

City of East Helena
Office of the City Clerk/Treasurer
PO Box 1170
306 Main Street, Room 103
East Helena, MT 59635
406-227-5321



July 19, 2023

**Notice of passage of resolution of intent to create the Street Maintenance District 201,
notice of right to protest, and notice of public hearing on Tuesday, August 15, 2023**

Dear Property Owner:

Street Maintenance District No. 201

On Tuesday, August 15, 2023 at 6:30 p.m., the East Helena City Council ("Council") will hold a public hearing to consider written protests to the formation of the Street Maintenance District No. 201 ("District") for the purpose of making local roadway improvements and maintenance to Ashley Avenue, Lizzy Street, Sarah Avenue, and the accompanying public facilities. You are being mailed this letter and the accompanying public notice because you are considered an owner of real property within the proposed district.

At a public council meeting on July 18, 2023, the Council adopted Resolution 590, a resolution of intention to create Special Improvement District No. 201. Attached to this letter you will find a copy of the notice of passage of Resolution 590. The resolution and accompanying exhibits are on file in the City Clerk/Treasurer's Office located at City Hall, 306 East Main Street, East Helena. The resolution and accompanying exhibits may also be viewed on the Public Notices page of the City's website at www.easthelenamt.us. The District, if created, will comprise the area shown on Exhibit A of Resolution 590 (attached) and will be for the purpose of making local roadway improvements and maintenance to Ashley Avenue, Lizzy Street, Sarah Avenue, and the accompanying public facilities.

If created, the costs of the District will be assessed bi-annually to all owners of real property within the District equally. Total assessment amounts by parcel can be found in Exhibit B (attached). If created, Resolution 590 levying the assessment will be considered for adoption on Tuesday, August 15, 2023 at 6:30 pm in Room 110 of City Hall and you will have an opportunity to object to the adoption of Resolution 590 at that public hearing. A copy of Resolution 590 is on file and subject to inspection in the City Clerk's Office.

Owners of property have 15 days from July 22, 2023 to make a written protest against the creation of the District. Written protests against the creation of District 201 must be filed by an owner of real property within the proposed District whose property is liable to be assessed for the improvements. Such protests must be delivered to the City Clerk at the City Hall, located at 306 East Main Street, East Helena, Montana, 59635, or by mail to P.O. Box 1170, East Helena, Montana 59635, not later than 5:00 p.m., M.T., on Monday, August 7, 2023.

For more information on the creation of the District please contact me at 406-227-5321.

Sincerely,

Amy Thorngren
City of East Helena Clerk/Treasurer

RESOLUTION NO. 590

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST HELENA, MONTANA, RELATING TO STREET MAINTENANCE DISTRICT NO. 201 FOR MAINTENANCE AND IMPROVEMENTS TO THE INTERNAL STREETS OF PHASES 1 AND 2 OF VIGILANTE SUBDIVISION; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING LOCAL MAINTENANCE AND IMPROVEMENTS.

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

Section 1. Proposed Maintenance and Improvements: Intention To Create District. The City proposes to undertake certain local maintenance and improvements (the "Improvements") to benefit certain property located in the City limits. The improvements consist of roadway improvements to Tam O'Shanter Court, Meadow View Loop, Southerland Court, and maintenance of accompanying public facilities, including: graveling, sanding, chip & crack sealing, seal coating, overlaying, treating, sweeping, flushing, snow removal, leaf and debris removal, the operation, maintenance, and repair of traffic signal systems, the repair of traffic signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair. The total annual estimated costs of Improvements are \$12,566.39 which are to be funded through the District. It is the intention of this Council to create and establish in the City under Montana Code Annotated, Title 7, Chapter 12, Parts, 41, 42 and 44 a street maintenance district (the "District") for the purpose of financing the Improvements and paying costs incidental thereto, including any costs associated with the creation and administration of the District, and the funding of an administrative charge to the General Fund for costs associated with financing of the Improvements (collectively the "Incidental Costs").

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Street Maintenance District No. 201 of the City of East Helena, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted by the continuous line circumscribing the exterior boundaries of the properties shown on the map attached as Exhibit A hereto (which is hereby incorporated herein and made a part hereof) and includes all those lots and parcels on Ashley Avenue, Lizzy Street, and Sarah Avenue, descriptions of which are contained in Exhibit B hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District.

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and shown on Exhibit A and Exhibit B are hereby declared to be the street maintenance district and the territory that will benefit from and be benefitted by the Improvements and will be assessed for a portion of the costs of the Improvements described herein. The property included within said limits and boundaries is hereby declared to be the property benefitted by the Improvements.

Section 5. General Character of the Improvements. The Improvements to be constructed and maintained generally consist of annual graveling, sanding, chip & crack sealing, seal coating, overlaying, treating, sweeping, flushing, snow removal, leaf and debris removal, the operation, maintenance, and repair of traffic signal systems, the repair of traffic signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair on Ashley Avenue, Lizzy Street, Sarah Avenue, and the accompanying public facilities. Each lot, parcel, or tract abutting such portion of these streets, as set forth on the attached Exhibit B, will be benefited by such Improvements.

Section 6. Engineer and Estimated Cost. The City, acting through its contract engineering firm, shall be the engineer for the District. The Engineer has estimated the initial annual costs of the Improvements to be \$12,566.39, as shown on Exhibit C, attached hereto (and hereby incorporated herein and made a part hereof). The District's costs of the Improvements are shown on Exhibit B (which is hereby incorporated herein and made a part hereof).

Section 7. Assessment Method.

7.1 Property To Be Assessed. All properties in the District will be assessed for their proportionate share of the costs of the Improvements plus Incidental Costs from which they derive a benefit as determined and set forth herein. The Improvements plus Incidental Costs shall be assessed against the property in the District benefiting from these Improvements, based on the method authorized by Section 7-12-4422(2)(c), M.C.A., as particularly applied and set forth in Section 7.2 hereof.

7.2 Equal Assessment To Each Lot. The Improvements within the District plus Incidental Costs will be assessed equally to each lot or parcel located within the district without regard to assessable area of the lot or parcel. The city council has determined that the benefits derived from the Improvements by each lot or parcel are substantially equivalent given that each lot or parcel is a single-family residence with similar expected estimated vehicle trips generated.

7.3 Assessment Methodology Equitable and Consistent with Benefit. This Council hereby determines that the method of assessment described above and the assessment of costs of the District's Improvements against the properties benefitted thereby as prescribed in Section 7 are equitable and in proportion to and not exceeding the special benefits derived from the Improvements by the lots, tracts and parcels to be assessed therefore within the District.

Section 8. Public Hearing: Protests. At any time within fifteen (15) days (or such longer period required by law) from and after the date of the first publication of the notice of the passage and approval of this Resolution, any owner of a lot, tract, or parcel within the District subject to assessment and taxation for the cost and expense of making the Improvements may make and file with the City Clerk until 5:00 p.m., MT, on the expiration date of said 15-day period written protest against the proposed Improvements, or against the creation of the District. Such protest must be in writing, identify the property in the District owned by the protestor and be signed by all owners of the property. The written protest must be delivered to the City Clerk, who shall endorse thereon the date and hour of its receipt. For purposes of calculating protests under Section 7-12-4113, MCA, the sufficiency or insufficiency of protests, if any, as to the

entire proposed District shall be based on the estimated total amount of special assessments made by valid protestors in the District as compared to the estimated total principle amount of special assessments to be levied against all properties in the District. The Council will at a City Council Meeting after the expiration of the protest period, on August 15, 2023, proceed to hear and pass upon all such protests so made and filed.

Section 9. Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the Independent Record, a newspaper of general circulation in the county in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the District listed in the owner's name upon the last completed assessment roll for state, county and school district taxes, at the owners last-known address, on or before the same day such notice is first published.

Passed, by the City Council of the City of East Helena, Montana, and approved by the Mayor this 18th day of July 2023.



Kelly Harris, Mayor

ATTEST:


Amy Thongren, City Clerk-Treasurer



CERTIFICATE AS TO RESOLUION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of East Helena, Montana (the "City") hereby certify that the attached resolution is a true copy of Resolution No. 589, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST HELENA, MONTANA, RELATING TO STREET MAINTENANCE DISTRICT NO. 201 FOR MAINTENANCE AND IMPROVEMENTS TO THE INTERNAL STREETS OF PHASES 1 AND 2 OF VIGILANTE SUBDIVISION; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING LOCAL MAINTENANCE AND IMPROVEMENTS" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on July 18th, 2023, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council Members voted in favor thereof: Don Dahl, Judy Leland, Wesley Feist, Suzanne Ferguson;
voted against the same: none;
abstained from voting thereon: none;
or were absent: none.

WITNESS my hand officially this 18th day of July, 2023.

[Signature]
City Clerk



LEGEND

PARCELS

SID BOUNDARY

PHASE ONE AND TWO SID BOUNDARY



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



VIGILANTE SUBDIVISION
PHASE ONE AND TWO STREET IMPROVEMENT DISTRICT
EXHIBIT A

EXHIBIT B - ASSESSMENT

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

Total Yearly Assessment: \$ 12,566.39

EXHIBIT C - COST ESTIMATE

Vigilante Subdivsion Phase 1 & 2 SID

Street Improvement District Costs
7/12/2023

Lots:	48
SY Asphalt in Phases:	10,217

COST ESTIMATE

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