

Council Action Summary
Missoula City Council Meeting

November 29, 2021, 6:00 pm
ZOOM Webinar

Members Present: Stacie Anderson, Mirtha Becerra, John P. Contos, Heather Harp, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Heidi West

Members Absent: Jordan Hess, Bryan von Lossberg

Administration Present: Mayor John Engen, Jim Nugent, City Attorney, Marty Rehbein

1. CALL TO ORDER AND ROLL CALL

The virtual meeting of the Missoula City Council was called to order by Mayor John Engen at 6:00 PM.

2. APPROVAL OF THE MINUTES

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

4. PUBLIC COMMENT

5. CONSENT AGENDA

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (10 to 0)

5.3 Appointment to the Parks and Recreation Board

(No quorum present) Confirm the Mayor's appointment of Erynn Castellanos to the Parks and Recreation Board for a term beginning immediately and expiring on April 30, 2023.

Vote result: Approved

5.4 Appointment to the Bicycle and Pedestrian Advisory Board

Confirm the Mayor's appointment of Erin Montgomery to the Bicycle and Pedestrian Advisory Board for a term beginning immediately and expiring on September 30, 2022.

Vote result: Approved

5.5 Bid Award with Prospect Construction Inc, for the Cooper Street Alley Water Main Replacement

Award the bid for Cooper Street Alley Water Main Replacement Project to Prospect Construction, Inc. for an amount not to exceed \$1,013,580.50 and authorize the return of bid bonds.

Vote result: Approved

5.6 Appointment to the Health Board

Appoint Ross Miller for the regular member position to the Health Board beginning January 1, 2022 and ending on March 31, 2025

Vote result: Approved

5.7 Contract for Applicant Tracking System with NeoGov

Approve and authorize the Mayor to sign a contract with NeoGov for employee recruitment and onboarding in the \$5,000 for FY22, \$21,460.80 for FY23, and \$21,460.80 for FY24.

Vote result: Approved

5.8 Contract for FY 2022 Relationship Violence Services

Authorize the Mayor to sign the contract with Missoula County for relationship violence services in the amount of \$184,165.

Vote result: Approved

5.9 3719, 3721, 3723 Grant Creek Road Annexation and Zoning Upon Annexation

Adopt a resolution of intention to annex and incorporate within the boundaries of the City of Missoula three tracts located at 3719, 3721, 3723 Grant Creek Road and legally described in Book 1040 Page 253, Book 960 Page 1011, and Book 1040 Page 253 in the NW of the NW of Section 8, Township 13 North, Range 19 West, P.M.M. and zone upon annexation to M1-2 Limited Industrial, based on the findings of fact in the staff report, subject to the recommended conditions of annexation approval; set the public hearing for December 6th, 2021; and refer this item to the Land Use & Planning Committee on December 8th, 2021.

Vote result: Approved

5.10 Appointments to the Planning Board

Reappoint Shane Morrissey and Ellie Costello as regular members and Sierra Farmer as an alternate to the Missoula Consolidated Planning Board for the term beginning January 1, 2022 and ending on March 31, 2025.

Vote result: Approved

5.11 Adopt West Broadway Community Master Plan

Set a public hearing on December 6, 2021, to consider an amendment to the Our Missoula City Growth Policy to include the Envision West Broadway Community Master Plan as an amendment to the Downtown Missoula Master Plan and refer this item to the Land Use & Planning Committee on December 8th, 2021

Vote result: Approved

5.12 Resolution Delaying East Missoula Annexation

Adopt a resolution delaying the date of contract sewer petition annexations of properties provided sewer service pursuant to the interlocal agreement with the East Missoula County Sewer District until at least January 1, 2034.

Vote result: Approved

5.1 Accounts Payable (claims) for checks dated November 23, 2021

Ratify accounts payable in the amount of \$2,075,367.44 for checks dated November 23, 2021.

AYES: (7): Alderperson Anderson, Alderperson Becerra, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, and Alderperson West

NAYS: (3): Alderperson Contos, Alderperson Ramos, and Alderperson Vasecka

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (7 to 3)

5.2 Accounts Payable (claims) for checks dated November 30, 2021

Approve accounts payable in the amount of \$455,145.65 for checks dated November 30, 2021.

AYES: (7): Alderperson Anderson, Alderperson Becerra, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, and Alderperson West

NAYS: (3): Alderperson Contos, Alderperson Ramos, and Alderperson Vasecka

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (7 to 3)

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

7. SPECIAL PRESENTATIONS

7.1 Proclamation - Day With(out) Art

8. PUBLIC HEARINGS

8.1 Ordinance amending MMC 2.82 entitled "Establishment of continuous residency requirements within the city limits for City department heads and supervisory managers."

The City Council will hold this public hearing open until the take it up under final consideration on December 6, 2021.

9. FINAL CONSIDERATION

9.1 Resolution for 1st Quarter FY 2022 budget amendments. This resolution amends the fiscal year 2022 budget to recognize revenues, and appropriate expenditures and budget transfers not identified in the original budget.

Moved by: Alderperson Jones

Adopt a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2021 budget and capital improvement program.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (10 to 0)

9.2 Rezone 2520 Schilling Street and 2134 Dearborn Avenue, located at the northeast corner of the intersection of Schilling Street and Dearborn Avenue, from RM2.7 Multi-Dwelling to B2-2 Community Business.

Moved by: Alderperson West

[Second and final reading] Adopt an ordinance to rezone 2520 Schilling Street and 2134 Dearborn Avenue, located at the northeast corner of the intersection of Schilling Street and legally described as Lots 20-24 of Carline Addition Block 34 and Lots 18B, 6286 square feet of Lots 17, 18 & 19 of Carline Addition #3 Block 34; All located in Section 32, Township 12 North and Range 19 West from RM2.7 Multi-Dwelling to B2-2 Community Business.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (10 to 0)

9.3 Recreational Marijuana Ordinance – Cassie Tripard, Ben Brewer, Leigh Ratterman, Spencer Starke, and Madson Matthias, City of Missoula

Moved by: Alderperson West

[Second and final reading] Adopt an ordinance (draft dated 11/18/2021) generally amending Title 20, Missoula Municipal Code, the City Zoning Ordinance, to incorporate revisions in the following chapters: 20.10 Business and Commercial Districts, 20.15 Industrial and Manufacturing Districts, 20.45 Accessory Uses and Structures, 20.100 Terminology, and 20.105 Use Classifications, and creation of 20.40.083 in Use and Building Specific Standards, to incorporate regulations concerning legislative changes in the cannabis industry.

AYES: (6): Alderperson Anderson, Alderperson Becerra, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, and Alderperson West

NAYS: (4): Alderperson Contos, Alderperson Harp, Alderperson Ramos, and Alderperson Vasecka

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (6 to 4)

Amendment:Moved by: Alderperson Vasecka

Amend the proposed ordinance to:

- allow non-transparent windows

AYES: (4): Alderperson Contos, Alderperson Harp, Alderperson Ramos, and Alderperson Vasecka

NAYS: (6): Alderperson Anderson, Alderperson Becerra, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Failed (4 to 6)

Amendment:Moved by: Alderperson Vasecka

Amend the proposed ordinance to:

- omit the required buffers

AYES: (3): Alderperson Ramos, Alderperson Vasecka, and Alderperson West

NAYS: (7): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Merritt, and Alderperson Sherrill

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Failed (3 to 7)

Amendment:Moved by: Alderperson Vasecka

Amend the ordinance to:

- allow home occupation

AYES: (4): Alderperson Contos, Alderperson Harp, Alderperson Ramos, and Alderperson Vasecka

NAYS: (6): Alderperson Anderson, Alderperson Becerra, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Failed (4 to 6)

Amendment:Moved by: Alderperson Sherrill

Amend the effective date of the ordinance to 12:01 a.m. on January 1, 2022.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (10 to 0)

Moved by: Alderperson West

Direct city staff to proceed with amendments to Title 5, Missoula Municipal Code, pertaining to business licenses and regulations to incorporate revisions regarding energy consumption for cannabis businesses.

AYES: (7): Alderperson Anderson, Alderperson Becerra, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, and Alderperson West

NAYS: (3): Alderperson Contos, Alderperson Ramos, and Alderperson Vasecka

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (7 to 3)

10. COMMUNICATIONS FROM THE MAYOR

11. GENERAL COMMENTS OF CITY COUNCIL

12. COMMITTEE REPORTS

12.1 Administration and Finance committee (AF) report

12.1.1 Minutes from the November 17, 2021 Meeting

12.2 Committee of the Whole (COW) committee report

12.3 Land Use and Planning (LUP) committee report

12.3.1 Minutes from the November 17, 2021 Meeting

12.4 Parks and Conservation (PC) committee report

12.4.1 Minutes from the November 17, 2021 Meeting

12.5 Public Safety and Health (PSH) committee report

12.5.1 Minutes from the November 17, 2021 Meeting

12.6 Public Works (PW) committee report

12.6.1 Minutes from the November 17, 2021 Meeting

13. NEW BUSINESS

14. ITEMS TO BE REFERRED

14.1 Administration and Finance committee referrals

14.1.1 Third Courtroom Display and Audio Systems Contract Approval

14.1.2 Courtroom Display System Maintenance Support Contract Update Approval

14.1.3 Fiscal year 2022 Business Licensing Fee Schedule

14.1.4 Reappointment to the Missoula Urban Transportation District

14.1.5 Contract – Poverello Center Outreach and Operations Funding

- 14.1.6 Hardware Quotes for Conference Room Equipment
 - 14.1.7 Resolution Relating to \$912,000 Storm Water System Revenue Bonds, Consisting of \$465,867 Series 2021B (Taxable) and \$446,133 Series 2021C; Authorizing the Issuance and Fixing the Terms and Conditions Thereof
 - 14.2 Committee of the Whole referrals
 - 14.3 Land Use and Planning committee referrals
 - 14.4 Parks and Conservation committee referrals
 - 14.4.1 Appointment to the Conservation District
 - 14.5 Public Safety and Health committee referrals
 - 14.5.1 Appointment to the Food Policy Advisory Board
 - 14.6 Public Works committee referrals
 - 14.6.1 Missoula City Public Works & Specifications Manual Updates
15. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS
 - 15.1 Administratively approved agreement report
16. ADJOURNMENT

The meeting adjourned at 8:13 p.m.