



City-County Consolidated Parks Board Meeting Agenda



June 5, 2024 – 11:30 AM

City-County Building 316 N Park Ave. Room 426

Zoom meeting link: <https://us06web.zoom.us/j/95886198508>

Call to Order and Roll Call

Approval of the Minutes

April 3, 2024 Meeting

Zoom recording link: https://us06web.zoom.us/rec/share/G6EOuR4YV78nrgsYu-AJwA5x6plKxrrhaNIHcfY_9oY025Erc-4b5cK7O2P4vCak.qrWU3cF6pwDg51jb

Public Comment (Items pertaining to this agenda)

Unfinished Business

- A. None
- B. Public Comment

New Business

- A. Helena Business Improvement District (BID) Public Restroom Update
- B. Public Comment

Staff Reports

- A. City Staff
- B. County Staff

Member Reports

- A. City Commission Report
- B. County Commission Report
- C. Helena School District Report

Public Comment (Items not on the agenda)

Member Announcements / Proposals for Next Agenda (July 3, 2024)

Adjournment

ADA NOTICE – CITY/COUNTY

The City of Helena and Lewis and Clark County are 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 and County will not exclude persons with disabilities from participation at its meetings or otherwise deny them the City and County services, programs, or activities.

Persons with disabilities requiring accommodations to participate in the City's meetings, services, programs, or activities should contact the City of Helena Community Development Department, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following: Phone: (406) 447-8490; TTY Relay Service [1-800-253-4091](tel:1-800-253-4091) or 711, or via Email: citycommunitydevelopment@helenamt.gov, Mailing address & physical location: 316 North Park, Avenue, Room 445, Helena, MT 59623.

Persons with disabilities requiring accommodations to participate in the County's meetings, services, programs, or activities should contact the Lewis and Clark County Human Resource Department, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following: (406) 447-8316, 316 North Park Avenue, Room 303, Helena, MT 59623; TTY Relay Service [1-800-253-4091](tel:1-800-253-4091) or 711, hr@lccountymt.gov.

Press Release

Helena Business Improvement District Hosts Public Meeting on Downtown Public Restroom Installation

[Helena, MT]- The Helena Business Improvement District (HBID) will hold a Public Meeting regarding the installation of a downtown public restroom. The meeting will use an Open House style format, providing an opportunity for the community to engage in an open dialogue about this necessary addition to downtown Helena.

Date: April 23rd 2024

Time: 4:00 PM – 6:00 PM

Location: HBID Office, 330 N. Jackson, Helena, MT

During the Open House, the public will be able to review the proposed location for the public restroom and to examine the type of restroom being considered. Community members are encouraged to ask questions and provide feedback on the project.

Since April 2023, HBID has diligently explored the installation of a downtown public restroom, prompted by increased use of the walking mall and greater attendance at downtown events. Part of this preliminary trial process was to place a portable toilet in Constitution Park in April 2023, where it remains and is open to use. The result was overwhelmingly positive.

"The BID recognizes the need and benefit of a public restroom to address increased commerce and tourism in the downtown business district and the popularity of the walking mall for public events," noted Seth Brandenburg, HBID Board Chair.

"We've done the research, have secured almost all of the funding, and we are hopeful we will see this improvement to downtown Helena take shape," stated Megan Helton, HBID Interim Director. The City of Helena has committed \$98,000 to the project, while Lewis and Clark County have pledged \$35,000. HBID will contribute \$44,000, with the total cost for the project estimated at \$240,000. Once the project goes through the public process, HBID will pursue additional funding sources. In the long term, HBID will be responsible for managing the installation, repairs, maintenance, and supplies.

The HBID represents property owners within Helena's legally constituted city district, and funding for HBID programs and services is derived from a special assessment on the district's property owners' tax bills. The organization serves as a vital catalyst for economic development in downtown Helena, sharing a vision and voice for the downtown community.

For more information about the Public Meeting or the downtown public restroom project, please contact the HBID office at director@helenabid.com or 406 447 1535

Downtown Public Restroom in Constitution Park

Proposal

- Helena Business Improvement District (BID) proposes to purchase, install, and maintain a prefabricated public restroom for downtown Helena.
- The preferred location is Constitution Park.
- The restroom will be open twenty-four hours per day and will be closed only in the coldest of weather.
- The City of Helena, Lewis and Clark County, and the BID have already reserved significant funds for the project.



Location Considerations: Constitution Park and 6th & Hibbard Way

- Proximity to where people gather.
- Prominence, observability.
- Grade and access.
- Installation cost.

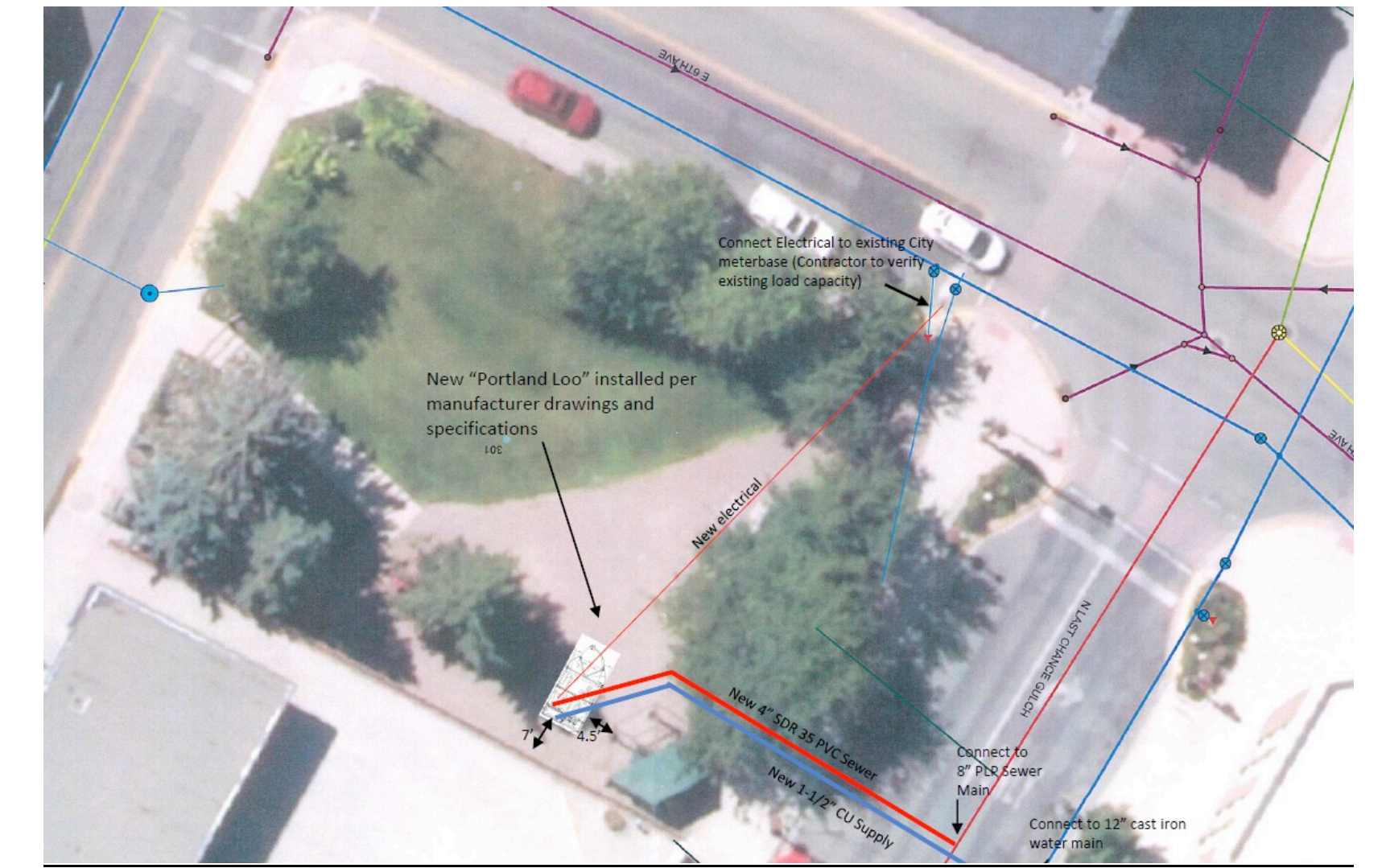
BID Preferred Location: Constitution Park

- The infrastructure for water and sewage is readily available, requiring minimal invasive construction.
- Location successfully tested by BID portable restroom since April 2023. It has been a positive addition to downtown.
- Near where people gather.
- It is the midway point of the commercial core.
- It is accessible to families with strollers and those with mobility issues.
- Prominent location for visitor visibility and use.
- Only location that provides consistent 360° visibility by both the general public and Public Safety Officers on normal vehicle patrol.

Why not on the walking mall?

- Installation cost would be greater.
- More isolated from view: more likely for an encampment.

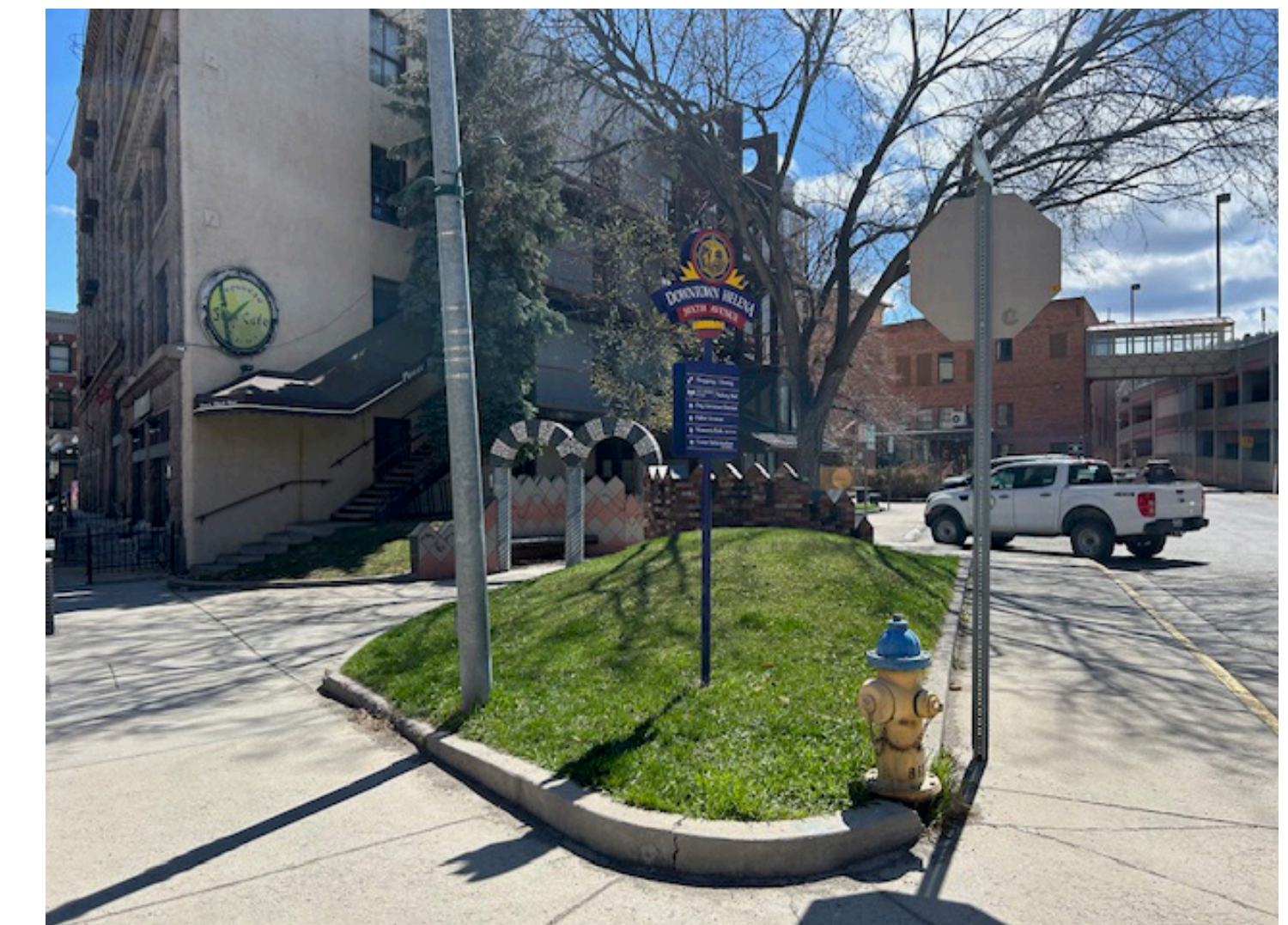
Location 1: North Constitution Park



Location 2: Northwest Corner Constitution Park



Location 3: 6th Street & Hibbard Way



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Need

- Good news! People are gathering on the walking mall, especially on the north end. It is functioning as the heart of Helena. We want to continue to encourage this, and make downtown a user friendly place.
- Runners, bikers, shoppers, families who frequent downtown use restrooms downtown regularly.
- Our unsheltered population has increased.
- Downtown businesses are providing restrooms, but their policies are inconsistent. We cannot expect businesses to provide this service. Even if businesses allow restroom use for non-customers, they are closed much of the night.
- Visitors need an easily identified place to go to the restroom.
- Helena does not have a public restroom in the downtown business corridor.



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The Product: Portland Loo

Why the Portland Loo?

- Take a look! Scan the QR code for more information and to see more photos.
- Durable
 - Stainless steel construction, “prison grade” fixtures.
 - Easy to clean.
 - Graffiti-resistant coating.
 - Cold weather package – operates to 5 F.
- Safe
 - Louvers at top and bottom provide visual privacy but allow visual inspection for occupancy.
 - Any potential victims of crime can be heard from the outside.
 - Blue interior lights make finding a vein for intravenous drug use difficult.
- Accessible
 - Fully ADA compliant – this is rare in downtown Helena.
 - Room for a stroller or bicycle.
- Attractive – it looks good, right?
- Neighboring Montana communities have had great success with this model – even in the cold!

SCAN ME



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Downtown Public Restroom in Constitution Park

Funding

City of Helena (General Fund Surplus):	\$98,000
Lewis and Clark County	\$35,000
BID	\$44,000
Unsecured Other	<u>\$63,000</u>
	\$240,000

Cost

Portland Loo	\$160,000
Installation	<u>\$80,000*</u>
	\$240,000

* Based on north location in Constitution Park.

Ongoing Management Plan

The BID will:

- Buy the Loo.
- Manage the contract for installation.
- Maintain the Loo, including repairs.
- Clean or manage the contract for cleaning.
- Provide and stock paper and cleaning supplies.

Conclusion

- Helena needs a downtown public restroom.
- The BID is taking on the long-term financial burden, alleviating city costs.
- We need City Parks and public approval to apply for TIF funds to cover the remaining installation costs.

Comments from April 23, 2024 Public Meeting/Open House

Name	Address	Comments
Chelsia Rice + Charlie Crawford	331 N Last Chance Gulch	Businesses bear the brunt of downtown visitor's needs and often it's not by actual customers. We close for some/most parades to the number of asks. We've had our bathroom vandalized and walls urinated on. We do not allow some people but making decisions about who/when is unfair. We support a public restroom.
Bruce Nelson	13 South Ewing Street	Another location I would like at Hill Park or Women's Park. The one at constitution park is a GOOD start.
Becky Piske	303 State Street	Great idea. Let's fund this and improve our downtown. Thank you.
Paul Pacini	303 State Street	We've need this for a looooong time. Let's do it!
Jaymie Hazel	304 Clancy Street #3	Support – anything I can do to help! Thanks
Doug Habermann	318 Ewing St	Needed and appropriate – good collaboration. Remove the gazebo and place in that location. Support city parks moving ahead with additional facilities.
Rebecca Ryland	431 S Alice	Thank you – a necessary benefit to all people downtown
John Dendy	727 Breckenridge	This is needed. People need a place to go. Must be open 24/7. Portland Loo is the safest design/option. Constitution Park is a central location to both walking mall (where people gather) and business district. Alleviates pressure on businesses to provide restrooms to non-customers. 100% accessible, rare in downtown. Put it where the gazebo is.
Emily McVey	75 East Lyndale	We need public toilets in our downtown area. There is nowhere for anyone to go unless you use a business. Most of them are nice enough to let us do that for free but they don't allow just anyone and not everyone is comfortable asking for that favor. We lose business and tourism by not providing public toilets in our coolest part of town. This is not just for one part of the community – one population of people – this is for everyone and will benefit everyone in many many ways. Please get more than one toilet!
Bob Filipovich	927 8 th Street	Certainly needed and humane! Will this project include a bike rack? A drinking fountain? How many stalls? Heated? A trash can? The signs on LCG – NW corner appear to block view from the street, eg police car. Live camera inside? Outside? Linked to police? +5 degrees? So what happens when temp drops rapidly? Bike rack? Will H2O lines have no reverse flow or other means of preventing frozen pipes? Has BID gotten

		<p>verbal estimates for the Loo unit? Estimated operating costs? Why not a forest service concrete wall unit with a septic tank? If Loo is placed right next to N wall, could headed intake and sewer pipes run along the wall, insulated and protected from vandalism? Has BID talked to the unsheltered about location, operation safety etc? They're the ones most likely to be affected by this necessary service. Doing this project indirectly anticipates the SCOTUS case heard 4/22/24 – Grants Pass, OR vs Johnson. It's a "status or action" Cases Sleeping in public areas. Justice Gorsuch especially may have thought about the ramifications of this case as it applies to peeing and pooping in public when no alternative is available. The NY times 2023/03/22 article is helpful. Shouldn't the Loo be called a public toilet? Signage plans to guide the desperate tourist? What does God's Love and Our Place think of this? Apparently this project averts a conflict with Sen Fuller and the MT leg re the needs of the LGBTQ community. Thanks for this project.</p>
Brue Schwartz	21 North Last Chance Gulch	<p>Email sent 4/15/2024:</p> <p>I am writing to get the location of your open house on April 23rd.</p> <p>I would also like to express my opinion about the proposed public toilet. The port-a-potty you placed across the street from the bank should prove to everyone that a public toilet is a place for the homeless to build an encampment. It shouldn't be built downtown at all. If the homeless need another toilet, it should be built at God's love.</p> <p>I did not buy a condo downtown to have panhandlers harass me every other day. I don't know if you have noticed, but we have people sleeping on the sidewalks and in the parks (which my tax dollars pay for). We also have empty beer cans, liquor bottles, and THC containers on the streets and in the parks. A public toilet would just make the situation worse.</p>
Paul Pacini	303 State Street	<p>Email sent 4/23/2024:</p> <p>HBID:</p> <p>It looks doubtful that I will be able to attend the Open House on the question of a public restroom in downtown Helena. I would like to go on record as supporting this proposal. Not only do I support it, but I think we should install at least two public restrooms at both ends of the downtown district. Further, I believe</p>

		<p>that these restrooms would be and should be used by the homeless population on our streets to both keep our streets clean and for their own convenience. If public restrooms are made available, regular maintenance must be provided for.</p> <p>Thank you for this opportunity,</p>
John Sorensen	406 459 7096	<p>Email sent 4/25/2024</p> <p>Hello I am writing this email because I just saw the article about the public restroom downtown. I have no feeling either way as to if it is built but I wanted to bring it to your attention that the Portland Loo appears to be an open air bathroom. It may work well in Portland with a much more temperate climate. There will have to be allowances made for winterization when the weather turns cold. It will more than likely have to be locked throughout the winter. This style of restroom the actual season usage will probably be at most 6 months of the year to prevent it from freezing. Just a few thoughts that I wanted to share to make sure it is a wise use of funds.</p>

Independent Record

AFFIDAVIT OF PUBLICATION

See Proof on Next Page

Independent Record
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Helena, Montana 59602
(123) 456-7890

State of Florida, County of Duval, ss:

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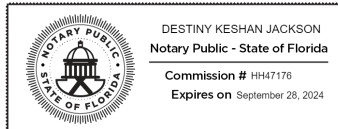
If this certification is for the State of Montana, I hereby certify that I have read sec. 18-7-204 and 18-7-205 , MCA, and subsequent revisions, and declare that the price or rate charged the State of Montana for the publication for which claim is made in printed copy in the amount of \$92.40 , is not in excess of the minimum rate charged any other advertiser for publication of advertisement, set in the same size type and published for the same number of insertions, further certify that this claim is correct and just in all respects, and that payment or credit has not been received.

PUBLICATION DATES: April. 13 2024, April. 20 2024

NOTICE ID: zDsVzY7WzRS0vmPqSCCG

PUBLISHER ID: COL-MT-200119
NOTICE NAME: Public Restroom Notice
Publication Fee: \$92.40

(Signed) Yuade Moore



VERIFICATION

State of Florida
County of Duval

Subscribed in my presence and sworn to before me on this: 04/23/2024

Destiny K. Jackson

Notary Public
Notarized remotely online using communication technology via Proof.

Public Meeting Notice - Downtown Public Restroom

The Helena Business Improvement District (HBID) will hold a Public Open House regarding the installation of a downtown public restroom on Tuesday April 23rd 2024 from 4pm – 6pm at 330 N. Jackson Street.

Members of the public may stop by anytime during the open house. Those who attend will be able to view the proposed locations for the restroom and the type of prefabricated restroom put forth by the HBID. During the open house, the public is encouraged to provide feedback and to ask questions about this project. For more information contact Megan Helton, HBID Interim Director, at director@helenabid.com.

April 13, 20, 2024 COL-MT-200119 MNAXLP