

**Council Action Summary
Missoula City Council Meeting**

**October 7, 2019, 7:00 pm
City Council Chambers
140 W. Pine Street, Missoula , MT**

Members Present: Stacie Anderson, Mirtha Becerra, Michelle Cares, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Bryan von Lossberg, Heidi West

Members Absent: Julie Armstrong, Jesse Ramos

Administration Present: Mayor John Engen, Ginny Merriam, Communications Director, Jim Nugent, City Attorney, Marty Rehbein

Administration Absent: Dale Bickell, Chief Administrative Officer

1. CALL TO ORDER AND ROLL CALL

The meeting of the Missoula City Council was called to order by Mayor John Engen at 7:00 PM in the City Council Chambers at 140 West Pine Street

2. APPROVAL OF THE MINUTES

2.1 Minutes from the September 23, 2019 meeting will be available at a later date

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Committee schedule for the weeks of October 7, 2019 and October 14, 2019

4. PUBLIC COMMENT

5. CONSENT AGENDA

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson von Lossberg, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (10 to 0)

5.15 Professional services agreement for Lower Miller Creek Road Reconstruction project

Approve and authorize the Mayor to sign a professional services agreement with WGM Group for the Lower Miller Creek Road reconstruction project in an amount not to exceed \$126,912.00.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson von Lossberg, and Alderperson West

ABSTAIN: (1): Alderperson Merritt

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (9 to 0)

5.16 St. Patrick's Hospital W. Pine Street Right-of-Way Vacation Between May and McCormick Streets

Adopt a resolution of intention to close and vacate right-of-way being the southerly thirty-three (33) feet of the W. Pine Street between May and McCormick Street adjacent to property legally described as Lots 11 – 20, Block 41 and Lots 1 – 10, Block 50 of W.J. McCormick's Addition in Section 21, Township 13 N, Range 19 W, P.M.M., as shown in Exhibit A, and subject to the conditions of approval and set a public hearing for October 28, 2019.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson von Lossberg, and Alderperson West

ABSTAIN: (1): Alderperson Merritt

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (9 to 0)

5.17 Hellgate Village 5 lot Minor Subdivision

Approve Variance Request 1 permitting an 80 foot wide right-of-way for Mary Jane Boulevard subject to the conditions of approval.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson von Lossberg, and Alderperson West

ABSTAIN: (1): Alderperson Merritt

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (9 to 0)

Conditionally approve variance #2 for the Hellgate Village minor subdivision permitting a 61 foot wide right-of-way for Galway Avenue subject to the conditions of approval.

Vote result: Approved

Deny variance request #3 for the Hellgate Village minor subdivision requiring the dedication of park/common area or cash-in-lieu or combination of both subject to the conditions of approval.

Vote result: Approved

Approve variance request #4 for the Hellgate Village minor subdivision permitting the block comprised of Lots 2, 3 and 4 to exceed the maximum 480 linear foot block length with the pedestrian access easement between Galway Avenue and Mary Jane Boulevard at the mid-point of the block

Vote result: Approved

Approve the Hellgate Village Subdivision, based on the findings of fact and subject to the recommended conditions of approval in the staff report.

Vote result: Approved

- 5.1 Claims - Oct 01, 2019
- 5.2 Claims - Oct 08, 2019
- 5.3 Police Officer Confirmation
- 5.4 Fire Department Vehicle Purchase
- 5.5 44 Ranch Playground
- 5.6 Resolution to adopt the 2019 Open Space Plan, an issue plan of the Growth Policy
- 5.7 Update MMC 12.56 Open Space Conservation Ordinance
- 5.8 Purchase Agreement with Advanced Utility Systems for Customer Information System (CIS) Licenses
- 5.9 Johnson Controls Service Agreement with Missoula Water
- 5.10 Professional Services Agreement Amendment #1 with Territorial Landworks, Inc. for 3rd Street Water Main Replacement Project
- 5.11 Agreement with MDT for 5th and 6th Street Urban Pavement Preservation Project
- 5.12 Professional Services Agreement with Territorial Landworks, Inc. for the East Pine Street Water Main Replacement Project
- 5.13 Professional Services Agreement with Territorial Landworks, Inc. for the Worden Ave Water Main Replacement Project
- 5.14 Reserve Street Lift Station Pump
- 5.18 Program Year 2019 CDBG Public Service Contracts
- 5.19 Reimbursement Resolution for Capital Equipment purchases in Fiscal Year 2020

5.20 Reimbursement Resolution for Sidewalk, Curb and Gutter improvements in Fiscal Year 2020

5.21 Fiscal Year 2020 Quarter 1 Budget Amendment

5.22 Interim ordinance to amend Title 20 City Zoning- Extreme Weather Shelter

6. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM

6.1 Community Forum Report - Carol Garlington

6.2 University District Neighborhood Council Report - Bryce Rowe

6.3 Captain John Mullan Neighborhood Council Report - Antony Jo

7. SPECIAL PRESENTATIONS

8. PUBLIC HEARINGS

8.1 Trinity Affordable Housing Development

There was no action on this item.

8.2 Rezone parcels at 2511 Mount Avenue, 1715 S Reserve Street, and 2518, 2520 and 2526 Strand Avenue.

[Second and final reading] Adopt an ordinance to rezone 2518, 2520, and 2526 Strand Avenue; 1715 S Reserve Street; and 2511 Mount Avenue from RT2.7 Residential and C1-2 Neighborhood Commercial/Design Excellence Overlay to the following, in accordance with new lot boundaries:

Lot 1A: Cd1-s Neighborhood Commercial/ Design Excellence Corridor Overlay and

Lot 2A: C1-2 Neighborhood Commercial

Lot 2B: RT2.7 Residential, based on the findings of fact in the staff report. subject to the filing of the amended plat for the subdivision exemption for boundary line relocation within 30 days of the approval of the rezoning.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson von Lossberg, and Alderperson West

ABSTAIN: (1): Alderperson Merritt

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (9 to 0)

8.3 Amend the growth policy and consider rezoning 57.5 acres of land north of Mullan Road, east of Flynn Lane, and west of Hellgate Meadow

This item will be considered at the Land Use and Planning Committee scheduled for October 9, 2019, at 1:40 - 2:55 p.m., City Council Chambers, 435 Ryman St.

8.4 Ordinance to Amend Title 20 Related to Townhome Exemption Development (TED)

Moved by: Alderperson DiBari

[Second and final reading] Adopt a City of Missoula initiated ordinance amending Title 20, Missoula Municipal Code, the City Zoning Ordinance, Residential Districts Chapter sections 20.05.040.D 20.05.050.B, Table 20.05-3; Other Regulations sections 20.05.060, 20.10.050, 20.15.060 in Residential, Business and Commercial, and Industrial Districts Chapters; Use and Building Specific Standards Chapter section 20.40.180; Accessory Uses and Structures Chapter section 20.45.060.B.1; Nonconformities Chapter section 20.80.020.A & B; Terminology Chapter section 20.100.A; and Measurements and Exceptions Chapter section 20.110.010, and adding a new sub-section F to section 20.110.050, all related to Townhome Exemption Development (TED) with an amendment I 6 2 regarding the deadline for the filing of phasing plans.

AYES: (7): Alderperson Anderson, Alderperson Becerra, Alderperson DiBari, Alderperson Hess, Alderperson Jones, Alderperson von Lossberg, and Alderperson West

NAYS: (3): Alderperson Cares, Alderperson Harp, and Alderperson Merritt

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (7 to 3)

Moved by: Alderperson von Lossberg

Amend the ordinance and remove the requirement to orient homes in the development to public right-of-way.

Vote result: Approved

Moved by: Alderperson Merritt

Motion to amend Section G and apply cash in lieu of parkland to projects with 10 TED units.

AYES: (4): Alderperson Cares, Alderperson Harp, Alderperson Merritt, and Alderperson von Lossberg

NAYS: (6): Alderperson Anderson, Alderperson Becerra, Alderperson DiBari, Alderperson Hess, Alderperson Jones, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Failed (4 to 6)

9. COMMUNICATIONS FROM THE MAYOR

10. GENERAL COMMENTS OF CITY COUNCIL

11. COMMITTEE REPORTS

11.1 Administration and Finance committee (AF) report

11.1.1 September 25, 2019 Administration and Finance report

- 11.2 Budget Committee of the Whole (BCOW) committee report
- 11.3 Committee of the Whole (COW) committee report
- 11.4 Land Use and Planning (LUP) committee report
 - 11.4.1 August 14, 2019 Land Use and Planning report
 - 11.4.2 September 25, 2019 Land Use and Planning report
- 11.5 Parks and Conservation (PC) committee report
 - 11.5.1 September 25, 2019 Parks and Conservation report
- 11.6 Public Safety and Health (PSH) committee report
 - 11.6.1 September 25, 2019 Public Safety and Health report
- 11.7 Public Works (PW) committee report
 - 11.7.1 September 25, 2019 Public Works report
- 12. NEW BUSINESS
- 13. ITEMS TO BE REFERRED
 - 13.1 Administration and Finance committee referrals
 - 13.2 Budget Committee of the Whole referrals
 - 13.3 Committee of the Whole referrals
 - 13.3.1 City Council Committee Chair Appointments
 - 13.3.2 2019 Missoula Downtown Master Plan
 - 13.4 Parks and Conservation committee referrals
 - 13.4.1 Professional Services Agreement with L.F. Sloane Consulting Group, Inc. for Missoula City Cemetery Strategic Plan Project
 - 13.4.2 2018 Open Space Bond expenditures
 - 13.5 Land Use and Planning committee referrals
 - 13.6 Public Safety and Health committee referrals
 - 13.6.1 Referral-Purchase one Type 1 and one Type 2 Fire Engines
 - 13.7 Public Works committee referrals
 - 13.7.1 Resolution Requesting Distribution of Remaining Funds from MDT's Bridge and Road Safety and Accountability Program
 - 13.7.2 Informational Item—Emergency Award of Wylie Ave. Water Main Insulation Project
 - 13.7.3 Wastewater Main Influent Pump Upgrade
 - 13.7.4 Reserve Street Lift Station Construction

13.7.5 Purchase of one (1) Case Front End Loader for Garden City Compost

13.7.6 Purchase of Street Division Pickup

13.7.7 Purchase of Street Division Pickup

13.7.8 Purchase one (1) One Ton Truck for Street Dept.

13.7.9 Waiver of Missoula Municipal Code Chapter 9.30 Noise Control for MDT at Orange Street Underpass for concrete testing.

14. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

14.1 Administratively approved agreement report

15. ADJOURNMENT

The meeting adjourned at 11:35 PM.