

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
COUNCIL MEETING & PUBLIC HEARINGS: 6:30 PM
DATE: TUESDAY, JULY 16, 2024
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 Ferguson 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, Clerk/Treasurer Amy Thorngren, Public Works Director Kevin Ore, Fire Chief Roger Campbell (via Zoom), City Attorney Pete Elverum, and Zoning Officer Jeremy Fadness (via Zoom)

PUBLIC PRESENT: Patty Flynn, John Lowe, Julie Stoner, Kent Jurgersen (via Zoom), Dan Sampson (via Zoom), Bill Anderson, and Dave Jensen

ABSENT/EXCUSED: City Judge Dennis Loveless

(0:00:35) PUBLIC HEARING 1:

1. **Zoning Variance Request for a Proposed Certified Scale at the Intersection of Highway 12 and Wylie Drive** – A copy of the staff report was included in the council packet. Zoning Officer Fadness explained that the variance was requested because the square footage of the proposed signs exceeds the limits in the zoning ordinance. He recommended approval of the variance. He also noted that the CAT scale would be an accessory use to the primary use of the site. This was an information-only item.
2. **Zoning Variance Request for a Proposed Certified Scale at the Intersection of Highway 12 and Wylie Drive** – Mayor Harris called for public comment on the proposed variance. Written public comment from Paul Jensen in opposition to the variance was on the council room table. (0:05:20) Dave Jensen agreed with Paul Jensen’s comments. (0:09:05) Patty Flynn commented in opposition to the variance request. (0:10:32) Applicant Kent Jurgersen of CAT Scale Company commented in favor of the variance.
3. **Zoning Variance Request for a Proposed Certified Scale at the Intersection of Highway 12 and Wylie Drive** – Council discussed concerns with the request. Councilmember Feist made a motion to deny the variance. Councilmember Dahl seconded the motion. The motion passed unanimously.

(0:16:45) PUBLIC HEARING 2:

1. **Monthly Sewer Rate Increase for Red Fox Meadows Subdivision and Pele Park Sewer District** – Draft Resolution 604 was included in the council packet. Mayor Harris noted that the public hearing was being repeated due to incorrect rates in the first public notice. This was an information-only item.
2. **Monthly Sewer Rate Increase for Red Fox Meadows Subdivision and Pele Park Sewer District** – Mayor Harris called for public comment on the proposed rate increase. (0:17:25) Dave Jensen commented in opposition to how long it took to raise the rates charged to the sewer districts after the initial rate increase was approved. Mr. Jensen provided a written version of his comments for the record.
3. **Monthly Sewer Rate Increase for Red Fox Meadows Subdivision and Pele Park Sewer District** – Councilmember Feist made a motion to approve the rate increase for Red Fox Meadows Subdivision and Pele Park sewer district. Councilmember Leland seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS:

(0:23:25) Dave Jensen commented in opposition to staff's allocation of city funds. He proposed that an endowment be created during the FY25 budget cycle to fund items he deemed non-essential. Mr. Jensen provided a written version of his comments for the record.

(0:28:10) Julie Stoner commented in opposition to increased traffic along Montana Avenue/Valley Drive resulting from residential development.

(0:32:00) APPROVAL OF MINUTES: The draft minutes of the July 2, 2024 meeting were included in the council packet. There was no public comment. Councilmember Feist made a motion to approve the minutes as presented. Councilmember Ferguson seconded the motion. The motion passed unanimously.

CITY COURT REPORT: City Judge Dennis Loveless was excused.

DEPARTMENTAL REPORTS:

(0:32:25) Administration – A written report was included in the council packet. Clerk/Treasurer Amy Thornngren reported that she had attended the meeting with Stahly Engineering regarding the RAISE grant and the meeting with Robert Peccia & Associates regarding FY25 project budgets.

(0:34:20) Police Department – Police Chief Mike Sanders reported that there had been 479 calls-for-service in the month so far; he thanked the Public Works Department for assisting County IT to increase the internet speed; Officer Kirkegaard completed his firearms instructor training; he thanked the Volunteer Fire Department for their work on Independence Day; the RADAR units in the patrol vehicles were recertified; the new body cameras had been put into service; rodeo weekend had passed with no major issues; and he thanked City Attorney Elverum and Judge Loveless for their support in implementing the APPRAISE partner risk assessment instrument system.

(0:38:05) Public Works – A written report was included in the council packet. Public Works Director Kevin Ore reported that the city crew had been doing maintenance on the diffuser tubes at the wastewater treatment plant; there had been two broken service lines over the weekend; he met with MJD Contractors and RPA at the nearly complete McClellan Creek caisson sites; he attended the meeting with Stahly Engineering regarding the RAISE grant; the county kindly modified the chip-sealing agreement because the RAISE grant was awarded; and the paving of certain portions of unpaved road will be going out to bid soon.

(0:47:45) Volunteer Fire Department - Fire Chief Roger Campbell reported that Independence Day had been busy for the department; outside of the 4th of July, the department had responded to 8 medical calls, a fire alarm call, and a vehicle fire so far this month; a car hit a light post at 705 Riggs Street; he noted that he and Councilmember Feist had discussed fire engines coming through state surplus; and the department participated in the rodeo parade.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

1. **(0:51:45) Fireworks** – Julie Stoner discussed the need for better enforcement of the fireworks ordinance. A copy of a letter from Ms. Stoner was included in the council packet. There was no public comment. The agenda item failed for lack of motion.
2. **(1:03:30) Encroachment Agreement for 187 Meadow View Loop** – A copy of the encroachment permit application was included in the council packet. Public Works Director Ore explained that the house was accidentally built with one corner a little over a foot into the utility easement and recommended approval of the agreement. (1:05:20) John Lowe of Olin Homes commented in favor of the proposed encroachment agreement. Councilmember Dahl made a motion to approve the encroachment agreement. Councilmember Leland seconded the motion. The motion passed unanimously.
3. **(1:07:25) Resolution of Intent to Modify Existing Lighting District No. 101** – Draft Resolution 605 was included in the council packet. City Attorney Elverum noted that there were new houses to add to the district. There was no public comment. Councilmember Feist made a motion to approve Resolution 605. Councilmember Ferguson seconded the motion. The motion passed unanimously.
4. **(1:09:57) Resolution of Intent to Modify Existing Street Maintenance District No. 101** – Draft Resolution 606 was included in the council packet. City Attorney Elverum noted that there were new houses to add to the district. There was no public comment. Councilmember Feist made a motion to approve Resolution 606. Councilmember Dahl seconded the motion. The motion passed unanimously.
5. **(1:11:30) City Hall Landscaping FY24 Budget Item** – A map of the landscaping design was included in the council packet. Public Works Director Ore discussed the recommended design with Council. (0:16:50) Dave Jensen commented in favor of not landscaping the portions that may soon be taken over by a roundabout. Councilmember Ferguson made a motion to approve the City Hall landscaping plan.

Councilmember Dahl seconded the motion. Councilmembers Ferguson, Dahl, and Leland voted aye. Councilmember Feist voted no. The motion passed.

(1:22:05) MAYOR'S REPORT: Mayor Harris reported that he enjoyed the Independence Day celebration; attended the East Helena Wastewater Plant Capacity Presentation; attended the rodeo parade; and he attended the Smelterman's Picnic in Main Street Park.

COUNCILMEMBERS' REPORTS:

(1:24:20) Don Dahl reported that he attended the meeting with Stahly Engineering regarding the RAISE grant; attended the Zoning Commission Meeting regarding Prickly Pear Estates; attended the East Helena Wastewater Plant Capacity Presentation; and that he had seen many people using the FitLot equipment.

(1:25:15) Judy Leland reported that she attended the East Helena Wastewater Plant Capacity Presentation and the Smelter Picnic.

(1:25:45) Wesley Feist thanked everyone who made the East Helena Independence Day celebration great. He reported that he attended the rodeo parade; went to the rodeo; attended the East Helena Wastewater Plant Capacity Presentation; visited the East Helena Food Truck Festival; and attended the East Helena Historical Society's depot opening.

(1:28:20) Suzanne Ferguson reported that she attended the Zoning Commission Meeting regarding Prickly Pear Estates; attended the East Helena Wastewater Plant Capacity Presentation; and went to the rodeo.

(1:28:45) LEGAL REPORT: City Attorney Elverum reported that he had been working on the update to the city's special districts; attended the East Helena Wastewater Plant Capacity Presentation; and commended the city for how well it functions.

(1:30:50) PAYMENT OF BILLS: Claims 297741 through 297804 were presented for Council's review. Councilmember Leland made a motion to pay the bills. Councilmember Feist seconded the motion. The motion passed unanimously.

MEETING SCHEDULE:

1. East Helena City Council Meeting, Tuesday, August 6, 6:30 p.m., City Hall Room 110
2. East Helena City Council Meeting, Tuesday, August 20, 6:30 p.m., City Hall Room 110

ADJOURNMENT: Mayor Harris adjourned the meeting at 8:00 p.m.

ATTEST:

Clerk/Treasurer

Mayor