

MEETING AGENDA
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
COUNCIL MEETING: 6:30 PM
DATE: TUESDAY, MARCH 3, 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 Leland

EAST HELENA SUPERFUND UPDATE: EPA/DEQ Site Team Members
Action: Information only

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:

1. February 3, 2026
Action: Approve/Deny/Table
2. February 17, 2026
Action: Approve/Deny/Table

CITY COURT REPORT: City Judge Dennis Loveless

DEPARTMENTAL REPORTS:

Administration – Clerk/Treasurer Amy Thorngren
Police Department – Police Chief Ed Royce
Public Works - Public Works Director Kevin Ore
Volunteer Fire Department - Fire Chief Roger Campbell

UNFINISHED BUSINESS:

1. Request for MBAC & MEDA East Helena Community Review Council Room Fee Waiver – Councilmember Feist
Action: Approve/Deny/Table

NEW BUSINESS:

1. Life Saving Award for Patrol Officer Kyle Butler – Police Chief Royce
Action: Information Only

2. RPA Task Order 32, Upper Pressure Zone Water Tank and Pump Station
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 Wastewater Treatment Plant Phase 2 Upgrades, Monday, March 9, 2026, 10:00 a.m. to 11:00 a.m., East Helena City Hall Gymnasium Room 108
2. East Helena Wastewater Treatment Plant Phase 2 Upgrades, Tuesday, March 10, 2026, 6:00 p.m. to 7:00 p.m., East Helena City Hall Gymnasium Room 108
3. East Helena City Council Meeting, Monday, March 16, 2026, 6:30 p.m., East Helena City Hall Room 110
4. CANCELLED - East Helena City Council Meeting, Tuesday, March 17, 2026, 6:30 p.m., East Helena City Hall Room 110 – RESCHEDULED TO MONDAY, MARCH 16TH
5. East Helena Planning Board Meeting, Thursday, March 19, 2026, 6:00 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

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

ORIGINAL COUNCIL MEETING DATE: 03/03/2026

Agenda item:
East Helena Superfund Update

From:
EPA/DEQ Site Team Members

Initiated by City: YES NO (check one)

Department:

Presented by:
EPA/DEQ Site Team Members

Action requested:
Information Only

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Update on yard cleanup plans and redevelopment plans at the East Helena Superfund site. Site team members will be available to answer questions.

Attachments: YES NO (check one)

Date submitted:

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.

MEETING MINUTES
CITY OF EAST HELENA
CITY HALL – 306 EAST MAIN - ROOM 110
COUNCIL MEETING: 6:30 PM
DATE: TUESDAY, FEBRUARY 3, 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 Ferguson led the Pledge of Allegiance.

CITY OFFICIALS & STAFF PRESENT: Mayor Kelly Harris, Council President Don Dahl, Councilmember Judy Leland, Councilmember Suzanne Ferguson, Clerk/Treasurer Amy Thorngren, Public Works Director Kevin Ore, Volunteer Fire Chief Roger Campbell, City Attorney Pete Elverum, Police Chief Ed Royce, and Patrol Officer Zach Butler

PUBLIC PRESENT: Steve Garrison, Rhonda Vogl, Ron Whitmoyer, Bridget Williams, Jacob Wheeling, Cindy Brooks (via Zoom), Eliza Dubose (via Zoom), Brad Koenig, and Greg Wirth

ABSENT/EXCUSED: City Judge Dennis Loveless and Councilmember Wesley Feist

(0:00:30) EAST HELENA SUPERFUND UPDATE: EPA Remedial Project Manager Bridget Williams updated Council on the progress of the yard remediation project. This was an information-only item.

PUBLIC COMMENTS: A copy of an email in opposition to train horns and a thank-you note that contained a donation to the cemetery were on the council room table.

(0:03:05) APPROVAL OF MINUTES: A copy of the draft minutes of the January 20th meeting was included in the council packet. A copy of an email from Councilmember Feist requesting an amendment to his report was on the council room table. Councilmember Dahl made a motion to approve the minutes as amended. Councilmember Leland seconded the motion. The motion passed unanimously.

CITY COURT REPORT: City Judge Dennis Loveless was excused.

(0:03:50) DEPARTMENTAL REPORTS:

Administration – Clerk/Treasurer Amy Thorngren reported that the admin office had received a call in opposition to the beaver dam removal on Prickly Pear Creek and complaints about limited landfill hours.

Police Department – Police Chief Ed Royce reported that the department had received 503 calls-for-service in January, he was exploring new grants, he attended the MRDTF board

meeting, he attended the CJCC board meeting, he attended career day at St. Andrew's Catholic School, he met with the bureau chief of the narcotics and human trafficking division of the Department of Criminal Investigation, and that the department would be rejoining the DUI Task Force.

Public Works – A written report was included in the council packet. Public Works Director Kevin Ore reported that the dates had been set for the public hearings regarding the wastewater treatment plant upgrades, staff is working on a problem with the clarifier at the wastewater treatment plant, and that the beaver dam was removed from Prickly Pear Creek.

Volunteer Fire Department - A written report of the department's calls-for-service was included in the council packet. Fire Chief Roger Campbell reported that two new members had joined the department, repairs were being made to the fire station, the ISO inspection should be completed by the end of the month, the department was doing a comprehensive driving evaluation program, and that the department would be assisting with the Passion Plunge event.

UNFINISHED BUSINESS: There was no unfinished business.

NEW BUSINESS:

1. **(0:15:55) General Contractor Construction Manager for the Rose Hills Subdivision** – An explanation of the GCCM method and draft Resolution 638 were included in the council packet. Brad Koenig of Robert Peccia & Associates discussed MCA 18-2-503 which allows the city to use the GCCM method and requires a resolution. There was no public comment. Councilmember Ferguson made a motion to approve Resolution 638. Councilmember Leland seconded the motion. The motion passed unanimously.
2. **(0:19:05) Request to Apply for a New Treacy Foundation Grant for the East Helena Rodeo Grounds** – A copy of the letter of intent to apply for the grant was included in the council packet. Ron Whitmoyer of the East Helena Valley Rodeo Association requested Council's approval to apply for the \$40,000 grant on behalf of the city as was done two years ago. There was no public comment. Councilmember Dahl made a motion to approve applying for the grant. Councilmember Leland seconded the motion. The motion passed unanimously.
3. **(0:21:50) Request to Use and Fee Waiver of Kennedy Park for the Montana Joining Community Forces BBQ August 6, 2026** – The use agreement was included in the council packet. Steve Garrison of Montana Joining Community Forces requested Council's approval to use Kennedy Park at no charge for this annual event. There was no public comment. Councilmember Leland made a motion to approve the request and fee waiver. Councilmember Ferguson seconded the motion. The motion passed unanimously.
4. **(0:00:00) Montana Environmental Trust Group Declaration of Easement and Amended Plat for a Sewer Lift Station** – The draft easement agreement was included in the council packet. A copy of the notice of environmental conditions was on the council room table. Mayor Harris noted that it was a minor update to the

previously approved agreement. There was no public comment. Councilmember Leland made a motion to approve the easement agreement. Councilmember Dahl seconded the motion. The motion passed unanimously.

5. **(0:23:50) Rescheduling of the March 17, 2026 Council Meeting** – Mayor Harris requested Council’s approval for a one-time rescheduling of the regularly scheduled council meeting to the day before. There was no public comment. Councilmember Ferguson made a motion to reschedule the March 17th meeting to Monday, March 16th. Councilmember Leland seconded the motion. The motion passed unanimously.

(0:25:05) MAYOR’S REPORT: Mayor Harris reported that he met with METG, met with the Legislative Audit Division, and took a tour of the slag pile with Congressman Downing.

(0:26:35) COUNCILMEMBERS’ REPORTS:

Don Dahl had nothing to report.

Judy Leland had nothing to report.

Wesley Feist was excused. A copy of an email from Councilmember Feist was on the council room table.

Suzanne Ferguson had nothing to report.

(0:26:50) LEGAL REPORT: City Attorney Elverum reported that court was going well and the police department was doing a great job.

(0:27:00) PAYMENT OF BILLS: Claims 299603 through 299654 were presented for Council’s review. Councilmember Leland made a motion to pay the bills. Councilmember Ferguson seconded the motion. The motion passed unanimously.

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3. East Helena Wastewater Treatment Plant Phase 2 Upgrades, Tuesday, February 24, 2026, 6:00 p.m. to 7:00 p.m., East Helena City Hall Gymnasium Room 108

ADJOURNMENT: Mayor Harris adjourned the meeting at 6:57 p.m.

ATTEST:

Clerk/Treasurer

Mayor

MEETING AGENDA

CITY OF EAST HELENA

CITY HALL – 306 EAST MAIN - ROOM 110

COUNCIL MEETING: 6:30 PM

DATE: TUESDAY, FEBRUARY 17, 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.

CITY OFFICIALS & STAFF PRESENT: Mayor Kelly Harris, Council President Don Dahl, Councilmember Wesley Feist, Clerk/Treasurer Amy Thorngren, Public Works Director Kevin Ore, Patrol Officer Chris Kirkegaard, and Patrol Officer Kyle Butler

PUBLIC PRESENT: None

ABSENT/EXCUSED: City Judge Dennis Loveless, Councilmember Judy Leland, Councilmember Suzanne Ferguson, Volunteer Fire Chief Roger Campbell, City Attorney Pete Elverum, and Police Chief Ed Royce

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

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

DEPARTMENTAL REPORTS:

Administration – Clerk/Treasurer Amy Thorngren gave no report.

Police Department – A written report was on the council room table. Police Chief Ed Royce was excused.

Public Works – A written report was included in the council packet. Public Works Director Kevin Ore gave no report

Volunteer Fire Department - Fire Chief Roger Campbell was excused.

MAYOR’S REPORT: Mayor Harris gave no report.

COUNCILMEMBERS’ REPORTS:

Don Dahl gave no report.

Judy Leland was excused.

Wesley Feist gave no report.

Suzanne Ferguson was excused.

LEGAL REPORT: City Attorney Elverum was excused.

MEETING & EVENT SCHEDULE:

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8. East Helena Planning Board Meeting, Thursday, March 19, 2026, 6:00 p.m., East Helena City Hall Room 110

ADJOURNMENT: For lack of quorum, Mayor Harris adjourned the meeting at 6:30 p.m.

ATTEST:

Clerk/Treasurer

Mayor



Public Works Department

Proud to be part of E.H. Team

March 3rd, 2026

1.) WWTP Report

- Montana Ave lift pump failed, Crews installed spare pump and will be sending failed pump to John Nash for repairs.
- We are finishing up our response to DEQ report from our wastewater plant inspection.
- Reminder, Public meeting dates for sewer plant construction phases and related rates are set for March 9th 10am-11am, and March 10th 6pm-7pm. Public meeting will be held at city hall in the gym. First set of public meetings went well with about a dozen members of the public in attendance at each. (Discuss)
- No new update on Headworks construction.

2.) Metal Removal Building

- No issues to report from Metals Removal Building.

3.) Source Water Report

- Helena Sand is finishing some clean up work from the M.C. Creek Transmission main project.
- Rose Hills has started soil test drilling for elevated tank at highway 282 location.

4.) Solid Waste Report

- Scott has gotten a few complaints from residents that the new garbage truck is too quiet, and they don't hear him coming to put out their trash. (Discuss)
- Still waiting on graphic design options for garbage truck.

5.) Parks

- MMIA is processing insurance claim for Main Street Park tree damage. They will cover clean up and replacement cost of trees.
- We will be starting to look at parks district creation in both Highland Meadows and Vigilante Subdivision.

6.) Pool

- Summit Roofing is completing roof replacement of the main pool house.

7.) Streets

- After several meetings with Federal Highways, we need to wait to award the RFQ for Valley Drive until we have a signed agreement. We are currently in the accusation and grant review, then it will be forwarded to Federal Legal Review, then lastly Office of Security will review. Est of 2 weeks to 6 months still for approval. (Discuss)
- Crews are working on potholes and straitening street signs.
- City zoning officer/planner Jeremy Fadness and I attended monthly MPO meetings.

8.) Facilities

- Tom Tennesson is continuing to work upstairs bathroom and wall repair at City Hall.
- Still working on getting new security locks installed.

9.) Resident/City Information and Events

- Fence Crafters finished the repair on Vigilante Park fence. I did not submit this to insurance as repairs were less than deductible.
- Lewis and Clark Brewing and Alive at 5 are planning a August 5th event at Main Street Park.
- FY-27 Budget ideas or thoughts come see me.

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

ORIGINAL COUNCIL MEETING DATE: 02/17/2026

Agenda item:

MBAC & MEDA East Helena Community Review Council Room Fee Waiver

From:

MBAC & MEDA

Initiated by City: YES NO (check one)

Department:

Planning

Presented by:

Council Member Wesley Feist

Action requested:

Approve / Deny /Table

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Request for Fee waiver for City Hall Council Room, March 9th,10th and 11th. The MBAC Hometeam has been working to gather information for the Community Review, sponsored by the Montana Economic Developers Association (MEDA) and led by Montana Business Assistance Connection (MBAC). There will be numerous listening sessions to hear from the community about needs, gaps, benefits, opportunities, etc for the East Helena and Greater EH community.

Attachments: YES NO (check one)

Date submitted:

February 12, 2026

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.

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EAST HELENA, MT 59635
(406) 227-5321

ORIGINAL COUNCIL MEETING DATE: 03/03/2026

Agenda item:

Life Saving Award for Patrol Officer Kyle Butler

From:

Police Chief Royce

Initiated by City: YES NO (check one)

Department:

Police

Presented by:

Police Chief Royce

Action requested:

Information Only

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachments: YES NO (check one)

Date submitted:

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	_____

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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:

Agenda item:

From:

Initiated by City: YES NO (check one)

Department:

Presented by:

Action requested:

PLEASE PROVIDE A NARRATIVE BACKGROUND OF THE PROPOSED AGENDA ITEM:

Attachments: YES NO (check one)

Date submitted:

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.

TASK ORDER NUMBER THIRTY-TWO
AGREEMENT TO FURNISH ENGINEERING SERVICES
to
CITY OF EAST HELENA, MONTANA
for
UPPER PRESSURE ZONE WATER TANK AND PUMP STATION

DESIGN PHASE

This Task Order provides for professional engineering services to be performed by ROBERT PECCIA & ASSOCIATES, INC. (hereinafter the Engineer), for the **CITY OF EAST HELENA** (hereinafter the Owner), in accordance with Article 1 of the Agreement to Furnish Engineering Services to the City dated May 17, 2007 (hereinafter the Agreement). All provisions of the Agreement are incorporated by reference. This Task Order represents an authorization to proceed with the scope of services, schedule, and compensation described herein. This Task Order, when executed by both parties, shall become a supplement to and part of the basic Agreement.

ARTICLE 1. SCOPE OF SERVICES

The Engineer agrees to furnish the following professional engineering services in connection with the City's water system for the Upper Pressure Zone Water Tank and Pump Station, hereinafter referred to as the Project. The Project shall include design of a new elevated storage tank, a new booster pump station serving the Upper Pressure Zone, and a transmission water main. Improvements will be coordinated with existing distribution infrastructure, and telemetry/SCADA systems.

A. DESIGN PHASE SERVICES

1. Project Management and Meetings - The Engineer shall meet with City staff and discuss aspects of the project and coordinate project decisions and scheduling.
2. Permitting – The Engineer will coordinate with necessary agencies to obtain permits for needed infrastructure improvements associated with the project. Permit requirements for the work shall be incorporated in the Construction Drawings and Specifications.
3. Prepare Utility Permit Figures – The Engineer shall prepare potential figures required for the Utility Permits. The figures shall be based on property boundaries as determined in the field survey and new infrastructure alignment.
4. Geotechnical Coordination – Coordinate geotechnical investigations (borings, test pits, and lab testing) necessary to inform tank foundation and pump station design.

5. Hydraulic Modeling – Update/perform hydraulic modeling of the distribution system to evaluate tank location and size, and pump sizing, pressure zones, and operations.
6. Develop Design Criteria – Coordinate with the City to determine demands, fire flow, storage volume, pressure targets, tank type/size, pump station capacity, redundancy, and control strategy.
7. Field Survey – All survey has been completed by Stahly Engineering. Additional survey activities are not included as part of this task order.
8. Prepare Plans and Specifications – The Engineer shall prepare plans and specifications for a new Upper Pressure Zone elevated water storage tank, pump station, and connecting water mains. Construction drawings shall include civil, mechanical, structural, and electrical drawings. for the new tank and pump station and civil sheets for the water mains.
The Engineer will prepare the Contract Documents and Specifications for the Owner’s project. The contract documents include the advertisement for bid, instructions to bidders, proposal, general conditions, supplementary conditions, special provisions, and standard forms. The Engineer will also incorporate the most current version of the prevailing wage rates that they believe are appropriate for this project. For the specifications the Engineer will incorporate the most current version of the Montana Public Works Standard Specifications (MPWSS) to the extent possible and the City of East Helena Engineering Standards. The Engineer will supplement the MPWSS specifications with additional technical specifications for work items that are not specifically addressed in the MPWSS.
9. Submit Preliminary Plans and Specifications for Agency Review and City Review
The Engineer shall submit a preliminary set of plans and specifications to all appropriate regulatory agencies and permitting agencies for review and comments.
10. Prepare Final Plans and Specifications for Bidding - After receiving all agency review comments the Engineer shall meet with the Owner to discuss the agency and City review comments and determine the appropriate design modifications. The final design changes shall be made by the Engineer.
11. Final In-House Review and QA/QC Approval - The Engineer will coordinate an in-house Quality Assurance \ Quality Control (QA\QC) review of the plans and specifications to gain agency approval.

ARTICLE 2. SCHEDULE

It is anticipated that those services listed above under Article 1, Scope of Services, are to be completed by September 30, 2027. Interim milestones will be established during a project kickoff meeting.

ARTICLE 3. COMPENSATION

A. BUDGET

The budget for those services described above under Article 1, Scope of Services, shall be paid on lump sum basis in the amount of \$352,100.00 plus drilling expenses which are estimated at \$26,670.00, as shown in Attachment One, "Schedule of Estimated Engineering Costs." Changes in scope or schedule may be implemented through subsequent Task Orders or amendments.

DATED this 18th day of February, 2026.

CITY OF EAST HELENA

By: _____
Kelly Harris, Mayor

ROBERT PECCIA & ASSOCIATES, INC.

By:  _____
Craig Jenneskens, P.E., President



CITY OF EAST HELENA - UPPER PRESSURE ZONE TANK & BOOSTER STATION

City of East Helena, Montana

RPA Project No. 24702
 Date: February 18, 2026

Work Item/Subtask	Group Manager \$255.99	Project Manager \$176.37	Project Designer \$171.27	Structural Engineer \$245.08	Cadd Technician 1 \$132.55	Accountant \$191.55	Total Person Hours
PROJECT MANAGEMENT AND COORDINATION							
Project Management	40	60				20	120
Design Coordination Meetings with City and Rose Hills	12	12					24
Review Plan-In-Hand Meeting	8	8	8				24
TANK AND MECHANICAL DESIGN							
Hydraulic Modeling - Rose Hills and Future Conditions	12	40	12				64
Establish Pumping Conditions	4	8	20				32
Booster Pump Station Hydraulics and Mfr Coordination	4	8	20				32
City Coordination of Tank Design	8	8	10				26
Tank Manufacturer Coordination		4	16		8		28
Tank Foundation Coordination	4	8	22	8	24		66
Tank Design	4	8	40	8	36		96
Site Design		4	24		40		68
Tank Pedestal Interior Design Incl. Pump Design	2	16	40	40	100		198
Design of Buried Pump Suction from Wylie Transmission at Existing Tank	4	8	30		32		74
Design of Buried Transmission to Rose Hills		12	60		80		152
HVAC Design		6	30		30		66
Controls Design	10	12	40		32		94
Electrical Design/Coordination	10	10	16		12		48
Contract Documents and Specifications		12	72	24			108
MDEQ Design Report	4	6	40		8		58
Produce & Distribute "Final" Contract Documents & Specifications and Drawings		6	16		24		46
REVIEW AND APPROVALS							
Respond to MDEQ Comments and Approval Process	8	6	30	8			52
Prepare Final Plans (Incorporate DEQ, Owner, and Other Comments)		6	24	16	24		70
Prepare Cost Estimates		8	24	8			40
Internal QA/QC	24	12					36
TOTAL PERSON-HOURS:	158	288	594	112	450	20	1622
LABOR COST PER EMPLOYEE:	\$40,446.42	\$50,794.56	\$101,734.38	\$27,448.96	\$59,647.50	\$3,831.00	\$283,902.82

DIRECT EXPENSES

Equipment (Computers)	\$3,045.00
Printing	\$1,000.00
Electrical Subconsultant	\$30,000.00
Nuclear Densometer	\$1,000.00
Geotechnical Investigation and Report	\$33,152.38
Drilling Expenses (Estimate)	\$26,670.00
Total:	\$94,867.38

SUMMARY OF ENGINEERING SERVICES

Subtotal Labor Cost:	\$283,902.82
Direct Expenses	\$94,867.38

Total Engineering Fee: \$378,770.00

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: 1-20-20



Phone: (406) 449-4829 | Fax: (406) 968-4608 | Website: mttaxlaw.com

February 18, 2026

VIA U.S. MAIL AND EMAIL

Peter K. Elverum, Esq.
East Helena City Attorney
City Hall
P.O. Box 1170
East Helena, MT 59635
peter@elverumlaw.com

Re: East Clark Street County Water and Sewer District

Dear Pete:

I am following up on my letter to you dated April 17, 2025 on behalf of the board of East Clark Street County Water and Sewer District (the “District”) concerning the *Reinstatement of Interlocal Agreement for Sharing of Municipal Wastewater Treatment Services Between City of East Helena and East Clark Street County Water and Sewer District* (the “Reinstatement Agreement”). This letter follows our telephone call on May 5, 2025, in which you declined to remove Exhibit A from the Reinstatement Agreement and revise certain paragraphs to reflect the fact that the District has reallocated the 107 connections to equivalent dwelling units (“EDUs”) among the members since the original Interlocal Agreement (“ILA”) was executed in 2017.

Since the ILA was executed, the District board has voted to reallocate the EDUs. Under Article V, Section 503 of the ILA, “[t]he Board determines the number of EDU’s for each property and thusly the rate to be charged for each property connected to the system where a water meter is not utilized.” Therefore, the number of EDUs allocated to each lot is determined exclusively by the board.

If I recall correctly from our conversation, you were concerned with removing Exhibit A and revising the sections of the Reinstatement Agreement as described in my initial letter because the project was bonded and paid for by the parcels shown in Exhibit A. In response, the District contends that it has the power under the ILA to reallocate the EDUs through the vote of the board.

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205 Hooper St. | PO Box 1047
Big Timber, MT 59611
Council Packet 03/03/2026

Peter K. Elverum, Esq.
East Helena City Attorney
February 18, 2026
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With these points in mind, we are uncertain what more the City requires to accept the changes to the Reinstatement Agreement proposed in my last letter. To make it clear to new members, the Reinstatement Agreement could also include a recital acknowledging that the District has reallocated the EDUs since execution of the ILA but that this does not increase the maximum number (107) of EDUs or gallonage available to the District.

I recall from our phone call that you suggested a meeting between yourself, the board, and Bob Murdo, who I understand assisted with the original drafting of Exhibit A and the initial allocation of the EDUs as shown in Article V, Section 503 of the ILA. The board has not been able to reach Mr. Murdo. To the extent you believe a meeting is necessary, the board is open to discussion with you.

Please send your written response to me at chris@mttaxlaw.com.

Please let me know your response at your earliest convenience.

Sincerely,



Chris Walker

cc: client