

**MEETING AGENDA**  
**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

**PLEDGE OF ALLEGIANCE:** Councilmember Feist

**PUBLIC HEARING:**

1. Zoning Variance Requests - Lot 2A of Block 10, East Helena Townsite COS# 3067063 – Zoning Officer Fadness  
Action: Information Only
2. Zoning Variance Requests - Lot 2A of Block 10, East Helena Townsite COS# 3067063 – Mayor Harris  
Action: Hear the Public
3. Zoning Variance Requests - Lot 2A of Block 10, East Helena Townsite COS# 3067063 – Mayor Harris  
Action: Approve/Deny/Table

**PUBLIC COMMENTS:**

Note: This time is set aside for public comment on non-agenda items. Public comment will be taken on agenda items prior to a motion. All public comments will be limited to a reasonable duration. Please state your name and address in an audible tone of voice for the record, prior to your comments.

**APPROVAL OF MINUTES:** June 20, 2023

**CITY COURT REPORT:** City Judge Dennis Loveless

**DEPARTMENTAL REPORTS:**

Administration – Clerk/Treasurer Amy Thorngren  
Police Department – Police Chief Mike Sanders  
Public Works - Public Works Director Kevin Ore  
Volunteer Fire Department - Fire Chief Troy Maness

**UNFINISHED BUSINESS:**

1. Prickly Pear Estates/City of East Helena Letter of Understanding – City Attorney Elverum  
Action: Approve/Deny/Table
2. Reappointment of Planning Board Members – Mayor Harris  
Ana Glueckert  
Action: Approve/Deny/Table

**NEW BUSINESS:**

1. Appointment of New Planning Board Member – Mayor Harris  
Kaila Matteson  
Action: Approve/Deny/Table
2. 201 S Montana Avenue Sewer Rate Adjustment – Clerk/Treasurer Thorngren  
Action: Approve/Deny/Table

3. MOU between the City of East Helena, City of Helena, and Lewis and Clark Public Health – Mayor Harris  
Action: Approve/Deny/Table
4. Dorsey & Whitney Scope of Work – Valley Drive Bonding – City Attorney Elverum  
Action: Approve/Deny/Table
5. East Helena Smoke Show Blanket Business License – Clerk/Treasurer Thorngren  
Action: Approve/Deny/Table
6. Resolution of Intent to Modify Existing Lighting District No. 101 – City Attorney Elverum  
Action: Approve/Deny/Table
7. Resolution of Intent to Modify Existing Lighting District No. 201 – City Attorney Elverum  
Action: Approve/Deny/Table
8. Resolution of Intent to Modify Existing Street Maintenance District No. 101 – City Attorney Elverum  
Action: Approve/Deny/Table
9. Resolution of Intent to Modify Existing Street Maintenance District No. 201 – City Attorney Elverum  
Action: Approve/Deny/Table

**MAYOR'S REPORT:** Mayor Harris

**COUNCILMEMBERS' REPORTS:**

Don Dahl  
Judy Leland  
Wesley Feist  
Suzanne Ferguson

**LEGAL REPORT:** City Attorney Elverum

**PAYMENT OF BILLS:** Action: Approve/Deny/Table

**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

**ADA NOTICE**

The City of East Helena is committed to providing access to persons with disabilities for its meetings, in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The City will not exclude persons with disabilities from participation at its meetings, or otherwise deny them the City's services, programs, or activities. Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs, or activities should contact the City Clerk as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

(406) 227-5321 or TTY Relay Service 1-800-253-4091 or 711

[cityclerk@easthelenamt.us](mailto:cityclerk@easthelenamt.us) - 306 East Main Street, P.O. Box 1170, East Helena, MT 59635

## **NOTICE OF PUBLIC HEARING FOR ZONING VARIANCE REQUESTS IN EAST HELENA**

The East Helena City Council will be holding a public hearing on July 18, 2023, at 6:30 p.m. in Council Chambers (Room 110) at City Hall, 306 East Main Street in East Helena. The purpose of the public hearing is to consider a request for variance from the East Helena Municipal Code to allow a reduction in minimum lot size requirement for and reduction of side yard setbacks for construction of a triplex.

The property owners are **S Helena Avenue, LLC**. The variance is request for property described as Lot 2A of Block 10, East Helena Townsite COS# 3067063. Pursuant to Section 10.050 “Zoning Variances” of the East Helena Zoning Ordinance the property owner has requested the following variances:

**Section 3.2.03.B (Lot Area)** – Three or more dwellings proposed on a lot shall have a minimum lot area of 3,500 square feet per dwelling unit. A triplex would require a minimum lot area of 10,500 square feet. The existing lot has an area of 8,096 square feet which is less than what is required to permit a triplex. The applicant is requesting a reduction in the minimum lot area requirement from 3,500 square feet per dwelling unit to 2,698 square feet per dwelling unit in order to allow the construction of a triplex on the existing lot.

**Section 3.2.03.D. (Yards)** – A 10-ft side yard setback is required from side lot lines. The applicant is requesting a 5-ft side yard setback from the north property line for the front corner of the proposed triplex. The building then angles away and out of the side yard setback as you go east.

Information regarding this application may be reviewed by contacting Jeremy Fadness, WWC Engineering, 1275 Maple Street, Suite F, Helena, MT 59601, 406-443-3962. Written comments may be directed to the City Clerk, 306 East Main St., mailed to P.O. Box 1170, East Helena, Montana 59635, or emailed to [cityclerk@easthelenamt.us](mailto:cityclerk@easthelenamt.us). Written comments must be received by 4:00 p.m. July 18, 2023. Interested parties are invited to attend a public hearing and make known their views and concerns on the proposed variance application.

ADA Notice: The City of East Helena is committed to providing access to persons with disabilities for its meetings in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The city will not exclude persons with disabilities from participation at its meetings or otherwise deny them the city’s services, programs, or activities. persons with disabilities requiring accommodations to participate in the city’s meetings, services, programs or activities should contact the city clerk as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:

(406) 227-5321

TTY Relay Service 1-800-253-4091 or 711

[cityclerk@easthelenamt.us](mailto:cityclerk@easthelenamt.us)

306 East Main Street, P.O. Box 1170, East Helena, MT 59635

Publish July 2, 2023 and July 16, 2023

**Variances Requested:**

**Section 3.2.03.B (Lot Area)** – Three or more dwellings proposed on a lot shall have a minimum lot area of 3,500 square feet per dwelling unit. A triplex would require a minimum lot area of 10,500 square feet. The existing lot has an area of 8,096 square feet which is less than what is required to permit a triplex. The applicant is requesting a reduction in the minimum lot area requirement from 3,500 square feet per dwelling unit to 2,698 square feet per dwelling unit to allow the construction of a triplex on the existing lot.

The applicant had originally requested two variances, the one described above as well as a variance from Section 3.2.03.D to reduce the side yard setback from the north property line. Staff worked with the applicant to revise the site plan to meet required setbacks; therefore, the second variance is not necessary, the revised site plan is attached.

**Owner/Applicant:** S Helena Avenue, LLC  
305 E. Pacific Street  
P.O. Box 81  
East Helena, MT 59635

**Project Location/Legal Description:**

The property is located at south end of South Helena Avenue in East Helena and legally described as Lot 2A of the Amended Plat of Lots 1, 2 and 3 in Block 10 of the Corrected Plat of the Townsite of East Helena, Lewis and Clark County, Montana, COS #3067063.





**Proposal/Background:**

The applicant is requesting construction of a triplex on the subject property. The property is at the south end of South Helena Avenue with legal and physical access from South Helena Avenue in the northwest corner of the lot. The proposed site plan was reviewed against the dimensional requirements of Chapter 3. A site plan and CUP application for the proposed triplex will be required for the full permit review. Currently the applicant is only requesting review of the variance prior to submittal of the full site plan and CUP applications. The preliminary site plan appears to meet all the requirements of the ordinance with the exception to the lot area requirements of Chapter 3. The Ordinance requires that three or more dwellings proposed on a lot shall have a minimum lot area of 3,500 square feet per dwelling unit. A triplex would require a minimum lot area of 10,500 square feet. The existing lot has an area of 8,096 square feet which is less than what is required to permit a triplex. The applicant is requesting a reduction in the minimum lot area requirement from 3,500 square feet per dwelling unit to 2,698 square feet per dwelling unit to allow the construction of a triplex on the existing lot.

**Review Timelines**

This section outlines the review timelines for this property to date.

- 1) June 23, 2023 – Variance application received.
- 2) July 2 and 16, 2023 – Public hearing notice published.
- 3) July 14, 2023 – Staff report submitted to City Council.
- 4) July 18, 2023 – City Council public hearing.

Attached are copies of the variance application, attachments, and notice.

**Adjacent Zoning and Land Uses:**

NORTH:	“Residential”	Multi-family Dwelling
EAST:	“Residential”	Multi-family Dwelling
SOUTH:	“Industrial”	Highway R/W, Industrial
WEST:	“Residential”	Single-Family Dwelling

**Review Criteria:**

Variances are a required mechanism to provide a “relief valve” in the rare instances when the application of the zoning ordinance could conceivably create a prohibited taking of interest in property. Variances are intended to protect the zoning ordinance from challenge on constitutional grounds and to protect landowners from extreme harm when the otherwise permissible requirements of the zoning regulation would operate to remove the usability of a parcel of land.

The purposes of variances as specifically stated in Section 10.1.01.A of the East Helena Zoning Ordinance are:

1. To establish procedures for granting relief from the requirements of this title subject to the standards of this chapter in order to preserve equitable implementation of the law, prevent special treatment to particular parties and preserve the various rights established by the Montana and United States constitutions of all persons subject to this title;
3. To provide through zoning variances a procedure for relief from the occasional inequities created by the physical standards of this title relating to zoning when such standards

- create a substantially unequal burden on a particular parcel of land in a fashion that would otherwise prevent the reasonable use of property, owing to physical circumstances unique to that parcel;
4. To prohibit the granting of variances that would be contrary to the public interest and endanger public health, safety, and welfare.

In order to know when such rare circumstances exist, criteria have been established against which all variance requests must be granted. Per Section 10.1.05.C, a variance from the East Helena Zoning Ordinance must be evaluated on specific variance criteria and may not have the effect of nullifying the intent and purpose of the Zoning Ordinance. The City Council shall not approve variances unless it makes findings based upon the evidence presented in each specific case that:

- 1) *The granting of the variance will not be contrary to and will serve the public interest.*

The analysis of this criterion has several elements. The public interest is not a single item but a balancing of many competing concerns, some set by law and others by policy. The law requires the equal protection of the law to all citizens, opportunities for public participation in the establishment of law and policy, and prohibits unfair special considerations being given. Policy also must meet these standards of fairness and applicability but is less formalized. Both law and policy are intended to advance significant public interests such as public safety, justice, and individual health.

- 2) *That a literal enforcement of this title will result in unnecessary hardship owing to conditions unique to the property.*

- a. *Hardship does not include difficulties arising from actions, or otherwise be self-imposed, by the applicant or previous predecessors in interest, or potential for greater financial returns; and*
- b. *Conditions unique to the property may include, but are not limited to, slope, presence of watercourses, after the fact imposition of additional regulations on previously lawful lots, and governmental actions outside of the owners control.*

This criterion requires the evaluation of the character of the parcel for which a variance is sought. The determination must be whether the otherwise acceptable requirements of the ordinance are unacceptably burdensome due to size, slope, or other physical characteristics, and act to remove the usability of the land.

- 3) *The spirit of this title will be observed and substantial justice done.*

The City has adopted the zoning ordinance for the purposes of protecting the public health, safety, and welfare; implementing the City's growth policy; and to provide equitable treatment of all citizens in the applications of the standards governing development.

### **Variance, Lot Area**

This variance review applies to the development of the lot for a proposed triplex building which does not meet the minimum lot area requirements for the Residential District. Section 3 of the Ordinance provides the dimensional standards for each district including minimum lot area for development of a lot.

*1) The granting of the variance will not be contrary to and will serve the public interest.*

Staff concludes that the requested variance for the reduction in minimum lot size will not be contrary to and will serve the public interest. The applicant owns the property to the north and all the setbacks can be met with the project. The adjacent property to the east is developed with multi-family housing and Highway 12 abuts the property to the south. The proposal does not appear to negatively impact adjacent properties.

One goal of the East Helena Growth Policy is to provide affordable housing within the City. One way to do this is to provide opportunities for infill development projects like this that will provide for much needed additional housing. This project will help provide additional housing within the community with minimal impacts to City services since the development is proposed on an existing City lot.

The applicant will need to submit a site plan and CUP application for review and approval by the Council if the variance is granted. This will ensure all other aspects of the lot development meet the requirements of the Ordinance.

*2) That a literal enforcement of this title will result in unnecessary hardship owing to conditions unique to the property.*

The lot existed prior to the adoption of the Ordinance. The applicant states that due to the shape and the size of the existing lot they are not able to utilize the property to its full extents due to the minimum lot size requirements while other properties in the neighborhood have existing structures that do not meet the dimensional standards of Chapter 3. Prior to the adoption of the Ordinance the lot could have been developed with a triplex at a similar density to what is seen on adjacent property. Staff concludes that due to the lot existing prior to the Ordinance and the size of the existing lot that literal enforcement of the Ordinance may result in an unnecessary hardship.

*3) The spirit of this title will be observed and substantial justice done.*

Staff concludes that granting of the variance will be in the spirit of this title and substantial justice done. The lot can be developed meeting all other dimensional requirements of the district without need for additional variances. Further, the proposed development appears to be in line with adjacent lot development and density and there will be minimal impacts to adjacent lots. The applicant will also need to submit a complete site plan and CUP application for review and approval by the Council if the variance is granted.

**Staff Findings:**

Variance: After reviewing the application and the required criteria for variances, the Zoning Administrator has concluded that:

- Granting the variance to allow the minimum lot size per dwelling unit to be reduced from 3,500 square feet per dwelling unit to 2,698 square feet per dwelling unit would be in the spirit of this title and may be necessary owing the unique layout of the lot.
- Granting the variance to allow the minimum lot size per dwelling unit to be reduced does not appear to negatively impact public health and safety and would not be contrary to the public interest.

- Denying the variance may place an undue hardship on the owner due to the lot existing prior to the adoption of the Ordinance.

**Staff Recommendations:**

Staff recommends conditional approval of the variance to allow the minimum lot size per dwelling unit to be reduced from 3,500 square feet per dwelling unit to 2,698 square feet per dwelling unit. The recommendations are based on the analysis presented above.

**Public Comment**

No public comment has been received by this office as of 7/13/2023.

**Council Actions**

The Council may take the following actions regarding this application.

- 1) Deny the requested variance.
- 2) Approve the variance. Such findings need to be in writing and receive four affirmative votes.
- 3) **Staff Recommendation** - Conditionally approve the requested variance after making a finding of facts that the requested variance meets the required criteria for approval. Such findings need to be in writing and receive four affirmative votes.

Condition #1 – The applicant shall submit a site plan and conditional use permit (CUP) application to the City Council for review and approval. The site plan and CUP shall be approved by the City Council before the variance is effective. If the site plan and CUP are not approved by the Council the variance is void.

**Attachments:**

- 1) Application
- 2) Revised Site Plan
- 3) Hearing Notice

The applicant is advised that unmet code provisions, or code provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver or other relaxation of the lawful requirements of the East Helena Municipal Code or state law.

THE EAST HELENA CITY COUNCIL SHALL MAKE THE FINAL DECISION ON THIS APPLICATION FOR VARIANCE. ANY AGGRIEVED PERSON AS SET FORTH IN SECTION 10.1.06 OF THE ZONING ORDINANCE OF THE EAST HELENA MUNICIPAL CODE MAY APPEAL THE DECISION OF THE CITY COUNCIL.

# S Helena Avenue, LLC

C/O ANDREW J. BASSAK  
305 E. PACIFIC STREET • P.O. BOX 81 • EAST HELENA, MONTANA 59635

E-MAIL: bassakandrew@gmail.com  
406-539-4305

June 23, 2023

## By Hand Delivery

City of East Helena  
306 East Main Street  
P.O. Box 1170  
East Helena, MT 59635

Re: Zoning Variance Request (Residential)  
Project: South Helena Triplex  
Project Location: Vacant Parcel at terminus of S. Helena Avenue at Hwy. 12

On behalf of Applicant S Helena Avenue, LLC (“Applicant”), I am pleased to submit this request for a Zoning Variance on behalf of Applicant, including:

1. This letter, including a description of the requested variances and Applicant’s justification statement;
2. Zoning Variance Checklist;
3. Applicant’s Development Review Application;
4. Applicant’s Conceptual Plan;
5. Applicant’s Survey and Proposed Site Plans and ;
6. Copy of the deed for the subject property;
7. Proof of Payment of Property Taxes; and
8. Applicant’s check for \$700.

This application is Applicant’s first request related to its proposed infill project for the construction of a new triplex on a single vacant lot in a pre-2016 neighborhood. The single, two-story structure to be constructed will be comprised of three attached single family residences, each consisting of 2 bedrooms, 1.5 baths, with a total living area of 1104 sf per residence, and a one car attached garage (234 sf) per residence. The subject parcel fronts the East side of S. Helena Avenue directly to the South of 303 and 305 E. Pacific Street and to the North of Hwy 12. The parcel is unimproved and does not currently have a street address. In addition to the subject parcel, Applicant’s principals also own, and I personally have recently renovated. 303 and 305 E. Pacific Street, which serve as an example of Applicant’s quality of work.

If the City grants Applicant’s requested variances, Applicant will promptly submit an application for a CUP (required for the triplex), and Applicant’s full Site Plan for approval.



With this letter, Applicant is submitting two alternate site plan proposals for the City's consideration. Applicant's Preferred Option requires two zoning variances as described below, and perhaps a third, depending upon the City's interpretation of Applicant's proposed off-street parking configuration for the Preferred Option at the subject parcel. Applicant's Alternate Option would require two variances. The specific zoning variances Applicant seeks are as follows:

A. For either of Applicant's proposals, a variance from the requirements of Zoning Ordinance Section 3.2.03.B.3 to allow construction of three units on a single parcel consisting of 8,096 sf.

B. For either of Applicant's proposals, a variance from front/side yard setback requirements of Zoning Ordinance 3.2.03.D to allow minor encroachments due to the irregular configuration of the subject lot.

C. Applicant's Preferred Option includes three off-street, pull-in parking spaces in the Westernmost "bump-out" section of the subject parcel at the terminus of S Helena Avenue. A variance may be required from Zoning Ordinance 7.1.07 to allow these parking spaces, depending on the City's interpretation of the three off-street parking spaces. This is Applicant's Preferred Option because it allows the siting of the building envelope closer to S Helena Avenue, allowing for greater utilization of the parcel, including use of the "bump-out" and more yard space for enjoyment by future residents.

Applicant's proposed project is consistent with and in furtherance of the goals and objectives of the City's 2021 Growth Policy Update, and will serve the public interest. The East Helena is in the process of addressing a shortage in supply of residential housing units, predominantly through the approval of residential subdivisions for single family homes. As the City continues its transition from a company town to a vibrant, stand-alone city, Applicant's proposed project serves the City's goals. In addition to adding housing units within walking distance from downtown, Applicant's small multi-family project helps maintain diversity in the City's housing stock. As an infill development, the Project also will add new housing in an established area of the City largely comprised of aging housing stock on an otherwise unutilized parcel.

The applicant believes the requested variances are justified and warranted due to the unique location, shape and topography of the parcel, the potential benefits the project will bring to the East Helena community, and to avoid the unnecessary hardship and the waste of property that would otherwise result from the enforcement of the literal meaning of the Zoning Ordinance. Applicant's project is consistent with the character of the neighborhood, in that there is another multi-family triplex on the same block at 309-313 E. Pacific Street, adjacent to the subject parcel, and Applicant's proposed design is consistent with the look and feel of the neighborhood. But for the enactment of the City Zoning Ordinance, Applicant would have been able to proceed with its Preferred Option in this pre-2016 neighborhood.

Remediation of heavy metal contamination at the subject parcel has been completed. The granting of the requested variances for minor setback encroachments and for density will allow the siting of the Project in a location that will minimize soil disturbance, excavation and grading,

and will avoid encroachment into the City's sanitary sewer easement. As Applicant's principals also own 303 E. Pacific and 305 E. Pacific, the minor encroachment (a patio) into the setback at the North edge of the parcel will not be an issue between adjacent property owners. The Eastern side of the subject parcel includes a short downward slope to the West from the property line, and then a more gradual slope to the West towards S Helena Ave. The requested variances will allow the building to be sited to maximize yard space. Finally, the approval of all variances necessary to permit Applicant's Preferred Option will allow Applicant to utilize the irregular shape of the parcel for off-street parking. The Westernmost "bump-out" section of the subject parcel adjacent to S Helena Avenue otherwise will not be useable.

Applicant has conceived this project in the spirit of the East Helena Zoning Ordinance to meet the needs of the community, including the City's 2021 Growth Policy Update, and, if approved, the construction of the project will do substantial justice for the reasons outlined above.

We thank you for your consideration of our request. We will make ourselves available to answer any questions you may have about Applicant's proposed project in advance of and at the City Council meeting at which Applicant's variance requests are taken up.

Very truly yours,

Andrew J. Bassak

cc: Jeremy Fadness, City Zoning Officer (by email, w/encls.)

allow the building to be sited to maximize yard space. Finally, the approval of all variances necessary to permit Applicant's Preferred Option will allow Applicant to utilize the irregular shape of the parcel for off-street parking. The Westernmost "bump-out" section of the subject parcel adjacent to S Helena Avenue otherwise will not be useable.

Applicant has conceived this project in the spirit of the East Helena Zoning Ordinance to meet the needs of the community, including the City's 2021 Growth Policy Update, and, if approved, the construction of the project will do substantial justice for the reasons outlined above.

We thank you for your consideration of our request. We will make ourselves available to answer any questions you may have about Applicant's proposed project in advance of and at the City Council meeting at which Applicant's variance requests are taken up.

Very truly yours,

Andrew J. Bassak



cc: Jeremy Fadness, City Zoning Officer (by email, w/encls.)



**CITY OF EAST HELENA**  
**306 EAST MAIN**  
**PO BOX 1170**  
**EAST HELENA, MT 59635**  
**PHONE: (406) 227-5321**

## **ZONING VARIANCE CHECKLIST**

**INTENT OF ZONING VARIANCES:** Requests to modify dimensional or other numerical requirements of the East Helena Zoning Ordinance. The scope and extent of the variance(s) shall be limited to the minimum relief necessary to provide reasonable use of the property. In no case may the City Council grant variances to allow uses not already permitted pursuant to this title or alter administrative requirements of this title. The concurring vote of four members of the Council shall be necessary to effect any variance of this title.

### **ZONING VARIANCE REVIEW:**

1. The Council shall cause to be made such investigation of facts bearing on the application as will provide necessary information to assure that the action on each such application is consistent with the intent and purpose of this title.
2. In acting on an application for a variance, the Council shall designate such lawful conditions as will secure substantial protection for the public health, safety and general welfare, and shall issue written findings setting forth factual evidence that the variance:
  - Will not be contrary to and will serve the public interest;
  - Is necessary, owing to conditions unique to the property, to avoid an unnecessary hardship which would unavoidably result from the enforcement of the literal meaning of this title:
    - a. Hardship does not include difficulties arising from actions, or otherwise be self-imposed, by the applicant or previous predecessors in interest, or potential for greater financial returns; and
    - b. Conditions unique to the property may include, but are not limited to, slope, presence of watercourses, after the fact imposition of additional regulations on previously lawful lots, and governmental actions outside of the owners control;
  - Will observe the spirit of this title, including the adopted growth policy, and do substantial justice;
3. If a building permit or land use permit is not obtained for the subject property within six months from the date of the Council's decision, the variance shall be automatically canceled and become null and void.
4. Any aggrieved person as set forth in Chapter 10 of the East Helena Zoning Ordinance may appeal the decision of the City Council.

### **VARIANCE CHECKLIST**

<b>3 SETS REQUIRED</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
1. Development Review Application form.			
2. Site Plan or Sketch Plan Checklist. The plans shall contain sufficient information for the Council to make a proper decision on the matter.	X		
3. A clear description of the variance requested and the reasons for the request.	X		
4. Justification, in writing, of the following:	X		
• Will not be contrary to and will serve the public interest;	X		
• Is necessary, owing to conditions unique to the property, to avoid an unnecessary hardship which would unavoidably result from the enforcement of the literal meaning of the East Helena Zoning Ordinance; and	X		
• Will observe the spirit of the East Helena Zoning Ordinance, including the adopted growth policy, and do substantial justice.	X		
5. Evidence satisfactory to the City Council of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six months after issuance of permit.	X		

**\*Note: A completed Sketch Plan Checklist or Site Plan Checklist and a Development Review Application must be submitted with this Zoning Variance Checklist.** 7/18/23 Council Packet Page



**CITY OF EAST HELENA**  
**306 EAST MAIN STREET**  
**PO BOX 1170**  
**EAST HELENA, MT 59635**  
**PHONE: (406) 227-5321**

## DEVELOPMENT REVIEW APPLICATION

1. Name of Project: South Helena Triplex [Bassak]		
2. Property Owner Information: Name: S Helena Avenue, LLC Attention: Andrew J. Bassak Mailing Address: 305 E Pacific St., East Helena, MT 59635 Phone: 406-539-4305 Email: <a href="mailto:bassakandrew@gmail.com">bassakandrew@gmail.com</a> Fax:		
3. Applicant Information: Name: S Helena Avenue, LLC Attention Andrew J. Bassak Mailing Address: 305 E. Pacific St. East Helena, MT 59635 Phone: 406-539-4305 Email: <a href="mailto:bassakandrew@gmail.com">bassakandrew@gmail.com</a> Fax:		
4. Representative Information: Name: Andrew J. Bassak/ Andrew A. Bassak Mailing Address: 305 E. Pacific St. East Helena, MT 59635 Phone: 406-539-4305 Email: <a href="mailto:bassakandrew@gmail.com">bassakandrew@gmail.com</a> ; <a href="mailto:drewbassak@gmail.com">drewbassak@gmail.com</a> Fax:		
5. Street Address of Project: TBD – Parcel fronts S. Helena Ave. and is directly to the South of 303 and 305 E. Pacific St.		
6. Legal Description: Lot 2A of the Amended Plat of Lots 1, 2 and 3 in Block 10 of the Corrected Plat of the Townsite of East Helena, Lewis and Clark County, Montana, as shown on plat filed under Document Number 3067063.		
7. Project Description: This is an infill project consisting of the new construction of a triplex on a vacant lot in a pre-2016 neighborhood. The single, two-story building to be constructed will comprised of three attached SFRs, each consisting of 2 bedrooms, 1.5 baths for total living area of 1104 sf each, and a one car garage (234 sf). Project will require a CUP for the triplex, and variances for lot coverage and encroachments into front and side yard setbacks, and, perhaps, proposed off-street parking.		
8. Zoning Designation: Residential		
9. Current Land Use(s): Vacant lot.		
10. Gross Area:	Acres 0.186	Square Feet 8,096



11. Net Areas:

Acres 0.186

Square Feet 8,096


12. Application Type - (√)checklist available:

	Sketch Plan (√)		Zone Map Amendment (ZMA) (√)
✓	Site Plan, Preliminary (√)		Zone Map Amendment Initial (√)
✓	CUP, Preliminary (√)		Zoning Text Amendment (√)
	Site Plan, Final (√)		Informal Review
	CUP, Final (√)		Classification of Use
✓	Variance (√)		Public Agency Exemption
	Administrative Appeal (√)		

13. Attachments:

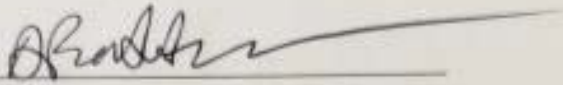
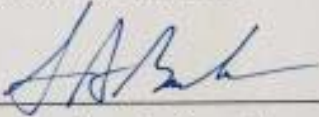
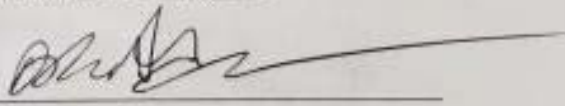
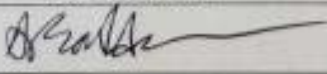
Yes	
✓	Checklist for Appropriate Application Type (if available). If a Checklist is not available, enough information must be provided to make a proper decision in the matter. No decisions are made for Public Agency Exemption or Informal Review.
✓	Fee (includes both review fee and advertising fee).
✓	Copy of most recent paid tax receipt.
✓	Copy of the deed for the subject property.
✓	Required Number of Sets.

As indicated by the signature(s) below, the property owner(s), applicant(s) and representative(s) submit this application for review under the terms and provisions of the East Helena Municipal Code. It is further indicated that any work undertaken to complete a development, approved by the City of East Helena shall be in conformance with the requirements of the East Helena Municipal Code and any special conditions established by the approval authority. This development shall be in conformance with building and fire codes including required building and occupancy permits.

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge.		
Property Owner's Signature:	S Helena Avenue, LLC	Date:
<div style="text-align: center;"> <hr/> By: Andrew J. Bassak  Its: Member </div>		
Property Owner's Signature:	S Helena Avenue, LLC	Date: June 23, 2023
<div style="text-align: center;">  <hr/> By: Andrew A. Bassak  Its: Member </div>		
Applicant's Signature:	S Helena Avenue, LLC	Date:
<div style="text-align: center;"> <hr/> By: Andrew J. Bassak  Its: Member </div>		
Applicant's Signature:		Date:
Representative's Signature:		Date:
Representative's Signature:		Date:

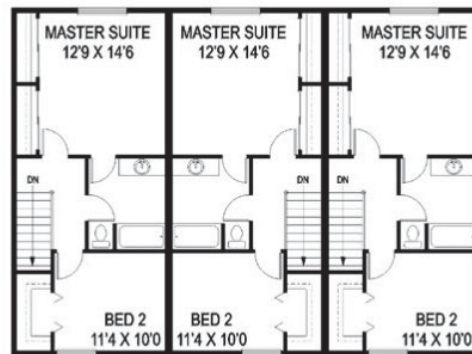
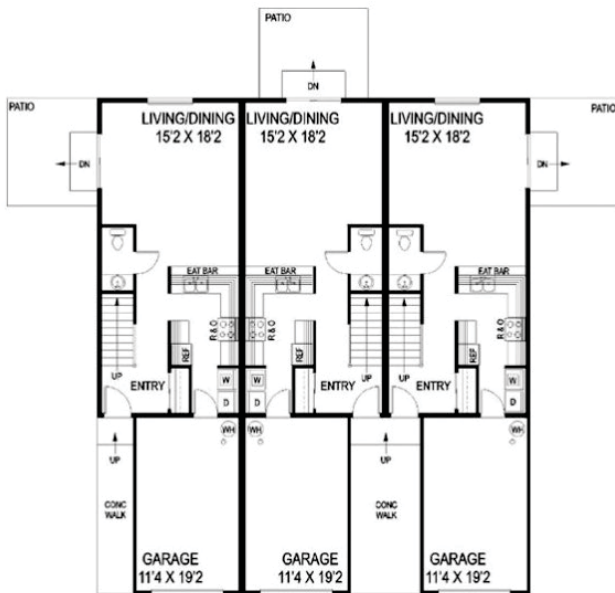
Use additional pages as necessary to provide all required information.

As indicated by the signature(s) below, the property owner(s), applicant(s) and representative(s) submit this application for review under the terms and provisions of the East Helena Municipal Code. It is further indicated that any work undertaken to complete a development, approved by the City of East Helena shall be in conformance with the requirements of the East Helena Municipal Code and any special conditions established by the approval authority. This development shall be in conformance with building and fire codes including required building and occupancy permits.

I (We) hereby certify that the above information is true and correct to the best of my (our) knowledge.	
Property Owner's Signature: S Helena Avenue, LLC	Date: 6/23/23
 By: Andrew J. Bassak Its: Member	
Property Owner's Signature: S Helena Avenue, LLC	Date: June 23, 2023
 By: Andrew A. Bassak Its: Member	
Applicant's Signature: S Helena Avenue, LLC	Date: 6/23/23
 By: Andrew J. Bassak Its: Member	
Applicant's Signature: 	Date: 6/23/23
Representative's Signature:	Date:
Representative's Signature:	Date:

Use additional pages as necessary to provide all required information.

# South Helena Triplex [Bassak] Conceptual Plan



## Heated Sq. Ft. (total)

First Floor 1704 sq. ft.  
Second Floor 1608 sq. ft.  
Total 3312 sq. ft.

## Ceiling Heights

First Floor 8 ft. 0 in.  
Second Floor 8 ft. 0 in.

## Dimensions

Width 48 ft. 0 in.  
Depth 55 ft. 0 in.  
Approx. Height 24 ft. 9 in.

## Roof Pitch

4/12 Main

## Roof Framing

Truss



HELENA AVENUE

## GENERAL NOTES

MODE OF BEARING

The Connected Part of the City of East Haven, Meriden

$\theta$  = Bearing distance and bearing - or angle  
 $m \pm$  = distance and distance, or angle measured with this survey, either directly or indirectly by coordinate measure

MEASUREMENTS

$\theta$  = Measurement found with this survey  
 $\theta$  = monument set with this survey  $(1/2" \pm 24"$  meter with plastic cap stamped "HITCH 8237 15") or as described on this plan

RECORD SOURCES USED

Connected Part of the City of East Haven, Meriden, surveyed by Joseph A. Shibley in Mar. 1948  
Deed Book 295, Page 6, recorded Nov. 15, 1878

*To relocate the common boundary lines of said Lots 1, 2 & 3, eliminating Lot 2 and creating Lots 1-A & 2-A.*

*And to relocate the south boundary line of said Lots 1, 2 & 3, which is the north boundary line of that tract of land described in Deed Book 298, Page 6, creating Lot 2-A and to aggregate said Lot 2-A into said Block 10.*

EXEMPTION FROM REVIEW BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY  
FOR LOTS 1-A, 2-A AND 3-A

I (we) hereby certify that Lots 1-A, 2-A and 3-A are exempt from review in accord with section 17.38.605(2)(b) as a newly created parcel that has existing facilities for water supply, wastewater disposal, or solid waste disposal that were previously approved by DEC, and the creation of the parcel will not cause the exempt facilities to violate any conditions of the agreement.\*

EXEMPTION FROM REVIEW UNDER THE MONTANA SUBDIVISION AND PLATTING ACT FOR LOTS 1-A & 3-A

I (we) hereby certify that the purpose of this survey is to re-locate common boundaries between existing lots within a platted subdivision, that fewer than six lots are affected, and that no additional lots are created. Therefore, this survey is exempt from review of a subdivision pursuant to, section 76-3-207(1)(i), MCA.

**EXEMPTION FOR LOT 3:**

Resolving Common Boundaries between a Lot Within a Platted Subdivision and Land Outside:  
 7. (a) I hereby certify that the purpose of this survey is to locate a common boundary between a single lot within a platted subdivision and adjoining land outside a platted subdivision; therefore, this survey is exempt from review as a subdivision pursuant to section 76-3-207(1)(a), MCA.

*Robert J. Hunt*      *Robert J. Hunt*      *Robert J. Hunt*      *Robert J. Hunt*      *Robert J. Hunt*

\_\_\_\_\_  
 Surveyor      Surveyor      Surveyor      Surveyor      Surveyor

State of Missouri

County of Blaine Blaine ss  
On this 7th day of August 2004 before me, a Notary Public for the State of Montana, personally appeared the above named person(s) whose names are subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

Christine A. Rouse Christine A. Rouse  
Notary Public for the State of Montana

Residing at Blaine Blaine, Montana

My commission expires August 27, 2006

3067063  
Page: 1 of 5  
07/21/2006 08:21

**CERTIFICATION OF SUBMITTER**

I hereby certify that the attached plot is a true representation of a survey made under my supervision and direction in September, 2003.

Frank A. Storch Date 6-4-04  
Frank A. Storch, Western Registration No. 8237 LS



**After Recording Return To:**

Name: S Helena Avenue, LLC  
c/o Andrew Bassak  
Address: 101 Michael Grove Avenue  
Bozeman, MT 59718-1852

Space Above This Line for Recorder's Use

**MONTANA QUIT CLAIM DEED**

STATE OF MONTANA

COUNTY OF LEWIS & CLARK

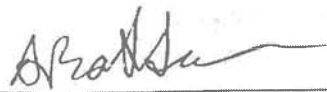
KNOW ALL MEN BY THESE PRESENTS, that for value received 303 E Pacific Street, LLC, a Montana limited liability company, whose address is 101 Michael Grove Avenue, Bozeman, Montana 59718-1852 (hereinafter known as the "Grantor"), hereby conveys and quitclaims to S Helena Avenue, LLC, a Montana limited liability company, whose address is 101 Michael Grove Avenue, Bozeman, Montana 59718-1852 (hereinafter known as the "Grantee"), all the rights, title, interest, and claim in or to the following described real estate, situated in the County of Lewis & Clark, Montana, to-wit:

Lot 2A of the Amended Plat of Lots 1, 2 and 3 in Block 10 of the Corrected Plat of the Townsite of East Helena, Lewis and Clark County, Montana, as shown on plat filed under Document Number 3067063.

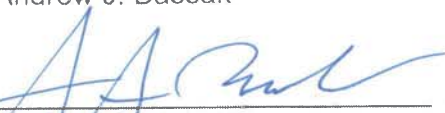
**To have and to hold**, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever for the said Grantor, either in law or equity, to the only proper use, benefit and behoove of the Grantee forever.

**GRANTOR:**

303 E Pacific Street, LLC, a Montana limited liability company

By:   
Andrew J. Bassak

Dated: September 23, 2022

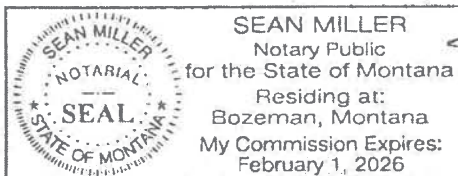
By:   
Andrew A. Bassak  
All of its Members

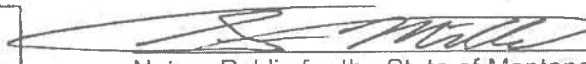
Dated: September 26, 2022

STATE OF MONTANA )  
 )  
COUNTY OF Gallatin ) ss.

I, Sean Miller, a Notary Public in and for said County, in said State, hereby certifies that ANDREW J. BASSAK whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 23<sup>rd</sup> day of September, 2022.



  
Notary Public for the State of Montana  
Residing at: Bozeman, Montana  
My Commission Expires: February 1, 2026

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 )  
COUNTY OF Contra Costa ) ss.

On September 26, 2022, before me, SHAHROKH SHAMLOO, Notary Public, personally appeared ANDREW A. BASSAK, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on this instrument the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:  (Seal)





## Lewis and Clark County , MT

### Web Tax Payments

**Confirmation Number:** 01749D  
**Payment Date:** Friday, June 23, 2023  
**Payment Time:** 02:07PM MT

#### Payer Information

**Name:** Andrew A Bassak  
**Street Address:** 3633 Echo Springs Road  
Lafayette, CA 94549  
United States  
**Daytime Phone Number:** (510) 407 - 3842  
**E-mail Address:** drewbassak@gmail.com  
**Statement #:** 4505  
**Property Tax ID:** 13514  
**Half (1 or 2):** 2  
**Interest Amount:** 2.52  
**Penalty Amount:** 7.96  
**Tax Year:** 2022

#### Card Information

**Card Type:** Visa  
**Card Number:** \*\*\*\*\*2992  
**Card Verification Number:** \*\*\*\*

#### Payment Information

**Payment Type:** Web Tax Payments  
**Payment Amount:** \$408.85  
**Convenience Fee:** \$16.93  
**Total Payment:** \$425.78

Thank you for using ACI Payments, Inc. If you have a question regarding your payment, please call us toll free at 1-800-487-4567. To make payments in the future, please visit our website at [acipayonline.com](http://acipayonline.com).

[Back](#)

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# Customer Ad Proof

102-60120428

CITY OF EAST HELENA

Order Nbr 160946

## Publication

Helena Independent Record

Contact	CITY OF EAST HELENA	PO Number	
Address 1	P.O. BOX 1170	Rate	HEL Legal Folio
Address 2		Order Price	120.00
City St Zip	EAST HELENA MT 59635	Amount Paid	0.00
Phone	4062275321	Amount Due	120.00
Fax			
Section	Legal	Start/End Dates	07/02/2023 - 07/16/2023
SubSection		Insertions	2
Category	0701 Legals Helena	Size	106
Ad Key	160946-1	Salesperson(s)	HEL Legals
Keywords	PublicNotice_South Helena Ave Variances2	Taken By	Kami Terrell

## Notes

## Ad Proof

**NOTICE OF PUBLIC HEARING  
FOR ZONING VARIANCE REQUESTS IN EAST HELENA**

The East Helena City Council will be holding a public hearing on July 18, 2023, at 6:30 p.m. in Council Chambers (Room 110) at City Hall, 306 East Main Street in East Helena. The purpose of the public hearing is to consider a request for variance from the East Helena Municipal Code to allow a reduction in minimum lot size requirement for and reduction of side yard setbacks for construction of a triplex.

The property owners are S Helena Avenue, LLC. The variance is request for property described as Lot 2A of Block 10, East Helena Townsite COS# 3067063. Pursuant to Section 10.050 "Zoning Variances" of the East Helena Zoning Ordinance the property owner has requested the following variances:

**Section 3.2.03.B (Lot Area)** – Three or more dwellings proposed on a lot shall have a minimum lot area of 3,500 square feet per dwelling unit. A triplex would require a minimum lot area of 10,500 square feet. The existing lot has an area of 8,096 square feet which is less than what is required to permit a triplex. The applicant is requesting a reduction in the minimum lot area requirement from 3,500 square feet per dwelling unit to 2,698 square feet per dwelling unit in order to allow the construction of a triplex on the existing lot.

**Section 3.2.03.D. (Yards)** – A 10-ft side yard setback is required from side lot lines. The applicant is requesting a 5-ft side yard setback from the north property line for the front corner of the proposed triplex. The building then angles away and out of the side yard setback as you go east.

Information regarding this application may be reviewed by contacting Jeremy Fadness, WWC Engineering, 1275 Maple Street, Suite F, Helena, MT 59601, 406-443-3962. Written comments may be directed to the City Clerk, 306 East Main St., mailed to P.O. Box 1170, East Helena, Montana 59635, or emailed to cityclerkeasthelenamt.us. Written comments must be received by 4:00 p.m. July 18, 2023. Interested parties are invited to attend a public hearing and make known their views and concerns on the proposed variance application.

ADA Notice: The City of East Helena is committed to providing access to persons with disabilities for its meetings in compliance with Title II of the Americans with Disabilities Act and the Montana Human Rights Act. The city will not exclude persons with disabilities from participation at its meetings or otherwise deny them the city's services, programs, or activities. persons with disabilities requiring accommodations to participate in the city's meetings, services, programs or activities should contact the city clerk as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following:  
(406) 227-5321  
TTY Relay Service 1-800-253-4091 or 711  
cityclerkeasthelenamt.us  
306 East Main Street, P.O. Box 1170, East Helena, MT 59635  
July 2, 16, 2023 160946 **MNAXLP**



## **MEETING MINUTES**

### **CITY OF EAST HELENA**

**CITY HALL – 306 EAST MAIN - ROOM 110 COUNCIL MEETING: 6:30 PM**

**DATE: TUESDAY, JUNE 20, 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 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, City Attorney Pete Elverum, Clerk/Treasurer Amy Thorngren, and Fire Chief Troy Maness (via Zoom)

**PUBLIC PRESENT:** Rick Pyfer and Dave Jensen

**ABSENT/EXCUSED:** City Judge Dennis Loveless and Police Chief Mike Sanders

**(0:00:39) PUBLIC COMMENTS:** Dave Jensen commented in opposition to heavy equipment being driven on city streets and speeding on West Gail Street.

**(0:02:31) APPROVAL OF MINUTES:** The draft minutes of the June 6, 2023 meeting were included in the council packet. There was no public comment. Councilmember Dahl 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 is expected at the next council meeting.

### **DEPARTMENTAL REPORTS:**

**(0:03:03) Administration** – A copy of the FY22 audit findings report was on the council room table. Clerk/Treasurer Amy Thorngren reported that she had attended the audit exit interview; attended a meeting with Nancy Andersen of AARP and the new FitLot coach; and attended a meeting with the Lewis and Clark County Records Management Committee.

**Police Department** – A written report was on the council room table. Police Chief Mike Sanders was excused.

**(0:04:57) Public Works** – A written report was included in the council packet. Public Works Director Kevin Ore reported the city crew had been jetting the sewer lines; the recent power outage had caused damaged at the Montana Avenue sewer lift station which led to backups at a few residences; he will be meeting with DN Tanks inside the new water tank; and Tri County Disposal will be working on a contract renewal with the city.

**(0:14:07) Volunteer Fire Department** - Fire Chief Troy Maness reported that he was still working on the proposed merger with area fire departments and that the lock had been changed on the fire station.

### **UNFINISHED BUSINESS:**

1. **(0:15:45) Prickly Pear Estates/City of East Helena Letter of Understanding** – A copy of the draft letter of understanding was included in the packet at the last council meeting. Public Works Director Ore reported that amendments to the letter were expected and requested that council table the decision. (0:19:00) Dave Jensen commented in favor of amending the letter. Councilmember Feist made a motion to table. Councilmember Ferguson seconded the motion. The motion passed unanimously.
2. **(0:19:48) Train Depot Lease Agreement** – The draft agreement was on the council room table. City Attorney Elverum explained how the lease enabled the East Helena Historical Society to use the depot as a museum. (0:23:00) Rick Pyfer commented in favor of the agreement. Councilmember Dahl made a motion to approve the agreement. Councilmember Ferguson seconded the motion. The motion passed unanimously.

### **NEW BUSINESS:**

1. **(0:27:52) Reappointment of Planning Board Members** – A copy of the board's roster was included in the council packet. Mayor Harris reported that Ana Glueckert was willing to be reappointed if no one was available to fill her seat on the Planning Board and that Ryan Loomis had responded in favor of his reappointment to another term. There was no public comment. Councilmember Feist made a motion to table Ana Glueckert's reappointment to the Planning Board pending the location of another interested party. Councilmember Dahl seconded the motion. The motion passed unanimously. Councilmember Feist made a motion to reappoint Ryan Loomis to the East Helena Planning Board. Councilmember Dahl seconded the motion. The motion passed unanimously.
2. **(0:30:18) Reappointment of Zoning Commission Members** – A copy of the commission's roster was included in the council packet. Mayor Harris reported that Scott St. Clair requested not to be reappointed. There was no public comment. Councilmember Feist made a motion to deny Scott St. Clair's reappointment to the East Helena Zoning Commission. Councilmember Ferguson seconded the motion. The motion passed unanimously. Councilmember Feist made a motion to reappoint Luke Serati to the East Helena Zoning Commission. Councilmember Dahl seconded the motion. The motion passed unanimously.
3. **(0:32:01) July 4, 2023 Regularly Scheduled Council Meeting** – Mayor Harris asked Council whether to cancel or reschedule the first council meeting in July as it happened to land on Independence Day. There was no public comment. Councilmember Leland made a motion to cancel the July 4<sup>th</sup> council meeting. Councilmember Feist seconded the motion. The motion passed unanimously.

**(0:34:20) MAYOR'S REPORT:** Mayor Harris reported that he had attended the audit exit interview; he and Deputy Clerk Ferguson had introduced themselves to the swimming pool staff; he had been working on a change to the building permit process; he met with a representative of MPERA regarding the proposed fire department merger; he had attended the parks maintenance position interview; and that he would be a judge in the East Helena Smoke Show at the Missouri River Brewing Company August 5<sup>th</sup> and 6<sup>th</sup>.

**COUNCILMEMBERS' REPORTS:**

**(0:42:20) Don Dahl** reported that he had attended the Planning Board meeting.

**(0:43:44) Judy Leland** reported that she had attended the parks maintenance position interview.

**(0:44:01) Wesley Feist** reported that he had attended the Hometown Helena meeting; attended the audit exit interview; and that MBAC approved a loan to the Causeway Chalet. He formally requested a group picture.

**(0:46:17) Suzanne Ferguson** reported that she had attended the audit exit interview.

**(0:46:29) LEGAL REPORT:** City Attorney Elverum reported that he had been busy with criminal proceedings and that police department was doing well.

**(0:48:50) PAYMENT OF BILLS:** Claims 296418 through 296472 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, July 18, 2023, 6:30 p.m., City Hall Room 110

**ADJOURNMENT:** Mayor Harris adjourned the meeting at 7:22 p.m.

ATTEST:

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

\_\_\_\_\_  
Mayor



CITY COURT REPORT FOR MAY, 2023

RECEIPTS: \$6,004.13

PAYMENTS:

CITY TREASURER	\$4,596.13
COUNTY TREASURER	793.00
RESTITUTION/OVERPMT	615.00

Cases this month are primarily traffic offenses.

RESPECTFULLY SUBMITTED



DENNIS LOVELESS, CITY JUDGE

**RECEIVED**  
**JUN 21 2023**  
CITY CLERK/TREASURER  
EAST HELENA, MT





## **Public Works Department**

**July 18th, 2023**

*To start with, I will not be in attendance at this Council Meeting, I apologize for my absence. If you have any questions or concerns, please do not hesitate to reach out to me I will be happy to discuss. Look forward to seeing you all on August 1<sup>st</sup> meeting.*

### **1.)WWTP Report**

- Had worm gear on sewer jetter break, waiting on parts to repair appx. 30-day order time.

### **2.)Metal Removal Building**

- Flows are still high but starting to come back down, around 5 to 6 hundred thousand GPD.

### **3.)Source Water Report**

- Crews repaired water main break in business block of Main Street, thanks to Colten and Torrey for the hard work.
- Concrete work at M.C. Tank site is going well. Hoping for a Mid-August time frame on putting new tank into service.
- Had a pre-application meeting with DNRC, Hydrometrics and RPA to transfer our water reservation from Wylie 1 to new Wylie well 4. Sounds like 3-4 months expected time frame for DNRC to process paper work.
- Still waiting on VFD's for both Wylie 4 and the M.C. Site before new pumps can be operational.
- I will update you on water-rights at August 1<sup>st</sup> meeting when I am in person.
- Had our 3-year inspection and cleaning of our Wylie tank, all looks good. Had three minor spots of repair. Tank is in very good condition.

### **4.)Solid Waste Report**

- Still waiting on updated contract from Tri-County Disposal.
- Garbage truck is working well, no break downs this last month.

### **5.)Parks**

- JFK Park men's bathroom toilet was exploded by fireworks.
- Steve and Declan are doing a great job, thanks for all the hard work.

### **6.) Pool**

- Pool has been very busy; life guards are doing a great job.

### **6.)Streets**

- We sent letter to MDT to formally request permission to open dig Highway 12 and Lane Ave as they requested during in person meetings. I received their response, disappointing after several positive meetings that we had with MDT. (See included letter, and response)
- Having to do some asphalt repair on Valley Drive. Some sections will not last until the 2025 tentative construction.
- Crews still working on summer time street sign replacement and post straightening.
- Working with Gruber Excavation to help with some of the Right-of-way drainage issues.
- Waiting on order of concrete vault for both french drain repairs.
- Lewis and Clark County completed paint striping on Hwy 282. Thank you L&C County.
- Crews will be refreshing paint at all cross walks prior start of school year.

## **8.) Facilities**

- Will be having some community service done at City Hall.

## **9.) Resident/Other**

- Been very busy working on FY-24 Budget, thanks to all department heads for working so well together.
- 4<sup>th</sup> of July Parade and weekend went well. Thanks to Tabatha and Casey Reisbeck for working so well with the city and organizing the parade.



# City of East Helena

[www.easthelenamt.us](http://www.easthelenamt.us)



**Mayor**  
Kelly Harris

**Council Members**  
Don Dahl  
Wesley Feist  
Suzanne Ferguson  
Judy Leland

**City Attorney**  
Peter K. Elverum

**City Clerk/Treasurer**  
Amy Thorngren

**Deputy Clerk**  
Scott Ferguson

**Public Works Director**  
Kevin Ore

**Police Chief**  
Mike Sanders

**Fire Chief**  
Troy Maness

**City Judge**  
Dennis Loveless

**P.O. Box 1170**  
East Helena  
Montana 59635

**City Offices**  
406-227-5321

**City Fax**  
406-227-5456

**Police Admin.**  
406-227-8686

**TO:** RJ Snyder, James Combs  
Montana Department of Transportation

**FROM:** Kevin Ore, Public Works Director

**DATE:** June 16, 2023

**SUBJECT:** Highway 12 Crossing Request

On March 8, 2023, the City of East Helena, RPA and MDT (RJ Snyder, Rich Hibl, and James Combs) discussed the possibility of a large diameter casing below Highway 12 for the City of East Helena's utilities.

The City of East Helena is experiencing rapid population growth. With multiple housing developments already under construction, the City is working diligently to upgrade their infrastructure to match the growth in the City. Planning is underway for development of 782 acres located south of HWY 12 and east of HWY 518. The City will need to extend water and sewer service to this location which will require a casing east of the intersections of HWY 518 and HWY 12.

In 2022, the City crossed HWY 12 near the American Chemet facility with a 36-inch steel casing. The casing was installed by boring and jacking. The contractor experienced numerous problems and large rocks with varying soil conditions made it difficult to navigate the steel casing across HWY-12. The city is concerned that there are limited contractors capable of this type of work and the cost of a similar project would likely be much higher in the future.

The City of East Helena is hopeful that the installation of a future casing could be completed by open-dig methods in coordination with MDT's planned improvements for Hwy 12.

This Letter requests MDT to work with the City Of East Helena to for installation of a large diameter casing below HWY 12 in coordination with your future project to improve HWY 12 in this area. Please let us know what is needed in terms of future discussions and coordination in this regard.



We Support Fair Housing

Equal Opportunity Employer

The approximate proposed steel casing location is shown in the attached **Figure 1**.

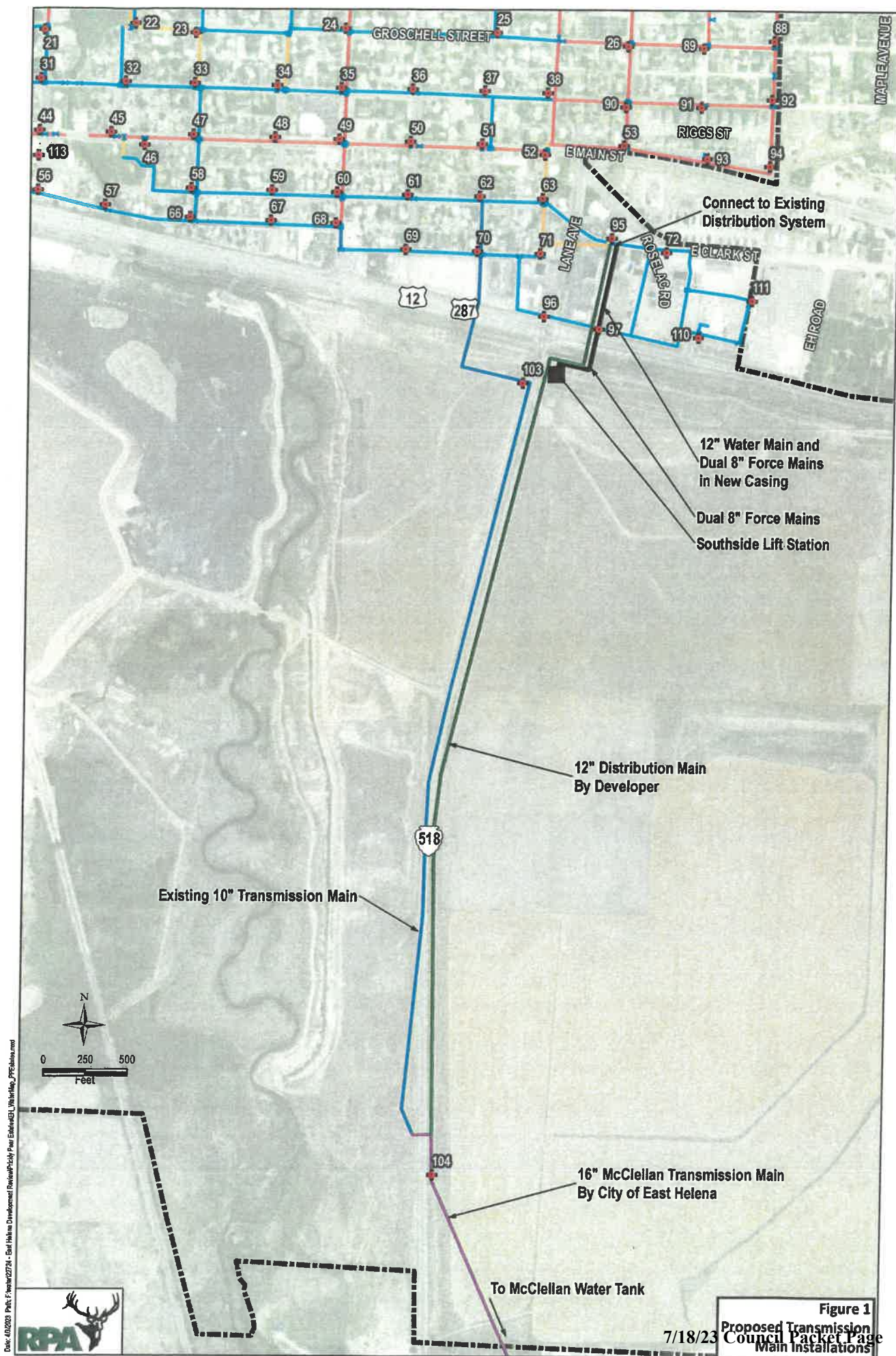
Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Ore".

Kevin Ore, Public Works Director

Attachments: Figure 1, Proposed Transmission Main Installations

CC: Brad Koenig, P.E.



## Kevin Ore

---

**From:** Combs, James <jcombs@mt.gov>  
**Sent:** Tuesday, June 27, 2023 3:33 PM  
**To:** kore@easthelenamt.us  
**Cc:** Brad Koenig; csassano@rpa-hln.com; Snyder, RJ; Matthews, Mike; Pesanti, Jim; Scott, Brendan; Wingerter, Jim  
**Subject:** RE: [EXTERNAL] City of East Helena

Hello Kevin,

Thank you for reaching out. We just completed our 30% plans (AGR) review for the Department project. The scope of our project has changed some. The Department project will not reconstruct the full roadway width. Instead, our project will widen the existing roadway and perform preservation work on the existing surface. We will not be removing the existing surfacing and excavating subgrade below existing surfacing.

Given that the Department will not be removing the existing HWY 12 surfacing, the Department will not permit an open cut across HWY 12. We will work with the City of East Helena to secure Department permits for crossing the HWY and we may have some relevant geotechnical information that may be helpful .

Please contact me if I may be of further assistance with this matter. Thanks and have a great day! JAC



**James A. Combs, P.E.**  
District Preconstruction Engineer | Great Falls District  
Montana Department of Transportation  
200 Smelter Ave. NE  
P.O. Box 1359  
Great Falls, MT 59403-1359  
406-454-5900 | [jcombs@mt.gov](mailto:jcombs@mt.gov)  
**Follow Us:** [mdt.mt.gov](http://mdt.mt.gov)

**From:** Kevin Ore <kore@easthelenamt.us>  
**Sent:** Tuesday, June 27, 2023 1:16 PM  
**To:** Combs, James <jcombs@mt.gov>; rsnyder@mt.gov  
**Cc:** Brad Koenig <bkoenig@rpa-hln.com>; csassano@rpa-hln.com  
**Subject:** [EXTERNAL] City of East Helena

Good Afternoon RJ, and James,

Please see the attached crossing request for the City of East Helena.

Thanks for all you do for us.

Kevin Ore  
City of East Helena  
406-459-3769

CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Prickly Pear Estates / City of East Helena Letters of Understanding

From:

Prickly Pear Estates

Initiated by City:     ☐ YES     ☒ NO     (check one)

Department:

Planning & Zoning

Presented by:

City Attorney Elverum

Action requested:

Approve / Deny / Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Letter of Understanding attached, staff is requesting approval for Mayor Harris to sign letter of understanding with Prickly Pear Estates.

Also included are letters from City Engineer Brad Koenig that pertain to the Prickly Pear Development.

Attachments:     ☒ YES     ☐ NO     (check one)

Date submitted:

May 31, 2023

RECOMMENDATIONS:

Approve for agenda:

☐ YES

☐ NO

Initial:

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.



## **Letter of Understanding**

**To:** City of East Helena  
Attn: Mayor Harris  
306 E. Main Street  
East Helena, MT 59635

**From:** Prickly Pear Estates, LLC  
Attn: Gary Oakland  
175 N. 27th Street, Suite 900  
Billings, MT 59101

**Date:** July 6, 2023

Dear Mayor Harris,

This Letter of Understanding (LOU) is to state and confirm the mutual interest and belief from each partner entity in working together on the proposed project.

As discussed during a meeting on April 3, 2023, it is understood that Prickly Pear Estates (PPE) is currently in a due diligence process for potentially acquiring lands located in the City of East Helena (COEH). The lands are generally located south of Highway 12 and east of Highway 518 and are currently owned by the Montana Environmental Trust Group (METG).

PPE is seeking certain assurances from the COEH prior to acquisition of the property to mitigate risk needed to facilitate the contemplated mixed used development on the vacant property as follows:

- 1) The COEH understands the property will need to be rezoned from the existing industrial designation. The COEH will provide recommendations and guidance to PPE on the processes for rezoning the property and facilitate all rezoning applications for regulatory review. The COEH cannot guarantee rezoning of the property will be approved as the act of zone map amendment is a legislative action conducted by the COEH Zoning Commission and Council as required by the COEH Zoning Ordinance and MCA.
- 2) The COEH will provide water service to the property within the limits of current water quantity and water rights capacity evaluated during the development of each phase. The COEH will review and evaluate the available capacity to serve the property at each phase of the development process through the land use regulatory processes. The COEH cannot guarantee that water quantity and water rights will be available for each phase at the time of development but the COEH will work with PPE to address any water quantity and water rights issues within the regulatory review process. The need for additional water system improvements as determined through the regulatory review process may be the sole financial responsibility of PPE at the time of development of each phase. Please reference the water supply letter prepared by Brad Koenig, Contract City Engineer, on June 29, 2023.
- 3) The COEH will provide wastewater service to the property within the limits of existing wastewater treatment plant and collection system capacity evaluated during the development of each phase. The COEH will review and evaluate the available capacity throughout the development process at each phase through the land use regulatory



processes. It has been determined by the COEH that a lift station and force main as well as downstream gravity sewer main upgrades will be needed to serve the property which PPE will be solely responsible for providing. The COEH cannot guarantee that wastewater capacity within the treatment plant or gravity mains will be available for each phase but will work with PPE to address any wastewater capacity issues within the regulatory review process. The need for additional wastewater system improvements as determined through the regulatory review process may be the sole financial responsibility of PPE at the time of development of each phase. Please reference the temporary wastewater connection letter prepared by Brad Koenig, Contract City Engineer, on May 19, 2023.

- 4) The COEH understands development of the property will require the installation of numerous utilities (public and private) under Highway 12 and the railroad. The COEH will partner with PPE to facilitate and permit all utility crossings with the Montana Department of Transportation (MDT) and Burlington Northern Sante Fe (BNSF). The COEH will provide letters supporting the project, will be the permittee for all COEH owned utilities i.e., water and wastewater mains, and attend project meetings with agencies as necessary. PPE will be responsible for all engineering, surveying, and construction costs associated with the utility crossings to serve the development.
- 5) The COEH understands development of the property will require access from Highway 518. The COEH will partner with PPE to facilitate and permit access with MDT. The COEH will provide letters supporting the project, will be the permittee for approach permits, and attend project meetings with MDT as necessary. PPE will be responsible for all engineering, surveying, and construction costs associated with each access point that will serve the development.

PPE greatly appreciates the continued collaboration and commitment from the COEH and looks forward to progressing with this exciting project.

Prickly Pear Estates, LLC

  
Gary Oakland

JULY 7, 2023  
Date

City of East Helena

\_\_\_\_\_  
Mayor Kelly Harris

\_\_\_\_\_  
Date

# City of East Helena

[www.easthelenamt.us](http://www.easthelenamt.us)



**Mayor**  
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**Police Admin.**  
406-227-8686

**TO:** Landy Leep  
Prickly Pear Estates, LLC

**FROM:** Brad Koenig, PE & Trevor Larson, EI

**DATE:** May 19, 2023

**SUBJECT:** Prickly Pear Estates Temporary Wastewater Connection

Wastewater planning for the proposed Prickly Pear Estates Subdivision was a topic of the meeting held April 3, 2023, between representatives of the Oakland Group and the City of East Helena. At this meeting, it was discussed that it would be beneficial for the developer if the City allowed a temporary connection to the existing wastewater collection system. This connection would allow improvements for wastewater conveyance identified in the *East Helena Collection System Master Plan Update* from the proposed Prickly Pear Estates to be constructed in phases. It was also discussed that the City of East Helena has analyzed their collection system and identified a temporary route with limited capacity suitable for this purpose.

In the *East Helena Collection System Master Plan Update*, it was determined that a new lift station, force main, and gravity main would be required to convey wastewater from developments south of Highway 12 to the wastewater treatment facility. These flows were calculated based on the Growth Model the City recently developed and adopted.

The City has determined that the existing 8-inch gravity main in the alley between E Clark Street and E Main Street has additional capacity and can be used as a temporary connection for Prickly Pear Estates as part of a phasing plan that includes financial obligation for an 18-inch gravity sewer to the wastewater treatment facility. The 8-inch gravity main between E Clark Street and E Main Street has an estimated remaining capacity of 290 gpm. The maximum additional flow from the required lift station will be 250 gpm, which equates to approximately 350 equivalent dwelling units (EDUs).

East Helena spent considerable time analyzing this existing 8-inch gravity main, including TV inspection. This piping is aged and there are varying degrees of damage and deformation. Therefore, the City is preparing a plan to repair this piping to conditions that will provide a reliable temporary route. The City will repair or replace five blocks of gravity main from Washington Avenue to manhole #514 on the west end of E Clark Street. The developer(s) will be responsible for the following items:

- Financial obligation for a new lift station south of Highway 12 and the railroad tracks.
- Financial obligation for force mains and casing under the railroad and Hwy 12.



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- Financial obligation for an 18-inch gravity sewer main to the temporary connection point as shown in **Figure 1**.
- Provide written financial commitment for a future 18-inch gravity main from the temporary connection point to the East Helena WWTP. This improvement needs to be constructed before final plat approval for a phase of Prickly Pear Estates that exceeds 350 EDU.

The proposed gravity main installations and locations are shown in the attached **Figure 1**.

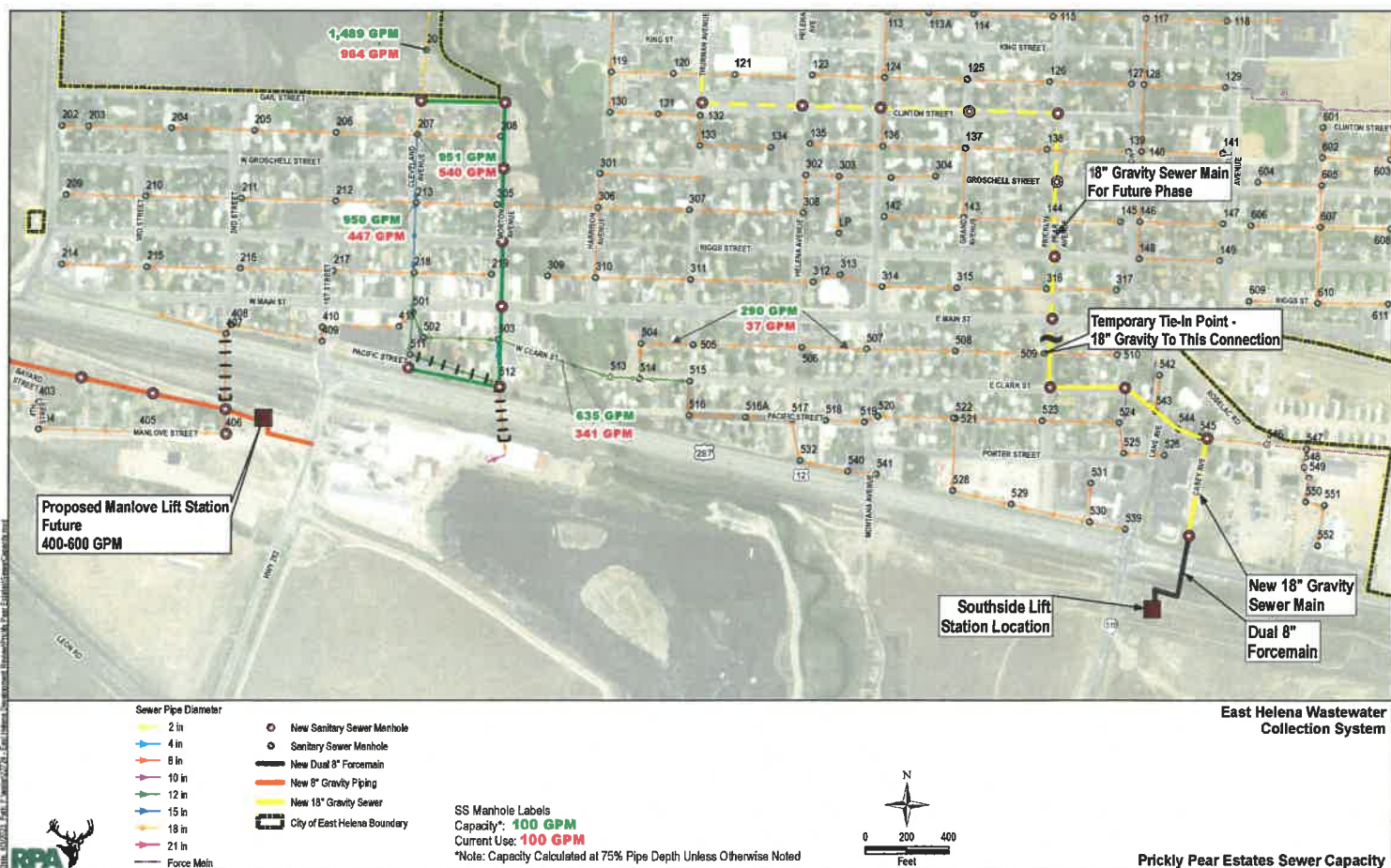
Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Koenig', with a horizontal line extending to the right.

Brad Koenig, PE

Attachments: Figure 1, City of East Helena Growth Model

CC: Kelly Harris, Mayor  
Kevin Ore, Director of Public Works



4.6% Average Yearly Growth Rate Over 30 Years

4.6% Average Yearly Growth Rate Over 30 Years					Residential			Commercial			
	Name	Map Label	Acres	Assumed Use	EDU/Acre	EDUs	Flow (Gal/Day)	EDUs	GPD/Acre	Flow (Gal/Day)	Total Flow (Gal/Day)
Existing (5 Years)	Vigilante Subdivision <sup>1</sup>	1	20	Residential		35	8,050				8,050
	Highland Meadows <sup>1</sup>	2	75	Residential	4.3	280	64,400				64,400
	Red Fox Meadows <sup>1</sup>	3	160	Residential	1.6	88	20,240				20,240
	4-Plexes on Plant Road	4	5	Residential	7.2	36	8,280				8,280
	Town Pump Property	5	40	Commercial				418	2,400	96,000	96,000
	East Fields Mixed Use	METG 1	50	Residential	3.0	150	34,500				34,500
	Prickly Pear Creek Corridor Mixed Use	METG 2	12	Residential	7.9	95	21,850				21,850
			8	Commercial				84	2,400	19,200	19,200
	Light Industrial/Commercial (Manlove/Highway 282)	METG 3	7	Commercial				31	1,000	7,000	7,000
	Light Industrial/Commercial (Manlove/Highway 282 North)	METG 4	25	Commercial				109	1,000	25,000	25,000
	Residential/Commercial (Highway 282 North)	METG 5	16	Residential	4.7	75	17,250				17,250
			2	Commercial				11	1,200	2,400	2,400
	Light Industrial (Highway 282 South)	METG 6	55	Commercial				240	1,000	55,000	55,000
	Industrial (Davy Spur/Smelter Road)	METG 7	3	Commercial				14	1,000	3,000	3,000
Existing Subtotal						759	174,570	907		207,600	382,170
Proposed (5-15 Years)	Vigilante West	8	20	Residential	3.5	70	16,100				16,100
	La Casa Grande Estates	9	105	Residential	1.5	157	36,110				36,110
		12		Residential	2.5	30	6,900				6,900
	Mason Property	11	5	Commercial				22	1,000	5,000	5,000
		14		Residential	3.9	55	12,650				12,650
	Gorsich Property (outside floodplain)	12		Residential	3.9	55	12,650				12,650
				Residential	3.9	55	12,650				12,650
	East Fields Mixed Use	METG 1	270	Residential	3.0	810	186,300				186,300
			80	Commercial				418	1,200	96,000	96,000
	Residential/Commercial (Highway 282 North)	METG 5	48	Residential	4.7	225	51,750				51,750
Light Industrial (Highway 282 South)		4	Commercial				42	2,400	9,600	9,600	
	METG 6	60	Commercial				261	1,000	60,000	60,000	
Proposed Subtotal						1,347	309,810	743		170,600	480,410
Future (15-30 Years)	Seaver Park Addition	13	51.5	Residential	0.9	45	10,350				10,350
			8.5	Commercial				37	1,000	8,500	8,500
	Town Pump Remainder	10	60	Residential	3.3	200	46,000				46,000
			75	Commercial				783	2,400	180,000	180,000
	East Fields Mixed Use	METG 1	310	Residential	3.2	1,000	230,000				230,000
			30	Commercial				157	1,200	36,000	36,000
Future Subtotal						1,245	286,350	977		224,500	510,850
Growth Subtotal											1,373,430
Current WWTP Flow											241,400
Total WWTP Flow											1,614,830
Existing EDU's											1,291
Commercial EDU's											2,627
Residential EDU's											3,351
Total EDU's											7,269

# City of East Helena

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**TO:** Landy Leep  
Prickly Pear Estates, LLC

**FROM:** Brad Koenig, PE & Trevor Larson, EI

**DATE:** May 19, 2023

**SUBJECT:** Prickly Pear Estates Water Supply

Water supply for the proposed Prickly Pear Estates Subdivision was discussed in a meeting held on April 3, 2023. The City of East Helena and RPA have reviewed this request and modeled the City's water system incorporating usage at full build-out. RPA found that the majority of the existing 10-inch steel transmission main from the McClellan Tank to the City would need to be upsized to a 16-inch diameter main to continue to provide adequate pressure and fire flows to the City and to the new proposed development.

The City of East Helena is in the planning phase of a project which would upsize the existing transmission main to provide improved water service to the new developments and existing customers. This plan includes upsizing the transmission main from the existing McClellan Tank to the crossing under Highway 518, where the new transmission main would connect with a section of the existing transmission main that was replaced in 2013. The viability of this proposed project is dependent upon adequate funding opportunities and the bid prices received for the necessary pipe.

On the east side of Highway 518, a 12-inch water main will be required that runs from the point where the existing water main passes below 518 and would run parallel to Highway 518, then north under Highway 12, where it will connect with the City's existing distribution system on E. Clark Street. The proposed transmission main installations and locations are shown in the attached **Figure 1**. The Developer will be required to construct the 12-inch water main in its entirety. Portions of the development within the proposed Prickly Pear Estates parcel to the south and east may be served by a future Upper Pressure Zone within East Helena. Where this is needed, the developer will need to make connections to this piping. The anticipated connection point will be near the south edge of the proposed development.

Based on the Growth model and anticipated demands, the City currently has adequate water supply to serve a portion of the Prickly Pear Estates Development. The City is working in good faith to gain and maintain water rights to allow growth into the future. However, Prickly Pear Estates is reportedly a 20-year development plan. It is difficult to predict all of the regulatory items and other things that will affect water rights over this term. The City's ability to provide the necessary water depends on the ability to secure water rights, land for needed infrastructure, and agency approvals as phases of this development progress.



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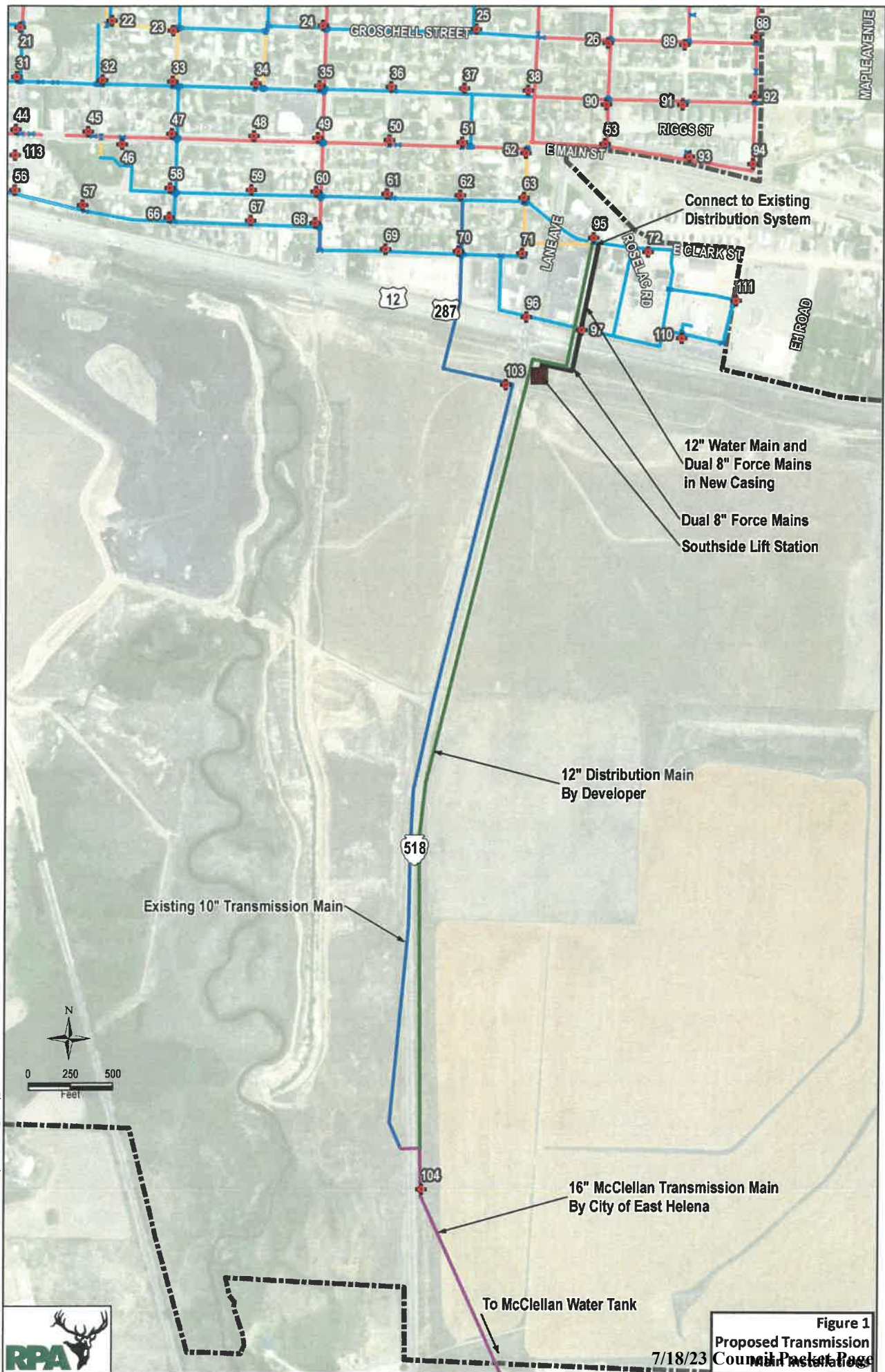
Sincerely,

A handwritten signature in black ink, appearing to read "Brad Koenig", with a stylized horizontal line extending to the right.

Brad Koenig, PE

Attachments: Figure 1, Prickly Pear Estates Water Supply Cost Estimate, City of East Helena  
Growth Model

CC: Kelly Harris, Mayor  
Kevin Ore, Director of Public Works



PRICKLY PEAR ESTATES WATER SUPPLY				
COST ESTIMATE				
May 19, 2023				
ITEM	QUAN.	UNIT	UNIT PRICE	TOTAL PRICE
Mobilization, Bonding & Ins. (5% of Construction Cost)	1	LS	\$ 82,180.00	\$ 82,180.00
12" PVC (C900) Pipe	6300	LF	\$ 220.00	\$ 1,386,000.00
12" Gate Valve	8	EA	\$ 6,000.00	\$ 48,000.00
Barbed Wire Fence Replacement	50	EA	\$ 50.00	\$ 2,500.00
Water Main Connection	2	EA	\$ 10,000.00	\$ 20,000.00
Gravel Removal and Replacement	1000	SY	\$ 25.00	\$ 25,000.00
Asphalt Removal and Replacement	90	SY	\$ 100.00	\$ 9,000.00
Utility Crossing (Est. 10)	10	EA	\$ 500.00	\$ 5,000.00
Yellowstone Pipeline Crossing	1	EA	\$ 10,000.00	\$ 10,000.00
Seeding, Fertilizer, and Mulch	1	LS	\$ 40,000.00	\$ 40,000.00
Permitting	1	LS	\$ 10,000.00	\$ 10,000.00
Fire Hydrant Assembly	8	EA	\$ 11,000.00	\$ 88,000.00
<b>Sub Total Construction Cost - 2023</b>				<b>\$ 1,725,680.00</b>
Number of Years until Construction				5
Inflation Rate				5%
<b>Sub Total Construction Cost - 2028</b>				<b>\$2,202,600.00</b>

	Name	Map Label	Acres	Assumed Use	Residential			Commercial		Total Average Day Demand (Gal/Day)	Maximum Day Demand (Gal/Day)	Peak Hour Demand (Gal/Day)
					EDU/Acre	EDUs	Average Day Demand (Gal/Day)	EDU's	Demand (Gal/Day)			
Existing & Upcoming (Under 5 Years)	Vigilante Subdivision <sup>1</sup>	1	20	Residential	3.5	35	15,540			15,540	38,850	93,240
	Highland Meadows <sup>1</sup>	2	75	Residential	4.3	280	124,320			124,320	310,800	745,920
	Red Fox Meadows <sup>1</sup>	3	160	Residential								
	4-Plexes on Plant Road	4	5	Residential	7.2	36	15,984			15,984	39,960	95,904
	Town Pump Property	5	40	Commercial				418	185,592	185,592	463,980	1,113,552
	East Fields Mixed Use	METG 1	50	Residential	3.0	150	66,600			66,600	166,500	399,600
	Prickly Pear Creek Corridor Mixed Use	METG 2	12	Residential	7.9	95	42,171			42,171	105,426	253,023
			8	Commercial				84	37,296	37,296	93,240	223,776
	Light Industrial/Commercial (Manlove/Highway 282)	METG 3	7	Commercial				31	13,764	13,764	34,410	82,584
	Light Industrial/Commercial (Manlove/Highway 282 North)	METG 4	25	Commercial				109	48,396	48,396	120,990	290,376
	Residential/Commercial (Highway 282 North)	METG 5	16	Residential	4.7	75	33,300			33,300	83,250	199,800
			2	Commercial				11	4,884	4,884	12,210	29,304
	Light Industrial (Highway 282 South)	METG 6	55	Commercial				240	106,560	106,560	266,400	639,360
	Industrial (Davy Spur/Smelter Road)	METG 7	3	Commercial				14	6,216	6,216	15,540	37,296
Existing & Upcoming Subtotal					671		297,915	907	402,708	700,623	1,751,556	4,203,735
Proposed (5-15 Years)	Vigilante West	8	20	Residential	3.5	70	31,080			31,080	77,700	186,480
	La Casa Grande Estates	9	105	Residential	1.5	157	69,708			69,708	174,270	418,248
	Mason Property	11	12	Residential	2.5	30	13,317			13,317	33,293	79,902
			5	Commercial				22	9,768	9,768	24,420	58,608
	Gorsich Property (outside floodplain)	12	14	Residential	3.9	55	24,420			24,420	61,050	146,520
	East Fields Mixed Use	METG 1	270	Residential	3.0	810	359,559			359,559	898,898	2,157,354
			80	Commercial				418	185,592	185,592	463,980	1,113,552
	Residential/Commercial (Highway 282 North)	METG 5	48	Residential	4.7	225	99,900			99,900	249,750	599,400
			4	Commercial				42	18,648	18,648	46,620	111,888
	Light Industrial (Highway 282 South)	METG 6	60	Commercial				261	115,884	115,884	289,710	695,304
Proposed Subtotal					1,347		597,984	743	329,892	927,876	2,319,690	5,567,256
Future (15-30 Years)	Seaver Park Addition	13	51.5	Residential	0.9	45	19,980			19,980	49,950	119,880
			8.5	Commercial				37	16,428	16,428	41,070	98,568
	Town Pump Remainder	10	60	Residential	3.3	200	88,800			88,800	222,000	532,800
			75	Commercial				783	347,652	347,652	869,130	2,085,912
	East Fields Mixed Use	METG 1	310	Residential	3.2	1,000	444,000			444,000	1,110,000	2,664,000
			30	Commercial				157	69,708	69,708	174,270	418,248
Future Subtotal					1,245		552,780	977	433,788	986,568	2,466,420	5,919,408
Growth Demand Subtotals:										2,615,067	6,537,666	15,690,399
Current Water Demands:										474,973	1,187,433	2,849,838
Future Water Demands:										3,090,040	7,725,099	18,540,237

<sup>1</sup> Number of remaining EDUs remaining to be connected after FY22

<sup>2</sup> Red Fox Meadows is NOT connected to City Water

# City of East Helena

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**TO:** Landy Leep  
Prickly Pear Estates, LLC

**FROM:** Brad Koenig, PE

**DATE:** June 29, 2023

**SUBJECT:** Prickly Pear Estates Water Supply

This letter provides clarification for water supply to the Prickly Pear Estates Subdivision based on the request for a connection below Highway 518 to the City's existing 10-inch McClellan Transmission Main to serve the development during the first phase(s). Based on the Growth Model and anticipated demands, and dependent upon the following conditions, the City of East Helena water system can support approximately 350 equivalent dwelling units (EDUs) with water connections made as included in the attached drawing. This will require the developer to initially extend the 12-inch water further north as shown in the attached.

For further development (beyond 350 EDU), the Developer will be required to install a 12-inch water main that connects to the McClellan Transmission Main on the east side of Highway 518 and runs south, parallel to Highway 518, and connects to the McClellan Transmission main near the south end of the property.

Sincerely,

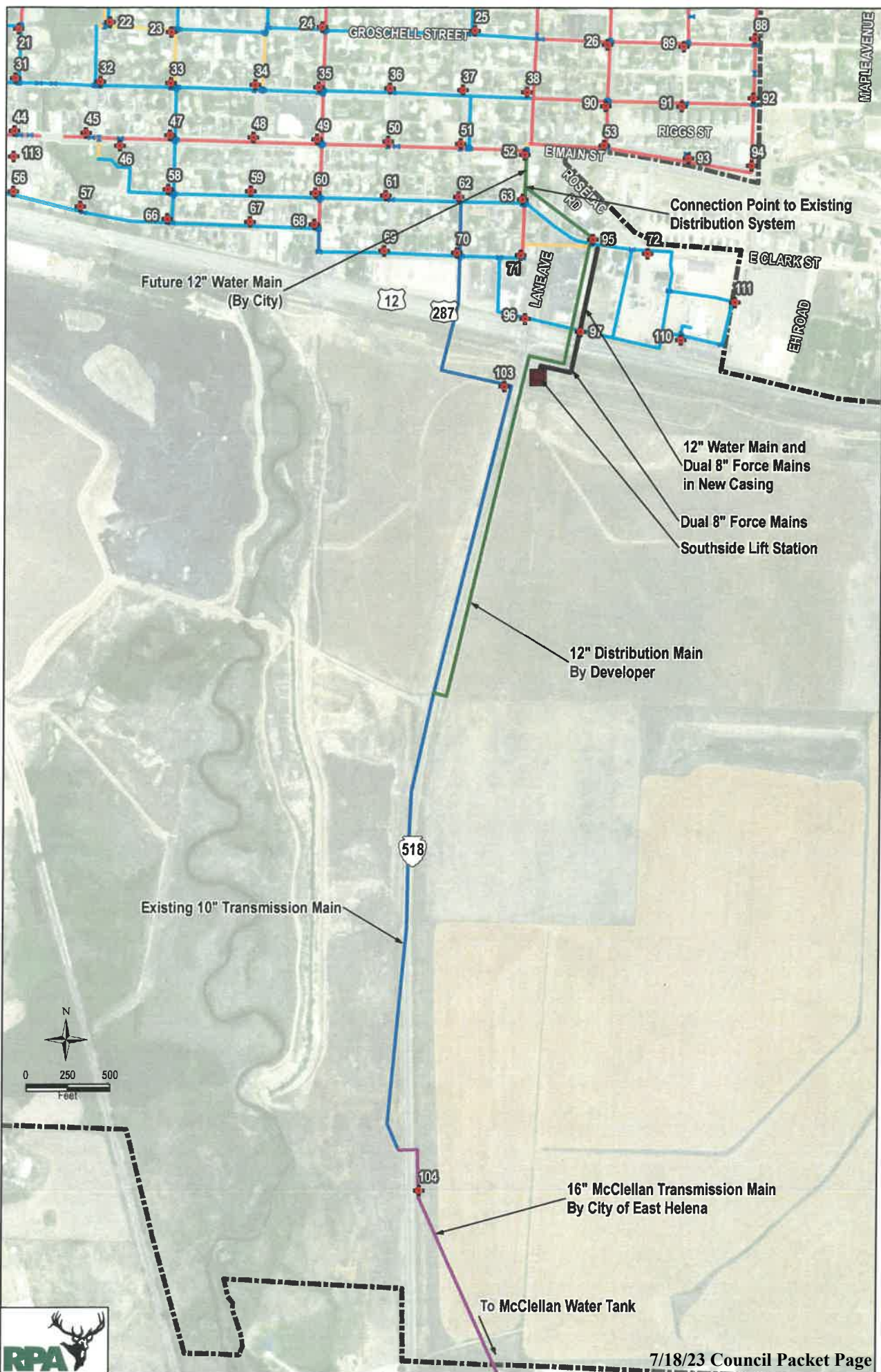
Brad Koenig, PE



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Date: 6/20/2023 Path: F:\Water\22724 - East Helena Development Review\Project\Drawings\PP\EastHelena.mxd





CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 06/20/2023

Agenda item:

Reppointment of Planning Board Members

From:

Mayor Harris

Initiated by City: ☒ YES ☐ NO (check one)

Department:

Planning Board

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Requesting reappointment of Ana Glueckert and Ryan Loomis to the Planning Board.

7/18/23 Ryan Loomis was reappointed at the last council meeting. Ana Glueckert was willing to be reappointed if no one else was interested. An interested person was found :)

Attachments: ☐ YES ☒ NO (check one)

Date submitted:

June 14, 2023

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.



CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Appointment of New East Helena Planning Board Member

From:

Mayor Harris

Initiated by City:     ☒ YES            ☐ NO            (check one)

Department:

Executive

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Kaila Matteson is interested in being on the Planning Board!

MCA 7-1-221 is attached.

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

June 30, 2023

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

# Montana Code Annotated 2021

TITLE 76. LAND RESOURCES AND USE

CHAPTER 1. PLANNING BOARDS

Part 2. Membership

## Membership Of City Planning Board

**76-1-221. Membership of city planning board.** (1) A city planning board shall consist of not less than seven members to be appointed as follows:

- (a) one member to be appointed by the city council from its membership; **Don**
  - (b) one member to be appointed by the city council, who may in the discretion of the city council be an employee or hold public office in the city or county in which the city is located; **Gloria (Police Commission)**
  - (c) one member to be appointed by the mayor upon the designation by the county commissioners of the county in which the city is located; **Jean**
  - (d) four citizen members to be appointed by the mayor, two of whom shall be resident freeholders within the urban area, if any, outside of the city limits over which the planning board has jurisdiction under this chapter and two of whom shall be resident freeholders within the city limits. **Ryan, Kaila (outside) Terrie, TBA (inside)**
- (2) The clerk of the city council shall certify members appointed by its body. The certificates shall be sent to and become a part of the records of the planning board. The mayor shall make similar certification for the appointment of citizen members.

**History:** (1)En. Sec. 4, Ch. 246, L. 1957; amd. Sec. 1, Ch. 271, L. 1959; Sec. 11-3804, R.C.M. 1947; (2)En. Sec. 7, Ch. 246, L. 1957; Sec. 11-3807, R.C.M. 1947; R.C.M. 1947, 11-3804(part), 11-3807.

CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:  
201 S Montana Ave. Sewer Rate Refund and Adjustment

From:  
Charles Whittaker

Initiated by City:     ☐ YES            ☒ NO            (check one)

Department:  
Wastewater

Presented by:  
Clerk/Treasurer Amy Thorngren / City Attorney Elverum

Action requested:  
Approve / Deny / Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

City Staff is recommending approval to adjust Sewer rate for 201 S. Montana to standard \$70.00 from \$571.04 per month. Staff also recommending refund customer \$4,781.98 for past sewer rate paid at car-wash rate. Public works has verified that car wash was never operational under new ownership and verified from water meter read usage. Customer plans on operating as Automotive repair facility and not a car wash.

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:  
July 11, 2023

RECOMMENDATIONS:

Approve for agenda:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Initial: _____
Referred to Dept. Head for resolution:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	_____
Referred to _____:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	_____

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

## UTILITY BILLING SYSTEM Report ID: 1107

CITY OF EAST HELENA

CUSTOMER TRANSACTIONS For 6-2023

14:37:24 - 06/28/2023

Transaction Description - ID Number		Check #	
AP-Year	Date & Time	Fund - Service	Running Balance
<b>Customer Name</b>	WHITTAKER, CHARLES	<b>Account</b> MONS201-00	<b>Route - Meter</b> 00-MONS201
<b>Service Address</b>	201 S MONTANA AVE		
<b>Customer Address</b>	PO BOX 204		
<b>City</b>	EAST HELENA	<b>State</b> MT	<b>Zip</b> 59635-0204
<b>CHARGE</b>			
6-2022	06/30/2022 01:39:43 PM	5310 - SEWER	342.62
6-2022	06/30/2022 01:39:43 PM	5410 - GARBAGE	44.10
Total for Transaction:			386.72
<b>RECEIPT 197157</b>			1004
7-2022	07/11/2022 10:35:26 AM	5310 - SEWER	-342.62
7-2022	07/11/2022 10:35:26 AM	5410 - GARBAGE	-44.10
Total for Transaction:			-386.72
<b>CHARGE</b>			
7-2022	07/28/2022 02:46:01 PM	5310 - SEWER	571.04
7-2022	07/28/2022 02:46:00 PM	5410 - GARBAGE	73.50
Total for Transaction:			644.54
<b>RECEIPT 198279</b>			1027
8-2022	08/16/2022 08:50:00 AM	5310 - SEWER	-571.04
8-2022	08/16/2022 08:50:00 AM	5410 - GARBAGE	-73.50
Total for Transaction:			-644.54
<b>CHARGE</b>			
8-2022	08/30/2022 03:49:50 PM	5310 - SEWER	571.04
8-2022	08/30/2022 03:49:49 PM	5410 - GARBAGE	73.50
Total for Transaction:			644.54
<b>RECEIPT 199228</b>			1053
9-2022	09/26/2022 10:34:22 AM	5310 - SEWER	-571.04
9-2022	09/26/2022 10:34:22 AM	5410 - GARBAGE	-73.50
Total for Transaction:			-644.54
<b>CHARGE</b>			
9-2022	09/30/2022 08:06:14 AM	5310 - SEWER	571.04
9-2022	09/30/2022 08:06:13 AM	5410 - GARBAGE	73.50
Total for Transaction:			644.54
<b>CHARGE</b>			1077
10-2022	10/28/2022 02:29:39 PM	5310 - SEWER	
10-2022	10/28/2022 02:29:38 PM	5410 - GARBAGE	73.50
Total for Transaction:			644.54
<b>RECEIPT [Partial Payment] 200114</b>			1077
10-2022	10/31/2022 10:50:11 AM	5310 - SEWER	-571.04
10-2022	10/31/2022 10:50:11 AM	5410 - GARBAGE	-73.50
Total for Transaction:			-644.54
<b>RECEIPT 200852</b>			1090
11-2022	11/23/2022 10:48:57 AM	5310 - SEWER	-571.04
11-2022	11/23/2022 10:48:57 AM	5410 - GARBAGE	-73.50
Total for Transaction:			-644.54
<b>CHARGE</b>			
11-2022	12/01/2022 10:02:06 AM	5310 - SEWER	571.04
11-2022	12/01/2022 10:02:06 AM	5410 - GARBAGE	73.50
Total for Transaction:			644.54
<b>RECEIPT 201624</b>			1113
12-2022	12/28/2022 09:12:13 AM	5310 - SEWER	-571.04
12-2022	12/28/2022 09:12:13 AM	5410 - GARBAGE	-73.50
Total for Transaction:			-644.54
<b>CHARGE</b>			
12-2022	12/29/2022 12:59:11 PM	5310 - SEWER	571.04
12-2022	12/29/2022 12:59:10 PM	5410 - GARBAGE	73.50
Total for Transaction:			644.54
<b>RECEIPT 202333</b>			1126
1-2023	01/20/2023 11:33:54 AM	5310 - SEWER	-571.04
1-2023	01/20/2023 11:33:54 AM	5410 - GARBAGE	-73.50

UTILITY BILLING SYSTEM Report ID: 1107

CITY OF EAST HELENA

CUSTOMER TRANSACTIONS

For 6-2023

14:37:24 - 06/28/2023

Transaction Description - ID Number			Check #	
AP-Year	Date & Time	Fund - Service	Amount	Running Balance
			Total for Transaction:	0.00
<b>CHARGE</b>				
1-2023	02/01/2023 01:22:09 PM	5310 - SEWER	571.04	
1-2023	02/01/2023 01:22:08 PM	5410 - GARBAGE	73.50	
			Total for Transaction:	644.54
<b>RECEIPT 203133</b>				1139
2-2023	02/21/2023 09:45:15 AM	5310 - SEWER	-571.04	
2-2023	02/21/2023 09:45:15 AM	5410 - GARBAGE	-73.50	
			Total for Transaction:	0.00
<b>CHARGE</b>				
2-2023	02/28/2023 01:44:08 PM	5310 - SEWER	571.04	
2-2023	02/28/2023 01:44:08 PM	5410 - GARBAGE	73.50	
			Total for Transaction:	644.54
<b>RECEIPT 203953</b>				1152
3-2023	03/20/2023 07:19:01 AM	5310 - SEWER	-571.04	
3-2023	03/20/2023 07:19:01 AM	5410 - GARBAGE	-73.50	
			Total for Transaction:	0.00
<b>CHARGE</b>				
3-2023	03/31/2023 11:18:42 AM	5310 - SEWER	571.04	
3-2023	03/31/2023 11:18:40 AM	5410 - GARBAGE	73.50	
			Total for Transaction:	644.54
<b>RECEIPT 204674</b>				1165
4-2023	04/18/2023 12:08:33 PM	5310 - SEWER	-571.04	
4-2023	04/18/2023 12:08:33 PM	5410 - GARBAGE	-73.50	
			Total for Transaction:	0.00
<b>CHARGE</b>				
4-2023	04/27/2023 03:28:39 PM	5310 - SEWER	602.00	
4-2023	04/27/2023 03:28:38 PM	5410 - GARBAGE	73.50	
			Total for Transaction:	675.50
<b>CHARGE [Penalty]</b>				
4-2023	05/31/2023 04:05:40 PM	5310 - SEWER	9.03	
			Total for Transaction:	684.53
<b>CHARGE</b>				
5-2023	05/31/2023 04:30:40 PM	5310 - SEWER	602.00	
5-2023	05/31/2023 04:30:38 PM	5410 - GARBAGE	73.50	
			Total for Transaction:	1360.03
<b>CHARGE [Penalty]</b>				
6-2023	06/28/2023 12:07:34 PM	5310 - SEWER LATE FEE	18.06	
			Total for Transaction:	1378.09
<b>CHARGE</b>				
6-2023	06/28/2023 12:13:49 PM	5310 - SEWER	602.00	
6-2023	06/28/2023 12:13:49 PM	5410 - GARBAGE	73.50	
			Total for Transaction:	2053.59
<b>Subtotal for Account MONS201-00 :</b>		<b>Portion Past Due</b>	<b>1351.00</b>	<b>Total Balance:</b>
				<b>2053.59</b>





CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

MOU Between City of East Helena, City of Helena, and Lewis and Clark Public Health

From:

Lewis and Clark Public Health

Initiated by City:     ☐ YES            ☒ NO            (check one)

Department:

Wastewater

Presented by:

Mayor Harris

Action requested:

Approve / Deny / Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

City Staff is requesting approval for Mayor Harris to sign updated MOU agreement between the City of East Helena, City of Helena and Lewis and Clark Public Health. See attached MOU, and Email pertaining to funding update from Drenda Niemann with Lewis and Clark Public Health.

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

July 5, 2023

RECOMMENDATIONS:

Approve for agenda:

☐ YES

☐ NO

Initial:

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

## Kevin Ore

---

**From:** Kelly Harris <kellyharris227@gmail.com>  
**Sent:** Friday, June 30, 2023 7:49 AM  
**To:** K O; Peter Elverum  
**Subject:** Fwd: Wastewater MOU  
**Attachments:** MOU\_WWTF\_Revised6.23.23.pdf

----- Forwarded message -----

**From:** Drenda Niemann <[DNIEMANN@lccountymt.gov](mailto:DNIEMANN@lccountymt.gov)>  
**Date:** Thu, Jun 29, 2023 at 2:53 PM  
**Subject:** Wastewater MOU  
**To:** Wilmot Collins <[WCOLLINS@helenamt.gov](mailto:WCOLLINS@helenamt.gov)>, Kelly Harris ([kellyharris227@gmail.com](mailto:kellyharris227@gmail.com)) <[kellyharris227@gmail.com](mailto:kellyharris227@gmail.com)>  
**CC:** Tim Burton <[TBURTON@helenamt.gov](mailto:TBURTON@helenamt.gov)>, Dorota Carpenedo <[DCARPENEDO@lccountymt.gov](mailto:DCARPENEDO@lccountymt.gov)>, Stefanie Otto-Hitt <[sotto-hitt@carroll.edu](mailto:sotto-hitt@carroll.edu)>, Alyx Montiel <[AMONTIEL@helenamt.gov](mailto:AMONTIEL@helenamt.gov)>

Good Afternoon Mayor Collins and Harris,

We are thrilled to announce that we have received funding from the Montana Department of Public Health and Human Services and will be able to continue wastewater surveillance for SARs-COV-2 (COVID-19) and also expand to other public health threats like infections diseases such as influenza, threats like antibiotic resistance, and foodborne illnesses like norovirus.

We are in the process of entering into a new professional services contract with Carroll College to collect, analyze, and report on the wastewater samples provided by both the Helena and East Helena wastewater treatment facilities. Because of the available funding and Carroll's willingness to provide laboratory services, there will be no break or delay in collection or reporting.

Attached is an updated MOU for your consideration. We hope both facilities will continue partnering with Lewis and Clark Public Health to provide this important information to the public. In a brief survey, residents of this county expressed how important this information has been for their daily decision making and also support ongoing surveillance. You can find the full survey report on our [COVID-19 HUB](#) under the Wastewater Testing Tab.

Once you have signed, please scan and email back to me.

Thank you and have a wonderful day!



## **Drenda Niemann**

Health Officer

*She/Her/Hers*

**Phone:** 406-457-8910

**Email:** [dniemann@lccountymt.gov](mailto:dniemann@lccountymt.gov)

[1930 9th Ave.](#)

[Helena, MT 59601](#)

[www.lccountymt.gov/health.html](http://www.lccountymt.gov/health.html)



**We want your feedback! >>>**



**MEMORANDUM OF UNDERSTANDING**  
**between**  
**CITY OF HELENA, CITY OF EAST HELENA, and LEWIS AND CLARK PUBLIC HEALTH**

This Memorandum of Understanding (MOU) sets forth the terms of agreement between the City of Helena, the City of East Helena, and Lewis and Clark Public Health (Parties) for the testing of municipal wastewater samples for the presence and concentration of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) which causes COVID-19 and to expand testing to other diseases or chemical by-products as advised by Centers for Disease Control and Prevention (CDC).

**BACKGROUND**

An outbreak of COVID-19 was first identified in Wuhan, China, in December, 2019. The World Health Organization declared the outbreak a Public Health Emergency of International Concern on January 30, 2020, and a global pandemic on March 11, 2020. On January 20, 2020, the first case of COVID-19 was identified in the United States and the first Montana case was identified on March 14, 2020. Lewis and Clark County confirmed its first case of COVID-19 on March 31, 2020.

Testing of local municipal wastewater for SARS-CoV-2 has been occurring in Helena and East Helena since August 2020 under the original MOU. This noninvasive wastewater surveillance proved to be an important population indicator in identifying the virus levels before cases were confirmed through diagnostic testing allowing health official to prepare timely response for possible surge in COVID-19 cases.

In response to the COVID-19 pandemic, CDC launched the National Wastewater Surveillance System (NWSS) in September 2020. The wastewater testing findings for Helena and East Helena became part of the NWSS in May 2022.

Because the wastewater surveillance can provide an early warning that disease maybe spreading in communities, the CDC is working with local health departments to better understand how wastewater surveillance can also be used to detect and respond to other infectious disease such as influenza, threats like antibiotic resistance, and foodborne diseases like norovirus.

**PURPOSE**

The purpose of this Memorandum of Understanding or MOU is to confirm the commitment to continue the weekly delivery of wastewater samples for testing to Carroll College at 1601 N. Benton, Helena Montana. Collaboration between Parties in the testing of municipal wastewater in Helena and East Helena servers to improve surveillance for emerging diseases and established threats to the health of the public in Lewis and Clark County.



## AGREEMENT

- Wastewater sample will be collected by the City of Helena and City of East Helena designated persons at Wastewater Treatment Plant Facilities and delivered to Carroll College on a weekly basis for testing.
- No further obligation will be imposed on the City of Helena and City of East Helena after the wastewater samples are received by Carroll College.
- To ensure the integrity of wastewater sample, the Helena and East Helena Wastewater Treatment Facilities will try to limit the frequency of septic dumping during the sample collection window.
- The results from the wastewater testing will be used by Lewis and Clark Public Health to inform disease mitigation strategies in Lewis and Clark County. In addition, the data will be available for City of Helena and City of East Helena to view on the Lewis and Clark Public Health wastewater testing dashboard which can be found on the LCPH website.
- As approved by Lewis and Clark County Commissioners with Montana Department of Public Health and Human Services funding, Lewis and Clark Public Health will be responsible for paying costs associated with the wastewater testing or expanses associated with expansion phase to other targets beyond SARS-CoV-2 within the allocated budget and ongoing weekly testing conducted by Carroll College.

## TERM

The MOU will continue upon agreement by all parties and shall remain in effect indefinitely or until Parties agree to change or eliminate the agreement. Parties may terminate this agreement without cause upon 30-day notice.

Lewis and Clark Public Health  
Drenda Niemann, Health Officer

By: \_\_\_\_\_

Date: 6/29/23

City of Helena  
Wilmont Collins, Mayor

By: \_\_\_\_\_

Date: \_\_\_\_\_

City of East Helena  
Kelly Harris, Mayor

By: \_\_\_\_\_

Date: \_\_\_\_\_

Cc: Kevin Downs, Lewis and Clark County Attorney  
Thomas J. Jodin, Helena City Attorney  
Peter Elverum, East Helena City Attorney





CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Dorsey & Whitney, Scope of Work, Valley Drive Bonding

From:

Kevin Ore / Public Works

Initiated by City: ☒ YES ☐ NO (check one)

Department:

Roads and Streets

Presented by:

Mayor Harris / Attorney Elverum

Action requested:

Approve / Deny / Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

City Staff is requesting approval for Mayor Harris to sign scope of work for Valley Drive Bond.  
See attached scope.

Attachments: ☒ YES ☐ NO (check one)

Date submitted:

June 27, 2023

RECOMMENDATIONS:

Approve for agenda:

☐ YES

☐ NO

Initial:

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

June 6, 2023

Mr. Kelly Harris, Mayor  
Ms. Amy Thorngren, Clerk/Treasurer  
City of East Helena  
306 E. Main Street  
East Helena, MT 59635

*Via Email*

Re: General Obligation Bonds  
City of East Helena, Montana

Dear Mayor Harris and Amy:

Thank you for giving us an opportunity to serve as bond counsel to the City of East Helena, Montana (the "City") with respect to the proposed issuance of general obligation bonds for the purpose of paying the costs of improvements to Valley Drive within the boundaries of the City. We have enjoyed working with the City on previous projects and would be happy to assist with this financing. The purpose of this letter is to describe the services we provide and give the City an estimate of our fees for services relating to the issuance of approximately \$2,500,000 of General Obligation Bonds (the "Bonds").

As bond counsel our principal function is to render an unqualified opinion with respect to authorization and issuance of the Bonds. The opinion is rendered in written form at the time the Bonds are delivered to the purchaser. The opinion would be addressed to the purchaser and the City, and both parties are equally entitled to rely on it. The opinion addresses three basic matters:

1. the validity of the Bonds, based upon the proceedings taken in their authorization and issuance;
2. certain matters relating to the security for the payment of the Bonds; and
3. the exemptions from current federal and state income taxation of the interest payable on the Bonds.

In our capacity as bond counsel, we would expect to prepare or assist in the preparation of the resolution calling for the election, including the forms of the notice of election and the ballot and related election proceedings. In addition, we will provide the following services to the City in connection with the Bonds:

1. advise the City with respect to state statutory and federal tax code requirements relating to the issuance of the Bonds;

2. if the Bonds are sold competitively, prepare the resolution calling for the sale of the Bonds, the notice of sale relating thereto based on information provided by the City, and the resolution awarding the sale of the Bonds;
3. if the Bonds are sold by private, negotiated sale, prepare the initial authorizing resolution relating to the Bonds and review the bond purchase agreement;
4. prepare the final bond resolution and form of Bonds;
5. arrange for and supervise the printing of the Bonds;
6. coordinate with the City Clerk the adoption of resolutions and other actions to be taken by the City;
7. if applicable, review those portions of the official statement relating to the Bonds, their security and the exemption of the interest on the Bonds from state and federal income tax;
8. review the transcript of proceedings for compliance with law;
9. prepare closing documents and supervise the closing; and
10. deliver an unqualified opinion of bond counsel to the City and the purchaser of the Bonds as to the validity of and tax-exempt nature of the Bonds.

The fee for our services is a function of the size of the bond issue and the amount of time expended in performing all of these services. Recognizing it is difficult to provide a fee estimate with a high degree of certainty at this juncture, based on an estimated bond issue of \$2,500,000, we estimate a fee of approximately \$20,000 to \$30,000, plus out-of-pocket disbursements. We would expect to be paid at the time of closing on the Bonds in connection with our work on the issuance of the Bonds following a successful election. This estimate assumes the Bonds would be issued in one series in the full amount authorized and that we would not prepare the official statement. If, as we proceed, we discover any facts that would cause us to exceed the estimate, we would let the City know. If the election is not successful, we would expect to be paid for some or all of our work performed prior to the election, such as work in preparing or reviewing the resolution calling for the election and associated work through the bond election, in an amount of up to \$3,500.


It is mutually understood that the services set forth in this letter are solely for the benefit of the City.

If our proposal to act as bond counsel is acceptable to the City, please have the attached Acknowledgment executed by an appropriate representative of the City and return a copy to us. You may retain this copy for your files.

Mr. Kelly Harris, Mayor  
Ms. Amy Thorngren, Clerk/Treasurer  
June 6, 2023  
Page 3

As always, we appreciate the opportunity to work with you and the City.

Very truly yours,



Handwritten signature of Dan Semmens, consisting of a stylized 'D' and 'S' followed by a horizontal line.

Dan Semmens

DPS/vm

Mr. Kelly Harris, Mayor  
Ms. Amy Thorngren, Clerk/Treasurer  
June 6, 2023  
Page 4

**ACKNOWLEDGMENT**

The undersigned acknowledges receipt of the attached and foregoing engagement letter dated June 6, 2023, and confirms the City's consent to the representation described therein.

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF EAST HELENA, MONTANA

By: \_\_\_\_\_

Its: \_\_\_\_\_





CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Blanket Business License for the East Helena Smoke Show August 5th and 6th

From:

Mayor Harris

Initiated by City:     ☒ YES            ☐ NO            (check one)

Department:

Executive

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Will Israel is requesting a blanket business license for the vendors participating the event. The East Helena Smoke Show is Saturday, August 5th and Sunday, August 6th at the Missouri River Brewing Co in East Helena MT. It's a barbecue competition sanctioned by the Kansas City Barbeque Society and a fundraiser for Impact Montana. Eagles 4040 will be serving alcohol under their catering endorsement for the event.

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

June 30, 2023

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.

JUN 20 2023

# City of East Helena

306 E Main St | PO Box 1170 | East Helena, MT | 59635 | 406.227.5321 | 406.227.5456 (fax) EAST HELENA, MT

## BUSINESS LICENSE APPLICATION

1. City Ordinance requires that ALL BUSINESSES operating within the City of East Helena obtain a Business License. Issued Business Licenses are valid for one year – January 1st through December 31st.
2. Application must be COMPLETE AND LEGIBLE. Please insert N/A if a requested line of information does not apply.
3. The City will process in six (6) to eleven (11) working days unless the application is incomplete.
4. New licenses and renewals; \$15.00 each. Transient merchant licenses; \$6.00 per day.

Name of Business Owner: Will Israel  
 Name of Business: East Helena Smoke Show BBQ Competition  
 Phone Numbers: Business: 406 439 1205 Home: —  
 Cell: — Emergency: —  
 Mailing Address: —

Physical Address: 451 Spencer Ct East Helena MT  
Event at Missouri River Brewing  
 Email Address: will.israel@impactmontana.org  
 Website or Social Media Page: www.montana bbq smoke show.com  
 Brief description of the business (if necessary additional pages):

Kansas City BBQ society competition at Missouri River  
Brewing on AUG 5th and AUG 6th to support Impact  
Montana and the City of East Helena

Home Based: ☐ YES ☒ NO  
 OWNERSHIP TYPE: ☐ Corporation ☐ Partnership ☒ Sole Proprietor ☐ Trust ☐ LLC ☐ LLP  
Nonprofit org

CONTRACTORS: State Registration No.: —  
 (Please attach copy of state registration card)  
 Workmen's Comp No.: —

ITINERANT/TRANSIENT VENDORS: Brief description of merchandise and/or service offered:  
—

The license application is made subject to all of the terms and conditions, which are hereby agreed to, of the Code and Ordinances of the City of East Helena, Montana. The application shall be signed by the applicant. (Ord. 229, 11-18-2003)

Applicant Signature: [Signature]  
 Title: Event Director Date: 6/20/23

FOR OFFICE USE ONLY			
Reviewed By:	Police Dept. <u>—</u>	Fire Dept. <u>—</u>	Other: <u>—</u>
Zoning District:	Property Violations: <u>—</u>	State Health License: Yes   No	
Approved:	Yes   No (Reason): <u>—</u>		
Renewal: Yes   No	Resident License: Yes   No	Full Year: Yes   No	Prorate: Yes   No
Fee Paid:	Check #: <u>—</u>	Cash: <u>—</u>	Money Order #: <u>—</u>
Date Issued:	License #: <u>—</u>	City Official: <u>—</u>	v2019.1



KANSAS CITY BBQ SOCIETY (KCSB)" MASTER SERIES" TEAMS WILL COMPETE IN CHICKEN, PORK RIBS, PORK, AND BRISKET WITH \$6,000 IN CASH PRIZES!

LIVE  
MUSIC



# EAST HELENA SMOKE SHOW

SAT AUG 5TH

~

SUN AUG 6TH

SETUP-LIVE MUSIC-FOOD 5-10PM

BBQ COMP-LIVE MUSIC-FOOD 11-5PM

MISSOURI RIVER BREWING 451 SPENCER CT, EAST HELENA, MT



FUNDRAISER FOR IMPACT MONTANA "TO SUPPORT SERVICE MEMBERS, VETERANS, FIRST RESPONDERS, AND THEIR FAMILIES TO THRIVE!"



[HTTPS://WWW.MONTANABBQSMOKESHOW.COM/](https://www.montanabbqsmokeshow.com/)

7/18/23 Council Packet Page 60



CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Resolution of Intent to Modify Existing Lighting District No. 101

From:

City Attorney Elverum

Initiated by City:     ☒ YES            ☐ NO            (check one)

Department:

Public Works

Presented by:

City Attorney Elverum

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Highland Meadows Subdivision Special Improvement Lighting District (SILD 101)

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

☐ NO

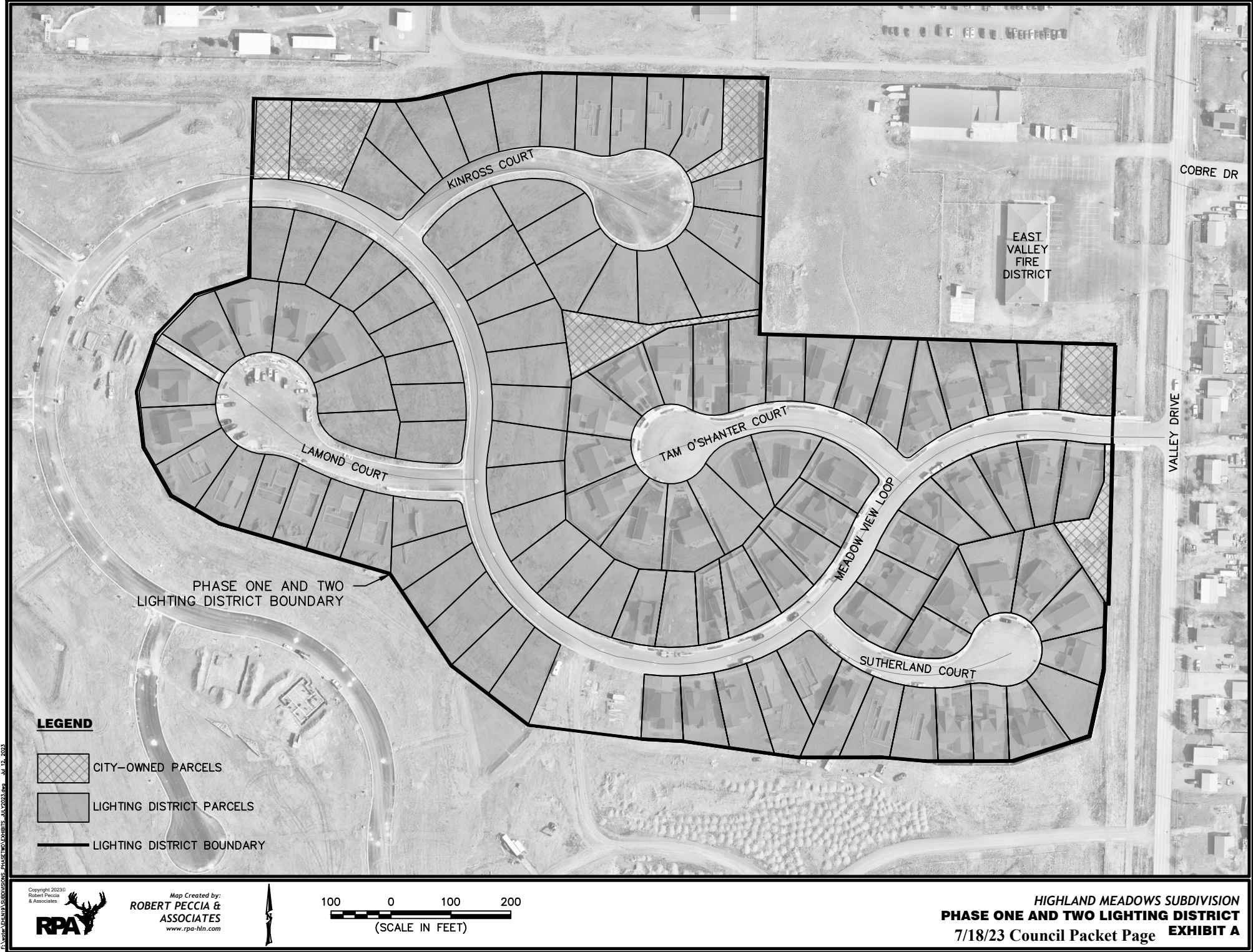
Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.





# EXHIBIT B - ASSESSMENT

Property Address	City, State, Zip Code	Property Owner	Owner Mailing Address	Owner City	Owner State	Owner Zip Code	Monthly Assessment
311 SUTHERLAND CT	EAST HELENA, MT 59635	MORRIS NATHAN T & CATHY M	311 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
315 SUTHERLAND CT	EAST HELENA, MT 59635	JAMISON PAMELA	315 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
317 SUTHERLAND CT	EAST HELENA, MT 59635	SILVER CREEK INVESTMENTS	4855 IRON HORSE RD	HELENA	MT	59602-8443	\$ 2.59
339 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WINKLEPLECK LARRY & LINDA LOU	339 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
355 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
319 SUTHERLAND CT	EAST HELENA, MT 59635	LOEWEN JUSTIN & TAYLOR	319 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
352 MEADOW VIEW LOOP	EAST HELENA, MT 59635	JOHNSON RAYMOND & KELLY	352 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
360 MEADOW VIEW LOOP	EAST HELENA, MT 59635	MULLIKIN CONNIE	PO BOX 1784	EAST HELENA	MT	59635-1784	\$ 2.59
367 MEADOW VIEW LOOP	EAST HELENA, MT 59635	GILSON MARCY A	367 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
317 TAM O SHANTER CT	EAST HELENA, MT 59635	CHRISTOPHERSON KURT A & DARCY J	317 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
319 TAM O SHANTER CT	EAST HELENA, MT 59635	LEWIS CHRISTOPHER JAMES ETAL	319 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
375 MEADOW VIEW LOOP	EAST HELENA, MT 59635	MICHAEL GLEN & SUSAN L CRAIN DECLARATION OF TRUST	375 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
379 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WELNA BENJAMIN & KATE	379 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
320 TAM O SHANTER CT	EAST HELENA, MT 59635	CRICHTON RYAN E	320 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
378 MEADOW VIEW LOOP	EAST HELENA, MT 59635	BLOOMQUIST LINDSEY RENEE & JOSEPH WILLIAM	PO BOX 125	WOLF CREEK	MT	59648-0125	\$ 2.59
306 TAM O SHANTER CT	EAST HELENA, MT 59635	LUNDY LOREN L & JULIE M	26480 W BURNETT RD	BUCKEY	AZ	85396-9241	\$ 2.59
300 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
205 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
217 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
292 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
290 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
219 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
226 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
224 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
220 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
VALLEY DR	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
307 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
320 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
312 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
279 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
275 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
313 SUTHERLAND CT	EAST HELENA, MT 59635	BLAZQUEZ ALEXANDER & VICTORIA	3516 SAVANA LN	ALAMEDA	CA	94502-7023	\$ 2.59
318 SUTHERLAND CT	EAST HELENA, MT 59635	FORD JASON & KATHY	7743 CANYON FERRY RD	HELENA	MT	59602-8518	\$ 2.59
312 SUTHERLAND CT	EAST HELENA, MT 59635	LASHLEY RONALD II	312 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
316 SUTHERLAND CT	EAST HELENA, MT 59635	MCCAULEY MACY & HUGH	316 SUTHERLAND CT	EAST HELENA	MT	59635	\$ 2.59
387 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
304 TAM O SHANTER CT	EAST HELENA, MT 59635	MERCADO RAMON E ET AL	304 TAM O SHANTER CT	EAST HELENA	MT	59635	\$ 2.59
384 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
271 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
204 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
327 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
303 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
305 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
318 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
287 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
283 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
343 MEADOW VIEW LOOP	EAST HELENA, MT 59635	GIBBONS ERIC & KAYLA	343 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
310 SUTHERLAND CT	EAST HELENA, MT 59635	BURKETT CLAY & ALESA	310 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
304 SUTHERLAND CT	EAST HELENA, MT 59635	CAMPBELL NICOLE	PO BOX 1844	EAST HELENA	MT	59635-1844	\$ 2.59
344 MEADOW VIEW LOOP	EAST HELENA, MT 59635	GEBHARDT COLE	145 HEREFORD DR	BELGRADE	MT	59714-8875	\$ 2.59
338 MEADOW VIEW LOOP	EAST HELENA, MT 59635	EVANS CHAD & JESSICA	338 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
356 MEADOW VIEW LOOP	EAST HELENA, MT 59635	CHRISTIANSEN TAMARA ETAL	356 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
321 TAM O SHANTER CT	EAST HELENA, MT 59635	GIROLAMI JOHN & SHELLEY	321 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
374 MEADOW VIEW LOOP	EAST HELENA, MT 59635	SCHULTZ ROBERT B	374 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
318 TAM O SHANTER CT	EAST HELENA, MT 59635	BARNETT DONALD & LELA GAIL	318 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
380 MEADOW VIEW LOOP	EAST HELENA, MT 59635	ANTHONY JOHN D	380 MEADOW VIEW LOOP	EAST HELENA	MT	59635	\$ 2.59
334 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
318 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59

# EXHIBIT B - ASSESSMENT

Property Address	City, State, Zip Code	Property Owner	Owner Mailing Address	Owner City	Owner State	Owner Zip Code	Monthly Assessment
211 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
206 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
301 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
315 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
314 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
316 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
299 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
295 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
351 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
305 SUTHERLAND CT	EAST HELENA, MT 59635	CHRISTENSEN ROGNALD & LORA	305 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
363 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WARD NATHANIEL TYLER ETAL	363 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
315 TAM O SHANTER CT	EAST HELENA, MT 59635	GOODMAN PAUL	PO BOX 472	EAST HELENA	MT	59635-0472	\$ 2.59
364 MEADOW VIEW LOOP	EAST HELENA, MT 59635	NELSON TYLER & ASHLYN	364 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
371 MEADOW VIEW LOOP	EAST HELENA, MT 59635	BEATY STEPHEN & SILVER	371 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
311 TAM O SHANTER CT	EAST HELENA, MT 59635	YOUNG-SCHUYLER KURTIS ETAL	311 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
322 TAM O SHANTER CT	EAST HELENA, MT 59635	HULSE ZACHARY D & MARY C	322 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
314 TAM O SHANTER CT	EAST HELENA, MT 59635	HANLEY BERNARD T & MARCIA E	314 TOM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
308 TAM O SHANTER CT	EAST HELENA, MT 59635	SPRAGUE BRIAN A & BAILEY L	308 TAM O SHANTER CT	EAST HELENA	MT	59635	\$ 2.59
306 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
294 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
213 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
214 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
210 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
208 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
280 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
319 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
315 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
311 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
313 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
317 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
291 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
309 SUTHERLAND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
347 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
314 SUTHERLAND CT	EAST HELENA, MT 59635	POWER CHRISTINA E & ERIC K	314 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 2.59
368 MEADOW VIEW LOOP	EAST HELENA, MT 59635	TIEFENTHALER NICHOLE & BRADLEY	368 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
307 TAM O SHANTER CT	EAST HELENA, MT 59635	EDEEN GRACE ETAL	307 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
326 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
312 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
215 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
225 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
216 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
311 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
302 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
307 SUTHERLAND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 2.59
348 MEADOW VIEW LOOP	EAST HELENA, MT 59635	KARA J HURST LIVING TRUST	348 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
383 MEADOW VIEW LOOP	EAST HELENA, MT 59635	CRAGWALL JAMIE	383 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 2.59
302 TAM O SHANTER CT	EAST HELENA, MT 59635	SEIDENSTICKER JENNY & JAMES E	302 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
310 TAM O SHANTER CT	EAST HELENA, MT 59635	KORTH SHAWNA K	PO BOX 5131	HELENA	MT	59604-5131	\$ 2.59
316 TAM O SHANTER CT	EAST HELENA, MT 59635	COOPER CELENA & BRANDON	316 TOM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 2.59
304 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
298 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
212 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
218 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
309 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59
306 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 2.59

Total Monthly Assessment: \$ 292.11



## EXHIBIT C - PHASE 1 STREET LIGHT COST

August 23, 2020

Highland Meadows LLC  
175 N 27<sup>th</sup> St Suite 900  
Billings, MT 59101

Re: Request for Street Lighting at Highland Meadows Subdivision Phase I (5 Lights)

In response to your recent inquiry for service, we have an estimated cost listed below. This estimate is based on information provided on the Utility Plan and confirmed by Greg Wirth from Stahly Engineering on 8//21/2020, no frost, machine clean up only, and is valid for the next four months.

*MONTHLY LIGHTING COST \$ 149.48*

*\*Based on current rates and is subject to revision by the Public Service Commission of Montana.*

If you plan to move forward with this lease light installation, contact our New Construction Department as soon as possible. The following items must be completed before the job is engineered and scheduled:

- ✓ Obtain necessary utility easements.
- ✓ Sign a yard light contract.
- ✓ Clear access: clear trees, remove debris and other material from service route, & complete dirt work to grade.

Normally it takes eight to twelve weeks to install the lease lights after the above items are completed. When **all** of the above items are complete, please contact our New Construction Department for an expected time frame for the job to be scheduled.

I can be reached at **406-431-9849** if you have questions concerning the installation the leased lights.

Sincerely,

Curt Deppmeier

Northwestern Energy



## EXHIBIT C - PHASE 2 STREET LIGHT COST

March 8, 2021

Highland Meadows LLC  
175 N 27<sup>th</sup> St Suite 900  
Billings, MT 59101

Re: Request for Street Lighting at Highland Meadows Subdivision Phase II (4 Lights)

In response to your recent inquiry for service, we have an estimated cost listed below. This estimate is based on information provided on the Utility Plan and confirmed by Greg Wirth from Stahly Engineering in January 2021, no frost, machine clean up only, and is valid for the next four months.

*MONTHLY LIGHTING COST \$ 142.63*

*\*Based on current rates and is subject to revision by the Public Service Commission of Montana.*

If you plan to move forward with this lease light installation, contact our New Construction Department as soon as possible. The following items must be completed before the job is engineered and scheduled:

- ✓ Obtain necessary utility easements.
- ✓ Sign a yard light contract.
- ✓ Clear access: clear trees, remove debris and other material from service route, & complete dirt work to grade.

Normally it takes eight to twelve weeks to install the lease lights after the above items are completed. When **all** of the above items are complete, please contact our New Construction Department for an expected time frame for the job to be scheduled.

I can be reached at **406-431-9849** if you have questions concerning the installation the leased lights.

Sincerely,

Curt Deppmeier

Northwestern Energy

CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Resolution of Intent to Modify Existing Lighting District No. 201

From:

City Attorney Elverum

Initiated by City:     ☒ YES            ☐ NO            (check one)

Department:

Public Works

Presented by:

City Attorney Elverum

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Vigilante Subdivision Special Improvement Lighting District (SILD 201)

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

☐ NO

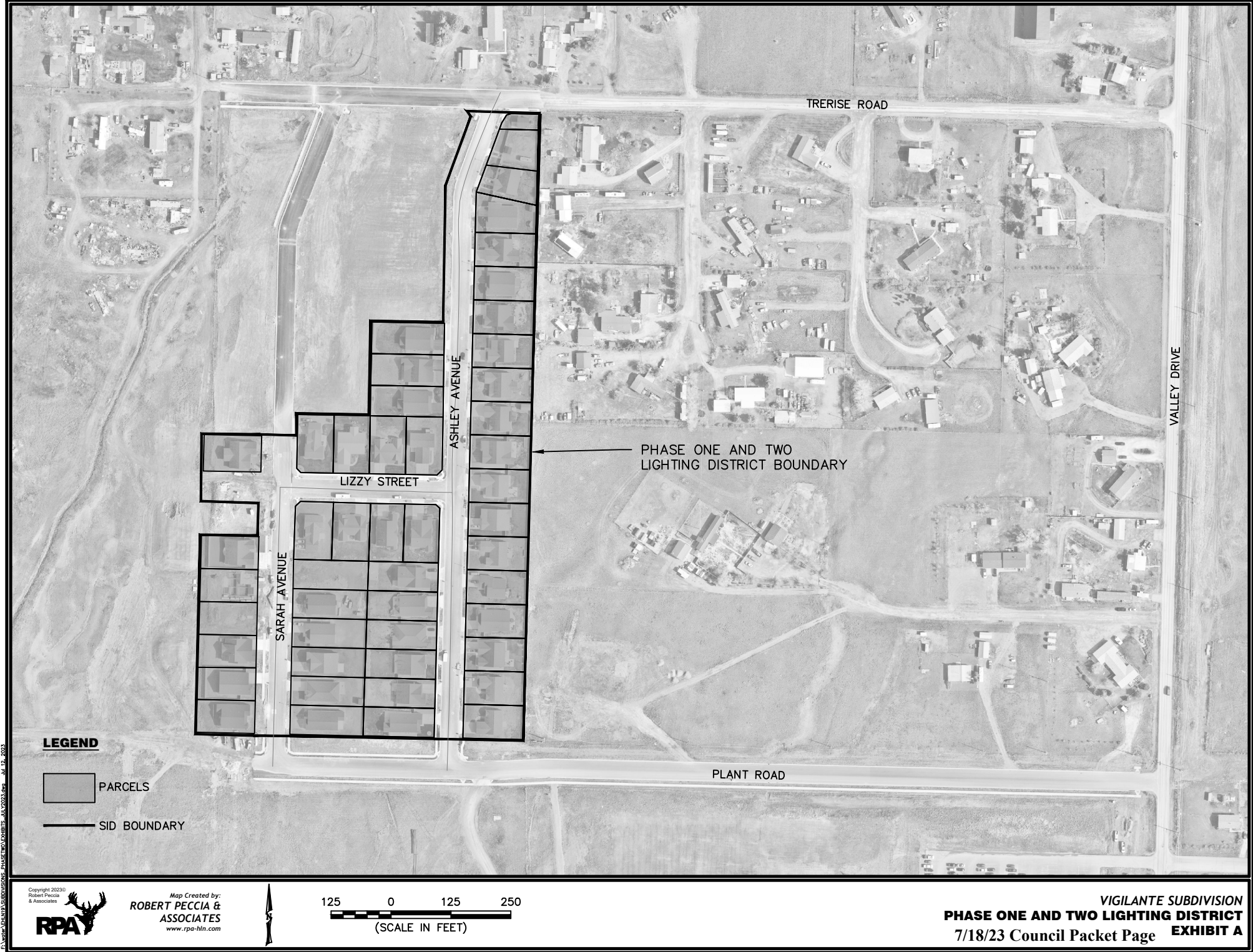
Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.





**LEGEND**



PARCELS



SID BOUNDARY

PHASE ONE AND TWO  
LIGHTING DISTRICT BOUNDARY

PLANT ROAD

TRERISE ROAD

VALLEY DRIVE

ASHLEY AVENUE

LIZZY STREET

SARAH AVENUE



Map Created by:  
**ROBERT PECCIA &  
ASSOCIATES**  
www.rpa-hln.com

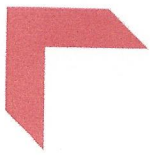
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**VIGILANTE SUBDIVISION  
PHASE ONE AND TWO LIGHTING DISTRICT  
7/18/23 Council Packet Page EXHIBIT A**

# EXHIBIT B - ASSESSMENT

Property Address	City, State, Zip Code	Property Owner	Owner Mailing Address	Owner City	Owner State	Owner Zip Code	Monthly Assessment
2801 ASHLEY AVE	EAST HELENA, MT 59635	POGUE SANAA & JOSH	2801 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2868 ASHLEY AVE	EAST HELENA, MT 59635	PELTOMAA TAMARA J	PO BOX 940	EAST HELENA	MT	59635-0940	\$ 12.02
2837 SARAH AVE	EAST HELENA, MT 59635	ADAMS KEITH W ETAL	2837 SARAH AVE	EAST HELENA	MT	59635	\$ 12.02
3277 LIZZY ST	EAST HELENA, MT 59635	SMITH MARK A & LAURA A	4219 S OTHELLO ST APT 537	SEATTLE	WA	98118-3896	\$ 12.02
2801 SARAH AVE	EAST HELENA, MT 59635	WIDHAIM KELLI & MATTHEW	2801 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
2808 SARAH AVE	EAST HELENA, MT 59635	AUKER JENNIFER & DAVID	2808 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
2862 ASHLEY AVE	EAST HELENA, MT 59635	CHANDLER BLAKE & TERESA JOAN	2862 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
2800 ASHLEY AVE	EAST HELENA, MT 59635	BRUNO DANIEL & KACI L GAUB-	2800 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
2849 SARAH AVE	EAST HELENA, MT 59635	WELLS RICHARD & MARY JO	2849 SARAH AVE	EAST HELENA	MT	59635	\$ 12.02
3269 LIZZY ST	EAST HELENA, MT 59635	VOEGELY RYAN & STEPHANIE	3269 LIZZY ST	EAST HELENA	MT	59635	\$ 12.02
2804 ASHLEY AVE	EAST HELENA, MT 59635	CARSON GEOFF & KELI	2804 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
2822 SARAH AVE	EAST HELENA, MT 59635	GEBHARDT CONSTRUCTION LLC	7880 FOWLER LN	BOZEMAN	MT	59718-8314	\$ 12.02
2816 SARAH AVE	EAST HELENA, MT 59635	PFISTERER ROEY & CHRISTINA	2816 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
2820 ASHLEY AVE	EAST HELENA, MT 59635	GROVOM FAMILY TRUST	2820 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
2889 ASHLEY AVE	EAST HELENA, MT 59635	TOLSON TERRENCE & BAILEY	2889 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2883 ASHLEY AVE	EAST HELENA, MT 59635	BATES SZYMANSKI MARIA	2883 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2871 ASHLEY AVE	EAST HELENA, MT 59635	MOHLER JASON E & JACKIE F	2871 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2834 SARAH AVE	EAST HELENA, MT 59635	BENNETT LYNNE MARIE	2834 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
2813 SARAH AVE	EAST HELENA, MT 59635	DAY JAMES R & CHERYL L	2813 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
3275 TRERISE RD	EAST HELENA, MT 59635	VIGILANTE DEVELOPERS LLC	3440 CENTENNIAL DR	HELENA	MT	59601-9769	\$ 12.02
3278 LIZZY ST	EAST HELENA, MT 59635	SWANDAL DYLAN & MACKINZIE	PO BOX 311	EAST HELENA	MT	59635-0311	\$ 12.02
2856 ASHLEY AVE	EAST HELENA, MT 59635	MCNICOL JAMES A & CYNTHIA	2856 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
3285 LIZZY ST	EAST HELENA, MT 59635	KING LINDSEY & COLTON	3285 LIZZY ST	EAST HELENA	MT	59635-3508	\$ 12.02
2824 ASHLEY AVE	EAST HELENA, MT 59635	MCGILL JOSEPH & LINDSEY	2824 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
2814 ASHLEY AVE	EAST HELENA, MT 59635	TAYLOR LIANE L	7203 MIDNITE DR	HELENA	MT	59602-6702	\$ 12.02
2877 ASHLEY AVE	EAST HELENA, MT 59635	HENDRICKS ANTONIO MIGUEL	2877 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2835 ASHLEY AVE	EAST HELENA, MT 59635	HANSEN EUGENE & LEE	2835 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2811 ASHLEY AVE	EAST HELENA, MT 59635	DELISE SEAN R & CARLY E	2811 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2828 SARAH AVE	EAST HELENA, MT 59635	GEBHARDT CONSTRUCTION LLC	7880 FOWLER LN	BOZEMAN	MT	59718-8314	\$ 12.02
2825 SARAH AVE	EAST HELENA, MT 59635	DANIELSON REED	PO BOX 4938	HELENA	MT	59604-4938	\$ 12.02
2819 SARAH AVE	EAST HELENA, MT 59635	WILLERFORD SUZY	2819 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
2807 SARAH AVE	EAST HELENA, MT 59635	JOKI ROBERT JOSEPH & JENNA LOUISE	2807 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 12.02
3270 LIZZY ST	EAST HELENA, MT 59635	GOYETTE LARRY & MICHELE A	950 GIBBON ST UNIT 2	HELENA	MT	59601-6475	\$ 12.02
3286 ASHLEY AVE	EAST HELENA, MT 59635	DAVIS DOYLE	806 STANLEY ST	HELENA	MT	59601-3306	\$ 12.02
2865 ASHLEY AVE	EAST HELENA, MT 59635	SPI ASHLEY LLC	1403 PUTTERS PL	FREELAND	WA	98249-9648	\$ 12.02
2817 ASHLEY AVE	EAST HELENA, MT 59635	MARTINEZ KURT MICHAEL & SHANNON ANN	2817 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2823 ASHLEY AVE	EAST HELENA, MT 59635	TENNANT JAYLENE	2823 ASHLEY ST	EAST HELENA	MT	59635	\$ 12.02
2846 SARAH AVE	EAST HELENA, MT 59635	ZIMMERMAN MELISSA & BRIAN	PO BOX 9786	HELENA	MT	59604-9786	\$ 12.02
2810 ASHLEY AVE	EAST HELENA, MT 59635	NELSON JON WAYNE	2810 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 12.02
2895 ASHLEY AVE	EAST HELENA, MT 59635	HARRIS BRETT STANLEY & VANESSA ROSE	2895 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2859 ASHLEY AVE	EAST HELENA, MT 59635	ZIMMERMAN CONSTRUCTION LLC	PO BOX 9786	HELENA	MT	59604-9786	\$ 12.02
2841 ASHLEY AVE	EAST HELENA, MT 59635	HUOT ANTHONY & JULIANNE	2841 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2847 ASHLEY AVE	EAST HELENA, MT 59635	WILSON KYLE P	2847 ASHLEY AVE	EAST HELENA	MT	59635	\$ 12.02
2829 ASHLEY AVE	EAST HELENA, MT 59635	MOLENDIA ADAM W ET AL	2829 ASHLEY AVENUE	EAST HELENA	MT	59635	\$ 12.02
2805 ASHLEY AVE	EAST HELENA, MT 59635	LAMB JAMUS P	2805 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2853 ASHLEY AVE	EAST HELENA, MT 59635	THUNSTROM DAVID R ETAL	2853 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 12.02
2802 SARAH AVE	EAST HELENA, MT 59635	LEUTHARD BEN	4712 BAJA RD	HELENA	MT	59602-9668	\$ 12.02
2831 SARAH AVE	EAST HELENA, MT 59635	HOUSEWORTH THOMAS & RACHAEL	1035 ROAD RUNNER ST APT 5	HELENA	MT	59602-0559	\$ 12.02

Total Monthly Assessment: \$ 577.19



## EXHIBIT C - PHASE 1 STREET LIGHT COST

June 9, 2020

Vigilante Developers LLC  
Jerry Kittson  
3275 Trerise  
East Helena, MT 59635

Re: Request for street lighting in Vigilante Major Subdivision Phase 1, East Helena, MT

In response to your recent inquiry for service, we have an estimated cost listed below. This estimate is based on information provided by you, no ground frost, machine clean up only, and is valid till **10/02/2020**.

**MONTHLY STREET LIGHT COST: \$418.55**

*\*Based on current rates and is subject to revision by the Public service commission of Montana.*

If you plan to move forward with construction, contact the New Construction Department as soon as possible. The following items must be completed before the job is engineered and scheduled:

- Obtain any necessary utility easements
- Sign and return the Lighting Customer Agreement.
- Clear access: clear trees, remove debris and other material from service route, and complete dirt work to subgrade.

When **all** of the above items are complete, please contact our New Construction Department for an expected time frame for the job to be scheduled.

To ensure work is completed in accordance with your construction schedule, keep in contact with the New Construction Department at **1-833-672-8453 (1-83-FOR-BUILD)**, **select option 2 and then enter project site zip code, or 1-888-467-2669**. We are ready to answer specific questions about your project and/or provide the necessary information to keep your project on schedule. *New Service Guides* are available in our office for you to stop by and pick up *or* one will be mailed if you call and ask.

Sincerely,

Evan Griffiths  
NorthWestern Energy  
Construction Department  
Helena Division



# EXHIBIT C - PHASE 2 STREET LIGHT COST

March 8, 2021

Vigilante Developers LLC  
Jerry Kittson  
3275 Trerise Rd  
East Helena, MT 59635



Re: Request for Street Lighting in Vigilante Major Subdivision Phase 2, East Helena, MT

In response to your recent inquiry for service, we estimated the following costs. This estimate is based on information provided by you, considers **no ground frost**, area cleaned up by machine only, and is valid to **06/22/2021**.

**MONTHLY STREET LIGHT COST: \$ 158.64**

*\*Based on current rates and is subject to revision by the Public Service Commission of Montana.*

If you plan to move forward with this construction, please contact the New Construction Department as soon as possible. The following items must be completed before the job is engineered and scheduled:

- Obtain necessary utility easements.
- *Sign and return the Lighting Customer Agreement.*
- Clear access: clear trees, remove debris and other material from service route, & complete dirt work to grade.

When **all** of the above items are complete, please contact our New Construction Department for an expected time frame for the job to be scheduled.

To ensure work is completed in accordance with your construction schedule, keep in contact with the New Construction Department at **1-833-672-8453 (1-83-FOR-BUILD, select option 2 and then enter project site zip code) or 1-888-467-2669**. We are ready to answer specific questions about your project and/or provide the necessary information to keep your project on schedule. New Service Guides are available in our office, and can be obtained by picking one up or call if you would like one mailed to you.

Sincerely,

Evan Griffiths  
NorthWestern Energy  
Construction Department  
Helena Division



CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Resolution of Intent to Modify Existing Street Maintenance District No. 101

From:

City Attorney Elverum

Initiated by City:     ☒ YES            ☐ NO            (check one)

Department:

Public Works

Presented by:

City Attorney Elverum

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Highland Meadows Subdivision Street Maintenance District (SID 101)

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

☐ NO

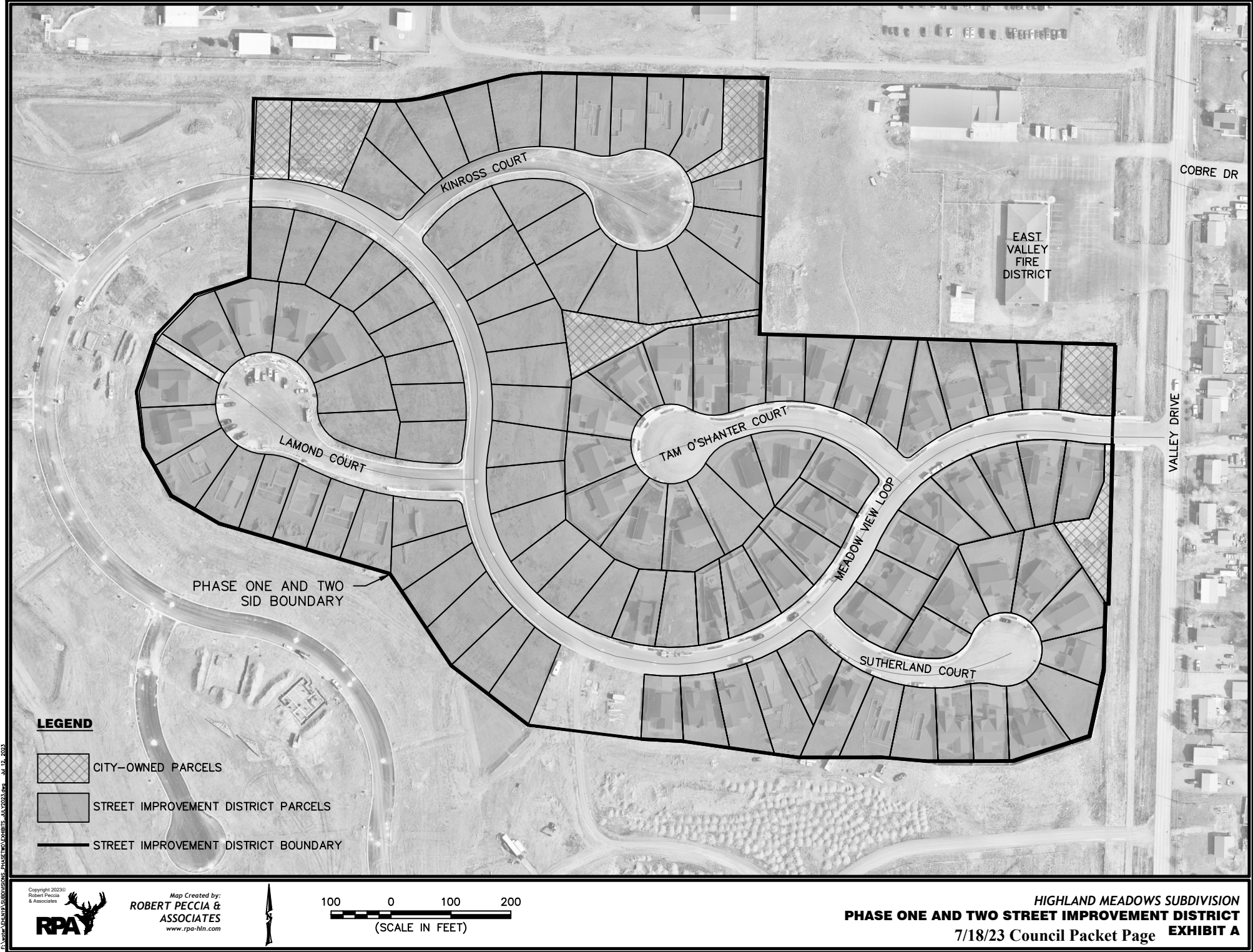
Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.





**LEGEND**

-  CITY-OWNED PARCELS
-  STREET IMPROVEMENT DISTRICT PARCELS
-  STREET IMPROVEMENT DISTRICT BOUNDARY



Map Created by:  
**ROBERT PECCIA &  
ASSOCIATES**  
www.rpa-hln.com



**HIGHLAND MEADOWS SUBDIVISION**  
**PHASE ONE AND TWO STREET IMPROVEMENT DISTRICT**  
7/18/23 Council Packet Page **EXHIBIT A**



# EXHIBIT B - ASSESSMENT

Property Address	City, State, Zip Code	Property Owner	Owner Mailing Address	Owner City	Owner State	Owner Zip Code	Yearly Assessment
311 SUTHERLAND CT	EAST HELENA, MT 59635	MORRIS NATHAN T & CATHY M	311 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
315 SUTHERLAND CT	EAST HELENA, MT 59635	JAMISON PAMELA	315 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
317 SUTHERLAND CT	EAST HELENA, MT 59635	SILVER CREEK INVESTMENTS	4855 IRON HORSE RD	HELENA	MT	59602-8443	\$ 299.13
339 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WINKLEPLECK LARRY & LINDA LOU	339 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
355 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
319 SUTHERLAND CT	EAST HELENA, MT 59635	LOEWEN JUSTIN & TAYLOR	319 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
352 MEADOW VIEW LOOP	EAST HELENA, MT 59635	JOHNSON RAYMOND & KELLY	352 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
360 MEADOW VIEW LOOP	EAST HELENA, MT 59635	MULLIKIN CONNIE	PO BOX 1784	EAST HELENA	MT	59635-1784	\$ 299.13
367 MEADOW VIEW LOOP	EAST HELENA, MT 59635	GILSON MARCY A	367 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
317 TAM O SHANTER CT	EAST HELENA, MT 59635	CHRISTOPHERSON KURT A & DARCY J	317 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
319 TAM O SHANTER CT	EAST HELENA, MT 59635	LEWIS CHRISTOPHER JAMES ETAL	319 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
375 MEADOW VIEW LOOP	EAST HELENA, MT 59635	MICHAEL GLEN & SUSAN L CRAIN DECLARATION OF TRUST	375 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
379 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WELNA BENJAMIN & KATE	379 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
320 TAM O SHANTER CT	EAST HELENA, MT 59635	CRICHTON RYAN E	320 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
378 MEADOW VIEW LOOP	EAST HELENA, MT 59635	BLOOMQUIST LINDSEY RENEE & JOSEPH WILLIAM	PO BOX 125	WOLF CREEK	MT	59648-0125	\$ 299.13
306 TAM O SHANTER CT	EAST HELENA, MT 59635	LUNDY LOREN L & JULIE M	26480 W BURNETT RD	BUCKEYE	AZ	85396-9241	\$ 299.13
300 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
205 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
217 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
292 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
290 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
219 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
226 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
224 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
220 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
VALLEY DR	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
307 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
320 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
312 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
279 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
275 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
313 SUTHERLAND CT	EAST HELENA, MT 59635	BLAZQUEZ ALEXANDER & VICTORIA	3516 SAVANA LN	ALAMEDA	CA	94502-7023	\$ 299.13
318 SUTHERLAND CT	EAST HELENA, MT 59635	FORD JASON & KATHY	7743 CANYON FERRY RD	HELENA	MT	59602-8518	\$ 299.13
312 SUTHERLAND CT	EAST HELENA, MT 59635	LASHLEY RONALD II	312 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
316 SUTHERLAND CT	EAST HELENA, MT 59635	MCCAULEY MACY & HUGH	316 SUTHERLAND CT	EAST HELENA	MT	59635	\$ 299.13
387 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
304 TAM O SHANTER CT	EAST HELENA, MT 59635	MERCADO RAMON E ET AL	304 TAM O SHANTER CT	EAST HELENA	MT	59635	\$ 299.13
384 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
271 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
204 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
327 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
303 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
305 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
318 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
287 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
283 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
343 MEADOW VIEW LOOP	EAST HELENA, MT 59635	GIBBONS ERIC & KAYLA	343 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
310 SUTHERLAND CT	EAST HELENA, MT 59635	BURKETT CLAY & ALESA	310 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
304 SUTHERLAND CT	EAST HELENA, MT 59635	CAMPBELL NICOLE	PO BOX 1844	EAST HELENA	MT	59635-1844	\$ 299.13
344 MEADOW VIEW LOOP	EAST HELENA, MT 59635	GEBHARDT COLE	145 HEREFORD DR	BELGRADE	MT	59714-8875	\$ 299.13
338 MEADOW VIEW LOOP	EAST HELENA, MT 59635	EVANS CHAD & JESSICA	338 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
356 MEADOW VIEW LOOP	EAST HELENA, MT 59635	CHRISTIANSSEN TAMARA ETAL	356 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
321 TAM O SHANTER CT	EAST HELENA, MT 59635	GIROLAMI JOHN & SHELLEY	321 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
374 MEADOW VIEW LOOP	EAST HELENA, MT 59635	SCHULTZ ROBERT B	374 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
318 TAM O SHANTER CT	EAST HELENA, MT 59635	BARNETT DONALD & LELA GAIL	318 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
380 MEADOW VIEW LOOP	EAST HELENA, MT 59635	ANTHONY JOHN D	380 MEADOW VIEW LOOP	EAST HELENA	MT	59635	\$ 299.13
334 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
318 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13

# EXHIBIT B - ASSESSMENT

Property Address	City, State, Zip Code	Property Owner	Owner Mailing Address	Owner City	Owner State	Owner Zip Code	Yearly Assessment
211 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
206 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
301 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
315 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
314 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
316 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
299 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
295 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
351 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
305 SUTHERLAND CT	EAST HELENA, MT 59635	CHRISTENSEN ROGNALD & LORA	305 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
363 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WARD NATHANIEL TYLER ETAL	363 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
315 TAM O SHANTER CT	EAST HELENA, MT 59635	GOODMAN PAUL	PO BOX 472	EAST HELENA	MT	59635-0472	\$ 299.13
364 MEADOW VIEW LOOP	EAST HELENA, MT 59635	NELSON TYLER & ASHLYN	364 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
371 MEADOW VIEW LOOP	EAST HELENA, MT 59635	BEATY STEPHEN & SILVER	371 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
311 TAM O SHANTER CT	EAST HELENA, MT 59635	YOUNG-SCHUYLER KURTIS ETAL	311 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
322 TAM O SHANTER CT	EAST HELENA, MT 59635	HULSE ZACHARY D & MARY C	322 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
314 TAM O SHANTER CT	EAST HELENA, MT 59635	HANLEY BERNARD T & MARCIA E	314 TOM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
308 TAM O SHANTER CT	EAST HELENA, MT 59635	SPRAGUE BRIAN A & BAILEY L	308 TAM O SHANTER CT	EAST HELENA	MT	59635	\$ 299.13
306 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
294 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
213 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
214 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
210 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
208 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
280 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
319 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
315 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
311 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
313 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
317 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
291 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
309 SUTHERLAND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
347 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
314 SUTHERLAND CT	EAST HELENA, MT 59635	POWER CHRISTINA E & ERIC K	314 SUTHERLAND CT	EAST HELENA	MT	59635-3146	\$ 299.13
368 MEADOW VIEW LOOP	EAST HELENA, MT 59635	TIEFENTHALER NICHOLE & BRADLEY	368 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
307 TAM O SHANTER CT	EAST HELENA, MT 59635	EDEEN GRACE ETAL	307 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
326 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
312 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
215 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
225 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
216 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
311 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
302 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
307 SUTHERLAND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	21080 CENTRE POINTE PKWY	SANTA CLARITA	CA	91350-2984	\$ 299.13
348 MEADOW VIEW LOOP	EAST HELENA, MT 59635	KARA J HURST LIVING TRUST	348 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
383 MEADOW VIEW LOOP	EAST HELENA, MT 59635	CRAGWALL JAMIE	383 MEADOW VIEW LOOP	EAST HELENA	MT	59635-3145	\$ 299.13
302 TAM O SHANTER CT	EAST HELENA, MT 59635	SEIDENSTICKER JENNY & JAMES E	302 TAM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
310 TAM O SHANTER CT	EAST HELENA, MT 59635	KORTH SHAWNA K	PO BOX 5131	HELENA	MT	59604-5131	\$ 299.13
316 TAM O SHANTER CT	EAST HELENA, MT 59635	COOPER CELENA & BRANDON	316 TOM O SHANTER CT	EAST HELENA	MT	59635-3373	\$ 299.13
304 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
298 MEADOW VIEW LOOP	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
212 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
218 KINCROSS CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
309 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13
306 LOMOND CT	EAST HELENA, MT 59635	WH EAST HELENA 34 LLC	24911 AVENUE STANFORD	VALENCIA	CA	91355-1281	\$ 299.13

Total Yearly Assessment: \$ 33,802.11

# EXHIBIT C - COST ESTIMATE

Highland Meadows Phase 1 & 2 SID				
Street Improvement District Costs 7/12/2023		Lots: 113		
		SY Asphalt in Phases: 21,158		
COST ESTIMATE				
	<u>ITEM</u>	<u>QUAN.</u>	<u>UNIT</u>	<u>UNIT PRICE</u> <u>TOTAL PRICE</u>
	Snow Plowing	21,158	SY	\$ 0.15   \$ 3,262.50
	Snow Removal	32	HR	\$ 220.00   \$ 7,040.00
	Sanding	21,158	SY	\$ 0.09   \$ 1,833.75
	Chip Sealing	21,158	SY	\$ 0.32   \$ 6,792.02
	Crack Sealing	21,158	SY	\$ 0.02   \$ 432.59
	Curb & Sidewalk Repair	1	LS	\$ 1,000.00   \$ 1,000.00
	Crosswalk Maintenance	1	LS	\$ 500.00   \$ 500.00
	Catch Basin Cleaning	9	EA	\$ 200.00   \$ 1,800.00
	Storage Pond Maintenance	6	EA	\$ 750.00   \$ 4,500.00
	Street Sign Maintenance	1	LS	\$ 200.00   \$ 200.00
	County Street Sweeping	21,158	SY	\$ 0.20   \$ 4,231.62
	City Administration Fee	1	LS	\$ 100.00   \$ 100.00
	Improvement District Creation (7 Years)	1	LS	\$ 500.00   \$ 500.00
Sub Total SID Cost - 2023				\$ 32,192.48
Lewis & Clark County 5% Administration Fee				\$ 1,609.62
Total Yearly Cost				\$ 33,802.11
Yearly Cost per Lot (113 Lots)				\$ 299.13
Cost per Lot per 6 Months				\$ 149.57
Cost per Lot per Month				\$ 24.93



CITY OF EAST HELENA  
306 E MAIN ST / PO BOX 1170  
EAST HELENA, MT 59635  
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 07/18/2023

Agenda item:

Resolution of Intent to Modify Existing Street Maintenance District No. 201

From:

City Attorney Elverum

Initiated by City:     ☒ YES            ☐ NO            (check one)

Department:

Public Works

Presented by:

City Attorney Elverum

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Vigilante Subdivision Street Maintenance District (SID 201)

Attachments:            ☒ YES            ☐ NO            (check one)

Date submitted:

RECOMMENDATIONS:

Approve for agenda:

☒ YES

☐ NO

Initial:

AT

Referred to Dept. Head for resolution:

☐ YES

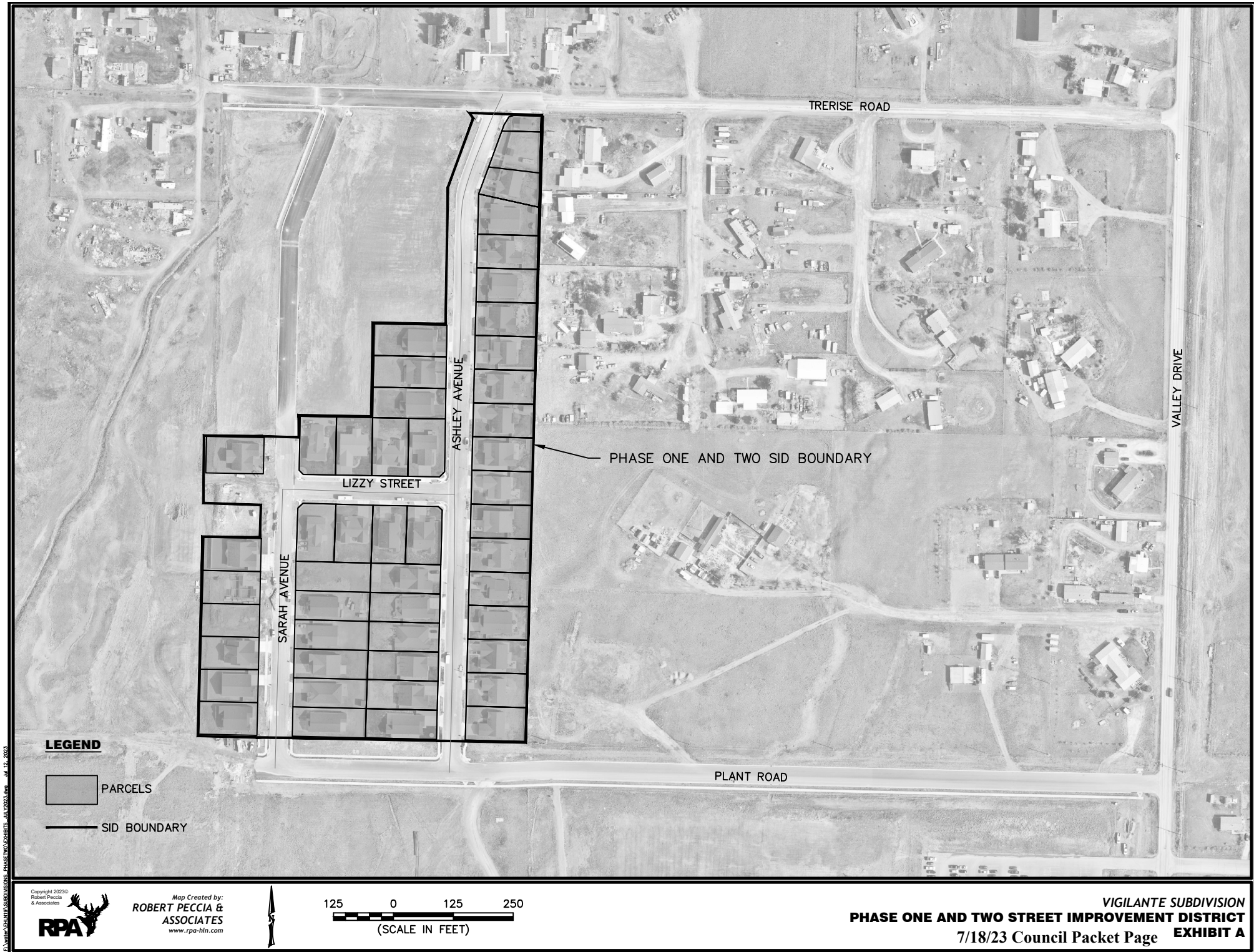
☐ NO

Referred to \_\_\_\_\_:

☐ YES

☐ NO

Agenda requests must be submitted to East Helena City Hall by noon the Wednesday prior to the Tuesday council meeting.



# EXHIBIT B - ASSESSMENT

Property Address	City, State, Zip Code	Property Owner	Owner Mailing Address	Owner City	Owner State	Owner Zip Code	Yearly Assessment
2801 ASHLEY AVE	EAST HELENA, MT 59635	POGUE SANAA & JOSH	2801 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2868 ASHLEY AVE	EAST HELENA, MT 59635	PELTOMAA TAMARA J	PO BOX 940	EAST HELENA	MT	59635-0940	\$ 261.80
2837 SARAH AVE	EAST HELENA, MT 59635	ADAMS KEITH W ETAL	2837 SARAH AVE	EAST HELENA	MT	59635	\$ 261.80
3277 LIZZY ST	EAST HELENA, MT 59635	SMITH MARK A & LAURA A	4219 S OTHELLO ST APT 537	SEATTLE	WA	98118-3896	\$ 261.80
2801 SARAH AVE	EAST HELENA, MT 59635	WIDHAIM KELLI & MATTHEW	2801 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
2808 SARAH AVE	EAST HELENA, MT 59635	AUKER JENNIFER & DAVID	2808 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
2862 ASHLEY AVE	EAST HELENA, MT 59635	CHANDLER BLAKE & TERESA JOAN	2862 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
2800 ASHLEY AVE	EAST HELENA, MT 59635	BRUNO DANIEL & KACI L GAUB-	2800 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
2849 SARAH AVE	EAST HELENA, MT 59635	WELLS RICHARD & MARY JO	2849 SARAH AVE	EAST HELENA	MT	59635	\$ 261.80
3269 LIZZY ST	EAST HELENA, MT 59635	VOEGELY RYAN & STEPHANIE	3269 LIZZY ST	EAST HELENA	MT	59635	\$ 261.80
2804 ASHLEY AVE	EAST HELENA, MT 59635	CARSON GEOFF & KELI	2804 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
2822 SARAH AVE	EAST HELENA, MT 59635	GEBHARDT CONSTRUCTION LLC	7880 FOWLER LN	BOZEMAN	MT	59718-8314	\$ 261.80
2816 SARAH AVE	EAST HELENA, MT 59635	PFISTERER ROEY & CHRISTINA	2816 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
2820 ASHLEY AVE	EAST HELENA, MT 59635	GROVOM FAMILY TRUST	2820 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
2889 ASHLEY AVE	EAST HELENA, MT 59635	TOLSON TERRENCE & BAILEY	2889 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2883 ASHLEY AVE	EAST HELENA, MT 59635	BATES SZYMANSKI MARIA	2883 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2871 ASHLEY AVE	EAST HELENA, MT 59635	MOHLER JASON E & JACKIE F	2871 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2834 SARAH AVE	EAST HELENA, MT 59635	BENNETT LYNNE MARIE	2834 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
2813 SARAH AVE	EAST HELENA, MT 59635	DAY JAMES R & CHERYL L	2813 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
3275 TRERISE RD	EAST HELENA, MT 59635	VIGILANTE DEVELOPERS LLC	3440 CENTENNIAL DR	HELENA	MT	59601-9769	\$ 261.80
3278 LIZZY ST	EAST HELENA, MT 59635	SWANDAL DYLAN & MACKINZIE	PO BOX 311	EAST HELENA	MT	59635-0311	\$ 261.80
2856 ASHLEY AVE	EAST HELENA, MT 59635	MCNICOL JAMES A & CYNTHIA	2856 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
3285 LIZZY ST	EAST HELENA, MT 59635	KING LINDSEY & COLTON	3285 LIZZY ST	EAST HELENA	MT	59635-3508	\$ 261.80
2824 ASHLEY AVE	EAST HELENA, MT 59635	MCGILL JOSEPH & LINDSEY	2824 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
2814 ASHLEY AVE	EAST HELENA, MT 59635	TAYLOR LIANE L	7203 MIDNITE DR	HELENA	MT	59602-6702	\$ 261.80
2877 ASHLEY AVE	EAST HELENA, MT 59635	HENDRICKS ANTONIO MIGUEL	2877 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2835 ASHLEY AVE	EAST HELENA, MT 59635	HANSEN EUGENE & LEE	2835 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2811 ASHLEY AVE	EAST HELENA, MT 59635	DELISE SEAN R & CARLY E	2811 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2828 SARAH AVE	EAST HELENA, MT 59635	GEBHARDT CONSTRUCTION LLC	7880 FOWLER LN	BOZEMAN	MT	59718-8314	\$ 261.80
2825 SARAH AVE	EAST HELENA, MT 59635	DANIELSON REED	PO BOX 4938	HELENA	MT	59604-4938	\$ 261.80
2819 SARAH AVE	EAST HELENA, MT 59635	WILLERFORD SUZY	2819 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
2807 SARAH AVE	EAST HELENA, MT 59635	JOKI ROBERT JOSEPH & JENNA LOUISE	2807 SARAH AVE	EAST HELENA	MT	59635-4140	\$ 261.80
3270 LIZZY ST	EAST HELENA, MT 59635	GOYETTE LARRY & MICHELE A	950 GIBBON ST UNIT 2	HELENA	MT	59601-6475	\$ 261.80
3286 ASHLEY AVE	EAST HELENA, MT 59635	DAVIS DOYLE	806 STANLEY ST	HELENA	MT	59601-3306	\$ 261.80
2865 ASHLEY AVE	EAST HELENA, MT 59635	SPI ASHLEY LLC	1403 PUTTERS PL	FREELAND	WA	98249-9648	\$ 261.80
2817 ASHLEY AVE	EAST HELENA, MT 59635	MARTINEZ KURT MICHAEL & SHANNON ANN	2817 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2823 ASHLEY AVE	EAST HELENA, MT 59635	TENNANT JAYLENE	2823 ASHLEY ST	EAST HELENA	MT	59635	\$ 261.80
2846 SARAH AVE	EAST HELENA, MT 59635	ZIMMERMAN MELISSA & BRIAN	PO BOX 9786	HELENA	MT	59604-9786	\$ 261.80
2810 ASHLEY AVE	EAST HELENA, MT 59635	NELSON JON WAYNE	2810 ASHLEY AVE	EAST HELENA	MT	59635-3368	\$ 261.80
2895 ASHLEY AVE	EAST HELENA, MT 59635	HARRIS BRETT STANLEY & VANESSA ROSE	2895 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2859 ASHLEY AVE	EAST HELENA, MT 59635	ZIMMERMAN CONSTRUCTION LLC	PO BOX 9786	HELENA	MT	59604-9786	\$ 261.80
2841 ASHLEY AVE	EAST HELENA, MT 59635	HUOT ANTHONY & JULIANNE	2841 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2847 ASHLEY AVE	EAST HELENA, MT 59635	WILSON KYLE P	2847 ASHLEY AVE	EAST HELENA	MT	59635	\$ 261.80
2829 ASHLEY AVE	EAST HELENA, MT 59635	MOLENDA ADAM W ET AL	2829 ASHLEY AVENUE	EAST HELENA	MT	59635	\$ 261.80
2805 ASHLEY AVE	EAST HELENA, MT 59635	LAMB JAMUS P	2805 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2853 ASHLEY AVE	EAST HELENA, MT 59635	THUNSTROM DAVID R ETAL	2853 ASHLEY AVE	EAST HELENA	MT	59635-3370	\$ 261.80
2802 SARAH AVE	EAST HELENA, MT 59635	LEUTHARD BEN	4712 BAJA RD	HELENA	MT	59602-9668	\$ 261.80
2831 SARAH AVE	EAST HELENA, MT 59635	HOUSEWORTH THOMAS & RACHAEL	1035 ROAD RUNNER ST APT 5	HELENA	MT	59602-0559	\$ 261.80

Total Yearly Assessment: \$ 12,566.39



# EXHIBIT C - COST ESTIMATE

Vigilante Subdivision Phase 1 & 2 SID				
Street Improvement District Costs 7/12/2023		<div>Lots: 48</div> <div>SY Asphalt in Phases: 10,217</div>		
COST ESTIMATE				
	<u>ITEM</u>	<u>QUAN.</u>	<u>UNIT</u>	<u>UNIT PRICE</u> <u>TOTAL PRICE</u>
	Snow Plowing	10,217	SY	\$ 0.19   \$ 1,933.33
	Sanding	10,217	SY	\$ 0.10   \$ 988.33
	Chip Sealing	10,217	SY	\$ 0.32   \$ 3,279.68
	Crack Sealing	10,217	SY	\$ 0.03   \$ 273.31
	Curb & Sidewalk Repair	1	LS	\$ 1,000.00   \$ 1,000.00
	Crosswalk Maintenance	1	LS	\$ 500.00   \$ 500.00
	Catch Basin Cleaning	2	EA	\$ 200.00   \$ 400.00
	Storage Pond Maintenance	1	EA	\$ 750.00   \$ 750.00
	Street Sign Maintenance	1	LS	\$ 200.00   \$ 200.00
	County Street Sweeping	10,217	SY	\$ 0.20   \$ 2,043.34
	City Administration Fee	1	LS	\$ 100.00   \$ 100.00
	Improvement District Creation (7 Years)	1	LS	\$ 500.00   \$ 500.00
Sub Total SID Cost - 2022				\$ 11,967.99
Lewis & Clark County 5% Administration Fee				\$ 598.40
Total Yearly Cost				\$ 12,566.39
Yearly Cost per Lot (48 Lots)				\$ 261.80
Cost per Lot per 6 Months				\$ 130.90
Cost per Lot per Month				\$ 21.82