



HCC Full Board Meeting

## Minutes

Weds. March 27<sup>th</sup>, 7-9PM

In person room 326 or via Zoom

### **8:38(recording time) Meeting Called to order by Chair Ben Kuiper**

**In Attendance** – Lori FitzGerald, John Andrew, Diana Hammer, Nancy Perry, Ben Kuiper, Sonda Gaub, Paige Regan Myers, Sean Morrison, Emily Mowers, Chase Eaton, Rober Schlack, Sydney Ausen, Jannet Zimmerman, Samuel Brown, Anna Kratz, Dylan Klapmeier, Bob Habeck, Denise Roth-Barber, Susan Steffens, Peggy Benkelman (coordinator).

**HCC Members Excused:** Patricia Bik, Joe Lehman, Lowell Chandler, Ryan Schwochert, Rick Boleware, Brenda Valerio.

**Members of the public:** Police Chief – Brett Petty, Fire Chief Jon Campbell, City Attorney Rebecca Dockter, Bill Kasha, Tracy Bailey, Dr. Gregory Thomas.

**Quorum established** - yes

**Approval of February 2023 Full HCC Board Minutes** – all members were in favor, no changes or additions. Minutes approved.

### **Public Comment on Non-Agenda Items:**

**10:11 Bill Kasha:** Bill notes that recently the City Commission voted 5-0 to support the Department of Transportation grant for a feasibility study for the East Side arterial connector. But tonight, I wish to address current issues that already exist on the roundabout and Broadway from Winnie and Broadway, and to voice the concern to see that the new artery project does not exacerbate the traffic and safety issues that already exist. I met briefly last fall with Tim Burton City manager to discuss traffic concerns. Thanks for having installed 2 speed limit signs and recently placed a solar powered speed monitor by the Frisbee golf course, which has helped immensely with the traffic flow. When people see that flash inside, I'm not sure if they think that is a temporary sign. The traffic flow from the Maverick station, along with the residential commercial activity has increased traffic. Citizens on Saddle Drive in the South Hills district have a real concern about the traffic flow.

I think people might see Saddle Drive as a shortcut. And if you look on a map or Google map from that roundabout freeway, it does look like Saddle Drive is the shortest route to get to downtown, to the hospital, to the Capitol.

By my own research, I did a test drive from that roundabout and followed Columbia drive down to Broadway 2 min and 15 seconds, with no stop signs.

If you go on Saddle Drive, even though it's a shorter distance and drive the speed limit. It takes 3 min and about 45 s 5 min, 30 s longer if you drive the speed limit. But most people with my experience don't drive the speed limit.

Ben suggests getting in touch with City Manager and Transportation Department Director, David Knoepke, regarding these concerns. Perhaps the HCC would want to write a recommendation in regard to this situation. Police Chief Brett Petty agrees that the area is becoming more dangerous with people driving too fast. He thinks Bill Kasha is on the right track by contacting city departments and HCC District #7 for a possible recommendation to the Commission.

City Commission Update – none

**24:32 – City Attorney Rebecca Dockter speaks about protocol for HCC members regarding outreach on ballot issues, levies and the Local Government Review.**

Good evening, I am here to discuss the protocol for HCC's outreach to the public on 2 ballot measures – The Local Government Review and the Public Safety Levy.

The focus of this is to help you be able to stay within the law and it requires or prohibits a public officer and a public employee from using or permitting the use of any city time, facilities, equipment, supplies, personnel or funds in regard to ballot measures.

The HCC or any city employee cannot solicit support for or opposition to, the passage of a ballot issue. As an HCC Member, you are a public officer as defined in code, in the code of ethics as an elected officer of a local government. So, it definitely applies to you and to a public employee, which would be Peggy and it prohibits, then, your use of any city facilities. if you're going to advocate for or against a ballot issue.

So, you can focus on education. And, if you stick with education, you can do most anything that you would normally do in your function as an HCC member.

So what does that mean? I will give you some pointers on how I suggest our employees stick within that role. There are some do's and don'ts – do not use words like vote for or vote against, support or oppose. Those are clearly advocacy words to stay away from but you can use facts. And you're going hear from chiefs tonight about many facts about the needs for the city of Helena. You can refer people to presentations on the city website. I would also suggest that you clarify that you are not speaking on behalf of the HCC – your opinions are your individual opinions.

Rebecca states If something comes up while you're contemplating how it is you want to interact with your district members, I'm happy to answer any questions, and help you through on how to proceed.

Denise R. Barber – HCC District #7 -This is a good opportunity, especially for some of the newer HCC members to know that first and foremost, you are a citizen of this city and country, and you have the absolute right to advocate for or against anything you want, just be sure to state this is your personal opinion. Can the HCC as a body support a ballot

measure? City Attorney says “no” this law prohibits that – you cannot use your role as a public officer to advocate for or against a ballot issue, but you can, as an individual, advocate for whatever you wish.

Nancy Perry – HCC district #2 – She asks if the ballot issues will coincide with the primary election. City Attorney Dockter says yes.

**34:13 Fire Chief Campbell Speaks** - There will be 2 questions on the ballot,

1. A Mill levy increase to provide staffing. These needs were realized through a master plan and correlate to service level capabilities.
2. A 20 year bond. This will provide a 3<sup>rd</sup> Fire Station and increased staffing.

**38:33 Police Chief Petty Speaks** – A staffing study was conducted and showed the need for 3 more detectives, 2 community resource officers and a civilian crash investigator. Twenty percent (20%) of police calls are crashes. In 2023 there were 29,000 calls. The police department hasn’t increased staffing for 20 years.

**Fire Chief Campbell says** - The municipal government in Montana can only grow at a set rate as established by statute. The rate of inflation is averaged over 3 years and that is as much additional taxation as we can bring in. This revenue does not keep up with the costs associated with emergency services. This increased cost is more than the city can afford, hence the mill levy. When Fire station #2 was constructed in 1978 the call volume was 500 per year. In 2023 the call volume was 4,887. Calls for fire services are different than calls for police – sometimes crews will arrive from other stations. In 2018 there was a mill levy as a “band aid” solution and now, six years later the department is still inefficient. The Fire department does not go to health emergencies anymore, there is a contract with St. Pete’s ambulance service to take care of these calls.

Samuel Brown HCC district #5 asks if the Fire Engines will still be able to support medical calls. Chief Campbell says yes.

Currently there is not enough space to house all the engines – one is in Mt. City.

Bob Schlack HCC District #4 asks if Benefis may provide ambulance services in Helena? Chief Campbell says no, now the contract is with St. Peter’s.

The Fire Department has mutual agreements with Mt. City, the VA and the West Valley Volunteer Fire Departments. The volunteers actually provide services to the City.

Dylan Klapmeier HCC district #7 – Could the City Budget support FTE positions by cutting the budget in other areas such as the golf course or pool? Chief Campbell says it takes a lot to train and equip Fire Department personnel. The Fire Department doesn’t want to become an enemy of other city departments by taking away from their budgets – so this probably will not happen. The Chiefs are hoping the public sees the importance of Public Safety Issues and the public will vote for the ballot issues.

Emily Mowers or Sydney Ausen (?) – Does the city coordinate when to have ballots issues – for example with the School District? Chief Campbell says no they don’t coordinate.

59:48 Ben Kuiper HCC Chair – If the ballot measure doesn’t pass, will the 3<sup>rd</sup> Fire Station be “dead in the water”. Chief Campbell responds possibly. The 15 person staffing request gives the Department the opportunity to respond to more complicated demanding incidents.

The Insurance Server organization the Fire Department uses is termed a 3. If Helena could move that rating from a 3 to a 2, it could result in property owners having cheaper premiums.

Ben Kuiper asks about the role of Community Resource Officers. Chief Petty responds that most of their work is within schools, but the Department also strategizes where to place them in the community – by having their presence there, fewer crimes are committed. They can also help with mental health crises.

Nancy Perry HCC district #2 – asks if there are actually extra fire trucks. Chief Campbell says no, but with the 3<sup>rd</sup> Fire Station will help the trucks be better dispersed. Currently one is housed in Mt. City.

Sam Brown HCC district #5 asks if there are some sort of standards regarding number of police per person? The FBI says a number used is 1 per 1,000.

Sonda Gaub HCC District #2 asks why does the city have to vote on a staffing issue? City Attorney Dockter responds that the Commission has to approve the FTE (Full Time Employee) and make sure the money is there to pay for them.

1:14:40 Chief Campbell says new positions must be vetted and approved through the budget process, which includes approval through HR (Human Resources), City Manager, Finance Department and ultimately through the Commission, where it is voted upon and approved. To increase the budget above and beyond the City's budget, there would need to be a mill levy to be able to provide these services.

1:15:53 Tracey Bailey – (member of the public) asks the Chiefs if they feel a bridge over or near malfunction junction would be of benefit. The Chiefs say yes. Tracey says he has ideas about a steel bridge and will contact them.

Emily Mowers HCC District #3 – asks if the City Fire Department responds to county calls. Chief Campbell says yes there is a mutual aid agreement. Neither the City nor the County are involved with cost sharing regarding this. Insurance benefits are better outside the City limits because of this mutual aid agreement. Emily also asks if there are modified FTE positions? They don't fully understand the question, but believe no, that is not the case.

### **Officer Reports**

Chair – Ben Kuiper – HCC is developing the budget process and there will be two HCC meetings in May with the final wrap up by May 31<sup>st</sup>.

Denise R. Barber – would like to see the HCC resubmit its Priorities to the Commission.

Vice Chair- Lowell Chandler - (1) I reached out to the Transportation Department regarding the status and timeline of the MPO process. The update from David Knoepke was:

All of the documents concerning the MPO are still under review of the legal departments of the entities involved including the bylaws. Once they have been reviewed and concerns addressed, the documents will be in a better form for consideration of the entities [I think he is referring to the membership of the MPO and the various committees here in saying "consideration of the entities"].

(2) I have still not received any response from the City Manager regarding the pesticide recommendation and the email I sent March 13. I sent a reminder email this morning, Ben is cc'd, hopefully we'll receive a response.

(3) [This one has overlap with my NMTAC report and can fill double duty]. I encourage HCC members to submit comments to **BOTH Helena Transportation Dept. and MT Dept. of Transportation** on the proposed Pedestrian Crossing projects along Montana Ave and Bozeman, as well as Lyndale near Memorial Park. I further encourage members to request that a [HAWK](#) type crossing be installed (i.e., a pedestrian actuated stop light) as well as a middle refuge median to ensure safety for pedestrians, particularly kids accessing Memorial Park from the nearby neighborhood, and that the new crosswalks provide a safe connection to the Centennial Trail. Here is the KTVH [news article](#) discussing MDT's call for comments on the Lyndale crossing and here is a [link to MDT's website](#) for providing comment.

Lastly, MDT has been conducting a study for months/years regarding crosswalks on MDT managed city roads, which is why we have not seen pedestrian actuated crosswalks installed on Benton as we had requested and as was budgeted for in the fy 2024 Budget process. Helena Transportation is awaiting the completion on MDT's study before moving forward with an enhanced crosswalk at Benton and Stuart. It sounds likely that that crosswalk would be a good candidate for a flashing beacon crosswalk that is not only on the side of the roads but also with an arm that goes across the road due to the four lanes of traffic.

**Secretary – Diana Hammer** – Diana defers to Emily Mowers with the Outreach Comm. Update  
**Treasurer – Lori FitzGerald Budget updates** – Lori says there is a good group of volunteers for the Budget Recommendation Writeup.

Sidney Ausen – police, fire, court

John Andrew – Community Development

Ben Kuiper & Lori FitzGerald – Finance

Diana Hammer – Public Works

Pat Bik – Parks

Lowell – Transportation

Sonda Gaub, Dylan Klapmeier where needed to fill in gaps

Emily Mower – help in the write up of the recommendation

### **Unfinished Business**

More Details about Budget Process with dates – discussed earlier in the meeting

### **New Business**

Future Recommendations

- 1.HACF (Helena Area Community Foundation) needs more monetary input from City – Diana Hammer states that 61 non-profit organizations applied. She would like the City and the County to contribute more money in the future. This could be a possible recommendation.
2. The BID (Business Improvement District) would like to install a public restroom downtown at LCG x 6<sup>th</sup>. They would be willing to present this idea to HCC at our next meeting.

### **Commission Attendees' Reports –**

**3/6– Janet Zimmerman** – I attended this meeting by zoom. I reported the 25 of the 28 positions on the HCC council were filled, the council had reviewed and passed the 2025 budget, and the league of women voters had given us a presentation on the review. The meeting began with the discussion of a pending proposed fair market housing study, Cost to be shared by the city of Helena, Lewis and Clark county and Helena Housing Authority. Completion of the study will allow Helena Housing Authority to apply for low income housing Grant several million dollars. City Managers' report with update on the pending education and public safety plan. There is a potential mill levy and bond proposed after the June 4 election. It was suggested to contract a consulting firm to review and advise on a proposed public information campaign. Focused on importance of keeping education and advocacy issues separate per legal guidelines. Lengthy discussion of selecting artwork for walking trail tunnels at Centennial and on Lyndale .Over 20 proposals submitted and reviewed. Slides were presented and criteria for selection discussed. Discussion of lack of Montana artists represented. Final selection postponed.

The strategic plan review continues. Content is being added and adopted. No public comment was submitted.

General fund savings projects updates, discussion of family promise building purchase, public restroom construction at Constitution park and need for women's shelter in Helena. Engineers positive report on status of city water storage and treatment facilities. Included discussion of Ten-mile watershed, Eureka well, and the Missouri river treatment plant. The conclusion was Helena has plenty of good quality water with excellent potential for the future and infrastructure is sound. Short discussion of sidewalk construction policies and frequency of requested variances. One public comment regarding a specific recent case.

**3/11 – Anna Kratz** - Everything they voted on passed 5-0. Consider approval of Community Aid Grant Agreements – Commission approved funding for the Business Improvement District, Exploration Works, Helena Regional Sports Association, and the Friendship Center. Considered two sidewalk variance requests. Both were approved. Consider a Resolution modifying the distribution of Helena Affordable Housing Trust Funds to United Housing Partners, LLC, for new multi-family housing construction. Approved, term loan change. SLIPP programs considered and approved - bioreactor replacement at the Wastewater Treatment plant and ADA ramp replacements around town - both approved. Right of way ordinance last updated in 2013, revised and updated. Approved. Consider a Resolution to Establish Fees to be Charged for the Last Chance Splash Waterpark & Pool and Repealing Resolution No. 20820 – fee increase passed 5-0, commission asked the city to consider how to reduce fees for city residents (proving residency) and WIC and SNAP recipients in the future. Consider a Resolution to Establish Fees to be Charged for the Bill Roberts Municipal Golf Course. Passed, an impassioned senior citizen made a comment about how the fees for seniors were being raised, but not greens fees and punch cards. Golf Advisory Board did not realize this but said \$50 didn't seem inappropriate due to rising staff costs and golf cart costs. Fee increase approved 5-0.

One public comment made about recycling bins abutting houses on McHugh, city manager Burton will look into that with the county commission.

**3/20 – Pat Bik** - The Lewis and Clark Health Department will be conducting a survey on community health and needs 60 volunteers to knock on doors to fill out surveys. The Department will offer training and safety vest for volunteers. Also, on March 26, Montana PBS will begin showing a documentary on community health titled "Invisible Shield." The Health Department also hopes to schedule showings of this documentary at the Myrna Loy Center. On May 4th, the Public Art Committee will hold a public event at an undisclosed location where professional artists will paint four city dumpsters.

**3/25 – Chase Eaton** - The commission approved board appointments for the Citizen's Conservation Board as well as the Metro Opioid Abatement Review Committee. They also accepted the recommendation to award bids for the FY 2025 ADA Ramp and 2024 Chip and Seal Projects. There was a motion to reconsider Agenda Item 9A from the March 11th meeting for a sidewalk variance which was also approved. I reported we have formed a budget recommendation committee and were looking forward to the presentation on 3/27 about the Mill Levy for Fire/Police. The commission asked for information on the number of people on the committee. Ben indicated we will follow up with a final number. The regular items were all approved including the renewal of West Side Fire Service Area Contract, City Employee Personnel Policies, the distribution of Railroad Urban Renewal Funding for the Pattern House, and the selection of an artist to paint the Lyndale Tunnel Mural.

The commission voted to table a variance request for raising the height of a cell tower at 1414 Orange Avenue. Mayor Collins was the only dissenting vote. The commissioners are seeking further clarity regarding public concerns. Public concerns ranged from health (5G, Electromagnetic Frequency Radiation), Wildlife (nesting ravens), and access to their businesses and homes. Director Brink stated local governments are prohibited by the federal government from denying telecommunications variances based on health/safety and can only deny based on land-use concerns. Finally, the only public communication was from Rad Monty who acknowledged recent steps with the women's shelter and the acquisition of a local hotel for a shelter but stated that more should be done for the un-housed. Specifically, I understood, those who struggle with addiction. He invited everyone to a meeting next Tuesday (April 2nd, 2024) at 6 PM at Our Place to try to bridge any gaps between the different communities and stakeholders.

**Coordinator Report** – Peggy Benkelman reminds members she is out of town from April 9<sup>th</sup> thru April 16<sup>th</sup>. We still need to fill slots to attend Commission Meetings in May. A list of all community services is now a link on our website.

**Outreach Committee Report** – Emily Mowers – The water bill insert for HCC will be sent out in May. We keep updating the posts on Facebook.

**City-County Planning Board** – John Andrew – no February meeting

**Helena Public Arts Committee** – Paige R. Myers - the Lyndale tunnel artist has been chosen.

**Non-Motorized Travel Advisory Council** – Lowell Chandler – not present

**Citizen Conservation Board** – Sydney Ausen

The Board was preparing to give their annual report presentation to the City Commission. They hope this presentation will take place before July. The board was supposed to give a presentation to the City

Commission last year, but it was never scheduled. Ideally, the Board provides this presentation to the City Commission before the budgeting process begins, but that didn't happen this year.

The board had prepared an original presentation for the City Commission, sent it over, and received the feedback that the presentation was too long and that the Board needed to focus their presentation on *policy level* decisions vs. project level decisions. There was some discussion about the difference.

Public Comment:

- Diana Hammer- worked on the original presentation to the City Commission. Asked if the City reached out with their concerns and guidance in advance of the Board sending over their proposed presentation. Reported that the Board worked hard to get the presentation ready by Jan. 11th for the Jan. 17th City Commission missing only to be denied presentation. Expressed that this was disappointing.

Updates from City Staff

- Staff received a progress report from the sustainability audit. The report should be finished by the end of March. The report is an energy efficiency audit of all city facilities. The report has identified the golf course as a big energy user, and therefore the City staff are exploring a solar install (50kW net metered system) at the golf course within the next few months.

- There will be an open house on April 11th in rm. 426 (time unknown) with a presentation on the integrated solid waste management master plan. There will then be a 45 day public comment period.

- City staff applied for a grant for waste reduction to be used for outreach and education about recycling.

Officer Report:

- Currently, there is only 1 officer for the Citizen Conservation Board- Vice Chair. All other positions need to be filled.

Unfinished Business:

- All officer roles for the board need to be filled and the Board is looking for volunteers.

- The current vice chair agreed to act as interim Chair for the Board until elections can take place.

- The Board spent the rest of the meeting working to revise their presentation to the City Commission. The presentation includes the state of current sustainability measured underway by the City of Helena. The presentation identifies 3-5 specific sustainability measures for the City Commission to review and then provide guidance to the City Manager as priorities for the coming year. The board expressed feeling really constrained and far behind in this processes. They expressed they haven't had the opportunity to talk with the City Commission in the last few years.

- Recommendations that the Board will make to the City Commission in their presentation:

- **Transportation:** Adopt a resolution to make vehicle replacement with EV's the default unless justified otherwise based on usage patterns and availability restrictions.

- **Transportation:** Support mode shifts towards walking and biking by denying variance requests to not put sidewalks and boulevards in and continue funding for ADA compliant ramps on sidewalks.

- **Water Conservation:** Create a resolution adopting Lush and Lean Landscaping Practices for municipal properties to include drought- resistant native and xeriscape planting strategies.

- **Energy Conservation and Efficiency:** Amending Resolution 20218, which established a Residential Energy Efficiency and Renewable Energy Loan Program, to specifically include air sourced heat pumps: *"Section 2: Loans to residential property owners may only be used to purchase and install energy efficiency upgrades and renewable energy systems including, but not limited to, solar photovoltaic systems, wind turbines, geothermal, air source, and ground source heating systems, gray water systems, and solar water heating systems."*

- **Green Electricity:** Continue to support the Residential Energy Efficiency and Renewable Energy Loan Program, established by Resolution 20218, with additional funds in FY2025.

- The Board will present these recommendations to the City Commission on 3/20 @ 4:30pm.

- The Board agreed that in next years presentation, they'd like to have a section that addresses impacts to the efficacy of the Board.

The next meeting will be April 11th. The board will review their strategic plan at that meeting and staff will give an overview of City finance.

**Solid Waste Master Plan Meetings** – Denise R. Barber – the Master Plan has been finalized. The HCC may want to have a discussion about it at the April Meeting.

**City-County Library Board** – Anna Kratz – attendance is up, transactions are up 20%. The East Helena Library will be updated.

**Golf Advisory Board** – Bob Schlack could not attend

**City-County Consolidated Parks Board** – no one attended

**Affordable Housing Trust Fund**- no one attended

**Water Quality Protection Board** – Diana Hammer – The April meeting will include discussions about exempt wells.

**MPO – when meetings begin**

**Roudabouts – Bob Schlack – he will write up a report about the 2 proposed roundabouts.**

Motion to Adjourn by Sonda Gaub, seconded by Dylan Klapmeier

**2:08:11 Meeting Adjourned**



