolution was on the council room table. City Attorney Elverum noted that there would be a public hearing on the modifications to the lighting and street maintenance districts on August 15th. There was no public comment. Councilmember Feist made a motion to approve Resolution 588. Councilmember Leland seconded the motion. The motion passed unanimously.

8. **(1:01:15) Resolution of Intent to Modify Existing Street Maintenance District No. 101** – Information about the street maintenance district for Highland Meadows Subdivision was included in the council packet. The draft resolution was on the council room table. City Attorney Elverum discussed how the assessment was determined. (1:03:35) Dave Jensen commented in opposition to the cost estimate. (1:04:25) Rick Pyfer commented in support of Dave Jensen’s public comment. Councilmember Feist made a motion to approve Resolution 589. Councilmember Leland seconded the motion. The motion passed unanimously.
9. **(1:09:15) Resolution of Intent to Modify Existing Street Maintenance District No. 201** – Information about the street maintenance district for Vigilante Subdivision was included in the council packet. The draft resolution was on the council room table. City Attorney Elverum noted that assessments for parks would be determined when the phases of the subdivisions are complete. There was no public comment. Councilmember Feist made a motion to approve Resolution 590. Councilmember Leland seconded the motion. The motion passed unanimously.

(1:12:55) MAYOR’S REPORT: Mayor Harris reported that he had met with members of area fire departments and a representative from MPERA regarding the proposed fire department merger; he attended the rodeo and rodeo parade; the 4th of July had gone well thanks to Prickly Pear Fireworks; he had been working on the FY24 budget; and he attended the Board of Health meeting.

COUNCILMEMBERS’ REPORTS:

(1:16:00) Don Dahl reported that he had been contacted by residents about double-parking and sight triangle obstruction on Washington Street.

(1:16:30) Judy Leland had nothing to report.

(1:16:40) Wesley Feist reported that he attended a community leader visit to Boeing; the rodeo and rodeo parade; a meeting with the Army Reserve; and the MBAC meeting.

(1:20:05) Suzanne Ferguson reported that she had attended the East Helena Farmers Market.

(1:20:55) LEGAL REPORT: City Attorney Elverum reported that he had been busy with the special maintenance districts and that court was going well.

(1:21:35) PAYMENT OF BILLS: Claims 296473 through 296589 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 City Council Meeting, Tuesday, August 1, 6:30 p.m., City Hall Room 110
2. East Helena City Council Meeting, Tuesday, August 15, 6:30 p.m., City Hall Room 110

ADJOURNMENT: Mayor Harris adjourned the meeting at 7:52 p.m.

ATTEST:

Clerk/Treasurer

Mayor