

MEETING AGENDA

CITY OF EAST HELENA

CITY HALL – 306 EAST MAIN - ROOM 110

COUNCIL MEETING: 6:30 PM

DATE: TUESDAY, JANUARY 20, 2026

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 Ferguson

PUBLIC COMMENTS: Note: This time is set aside for comments from the public on matters that are not on the meeting agenda. Public comments will be taken on agenda items prior to a motion. All public comments will be limited to a reasonable duration. Prior to your comments, please state your name and address in an audible tone of voice for the record.

APPROVAL OF MINUTES: January 6, 2025

CITY COURT REPORT: City Judge Dennis Loveless

DEPARTMENTAL REPORTS:

Administration – Clerk/Treasurer Amy Thorngren

Police Department – Acting Police Chief Ed Royce

Public Works - Public Works Director Kevin Ore

Volunteer Fire Department - Fire Chief Roger Campbell

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Appointment of Ed Royce as Chief of Police – Mayor Harris
Action: Approve/Deny/Table
2. Request to Use Kennedy Park for the Montana POW-MIA Ride to Remember August 14th & 15th – John Jay Willoughby
Action: Approve/Deny/Table
3. Approval to Move Forward with Application to the Montana Board of Investments for Rose Hills Subdivision SID Bond – Mayor Harris
Action: Approve/Deny/Table
4. Agreement Regarding Engineering Costs of Water Infrastructure in the Rose Hills Subdivision – Mayor Harris
Action: Approve/Deny/Table

5. FY25 Budget Amendment – Clerk/Treasurer Thorngren
Action: Approve/Deny/Table
6. Proposed Changes to the Missouri River Drug Task Force Memorandum of Understanding for Task Force Officer Operations – Acting Police Chief Royce
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 & EVENT SCHEDULE:

1. East Helena City Council Meeting, Tuesday, February 3, 2026, 6:30 p.m., East Helena City Hall Room 110
2. East Helena City Council Meeting, Tuesday, February 17, 2026, 6:30 p.m., East Helena 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 people with disabilities from participating in 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 - 306 East Main Street, P.O. Box 1170, East Helena, MT 59635

MEETING MINUTES

CITY OF EAST HELENA

CITY HALL – 306 EAST MAIN - ROOM 110

COUNCIL MEETING: 6:30 PM

DATE: TUESDAY, JANUARY 6, 2026

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 Dahl, Mayor Harris, and Councilmember Leland took their oaths of office to begin their new terms. Councilmember Feist 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, City Attorney Pete Elverum, Deputy Police Chief Ed Royce, and Patrol Officer Chris Kirkegaard

PUBLIC PRESENT: Mike Sanders, Jacob Kuntz, Mike Schell, Antonio Gonzalez, Roy Fair, Odell Cantrell, Courtney Ellis, Curtis Cline, Eliza DuBose, Jacob Wheeling, Bridget Williams, Brad Koenig, Greg Wirth, Andrea Eckerson, M. Susan Giese (via Zoom), Blair Miller (via Zoom), Guest (via Zoom), Guest (via Zoom), and Dave Jensen

ABSENT/EXCUSED: City Judge Dennis Loveless and Volunteer Fire Chief Roger Campbell

(0:02:30) PRESENTATION IN HONOR OF POLICE CHIEF MICHAEL SANDERS:

Mayor Harris expressed his appreciation to retiring Police Chief Mike Sanders for his service to the city and presented him with a plaque and a gift from city officials and staff. This was an information-only item.

(0:05:05) EAST HELENA SUPERFUND UPDATE: EPA Remedial Project Manager Bridget Williams updated Council on the progress of yard remediation in East Helena. This was an information-only item.

(0:07:00) PUBLIC COMMENTS: Dave Jensen commented in opposition to the enforcement of the city's truck ordinances. Mr. Jensen provided a written version of his comments for the record.

(0:11:30) APPROVAL OF MINUTES: The draft minutes of the December 16th meeting were included in the council packet. Dave Jensen commented in favor of an amendment to his public comments. Mr. Jensen provided a written version of his comments for the record. Councilmember Dahl made a motion to approve the minutes as presented. Councilmember

Leland seconded the motion. Councilmembers Dahl, Leland, and Ferguson voted aye. The motion passed unanimously.

CITY COURT REPORT: City Judge Dennis Loveless was excused.

DEPARTMENTAL REPORTS:

(0:12:20) Administration – Clerk/Treasurer Amy Thorngren reported that the FY25 annual financial report had been submitted and that the department was processing 2025 tax forms.

(0:12:50) Police Department – A written report of calls-for-service stats was handed out to Council. Deputy Police Chief Ed Royce discussed the report and invited Council to go on ride-alongs with the police department. He reported that he received a call from a resident complimenting Officer Zach Butler.

(0:23:30) Public Works – A written report was included in the council packet. Public Works Director Kevin Ore reported that he replied to DEQ regarding the October E. coli violation, a routine DEQ inspection is upcoming, and that there was information on the MPO included in the council packet.

Volunteer Fire Department - Fire Chief Roger Campbell was excused.

UNFINISHED BUSINESS:

1. **(0:25:35) Request to Reissue and/or Cancel Stale-Dated Checks** – A copy of MCA 7-6-4303 and a list of stale checks were included in the council packet.

Clerk/Treasurer Thorngren requested approval to cancel the following outstanding municipal warrants:

Check#	Vendor Name	Amount	Issued	Cancelled
15073	Jane Manly	\$25.00	11/19/2008	12/31/2025
404	Helena Stamp Works	\$12.00	1/20/2010	12/31/2025
1638	Arleen R. Hibbard	\$25.00	6/9/2011	12/31/2025
1660	Kathryn Reed	\$12.00	6/9/2011	12/31/2025
3555	Mt Dept Of Environmental	\$70.00	7/1/2013	12/31/2025
4604	Wex Bank	\$2,226.06	8/20/2014	12/31/2025
5179	Northwest Pipe Fittings, Inc	\$2,317.75	4/22/2015	12/31/2025
5322	Grizzly Diesel Service	\$873.02	6/17/2015	12/31/2025
5890	K & N Electric Motors, Inc	\$719.00	1/20/2016	12/31/2025
5898	Pacific Steel & Recycling	\$3.85	1/20/2016	12/31/2025
7087	P-Pods	\$65.00	5/17/2017	12/31/2025
7300	Montana Dept Of Administration	\$220.00	7/28/2017	12/31/2025
8125	Lewis & Clark Sheriff's Reserve	\$1,040.00	7/18/2018	12/31/2025
8469	MJC & MCCA	\$35.00	11/21/2018	12/31/2025
8675	Erickson, Delane	\$244.24	2/20/2019	12/31/2025
9471	Anastasia Mitchell	\$21.10	12/18/2019	12/31/2025
9594	Interstate Battery of Montana	\$112.95	2/5/2020	12/31/2025
9690	William & Janel Walks	\$10.72	3/4/2020	12/31/2025
10315	Gloria Soja	\$10.00	11/19/2020	12/31/2025
10472	Harrington Physical Therapy	\$75.00	1/20/2021	12/31/2025

10488	Lewis & Clark Co Recorder	\$77.00	1/26/2021	12/31/2025
10612	Jody Davie	\$42.05	3/17/2021	12/31/2025
10866	Montana Janitorial, Inc.	\$120.00	6/16/2021	12/31/2025
11034	Zachary Curtis Dubose	\$7.50	8/4/2021	12/31/2025
11716	Daphne Brook 3283 E Us Hwy 12	\$100.00	4/20/2022	12/31/2025
12077	JV Maintenance & Repair	\$365.26	9/7/2022	12/31/2025
12617	Trevor Cuchine & Jaime Conway	\$142.25	3/21/2023	12/31/2025
13236	Christopher Hammen	\$100.00	10/17/2023	12/31/2025
13616	Thomson Reuters - West	\$125.00	3/5/2024	12/31/2025
13900	Rosita Belvedere	\$268.87	6/14/2024	12/31/2025
14299	Drug Information Systems, Inc.	\$70.00	11/15/2024	12/31/2025

There was no public comment. Councilmember Feist made a motion to reissue check number 8675 to Delane Erickson and approve cancellation of the rest.

Councilmember Dahl seconded the motion. The motion passed unanimously.

NEW BUSINESS:

1. **(0:27:35) Request to Use Main Street Park for Bike Blessing 2026, Saturday, April 25th** – Roy Fair of the Servants for Christ Motorcycle Ministry requested Council's approval to use Main Street Park for their annual community event and waive the fees. There was no public comment. Councilmember Feist made a motion to approve the request. Councilmember Leland seconded the motion. The motion passed unanimously.
2. **(0:30:25) Request to Use the Trail Area in Kennedy Park for Summer Camps** – A copy of an email from Eric Dymit of Adventures in Cardboard was included in the council packet. Mayor Harris presented Adventures in Cardboard's request to hold more summer camps in the back portion of Kennedy Park at the rate of \$100 per week. There was no public comment. Councilmember Ferguson made a motion to approve the request. Councilmember Feist seconded the motion. The motion passed unanimously.
3. **(0:31:35) Appointment of Deputy Chief Ed Royce as Acting Police Chief** – Mayor Harris requested Council's approval to appoint Deputy Chief Ed Royce as Acting Police Chief until the hiring process for the next chief was complete. There was no public comment. Councilmember Dahl made a motion to approve. Councilmember Feist seconded the motion. The motion passed unanimously.
4. **(0:33:20) Rose Hills SID Bond Assessment Examples** – Examples of possible SID bond assessments from Dorsey & Whitney, LLP were included in the council packet. City Attorney Elverum explained that the developer was considering using a bond as provided for in HB505 to finance the infrastructure for the subdivision. Courtney Ellis of Dorsey & Whitney, LLP discussed how the proposed SID bond assessments would work and answered questions from Council. This was an information-only item.
5. **(1:02:20) Rose Hills SID Bond Assessment Presentation** – A copy of the proposal was included in the council packet. Jacob Kuntz of Helena Area Habitat for Humanity discussed the proposal, the infrastructure a SID bond would finance, and answered

questions from Council. Brad Koenig of Robert Peccia & Associates discussed the need for a water tank and a lift station in the Rose Hills Subdivision. This was an information-only item.

6. **(1:35:35) Wastewater Treatment Plant Improvements Phase 2 Reimbursement Bond Resolution** – Draft Resolution 636 was included in the council packet. Public Works Director Ore explained that the resolution would give the city the option to be reimbursed in the future for expenses incurred on the project. Dave Jensen commented in opposition to the resolution. Mr. Jensen provided a written version of his comments for the record. Councilmember Feist made a motion to approve Resolution 636. Councilmember Leland seconded the motion. The motion passed unanimously.

(1:37:40) MAYOR'S REPORT: Mayor Harris reported that he'd met with Public Works Director Ore regarding Wylie Well #3 improvements, requested feedback from Council on graphics for the new garbage truck, and noted that he'd been working on filling the open police chief position.

COUNCILMEMBERS' REPORTS:

(1:39:40) Don Dahl reported that he attended Chief Sanders' retirement party.

(1:39:55) Judy Leland had nothing to report.

(1:40:00) Wesley Feist reported that he attended Chief Sanders' retirement party.

(1:40:10) Suzanne Ferguson reported that she attended Chief Sanders' retirement party.

(1:40:30) LEGAL REPORT: City Attorney Elverum had nothing to report.

(0:40:50) PAYMENT OF BILLS: Claims 299492 through 299557 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 & EVENT SCHEDULE:

1. East Helena City Council Meeting, Tuesday, January 20, 2026, 6:30 p.m., East Helena City Hall Room 110
2. East Helena City Council Meeting, Tuesday, February 3, 2026, 6:30 p.m., East Helena City Hall Room 110

ADJOURNMENT: Mayor Harris adjourned the meeting at 8:11 p.m.

ATTEST:

Clerk/Treasurer

Mayor

CITY COURT REPORT FOR DECEMBER, 2025

RECEIPTS \$11,215.00

PAYMENTS

CITY TREASURER \$9,906.00

COUNTY TREASURER 1,309.00

RESTITUTION & OVERPMT

RESPECTFULLY SUBMITTED

Advisory Committee

DENNIS LOVELESS, CITY JUDGE

RECEIVED

JAN 12 2026

CITY CLERK/TREASURER
EAST HELENA, MT



Public Works Department

Happy New Year
January 20th, 2026

1.) WWTP Report

- Shane and I had our 3-year annual DEQ inspection at the wastewater treatment plant. They have concerns over the number of violations we have had in the last 12 months, but were glad to see we are actively addressing the aged sludge issue and moving ahead with plant improvements. We will have a report from DEQ in approximately a month. (Discuss)

2.) Metal Removal Building

- Everything in Metals Removal building is operating as designed, excellent job to Shane for keeping on top of maintenance with the sand filters.

3.) Source Water Report

- Still working on getting repairs for M.C. Tank drain line scheduled.
- Had meetings with Water Rights Attorney John Bloomquist and Betsy Story they submitted our water reservation questioner to DNRC. We will also be moving ahead with completing the notice for Wylie 4 that is due in 2029. (Discuss)

4.) Solid Waste Report

- Scott is in love with the new garbage truck.
- Still working on finding replacement front end parts for backup garbage truck.

5.) Parks

- Fields tree service is back out and working on cutting down the remainder of damaged trees at Main Street Park.
- Fence Crafters repaired the damaged fence at JFK Park.

6.) Pool

- With the great weather, Summit roofing is going to start roof repairs on the 19th of January.

7.) Streets

- Crews are still working on street sign repairs from wind event on December 17th.
- We will be grading the proposals for the Valley Drive RFQ.

8.) Facilities

- Tom Tennesson is starting to work upstairs bathroom and wall repair at City Hall.
- New security locks expected to be here by end of the month and should be installed by first of February.
- Crew working on building some additional shelves for cleaning up the down stairs records room at City Hall.

9.) Resident/City Information and Events

- City Engineer Brad Konieg and I have had meetings with Stahly Engineering to start review on lift station design for Prickly Pear Estates.
- I am starting to get estimates put together for FY-27 budget, please let me know if you have any specific items or community projects you want to include. (Discuss)

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

ORIGINAL COUNCIL MEETING DATE: 01/20/2026

Agenda item:

Appointment of Ed Royce as Chief of Police

From:

Mayor Harris

Initiated by City: YES NO (check one)

Department:

Police

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachments: YES NO (check one)

Date submitted:

RECOMMENDATIONS:

Initial:

Approve for agenda: YES NO _____

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:

Agenda item: MONTANA POW-MIA RIDE TO REMEMBER

From: John Jay Willoughby Chairman of the Board

Initiated by City: YES NO (check one)

Department: CITY OF EAST HELENA (Police Dept & Park Board)

Presented by: MONTANA RIDE TO REMEMBER REGISTRATION BBB & DESIGNATED
START POINT FOR RIDE

Action requested:

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

We would like to request permission to move the start point for the Montana Ride to Remember from Memorial Park in Helena to JFK or Main Street Park in East Helena MT August 14th 3pm - 8pm August 15th 7am - 10am Friday would be registration & BBQ for Rides Saturday morning Registration & opening ceremony APROX 250-300 Riders Non Alcohol Event

Attachments: YES NO (check one)

Date submitted:

01/06/2026

Initial:

RECOMMENDATIONS:

Approve for agenda:

YES

NO

Referred to Dept. Head for resolution:

YES

NO

Referred to _____:

YES

NO

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

ORIGINAL COUNCIL MEETING DATE: 01/20/2026

Agenda item:

Approval to Move Forward with Application to the MBOI for Rose Hills Subdivision SID Bond

From:

Helena Area Habitat for Humanity

Initiated by City: YES NO (check one)

Department:

Planning & Zoning

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachment: HB 505

Attachments: YES NO (check one)

Date submitted:

RECOMMENDATIONS:

Initial:

Approve for agenda: YES NO _____

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.



AN ACT PROVIDING THAT THE MONTANA HOUSING INFRASTRUCTURE REVOLVING LOAN FUND MAY BE USED TO SECURE BONDS AND PROVIDE FINANCING FOR ELIGIBLE PROJECTS AND RETAINING ALL INTEREST AND INCOME IN THE ACCOUNTS; PROVIDING FOR A TRANSFER OF FUNDS; ELIMINATING ELIGIBILITY PRIORITY; AMENDING SECTIONS 17-6-801, 17-6-804, AND 17-6-805, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 17-6-801, MCA, is amended to read:

"17-6-801. Montana housing infrastructure revolving loan fund account. (1) There is a Montana housing infrastructure revolving loan fund account within the state special revenue fund type established in 17-2-102 to the credit of the board of investments. Money deposited in the account established in this section must be invested by the board of investments as provided by law. All interest and income earned on the account must be retained in the account.

(2) The principal of the account may only be appropriated by a vote of two-thirds of the members of each house of the legislature."

Section 2. Section 17-6-804, MCA, is amended to read:

"17-6-804. Eligibility -- priority. (1) For the costs of an infrastructure project to be eligible to be paid by the proceeds of a loan or bonds or other securities of an eligible government unit as defined in 17-5-1604, the infrastructure project must provide for residential development at a minimum gross density of 10 units for each acre.

(2) ~~Lending of at least \$7 million of available funds must be prioritized to counties that have a population of less than 15,000 inhabitants that are located within a 30-mile radius of a state-owned facility that,~~

~~on an annual average, houses at least 100 state inmates or behavioral health patients, and the state-owned facility is located in a county that has a population that does not exceed 15,000 inhabitants~~

(2) General fund transfers in the account created in 17-6-801 pursuant to [section 4] may be used for eligible infrastructure projects for residential development at a minimum gross density of three units for each acre."

Section 3. Section 17-6-805, MCA, is amended to read:

"17-6-805. Financing -- deed restrictions. (1) The board of investments may make loans from the account established in 17-6-801 to an eligible government unit as defined in 17-5-1604 or an applicant for residential development to cover the costs of demolition or expanding or extending water, wastewater, storm water, street, road, curb, gutter, and sidewalk infrastructure to serve new or rehabilitated residential development.

(2) The board of investments may purchase up to 50% of a bond or other security issued in accordance with state law by an eligible government unit as defined in 17-5-1604 to cover all or a portion of costs of expanding or extending water, wastewater, storm water, street, road, curb, gutter, and sidewalk infrastructure to serve new or rehabilitated residential development at an interest rate to be determined by the board of investments as an investment of the account established in 17-6-801.

(3) The board of investments shall:

(a) establish the terms and conditions of the loan, including the interest rate of the loan, with a term not to exceed 20 years;

(b) if an eligible government unit is the entity seeking a loan or issuing a bond or other security, require that the eligible government unit waive all impact fees for the developer or the amount of impact fees up to the amount of the loan or bond or other security, whichever amount is smaller;

(c) if an applicant for residential development is the entity seeking a loan, require that the applicant pay all impact fees due to the local government or the amount of impact fees up to the amount of the loan, whichever amount is smaller; and

(d) set policy requiring that housing built using infrastructure funded in part by a security pursuant to this section must provide for provisions to preserve long-term affordability of the housing that runs with the

property for the term of the security.

(4) The board of investments shall include the amounts loaned and the status of all loans in the report required in 17-5-1650.

(5) The board of investments may use the account established in 17-6-801 to secure any portion of bonds in lieu of a pledge of the issuer's revolving fund.

(6) The board of investments may use interest income from the fund established in 17-6-801 to finance residential ownership of mobile home parks or other multifamily housing."

Section 4. Transfer of funds. By June 30, 2025, the state treasurer shall transfer \$50 million from the general fund to the Montana housing infrastructure revolving loan fund account provided for in 17-6-801.

Section 5. Effective date. [This act] is effective on passage and approval.

Section 6. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to interest and income earned on the account provided for in 17-6-801 since June 14, 2023.

- END -

I hereby certify that the within bill,
HB 505, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE BILL NO. 505

INTRODUCED BY M. VINTON, D. ZOLNIKOV, J. KASSMIER

AN ACT PROVIDING THAT THE MONTANA HOUSING INFRASTRUCTURE REVOLVING LOAN FUND MAY BE USED TO SECURE BONDS AND PROVIDE FINANCING FOR ELIGIBLE PROJECTS AND RETAINING ALL INTEREST AND INCOME IN THE ACCOUNTS; PROVIDING FOR A TRANSFER OF FUNDS; ELIMINATING ELIGIBILITY PRIORITY; AMENDING SECTIONS 17-6-801, 17-6-804, AND 17-6-805, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE.

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

ORIGINAL COUNCIL MEETING DATE: 01/20/2026

Agenda item:

Agreement Regarding Engineering Costs of Water Infrastructure in the Rose Hill Subdivision

From:

Helena Area Habitat for Humanity

Initiated by City: YES NO (check one)

Department:

Planning & Zoning

Presented by:

Mayor Harris

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachment: Draft agreement, correspondence regarding design

Attachments: YES NO (check one)

Date submitted:

RECOMMENDATIONS:

Initial:

Approve for agenda: YES NO _____

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.

1/9/2026

The Honorable Kelly Harris
Mayor
City of East Helena
306 E Main Street
East Helena, Montana 59635

**Re: Agreement Regarding Engineering Costs of Water Infrastructure
Rose Hills Subdivision**

Dear Mayor Harris:

This letter agreement (“Agreement”) sets forth the understanding between **Eleanor Development Corporation** (“EDC”) and the **City of East Helena** (“City”) regarding the engineering of water infrastructure to serve the Rose Hills Subdivision.

1. Background

Planning for the Rose Hills neighborhood began in 2018, when Helena Area Habitat for Humanity initiated negotiations with the Montana Environmental Trust Group to acquire property formerly owned by the American Smelter and Refining Company (ASARCO). Since 2024, Helena Area Habitat for Humanity and Eleanor Development Corporation have worked closely with City staff and the City’s contracted engineering firm to design water and wastewater infrastructure necessary to serve the Rose Hills neighborhood.

EDC and the City are currently exploring the potential issuance of a municipal bond to fund the construction of this infrastructure. As of the date of this Agreement, discussions regarding the municipal bond are ongoing and have not been finalized.

In order to maintain project momentum, EDC has offered to pay for certain engineering costs related to the design of a water tank and pump station. These engineering costs would not be included in any future municipal bond, should one be approved. EDC has requested that Robert Peccia and Associates (“RPA”), the City’s engineering consultant, proceed with engineering services to ensure that the tank subcontractor can begin scheduling construction.

EDC acknowledges that, in the absence of a finalized municipal bond agreement, all engineering expenses described herein will be paid by EDC. The City acknowledges that if it ultimately elects not to proceed with a municipal bond, EDC may need to reevaluate the project and associated next steps.

2. Water Tank and Pump Station Scope

This Agreement applies solely to engineering services related to the water tank, pump station, and all City-owned infrastructure located on the City utility lot. EDC has separately contracted with an independent engineering firm (Stahly Engineering) for the design of the water main extending to the perimeter of the City utility lot. EDC’s engineer shall coordinate closely with RPA to ensure that all designs are compatible and meet City standards.

3. Engineering Costs

Robert Peccia and Associates has provided a cost estimate for the engineering of the water tank and pump station, which is attached hereto and incorporated by reference. The total engineering costs for the required components are estimated not to exceed **\$352,100**.

4. Reimbursement of City Costs

The City and EDC agree as follows:

1. EDC shall reimburse the City for the actual engineering costs incurred by the City's contractor related to the water tank and pump station, consistent with the attached cost estimate.
2. Reimbursement by EDC shall be paid directly to the City within thirty (30) days following EDC's receipt of a complete invoice.
3. The City shall promptly notify EDC of any changes, conditions, or circumstances that may result in an increase to the reimbursable costs and that could impact the project.
4. Should the City elect not to proceed with a municipal bond, EDC may request that the City's engineer pause engineering work on the water tank while next steps are evaluated. EDC shall reimburse the City for all engineering costs incurred to date, and the City shall work with EDC to suspend further engineering of the tank components until those next steps are determined.

If the City concurs with the foregoing, please indicate acceptance by signing below and returning a copy to Eleanor Development Corporation.

EDC looks forward to its continued collaboration with the City of East Helena to create lasting infrastructure that serve the East Helena community, and the Rose Hills neighborhood.

Sincerely,

Jacob Kuntz, Executive Director
Eleanor Development Corporation (EDC)

Agreed to and Accepted:

City of East Helena, Montana

By: _____

Name: Kelly Harris

Title: Mayor, City of East Helena

Date: _____

January 8, 2026

Kevin Ore, DPW, City of East Helena
Jacob Kuntz, Executive Director, Habitat for Humanity

SUBJECT: City of East Helena Elevated Tank and Pump Station Design

Jacob,

We have reviewed the engineering costs to create an upper pressure zone to serve Parcels 5 and 6 for Habitat for Humanity. Our costs for performing the design would be a maximum of \$352,100 and include the items below:

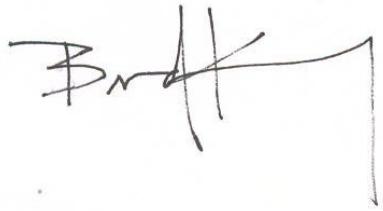
- New Elevated Storage Tank Sized to meet 1600 EDUs (mixing system and all ancillary items)
- Water Modeling to provide pipe sizing and other design parameters.
- Pump Station to Convey Water from the Lower Pressure Zone to new Upper Pressure Zone
- Electrical
- SCADA Integration
- DEQ Approval
- Assume Stahly Engineering will provide survey data of the City parcel.
- Assume Stahly Engineering will perform design of the buried piping to Parcels Five and Six.
- Assume GCCM Method to expedite Construction
- RPA will contract with COEH

At this time, it appears the most advantageous solution would be a composite tank with the pump station located within the base. This would need to be discussed through meeting and workshop sessions with the City. As discussed, we have engaged a geotechnical engineer to perform the investigation and are planning to move forward. This letter in no way should be construed as an agreement by the City to move forward with bonding on behalf of Rose Hills. That decision will need to be made by the City Council.

We are looking forward to successful completion of these items!

Sincerely,

ROBERT PECCIA & ASSOCIATES

A handwritten signature in black ink, appearing to read "Brad Koenig".

Brad Koenig, PE, Group Manager

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

ORIGINAL COUNCIL MEETING DATE: 01/20/2026

Agenda item:
FY25 Budget Amendment

From:
Clerk/Treasurer Thorngren

Initiated by City: YES NO (check one)

Department:
Administration

Presented by:
Clerk/Treasurer Thorngren

Action requested:
Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachment: Draft Resolution 637

Attachments: YES NO (check one)

Date submitted:

RECOMMENDATIONS: Initial:

Approve for agenda:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	_____
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.

**CITY OF EAST HELENA
NOTICE OF PUBLIC HEARING
FISCAL YEAR 2024-2025 MUNICIPAL BUDGET AMENDMENT**

The purpose of the hearing is to amend the fiscal year 2024-2025 municipal budget. A public hearing will be held during the regularly scheduled East Helena City Council meeting on Tuesday, January 20, 2026 at 6:30 p.m. in room 110 in East Helena City Hall, 306 East Main Street, East Helena, Montana. At that time, oral and written testimony for and against the request will be heard by the East Helena City Council.

For more information or to submit written comments, please contact City Clerk/Treasurer Amy Thorngren at (406) 227-5321; cityclerk@easthelenamt.us; or 306 East Main Street, P.O. Box 1170, East Helena, MT 59635. 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; or 306 East Main Street, P.O. Box 1170, East Helena, MT 59635.

Publish twice: January 10 & 17, 2026

RESOLUTION NO. 637

A RESOLUTION AUTHORIZING AMENDMENT OF THE 2024-2025 MUNICIPAL BUDGET AND APPROPRIATING EXISTING AND ANTECIPATED UNBUDGETED FUNDS FOR THE CITY OF EAST HELENA, MONTANA

WHEREAS, on September 3, 2024, the East Helena City Council enacted Resolution No. 612 adopting a fiscal year 2024-2025 municipal budget;

WHEREAS, since that time, it has become necessary for the City to amend the 2024-2025 municipal budget pursuant to § 7-6-4006, MCA, to provide for the appropriation or adjustment of anticipated, but previously estimated or unbudgeted revenues and;

WHEREAS, under § 7-6-4031(3), MCA. a hearing before the East Helena City Council is not required for a municipal budget amendment made under § 7-6-4006(3)(c), MCA;

WHEREAS, under 7-6-4005, MCA, the City is not authorized to make disbursements or expenditures "in excess of the total appropriations for a fund";

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST HELENA, MONTANA;

Section 1. That the fiscal year 2024-2025 municipal budget expenditures be amended as indicated in Section 2 of this resolution.

Section 2.

FUND/ACCOUNT	EXPENDITURE
2401-430263 Lighting – Highland Meadows	\$191.00
2810-420100 Police Officers Training Fund	\$822.00
2993-521000 Interfund Operating Transfers	\$951,208.00

The City Clerk/Treasurer is hereby directed to make the necessary entries into the books and records of the City of East Helena municipal budget for 2024-2025.

Passed, by the City Council of the City of East Helena, Montana, and approved by the Mayor this 20th day of January, 2026.

Kelly Harris, Mayor

ATTEST:

Amy Thorngren, City Clerk/Treasurer

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

ORIGINAL COUNCIL MEETING DATE: 01/20/2026

Agenda item:

Proposed Changes to the MRDTF MOU for Task Force Operations

From:

Acting Police Chief Ed Royce

Initiated by City: YES NO (check one)

Department:

Police

Presented by:

Acting Police Chief Ed Royce

Action requested:

Approve/Deny/Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachments: Original and revised agreements

Attachments: YES NO (check one)

Date submitted:

RECOMMENDATIONS:

Initial:

Approve for agenda: YES NO _____

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.

MEMORANDUM OF UNDERSTANDING FOR TASK FORCE OFFICER OPERATIONS

U.S. Border Patrol – Havre Sector (HVM) And Missouri River Drug Task Force (MRDTF)

1. Parties

This Memorandum of Understanding (“MOU”) is entered into by and between the U.S. Border Patrol, Havre Sector (“HVM”), a component of U.S. Customs and Border Protection (BP), Department of Homeland Security, and the Missouri River Drug Task Force (“MRDTF”).

MRDTF is represented collectively by the following participating agencies and entities:

- **County Attorneys of:**
Lewis and Clark, Broadwater, Madison, Meagher, Gallatin, Sweet Grass, and Park Counties
- **Law Enforcement Agencies:** Belgrade Police Department, Bozeman Police Department, East Helena Police Department, Helena Police Department, Livingston Police Department, West Yellowstone Police Department, Broadwater County Sheriff’s Office, Gallatin County Sheriff’s Office, Lewis & Clark County Sheriff’s Office, Madison County Sheriff’s Office, Meagher County Sheriff’s Office, Park County Sheriff’s Office, Sweet Grass County Sheriff’s Office, Montana State University Police Department (Bozeman)

Each signatory certifies that they are authorized under law or policy to enter their agency into this agreement and to bind the agency to the commitments herein.

2. Purpose

The purpose of this MOU is to establish the operational structure, authorities, responsibilities, and collaborative framework for HVM and MRDTF to work jointly in detecting, investigating, disrupting, and dismantling criminal drug-trafficking organizations and related criminal enterprises operating in Western Montana and areas with a nexus to the international border.

This MOU formalizes cooperation regarding:

- Intelligence sharing
- Investigative assistance
- Operational coordination
- Training
- Case support
- Public-information coordination
- Safety and operational protocols

This MOU does **not** create any enforceable rights for any third parties and does not constitute an interagency agreement obligating funds.

3. Background

Criminal networks operating within Montana and along the northern border exploit the region for drug trafficking, money laundering, human smuggling, and violent crime. A coordinated federal-state-local approach improves the effectiveness of investigations, increases prosecutorial impact, and strengthens public safety.

The partnership between HVM and MRDTF expands shared capabilities to investigate, arrest, and prosecute offenders and strengthens collective capacities to disrupt and dismantle drug trafficking organizations.

4. Mission

The mission of MRDTF is to investigate and prosecute drug trafficking, drug manufacturing, and drug-related violence through a unified, intelligence-driven approach. MRDTF conducts long-term investigations using surveillance, undercover operations, controlled buys, confidential informants, and electronic surveillance consistent with applicable law.

HVM's mission is to secure the northern border through enforcement of immigration, customs, and border-security laws. Participation in MRDTF enhances intelligence development and interagency coordination within HVM's statutory authority.

5. Statutory Authority

5.1 Federal Authority (HVM)

HVM and participating Border Patrol Agents enter this MOU pursuant to:

- 19 U.S.C. § 1589a
- 5 U.S.C. §§ 3371–3376
- 5 C.F.R. §§ 334.101–334.108
- CBP Delegation Order 03-002, Authority for Border Patrol Functions, March 1, 2003

These authorities collectively authorize BP agents to carry firearms, execute warrants, make warrantless arrests under federal standards, enforce customs and immigration laws, perform border-security functions, and participate in joint operations.

5.2 MRDTF Authority

MRDTF enters this agreement pursuant to authority granted by its Executive Board, composed of the county attorneys and agency heads listed in Section 1. The interagency MRDTF MOU is revised and renewed biannually.

6. Scope

HVM agrees to assign four (4) Border Patrol Agents – Intelligence (BPA-I) to MRDTF, consisting of:

- Two (2) BPA-Is in Helena, Montana, and
- Two (2) BPA-Is in Bozeman, Montana.

These personnel will provide intelligence support, investigative assistance, operational coordination, and training consistent with MRDTF's mission and applicable federal authority.

HVM participation is limited to functions authorized under federal law and CBP policies.

7. Effective Date, Duration, and Amendments

7.1 Effective Date & Duration

This MOU becomes effective upon signature by all Parties and remains in effect for **two (2) years**, unless terminated earlier. It may be extended by written agreement of all Parties.

7.2 Amendments

This MOU may be amended only by a written instrument executed by all Parties.

7.3 Commencement of Operational Support

Operational support will begin upon execution of this MOU, subject to completion of any necessary hiring or reassignment actions within HVM.

8. Funding and Resources

- MRDTF will provide office space and basic equipment necessary for BPA-Is assigned to the Task Force.
- HVM/CBP retains responsibility for salary, overtime, benefits, federal equipment, training, and travel unless otherwise agreed in writing.
- This MOU does not obligate federal funds and does not commit either Party to future appropriations, expenditures, or contracts.
- Activities under this MOU are subject to the availability of appropriated funds and agency resources.

9. Termination

9.1 At-Will Termination

Any Party may terminate this MOU at will, with or without cause.

9.2 Notice Requirement

A Party electing to terminate shall provide 30 days' written notice to all other Parties.

9.3 Effect of Termination

Upon termination, Parties will cease initiating new joint activities. Ongoing cases may continue by mutual written agreement.

9.4 Disposition of Property and Information

Equipment and materials will be returned or disposed of per federal law, agency policies, and records-retention requirements.

10. Roles and Responsibilities

10.1 U.S. Border Patrol / HVM

HVM will:

1. Provide intelligence-based support.
2. Assist with investigations including surveillance, controlled buys, arrest operations, search warrants, interviews, and evidence recovery.
3. Submit required MRDTF documentation, including follow-up reports.
4. Provide drug-enforcement-related training where appropriate.
5. Retain administrative, disciplinary, and operational supervision of BPA-Is.
6. Ensure BPA-Is comply with CBP pursuit and use-of-force policies.
7. Participate in operational planning consistent with federal authority.

10.2 MRDTF

MRDTF will:

1. Provide office space and equipment for assigned BPA-Is.
2. Provide operational support consistent with MRDTF policies.
3. Coordinate investigative activities involving MRDTF personnel.
4. Maintain MRDTF case files and evidence chain-of-custody systems.
5. Provide training necessary for BPA-Is to operate safely in MRDTF environments.

11. Authority of Border Patrol Agents

11.1 Federal Authority

BPA-Is shall exercise only authorities granted under federal law, including authority under 19 U.S.C. § 1589a to carry firearms, execute warrants, make warrantless arrests, and perform federal law-enforcement duties.

11.2 Participation in MRDTF Operations

Participation shall be consistent with CBP policy, including determinations relating to arrests, searches, seizures, or investigative steps requiring federal authority.

11.3 Federal Command & Control

BPA-Is remain under HVM supervision and may not be directed to perform duties inconsistent with federal authority.

11.4 No Delegation of Federal Authority

This MOU does not delegate federal authority to state or local personnel. Local officers participating in the Task Force are not authorized to perform federal immigration enforcement, customs enforcement, or other federal functions unless separately and expressly authorized by federal statute or a formal cross-designation agreement permitted by law. This MOU is not a substitute for any such agreement, including those authorized under 8 U.S.C. § 1357(g) (287(g)), which pertains to ICE and not to the U.S. Border Patrol.

12. Information Sharing, Privacy, and Records

12.1 Information Sharing

Information may be shared only as permitted by:

- Federal law
- CBP/Department of Homeland Security policy
- State law
- MRDTF rules and governing documents

12.2 Privacy and Security

Parties will protect:

- Personally Identifiable Information (PII)
- Sensitive Law Enforcement Information (SLEI)
- Controlled Unclassified Information (CUI)
- Confidential informant identities

12.3 Records Retention

Each Party retains its records per its own records-retention schedules, subject to federal law.

12.4 FOIA and Public Records

- Federal records remain subject to the Federal Freedom of Information Act (FOIA).

- State and local records remain subject to applicable state public records laws.
- Parties will not disclose information belonging to the other Party without consultation.

13. Deconfliction Requirements

All investigative activity, including operations involving confidential informants, undercover officers, or surveillance, must be deconflicted through HIDTA/SAFETNet or another agreed-upon system.

14. Public Information and Media Coordination

The Parties will coordinate media releases. No Party shall issue public statements referencing joint operations, personnel, or results without prior consultation and mutual agreement.

15. Safety, Critical Incident, and Use-of-Force Protocols

BPA-Is must adhere to CBP's pursuit, emergency response, and use-of-force policies.

MRDTF personnel must adhere to their agency policies.

Joint operations will follow the more restrictive applicable policy when safety is implicated.

16. Liability

Each Party is responsible for the acts and omissions of its own personnel.

This MOU does not create joint employment, cross-deputation, or indemnification obligations.

17. Dispute Resolution

Disputes will be resolved at the lowest possible supervisory level. If not resolved, the issue will be elevated to the MRDTF Commander and the HVM Chief Patrol Agent.

18. Points of Contact

U.S. Border Patrol, Havre Sector

Acting Chief Patrol Agent Zachary Crosson

406-262-5602

ZACHARY.L.CROSSON@CBP.DHS.GOV

Missouri River Drug Task Force

Captain Brian Taylor, MRDTF Commander

406-595-1170

brian.taylor@gallatin.mt.gov

Signatures

Captain Brian Taylor, MRDTF Commander

Date

Zachary Crosson, Acting Chief Patrol Agent
U.S. Border Patrol, Havre Sector

Date

**MEMORANDUM OF UNDERSTANDING
FOR TASK FORCE OFFICER OPERATIONS**

**U.S. Border Patrol – Havre Sector (HVM)
And
Missouri River Drug Task Force (MRDTF)**

1. Parties

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Each signatory certifies that they are authorized under law or policy to enter their agency into this agreement and to bind the agency to the commitments herein.

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6. Scope

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- Two (2) BPA-Is in Helena, Montana, and
- Two (2) BPA-Is in Bozeman, Montana.

These personnel will provide intelligence support, investigative assistance, operational coordination, and training consistent with MRDTF's mission and applicable federal authority.

HVM participation is limited to functions authorized under federal law and CBP policies consistent with MRDTF's mission.

7. Effective Date, Duration, and Amendments

7.1 Effective Date & Duration

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4. Provide drug-enforcement-related training where appropriate.
5. Retain administrative, disciplinary, and operational supervision of BPA-Is.
6. Ensure BPA-Is comply with CBP pursuit and use-of-force policies.
7. Participate in operational planning consistent with federal authority.

10.2 MRDTF

MRDTF will:

- 1. Direct and lead all task force investigation and operations**

1.2 Provide office space and equipment for assigned BPA-Is.

2.3 Provide operational support consistent with MRDTF policies.

3.4 Coordinate investigative activities involving MRDTF personnel.

4.5 Maintain MRDTF case files and evidence chain-of-custody systems.

5.6 Provide training necessary for BPA-Is to operate safely in MRDTF environments.

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Participation shall be consistent with CBP policy, including determinations relating to arrests, searches, seizures, or investigative steps requiring federal authority.

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BPA-Is remain under HVM supervision and may not be directed to perform duties inconsistent with federal authority. MRDTF members remain under the supervision and control of their individual agencies and MRDTF as outlined in task force governing documents and may not be directed by BPA-Is.

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This MOU does not delegate federal authority to state or local personnel. Local officers participating in the Task Force are not authorized to perform federal immigration enforcement, customs enforcement, or other federal functions unless separately and expressly authorized by federal statute or a formal cross-designation agreement permitted by law. This MOU is not a substitute for any such agreement, including those authorized under 8 U.S.C. § 1357(g) (287(g)), which pertains to ICE and not to the U.S. Border Patrol.

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Acting Chief Patrol Agent Zachary Crosson
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Missouri River Drug Task Force
Captain Brian Taylor, MRDTF Commander
406-595-1170
brian.taylor@gallatin.mt.gov

Signatures

Captain Brian Taylor, MRDTF Commander

Zachary Crosson, Acting Chief Patrol Agent
U.S. Border Patrol, Havre Sector
