



City of Helena

CITY OF HELENA
City Commission Meeting
April 21, 2025 - 6:00 PM

City - County Building Room 330 / Zoom Online Meeting; <https://zoom.helenamt.gov/j/36053471/publicmeetings>

1. **Call to Order and Roll Call**
 - A. Meeting Rules of Procedure
2. **Pledge of Allegiance**
3. **Minutes**
 - A. 4-2-25 Special Work Session
 - B. 4-2-25 Admin Meeting
 - C. 4-7-25 Commission Meeting
4. **Presentations**
 - A. ADA Transition Plan Update
5. **Proclamations**
 - A. Arbor Day Proclamation
6. **Board & Committee Update**
 - A. Board Appointments
7. **Bid Award**
 - A. Transportation Systems - Bid Award FY 2025 Chip Seal
8. **Communication/Proposals from Commissioners**
9. **Report of the City Attorney**
10. **Report of the City Manager**
 - A. Use of Contingency Funds for ADA Golf Cart
11. **Communications from the Helena Citizens Council**
12. **Regular Items**
 - A. Consider a Resolution of Intention adopting a non-sufficient funds fee for city division operations
13. **Public Communications**
14. **Adjournment**

It is the policy of the City Commission to take public comment on any action item. For further information on any of the items mentioned above, please contact the City Clerk's Office at 447-8410 or dmclayborn@helenamt.gov.

To read packet information while attending a City Commission Meeting please use the City/County wireless network COMM_MEET during the meeting.

The City of 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 persons with disabilities from participation at 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's ADA Coordinator, Ellie Ray, 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 or 711

Email: citycommunitydevelopment@helenamt.gov

Mailing Address & Physical Location: 316 North Park Avenue, Room 445, Helena, MT 59623.

Rules of Procedure:

Good evening and welcome to the City of Helena City Commission Meeting. We appreciate your attendance and participation. To ensure our meetings are productive and respectful, we ask everyone to adhere to the following guidelines:

Decorum and Expectations:

- Please maintain respect towards the Commission, presenters, and other participants. All participants are expected to avoid using profanity or hostile language. Inappropriate behavior or continued disruptions may result in action by the Commission.

Zoom Participation Decorum:

- Please keep your microphone muted unless you are speaking to minimize background noise.
- Use the “Raise Hand” feature if you wish to speak and wait to be recognized by the chair.
- If available to you, please ensure your video is on if you are speaking, to maintain transparency and engagement.
- Participants joining by telephone may raise their hand by pressing *9 and mute/unmute themselves using *6.

Public Comment:

- Public comments will be recognized only during designated periods by the presiding officer.
- State your name for the record when recognized to speak.
- **Each speaker will be given two minutes to make their comments. At two minutes, you will be asked to begin wrapping up. Please keep comments respectful, concise, and non-repetitive.**
- Individuals may speak once per agenda item and during the general comment period at the end of the meeting.
- **Comments will first be taken from people present in the room, followed by online participants.**
- Online participants may also use the Q&A feature to submit written comments.
- **If you ask a question during public comment, it will be recorded but you likely will not receive an answer. The purpose of public comment is for you to share your thoughts on a topic, not ask questions to City staff.**
- Members of the Commission may ask clarifying questions during the comment period.
- **All comments will be recorded in the permanent record. Formal statements can be submitted via the General Public Comment form on the City’s website. Comments on public engagement pages and media are public records under MCA 2-6-1003.**

Montana’s Right to Participate and Right to Know Laws:

- In accordance with Montana’s right to participate law (MCA 2-3-103), the public is encouraged to engage in the decision-making process.
- The right to know law (MCA Article II Section 10) ensures that all meetings are open to the public and that records are accessible. We strive to maintain transparency and accountability in all our proceedings.

Public Meetings and Recordings:

- **Please be aware that all public meetings and recordings are considered public records. These records are accessible to the public at any time.**
- **By participating in this meeting, you acknowledge that your comments and participation will be part of the public record.**

Thank you for your cooperation and for contributing to a respectful and effective meeting.



City Commission Special Work Session

April 2, 2025 – 4:00 PM

Zoom Link: <https://zoom.helenamt.gov/c/36053471/publicmeetings>

City County Building, 316 N. Park Ave., Room 326

Time & Place

A City Commission Administrative meeting was held Wednesday, April 2, 2025 at 4:00 p.m. physically in the City County Building, Room 326, and via Zoom Hub Link:

<https://zoom.helenamt.gov/c/36053471/publicmeetings>

Call to Work Session, Introductions

(00:00:00) The following responded present:

In Person

City Attorney Dockter
City Manager Burton
Commissioner Dean
Commissioner Shirtliff
Commissioner Logan
Commissioner Reed
Mayor Collins

Via Zoom

None

Commission Comments, Questions

(00:00:38) There were no comments or questions from the Commission.

Report of the City Manager

(00:00:44) City Manager Burton had nothing to report.

Personnel Matter Update

A. Public Comment

(00:00:50) There were no additional comments or questions from the Commission and/or public.



B. The City Commission may close all or portions of agenda item #5 to the public pursuant to MCA Sect. 2-3-203(4)(a) and (4)(b) to discuss with legal counsel a strategy to be followed with respect to potential litigation if an open meeting would have a detrimental effect on the litigating position of the City because all the parties are not public bodies

(00:00:56) City Attorney Dockter made a recommendation to close the meeting to the public.

(00:02:39) Commissioner Dean discussed the meeting reopening and subsequent agenda.

(00:03:09) Mayor Collins closed the meeting to the public.

Public Comment

(00:28:02) Mayor Collins opened the meeting and there were no further comments or questions from the Commission and/or public.

Commission Discussion and Direction to the City Manager

Adjournment

(00:28:12) There being no further business before the Commission, the meeting adjourned at 4:29pm.



**City Commission Administrative Meeting
April 2, 2025 – 4:30 PM**

Zoom Link: <https://zoom.helenamt.gov/c/36053471/publicmeetings>
City County Building, 316 N. Park Ave., Room 326

Time & Place

A City Commission Administrative meeting was held Wednesday, April 2, 2025 at 4:30 p.m. physically in the City County Building, Room 326, and via Zoom Hub Link:
<https://zoom.helenamt.gov/c/36053471/publicmeetings>

Call to Work Session, Introductions

(00:00:00) The following responded present:

In Person

City Attorney Dockter
City Manager Burton
Commissioner Dean
Commissioner Shirliff
Commissioner Logan
Commissioner Reed
Mayor Collins

Via Zoom

None

Commission Comments, Questions

(00:00:24) There were no further comments or questions from Commissioners.

Recommendations from the Helena Citizens Council

(00:00:33) HCC Representative Anne Hausrath provided a Treasurer's Report and discussed recent and upcoming meeting agenda items, including the recent Transportation Open House.

Report of the City Manager

(00:02:02) City Manager Burton had nothing to report.

Department Reports

(00:02:33) Mayor Collins and Manager Burton discussed moving items on the agenda due to time constraints, and technical difficulties in the meeting room stalled proceedings briefly.



A. Engineering Fees for Infrastructure Review

- (00:07:14) Development Services Engineer Holling presented Item A.
- (00:17:10) Commissioner Reed asked Public Works Director Leland about fee comparisons with Lewis & Clark County and East Helena.
- (00:18:12) Commissioner Logan asked about the rationale for fees and the associated savings.

B. Policy Requirements for Compliance with the Victims of Crime Act (VOCA) Grant

- (00:20:12) Deputy City Attorney Petesch presented Item B.

C. Budget Policies Update

- (00:26:05) Finance Director Danielson presented Item C.
- (00:39:22) Commissioner Logan asked Director Danielson and Manager Burton about the government of how investment income can be spent.

D. Proposal to create a new Internal Service Fund

- (00:41:47) Finance Director Danielson presented Item D.
- (00:47:35) Commissioner Dean thanked Director Danielson and explained her support.
- (00:48:07) Commissioner Logan asked Director Danielson about the timeline for this recommendation to the Commission.
- (00:48:57) Mayor Collins confirmed consensus direction.

F. General Fund Cash Overview (swapped with Item E for continuity)

- (00:49:25) Director Danielson presented Item F.
- (00:57:18) Commissioner Reed asked Director Danielson about an update regarding ARPA funded projects.

E. Strategic Plan Implementation Strategies Update (swapped with Item F for continuity)

- (00:59:40) Public Information Officer Garcin presented Item E.



- (01:05:09) Commissioner Dean asked Police Chief Petty about the number of officers needed to fully implement the recommendation.
- (01:06:03) Commissioner Dean asked Transportation Systems Director Knoepke about the Centennial Trail relocation design next steps.
- (01:09:00) Manager Burton discussed timing of strategic plan implementation during the budget process.
- (01:09:36) Mickey Harlow provided public comment, discussing prioritizing strategic plan items.
- (01:12:59) Commissioner Dean addressed public comment.

- (01:13:56) City Manager Burton and Mayor Collins discussed Items to be discussed given the time constraints for this meeting.

J. Department Budget Presentations: Municipal Court (*moved due to time*)

- (01:15:28) Municipal Court Manager Johnson presented Item J.
- (01:19:03) Commissioner Reed asked Manager Johnson about grant funding trends.

G. Department Budget Presentations: City Clerk Office *Tabled*

H. Department Budget Presentations: City Manager Office *Tabled*

I. Department Budget Presentations: City Attorney Office *Tabled*

K. Department Budget Presentations: Human Resources *Tabled*

Public Comment

- (01:19:55) There were no further comments or questions from the Commission and/or public.

Commission Discussion and Direction to the City Manager

Adjournment

- (01:20:25) There being no further business before the Commission, the meeting adjourned at 5:51pm.



**City of Helena
City Commission Meeting
April 7, 2025 – 6:00 PM**

**Zoom Hub Link; <https://zoom.helenamt.gov/c/36053471/publicmeetings>
City County Building Commission Chambers, Room 330**

Time & Place

A regular City Commission meeting was held on Monday, April 7, 2025 at 6:00 p.m. via Zoom Hub Link: <https://zoom.helenamt.gov/c/36053471/publicmeetings> and physically in the City County Building Commission Chambers, Room 330.

Call to Order and Roll Call

(00:00:00) The following responded present, either via zoom or in person:

In Person

City Attorney Dockter
City Manager Burton
Commissioner Dean
Commissioner Shirtliff
Commissioner Logan
Commissioner Reed
Mayor Collins

Via Zoom

None

Pledge of Allegiance

(00:00:38) Mayor Collins asked attendees to please stand and join in the Pledge of Allegiance.

Minutes

- A.** 3-10-25 Commission Meeting
- B.** 3-19-25 Admin Meeting
- C.** 3-24-25 Commission Meeting

(00:01:18) There being no comments or questions from the Commission, Mayor Collins accepted Minutes A, B, and C.

Proclamations

- A.** Communities and Libraries Month Proclamation



- (00:01:28) Mayor Collins read Proclamation A.
- (00:05:05) Lewis and Clark Library Director Finn addressed the Commission.
- (00:05:42) Helena High School Librarian Dickerson addressed the Commission.

Consent Agenda

A. Claims

- (00:07:00) **Commissioner Reed made a motion to approve Consent Agenda Items A. Commissioner Logan seconded the motion.**
- (00:07:22) Mayor Collins called for a vote.
- Commissioner Shirtliff voted: **Aye**
- Commissioner Logan voted: **Aye**
- Commissioner Reed voted: **Aye**
- Commissioner Dean voted: **Aye**
- Mayor Collins voted: **Aye**
- The motion carried 5:0.**

Communications/Proposals from Commissioners

A. Motion to Reconsider Item 10B of the Regular Commission Agenda dated 1/27/25

- (00:07:36) **Commissioner Reed made a motion to Reconsider Item 10B of the Regular Commission Agenda dated 1/27/25. Commissioner Shirtliff seconded the motion.**
- (00:08:17) Commissioner Dean asked Attorney Dockter for contextual information about this Item.
- (00:10:00) Commissioner Reed asked Attorney Dockter to confirm that this Item should be heard as part of the Regular Items section of the agenda.
- (00:10:45) Attorney Dockter discussed a letter received regarding this Item and proceedings related to the noticing and participation opportunity for this Item previously.
- (00:13:23) Attorney Docker clarified the order of events for this Item.
- (00:14:00) Commissioner Dean explained her voting intention.



(00:14:35) Mayor Collins explained his voting intention and encouraged Commissioners to view the site in question in person.

(00:15:12) Mayor Collins called for a vote.

Commissioner Shirliff voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Dean voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 5:0.

Report of the City Attorney

(00:16:02) City Attorney Dockter had nothing to report.

Report of the City Manager

(00:16:08) City Manager Burton had nothing to report.

Communications from the Helena Citizens Council

(00:16:17) HCC Chairperson Kuiper had nothing to report.

Regular Items

A. Reconsideration of Item 10B from Regular Commission Agenda Dated 1/27/25: Consider 1208 Le Grande Sidewalk Variance Appeal

(00:17:14) Transportation Systems Director Knoepke presented Item A.

(00:23:27) Commissioner Logan asked Director Knoepke for clarification about the dollar amount for sidewalk infrastructure.

(00:23:53) Commissioner Logan discussed a letter received from the Crowley Fleck Law Firm.

(00:25:25) Commissioner Reed asked Director Knoepke about the criteria for sidewalk variances, specifically regarding steepness.

(00:28:02) Commissioner Dean asked Director Knoepke about the initially planned boulevard sidewalk submitted before the variance request and about other examples of grade requirements throughout the city.

- (00:31:53) Morgan Pettit of Crowley Fleck addressed the Commission on behalf of the applicant.
- (00:47:47) Commissioner Logan asked Ms. Pettit about the cost estimate for installation.
- (00:48:36) Commissioner Reed asked Ms. Pettit about the safety of the slope with a sidewalk present versus without a sidewalk present and about accessibility considerations.
- (00:50:32) Commissioner Dean asked Ms. Pettit about pedestrian traffic on Cleveland Street and the safety of walking on a sidewalk versus on the street.
- (00:52:11) Commissioner Logan asked Ms. Pettit about the liability jurisdiction should a safety issue occur.
- (00:53:21) Commissioner Reed asked Director Knoepke about the sidewalk construction in examples shown during the presentation.
- (00:54:12) Commissioner Reed asked Director Knoepke about the method for determining slope by LIDAR.
- (00:55:00) Commissioner Shirliff asked Director Knoepke about the difference between a deferral and a variance.
- (00:56:27) Applicant David Pinto provided public comment, advocating for approval.
- (01:00:54) **Commissioner Logan made a motion to approve the sidewalk variance requested in the application dated July 22, 2024 to not install sidewalks on both LeGrand Cannon Boulevard and Cleveland Street with the additional requirement the applicant will sign a waiver of right to protest an SID. Commissioner Shirliff seconded the motion.**
- (01:01:28) Commissioner Reed explained her voting intention.
- (01:02:33) Commissioner Logan explained his voting intention.
- (01:04:35) Commissioner Dean explained her voting intention.
- (01:06:53) Mayor Collins explained his voting intention.
- (01:08:34) Mayor Collins called for a vote.
- Commissioner Shirliff voted: **Aye**
Commissioner Logan voted: **Aye**
Commissioner Reed voted: **No**



Commissioner Dean voted: **No**
Mayor Collins voted: **Aye**

The motion carried 3:2.

B. Reconsider tabled item to consider the allocation of funds from the former Consolidated Central Helena Urban Renewal Area to a new project located within the boundaries of the former URA

- (01:09:12) Community Development Director Brink presented Item B.
- (01:15:00) Commissioner Reed asked Director Brink about the dollar amount in the account in question and the process for allocating funds.
- (01:17:03) Commissioner Dean asked Director Brink about the requirements, or lack of, a 50% funding match.
- (01:18:18) Commissioner Logan asked Director Brink about the current owner of the property and the total project costs.
- (01:20:10) Helena Symphony President provided public comment, discussing additional background information and advocating for approval.
- (01:23:30) Brian Obert provided public comment, discussing additional background information and advocating for approval.
- (01:25:48) Helena Symphony Music Director Allan Scott provided public comment, discussing additional background information and advocating for approval.
- (01:27:33) **Commissioner Shirliff made a motion to approve a resolution for the allocation of funds, in the amount of \$35,000 from the former Consolidated Helena Urban Renewal Area and associated tax increment district, to the Helena Symphony for a funding feasibility study. Commissioner Dean seconded the motion.**
- (01:28:06) Commissioner Logan explained his voting intention.
- (01:29:54) Commissioner Reed explained her voting intention.
- (01:31:17) Commissioner Shirliff explained his voting intention.
- (01:32:49) Mayor Collins called for a vote.
- Commissioner Shirliff voted: **Aye**
Commissioner Logan voted: **No**
Commissioner Reed voted: **No**
Commissioner Dean voted: **Aye**



Mayor Collins voted: **Aye**

The motion carried 3:2.

C. Consider Approving Victims of Crime Act (VOCA) Grant Policies

(01:33:14) Assistant City Attorney Petesch presented Item C.

(01:36:52) **Commissioner made a motion to approve the following policies for the purpose of complying with VOCA grant requirements: the Volunteer Policy for the City Attorney's Office, the Determination of Suitability to Interact with Minors Policy, the Limited English Proficiency Policy, and the Reporting a Breach of Personal Identifiable Information Policy. Commissioner Logan seconded the motion.**

(01:37:15) Mayor Collins called for a vote.

Commissioner Shirliff voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Dean voted: **Aye**

Mayor Collins voted: **Aye**

The motion carried 5:0.

Public Hearings

A. Consider a Resolution Establishing New Fees Charged for the Use of the Helena Civic Center and Repealing Resolution No. 20819

(01:37:39) Finance Director Danielson presented Item A.

(01:39:13) **Commissioner Reed made a motion to approve a Resolution Establishing New Fees Charged for the Use of the Helena Civic Center and Repealing Resolution No. 20819. Commissioner Logan seconded the motion.**

(01:39:29) Mayor Collins called for a vote.

Commissioner Shirliff voted: **Aye**

Commissioner Logan voted: **Aye**

Commissioner Reed voted: **Aye**

Commissioner Dean voted: **Aye**

Mayor Collins voted: **Aye**



The motion carried 5:0.

Public Communications

(01:39:42) There were no further comments or questions from the Commission and/or public.

Adjournment

(01:39:52) There being no further business before the Commission, the meeting adjourned at 7:40pm.

MAYOR

ATTEST:

CLERK OF THE CITY COMMISSION



City of Helena

Proclamation

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas and beautify our community; an

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Helena has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways.

NOW, THEREFORE, be it resolved that I, Wilmot Collins, Mayor of Helena, Montana, do hereby proclaim April 25th, 2025, as

“Arbor Day”

throughout the City of Helena, Montana and urge all citizens to support efforts to care for our trees and woodlands, support our city's community forestry program and to plant trees to gladden the hearts and promote the well-being of present and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Helena, Montana, to be affixed this 21st day of April, 2025.

Wilmot Collins, Mayor

ATTEST:

Dannai Clayborn, Clerk of the Commission

April 21, 2025

TO: City Commissioners
FROM: Mayor Wilmot Collins
SUBJECT: Board Appointments

I am recommending the following board appointments:

Helena Public Art Committee	Appointment of Abigail Dolan to an interim term on the Helena Public Art Committee. Interim term expires December 31, 2026.
City-County Consolidated Planning Board	Appointment of Brett Heitshusen to an interim term on the City-County Consolidated Planning Board. Interim term expires September 1, 2027.
Helena Regional Airport Board of Adjustment	Appointment of Katie Teasley to a first term on the Helena Regional Airport Board of Adjustment. Term expires May 1, 2028.

*Appointees can reapply for full terms following the completion of the Interim Appointment.

City of Helena, Montana

(Memo Creation Date)

To: Honorable Mayor Collins and Helena City Commissioners

From: *City Manager, Tim Burton*

Transportation Systems Director, David Knoepke

Subject: Transportation Systems - Bid Award FY 2025 Chip Seal

Present Situation: The 2025 Chip and Seal, Project #TSD-25-38, will add a new wear surface and pavement sealer by applying a single application of asphalt material followed by spreading a 3/8-inch gravel chip.

Background Information: The City opened one bid for the 2025 Chip and Seal, Project #TSD-25-38 on March 24, 2025. Helena Sand and Gravel Inc. was the lowest responsible bidder for schedules A through F for a total of \$963,505.20 with an average unit price of \$3.51 per square yard. Last year's average unit price was \$3.31 per square yard.

Proposal/Objective: Staff recommends awarding schedules A through F to the lowest responsible bidder; Helena Sand and Gravel; which submitted the low bid of \$963,505.20. This project will complete approximately 13 miles of city streets.

Advantage: A new wear surface extends the life of 13 miles of city streets.

Notable Energy Impact: N/A

Disadvantage: No disadvantages to this award are expected.

Notice of Public Hearing: No

**Staff Recommendation/
Recommended Motion:** Move to award schedules A through F of Project #TSD-25-38, 2025 Chip & Seal to the lowest, responsible bidder, Helena Sand and Gravel for the amount of \$963,505.20.



Proposed Chip Seal 2025

Project Base Project	Area (syds)	City Staff Estimate		Helena Sand & Gravel	
		Unit Price Price	Total	Bid Bond Unit Price	YES Total Price
Schedule A	29,250.00	\$ 3.50	\$ 102,375.00	\$ 3.75	\$ 109,687.50
Schedule B	98,115.00	\$ 3.50	\$ 343,402.50	\$ 3.23	\$ 316,911.45
Schedule C	16,800.00	\$ 3.50	\$ 58,800.00	\$ 3.25	\$ 54,600.00
Schedule D	10,800.00	\$ 3.50	\$ 37,800.00	\$ 3.25	\$ 35,100.00
Schedule E	46,700.00	\$ 3.50	\$ 163,450.00	\$ 3.75	\$ 175,125.00
Schedule F	72,555.00	\$ 3.50	\$ 253,942.50	\$ 3.75	\$ 272,081.25
Total Base Bid Price:	274,220.00	\$ 959,770.00		\$ 963,505.20	

City of Helena, Montana

Commission Meeting

April 21, 2025

To: Mayor Collins and the Helena City Commission

From: Sheila Danielson, Finance Director

Subject: Consider a Resolution of Intention establishing an insufficient funds fee for city division operations.

Present Situation:

Some divisions in the city have Non-Sufficient Fund (NSF) fees built into their fee schedules including Parks & Recreation and Transit. Most other city divisions do not currently collect an NSF fee for returned payments due to insufficient funds in customer accounts.

Background Information:

The city's primary bank charges the city \$25.00 for each returned payment noted with insufficient funds. In addition, about ½ hour of non-valued added staff time is used to update the customer account and contact the customer of the insufficient funds. There are associated material costs of paper forms, envelopes and postage for notifying the customer. The staff and material costs are approximately \$15 per incident.

Year to date fees the city has absorbed in Fiscal Year 2025 is \$550.00 (not including staff time or material costs).

Proposal/Objective:

The City Finance Department is proposing to recoup the costs of incidents related to non-sufficient funds. Costs to recover are the bank fee is \$25. Finance staff are proposing an additional \$15.00 per incident to cover non-valued added staff time and material costs. For a total NSF fee of \$40.00 per incident.

This NSF Fee will be applicable to all city-wide operations that use the city's primary bank account.

The proposed resolution will supersede all other city division fee schedules to set a consistent fee for city operations.

The proposed resolution will grant the City Manager the authority to waive the NSF fee if appealed by the customer and deemed appropriate.

The City Commission desires to authorize the City Manager to hear appeals for NSF fees, and where appropriate, waive them for a customer.

Advantage:

Approval of the fee will help defray the cost of bank fees and staff and material costs associated with non-sufficient fund incidents.

Notable Energy Impact:

N/A

Disadvantage:

May pose a hardship on customer.

Notice of Public Hearing:

Yes

**Staff Recommendation/
Recommended Motion:**

Move to approve a Resolution of Intention establishing an Insufficient Funds fee for city division operations and to set a public hearing for May 5, 2025.

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. _____

A RESOLUTION OF INTENTION ESTABLISHING A INSUFFICIENT FUNDS FEE FOR CITY DIVISION OPERATIONS.

WHEREAS, the City of Helena accepts various types of payments for services rendered, including checks, cash, debit card, credit card and automated clearing house payments;

WHEREAS, the City of Helena is charged by its primary bank a fee for insufficient funds in customer accounts;

WHEREAS, city staff spends non-value-added time reversing payments from customer accounts and spends city funds notifying customers of non-sufficient funds and collecting past due amounts;

WHEREAS, several city departments have incorporated non-sufficient fund fees in their fee schedules that have been adopted by the Helena City Commission, but which are inconsistent;

WHEREAS, the Helena City Commission desires to charge a consistent non-sufficient fund fee in every division linked to the City's primary bank account that is related to the actual amount charged by the primary bank and to city staff's efforts and materials in collecting the reversed payments;

WHEREAS, the City's primary bank currently charges twenty-

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Res. No. _____

five dollars (\$25.00) for insufficient funds returned to the City and the average amount of time and material costs to reverse payments, notify the customer, and collect the funds is approximately sixteen dollars (\$16.00);

WHEREAS, the Helena City Commission desires to charge customers forty dollars (\$40.00) for insufficient funds to recover the cost of the bank fee, non-valued-added time, and material costs in reversing payments and notifying and collecting from the customer; and

WHEREAS, The Helena City Commission desires to authorize the City Manager to waive the insufficient fee upon appeal by the customer and if deemed appropriate by the City Manager.

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that the Helena City Commission hold a public hearing on the implementation of the non-sufficient fund fee.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

//

Section 1. It is the intention of the Helena City Commission to repeal all insufficient fund fees from various department fee

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

Res. No. _____

schedules.

Section 2. It is the intention of the Helena City Commission to implement a fee of forty dollars (\$40.00) for non-sufficient funds for each department operation that banks with the City's primary bank account.

Section 3. It is the intention of the Helena City Commission to authorize the City Manager to consider an appeal of the fee and waive it if deemed reasonable by the City Manager.

Section 3. A public hearing on this Resolution of Intention will be held on the 5th of May 2025, in the Commission Chambers at 316 North Park Avenue, Helena, Montana, at 6:00 P.M., at which time all interested parties may appear and express their view of approval or disapproval on the proposed fees.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 21st DAY OF APRIL 2025.

MAYOR

ATTEST:

CLERK OF THE COMMISSION