

CITY OF HELENA
REGULAR CITY COMMISSION MEETING
March 23, 2020 - 6:00 P.M.
Zoom Online Meeting: <https://zoom.us/j/4129664351>

Time & Place A regular City Commission meeting was held on Wednesday, January 8, 2020 at 6:00 p.m., via Zoom Online Meeting: <https://zoom.us/j/4129664351>.

Call to Order and Roll Call Mayor Collins, Commissioner Haladay, Commissioner Dean, Commissioner Logan, Commissioner O' Loughlin, Interim City Manager Reed, City Attorney Jodoin, and Interim City Clerk Dannai Clayborn.

Pledge of Allegiance Mayor Collins asked those persons present to please stand Allegiance and join him in the pledge of allegiance.

Minutes The summary of the March 4, 2020 Administrative Meeting and minutes of the March 9, 2020 Regular Commission Meeting were not available for approval.

Consent Agenda CONSENT AGENDA

A. Claims

Public Comment Mayor Collins called for public comment, none was received.

Motion **Commissioner Haladay moved to approve the Consent Agenda, Item A, Claims.** Commissioner Dean seconded the motion. Interim City Clerk Clayborn called a roll call vote as follows Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye and Mayor Collins voted aye. The motion carried, 5-0.

Communications from City Commissioners COMMUNICATIONS/PROPOSALS FROM CITY COMMISSIONERS

Commissioner Haladay spoke about his email regarding the permanent city manager search and whether the Commission had the desire to schedule a special meeting with the Novak Group to start the process and whether the Commission wanted to identify two commissioners to work with Novak to provide direction as to the structure of the discussion with Novak at a special meeting.

Mayor Collins supported the idea of a subcommittee. Mayor Collins also spoke of his desire to appoint Commissioner Dean and himself to the Ad-Hoc Committee as required by Section 9.2.2 of City's Personnel Policies Handbook for the remainder of 2020. Commissioners Dean and O'Loughlin favored a subcommittee to work with Novak. Commissioners Dean and Haladay volunteered to coordinate with Novak.

Commission O'Loughlin asked Attorney Jodoin if a vote on the Ad-Hoc Committee was necessary. Attorney Jodoin recommended that a vote was not needed and that the Mayor could appoint commissioners similar to other committee or board assignments.

Report of the City Attorney REPORT OF THE CITY ATTORNEY
City Attorney Jodoin stated there was nothing to report.

Litigation Strategy

LITIGATION STRATEGY

City Attorney Jodoin stated there was nothing to report.

Report of the City Manager

REPORT OF THE CITY MANAGER

Interim City Manager Reed thanked City leadership in making the quick changes to operations while maintaining services and public safety. Interim City Manager Reed summarized the operational changes COVID-19 Impact Mitigation Measures:

Majority of personnel at city county building are working remotely or modified work schedules.

Working closely with staff to accommodate staff with school age children.

Determine the safest and responsible methods to operate Capital Transit's paratransit and East Valley bus service while minimizing risk to staff and the public.

Look to City's website for operation changes as such changes are happening on a day-to-day basis.

Civic Center was temporarily closed effective March 14, 2020

Continuing to work closely with emergency responders and law enforcement to ensure they have sufficient personal protective equipment.

Regularly coordinating with the Lewis and Clark County DES Coordinator, County, and State Officials in implementing the EOP.

Temporarily suspended enforcement of downtown parking; continuing to maintain services to households that have delinquent accounts; suspending enforcement of the abandoned vehicle ordinance.

Discussion

Commissioner Logan asked about the coordination with the DES Coordinator has there been any consideration relative to activating an emergency operations center. Interim City Manager Reed explained those discussion have started and will continue to be discussed and will provide an update. Commissioner O'Loughlin thanked Interim City Manager Reed for her leadership and city staff for being responsive to public's need while mitigating the spread of COVID-19. Commissioner Logan and O'Loughlin have been participating in on leadership team discussions.

Commissioner Dean thanked Interim City Manager Reed and city employees in responding to this unique situation. She asked Interim City Manager Reed if there has been any discussion with St. Peter's to see if they have any needs the City could assist with. Interim City Manager Reed explained that the City has not communicated directly but understands that County Health has. Commissioner Dean asked if was appropriate for the City to implement a task force in coordination with the EOP to work with community partners; if the City could facilitate community partners to try to develop a resource center for community needs such as childcare and supporting organizations that are providing services to the elderly and compromised individuals; and relief and support for small businesses.

Mayor Collins asked how Commissioner Dean saw that discussion starting. Commissioner Dean advocated for getting all the partners in the room: Elkhorn COAD, small community, YWCA for example to connect people to resources. Commissioner O'Loughlin supported the efforts to coordinate services but that it be Commission driven rather than staff. Commissioner Dean agreed to develop a list of resources.

Communications from the Helena Citizens

COMMUNICATIONS FROM THE HELENA CITIZENS COUNCIL

No report given.

Regular Items

REGULAR ITEMS

A. CONSIDER A RESOLUTION DECLARING A STATE OF LOCAL DISASTER EMERGENCY

Staff Report

City Attorney Jodoin stated that the Mayor signed Declaration of State of Local Emergency which is valid for a period of 10 days until the Commission extends by Resolution. City Attorney Jodoin explained the three main purposes of the Resolution of State of Local Emergency:

(1) Allow the Interim Manager the authority to have HPD enforce quarantines concurrent with or at the direction of the local health officer under Title 50, Chapter 2, Part 1 and associated administrative rules and Lewis and Clark Disaster and Emergency Services, if such are ordered.

(2) First step to potentially imposing an emergency levy that could be used to pay for expenditures related to the response to COVID-19.

(3) Provide a basis for the operational emergency decisions that the City may need to make to reduce the spread of COVID-19 and create a safe work environment.

Discussion

Commissioner Dean stated that given there were 11 new cases in one day she thought this Resolution was well timed. Commissioner Logan asked if quarantines and curfews were primarily driven by public health officials. City Attorney Jodoin stated that was correct but under the resolution presently considered the Manager would have authority to do so if public health officials had not done so; in other words public health officer orders under state law take precedent and must be carried out by local law enforcement. Commissioner Logan asked if there was a downside to an indefinite resolution. City Attorney Jodoin explained that one downside was that the City would need to keep track of when this resolution was no longer needed and take affirmative action to repeal. Commissioner Logan asked the other commissioners if there was desire to place a deadline or time to review. Commissioner O' Loughlin asked if the County's declaration included a sunset. City Attorney Jodoin stated there was not. Commissioner O'Loughlin said that regardless the Commission would need to take affirmative action to either end the declaration or extend it.

Commissioner O'Loughlin asked about the authority of the City to place a moratorium on evictions. City Attorney Jodoin explained that generally Sheriff has the responsibility of carrying out eviction orders. HPD will provide ancillary support to the LCSO if needed. Landlord-Tenant relationships are also one of the specific areas that self-governing cities in Montana are excluded from regulating.

Public Comment

Mayor Collins asked for public comment and none was received.

Motion **Commissioner Dean moved to approve a resolution declaring a state of local disaster emergency.** Commissioner Logan seconded. Interim City Clerk Clayborn called a roll call vote as follows Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye and Mayor Collins voted aye. The motion carried, 5-0.

Public Hearings PUBLIC HEARINGS
A. CONSIDER A RESOLUTION REPEALING THE 2011 CITY OF HELENA GROWTH POLICY AND ADOPTING THE 2019 CITY OF HELENA GROWTH POLICY.

Staff Report Community Development Director reported that the Resolution of Intent was passed and set the public hearing for today but is recommending tabling the adoption of the Growth Policy.

Discussion Commissioner Dean thought it might be a good idea to table to allow public comment given confusion about tonight's meeting. Commissioner Haladay concurred.

Public Testimony Mayor Collins opened the public hearing for the public testimony, there being no one wishing to address the Commission, the public hearing was closed.

Motion **Commissioner Dean moved to table** adoption of a resolution repealing the 2011 city of Helena growth policy and adopting the 2019 city of Helena growth policy to the call of the City Manager. Commissioner O'Loughlin seconded. Interim City Clerk Clayborn called a roll call vote as follows Commissioner Haladay voted aye, Commissioner Dean voted aye, Commissioner Logan voted aye, Commissioner O'Loughlin voted aye and Mayor Collins voted aye. The motion carried, 5-0.

Public Communications PUBLIC COMMUNICATIONS
None received.

Adjournment There being no further business to come before the City Commission, the meeting adjourned at 6:36 p.m.

MAYOR

ATTEST:

CITY ATTORNEY