

**Journal of Proceedings**  
**Missoula City Council Meeting**  
**May 10, 2021, 6:00 pm**  
**ZOOM Webinar**

Members Present: Mirtha Becerra, John P. Contos, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Jesse Ramos, Amber Sherrill, Sandra Vasecka, Bryan von Lossberg, Heidi West

Members Absent: Stacie Anderson

Administration Present: Mayor John Engen, Dale Bickell, Chief Administrative Officer, Jim Nugent, City Attorney, Marty Rehbein

Administration Absent: Ginny Merriam, Communications Director

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

2.1 Minutes from the May 3, 2021 meeting

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Committee Schedule for the week of May 10, 2021

Administration & Finance Committee, May 12, 10:00 - 10:05 a.m.

Parks & Conservation Committee, May 12, 10:20 - 11:35 a.m.

Public Works Committee, May 12, 12:15 - 12:45 p.m.

Land Use & Planning Committee, May 12, 1:00 - 3:00 p.m.

Committee of the Whole, May 12, 3:15 - 3:25 p.m.

Mayor John Engen Any changes to the committee schedule? All right seeing none of those, we will move on to the public comment portion of our agenda.

4. PUBLIC COMMENT

Mayor John Engen This is your opportunity to comment on items not elsewhere on the agenda and I'd ask you to keep your remarks to about three minutes please. General public comment, Mr. Larson.

Matt Larson Yes, Matt Larson, Ward 3. Hi City Council, hi Mayor. I just wanted to give you all an update. Last year, I started seeing a bunch of bullets being purchased in about August by MPD and since then about 40 to 60 thousand dollars, I would estimate, has been purchased of 223 rounds by MPD. I'd also

like to let you guys know about the secret corners inquests that happened on April 13th this year, last month, about the, regarding the two officer involved shootings. So, while it's very you know heartwarming that our Mayor has things to say about the George Floyd thing, it's, it's also disconcerting to see the county attorneys sweep two officer-involved shootings under the rug via an illegal coroner's inquest, that does not adhere to state law. So, I've retained an attorney and we're about to challenge it and we're about to challenge it with the open meetings part of the constitution of the State of Montana, which is also relevant here, but we'll see what happens later on this week. I'd urge the Mayor to get his, his county attorney or you know people on the county, the county commissioners to redo these coroner's inquests in adherence to state law because it's the least we could do for our community police officers and the families of the deceased. Thank you.

Mayor John Engen And seeing no additional general public comment this evening, we will move on to our consent agenda.

## 5. CONSENT AGENDA

### 5.1 Accounts Payable (Claims) May 11, 2021

Approve claims in the amount of \$796,940.92 for checks dated May 11, 2021.

AYES: (8): Alderperson Becerra, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, Alderperson von Lossberg, and Alderperson West

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

ABSENT: (1): Alderperson Anderson

Vote result: Approved (8 to 3)

### 5.2 Fort Missoula Regional Park Phase 2 Seal Coat Contract

Approve and authorize the Mayor to sign a contract with Pro Sweep for seal coating the parking lots at Fort Missoula Regional Park Phase 2 in the amount of \$35,304.00

Vote result: Approved

### 5.3 Cost Sharing Agreement with United States Army Corps of Engineers for Clark Fork River Area Levee III and V Evaluation

Approve and authorize the Mayor to sign a Cost Sharing Agreement with the United States Army Corps of Engineers for an Accelerated Levee System Evaluation of the Clark Fork River Area III and Area V Levee System.

Vote result: Approved

#### 5.4 Mullan BUILD Right-of-Way Agreements

Approve and authorize the Mayor to sign six right-of-way agreements with various property owners for the City to construct public infrastructure for Mary Jane Boulevard in the Mullan BUILD Project.

Vote result: Approved

5.5 Resolution for 3rd Quarter FY 2021 budget amendments. This resolution amends the fiscal year 2021 budget to recognize revenues, and appropriate expenditures and budget transfers not identified in the original budget.

Set a public hearing for May 24, 2021 on 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. (3rd quarter budget amendments)

Vote result: Approved

#### 5.6 Appointments to the Planning Board

Appoint Elizabeth Costello for the Alternate position to the Planning Board for a term beginning immediately and ending on December 31, 2021.

Vote result: Approved

#### 5.7 Annexation and zoning request for Portion A of 3946 Fox Den Court

Adopt a resolution of intention to annex and incorporate within the boundaries of the City of Missoula a parcel of land located at 3946 Fox Den Court and legally described as Portion 'A' of Lots A-1, Fairway View Addition, Lot A-1, Lot A-2 and Lot 3, Fairway View Addition, located in Section 1, Township 12 North, Range 20 West, P.M.M., as shown on Exhibit A and Exhibit B, and zone the property Fairway View Addition Planned Unit Development, based on the findings of fact in the staff report, subject to the recommended conditions of annexation approval, and set a public hearing for May 17th, 2021.

Vote result: Approved

AYES: (11): Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, Alderperson von Lossberg, and Alderperson West

ABSENT: (1): Alderperson Anderson

Vote result: Approved (11 to 0)

Mayor John Engen Thank you Ms. Rehbein. Questions or comments from Council members? Mr. Ramos.

Aldersperson Ramos Thank you Mr. Mayor. Can we please divide the question and vote on item 5.1 separately due to some water legal bills (inaudible).

Mayor John Engen We certainly may.

Aldersperson Ramos Thank you.

Mayor John Engen Any further discussion? All right. Anyone in the audience care to comment? Mr. Lawson.

Matt Larson Yes, yes. Mr. Mayor and City Council, Matt Larson, Ward 3. Wondering what the New World/Tyler Records fee for sixty thousand dollars is from the Missoula County Treasurer? I'm also wanting to draw attention to the over militarization and continued over militarization of MPD. There's a purchase of two rifles on this invoice for about nine thousand dollars. Those look like really nice sniper rifles. They are made by Snowy Mountain Rifles and it looks like you're buying them a bunch of nice expensive bullets for those. So awesome, congratulations, and thank you for the untold and never-ending legal fees from the water battle.

Mayor John Engen Seeing no additional public comment, we will have a roll call vote on item one and subsequently on the remainder.

6. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM - None

7. SPECIAL PRESENTATIONS - None

8. PUBLIC HEARINGS

8.1 Group Living Conditional Use for Hogan Senior Living at 228, 234, & 246 South 6th Street West

Mayor John Engen We do have two public hearings this evening. State law and our own Council rules set guidelines for, pardon me, hearing in a formal way on a variety of issues. We'll have a staff report on each of these items and a post staff report. We will invite community comment. Our practice is to hold the public hearing open for a week or until the next regular council meeting for additional comment and council will take these items up under final consideration at their next regular meeting. The first of these is on a group living conditional use at 228, 234, and 246 South 6th Street West. And our staff report this evening comes from Ms. McCafferty.

Kailtin McCafferty Hello can everyone see me and, I mean, hear me and see my screen?

Mayor John Engen We can.

Kaitlin McCafferty I'm Kaitlin McCafferty from Development Services in the new CPDI. This request is from Colin Lane of MMW Architects on behalf of Mike Robinson of Hogan Senior Living, LLC. The request is for a group living, conditional use, at 228, 234, and 246 South 6th Street West. The applicant is proposing one newly constructed group living building with 36-bedroom suites and communal kitchen, dining, and living spaces. The project's intent is to create attainable, accessible housing for seniors and the facility will apply for an age restriction of 55 and up, under the Housing for Older Persons Act of 1995. So, each zoning district under Title 20 includes three types of uses, permitted, conditional, and prohibited uses. This project requested use group living is labeled a conditional use in its zone which is RT2.7. A conditional use is a use that is allowed only if reviewed and approved in accordance with the conditional use procedures of Title 20.85.070 which includes this public hearing and a final action by City Council. And that final action may be to approve the proposed use or to approve the proposed use with conditions. Council must make their determination based on a list of criteria that are detailed in Title 20, specifically in 20.85.070. Not every criteria will apply and only the applicable criteria need to be met. And then later in the presentation, after I go over the details of the project, I'll describe all the criteria that are applicable and how the proposal addresses each of those criteria. So, first of the location, so this slide shows the location of the subject property; it's outlined in red right here, it's on the corner of Hazel and South 6th Street West. The subject property again in red is zoned RT2.7 residential and according to Title 20, a group living use requires that conditional use approval to operate in this zoning district. Title 20 includes a few categories of group living of the group living use, all within their own specific requirements and standards and this includes the general group living use and a few other specific group living use types. So, first is like is the general group living use. It's defined by Title 20.105.020B as a residential occupancy of dwelling, other than a household typically providing communal kitchen and dining facilities and so this project definitely fits the description of group living use. The next type, the next use category is community residential facility. It's a specific type of group living use. It's defined in Title 20.105.020.B1 as any of the following types of projects. So first, a group, foster or other home, specifically provided as a place of residence serving developmentally disabled or handicapped persons. Next a dis, a district youth guidance home, a detention, receiving, or shelter home, a halfway house, a licensed adult foster family care home, or a licensed assisted living facility. All of these usage or specific uses that I just listed are further defined in Montana State Law 76-2-411 and none of them meet this project, mainly due to the difference in intended residence and the lack of any medical care or staff for this project's proposal. Next is another type of group living use, the health care facility which Title 20 differs to State Law 55-101 for its definition. And again, this project does not fit

this category either because the proposed project does not provide any medical care or staff to serve the residents. And the last one I have up here is an assisted living facility. It's a specific type of community residential facility that I listed before. It's defined in State Law 55-227 as a facility that serves residents requiring a specific level of care through nursing and service staff, which again this project does not address. And so therefore this project is classified as that first general group living use and not any of these specific categories that I listed under. And so, it will be reviewed as such, the general group living use. Moving on to our Missoula 2035 City Growth Policy, which designates the subject property again outlined in red on this slide as residential medium high density which supports a density of 12 to 23 dwelling units per acre and this use is identified for areas close to the core of the community and where city services and infrastructure are readily available, but the pattern of existing development is less intense than primary multi-dwelling buildings. Also, in its chapter on housing, the growth policy specifically calls for a city-wide emphasis on creating a range of opportunity for affordable housing development for the workforce, lower income residents, and seniors. This projects 55 and up age restriction for tenants and its communal elements speak directly to this need called out in the Growth Policy. This slide shows the current conditions of the site viewed from north, south, east, and west. So, on the south, so this is South 6th Street West fronting the subject parcel, east is towards the back of this picture, in like the yellow square, and that's South 6th Street again. The west is Hazel Street and then six, the corner of Hazel and 6th and then north is the back of the subject parcel with the alley and Hazel Street. Here's the current schematics of the project; it's from the same four views as above for a little bit of a comparison. Again, the project is one new building. It's comprised of 13, one-bedroom suites, and 23 studio suites with communal kitchen, dining, and living spaces. And again, the tenants will be ages 55 and up. The allowable density for group living is calculated in Title 20 which allows 2.7 residents per every thousand square feet of parcel area in this zoning district. So, the subject property is 19,471 square feet, which after the math it allows for max up to 51 residents in this space, 36 bedroom suites are proposed, which is under the maximum allowed density. In order to further guarantee compliance with Title 20 requirements on density, staff is recommending a condition of approval requiring the applicant to provide an executed affidavit restricting density in compliance with Title 20. So, the affidavit would restrict density to up to 51 residents. Here's the site plan for the project. So, this on the bottom of the screen is 6th Street and then Hazel is here, the top of the screen's got the alley and then on the other side is a proposed cross access easement. On the north are the parking spaces, one through six, right here and then on the east, this little guy right here is an ADA van space. I'm going to go into parking calculations in a future slide so put a pin in that for now; however, it does meet Title 20 for parking. On

the south, you can see I've highlighted these triangles, these yellow triangles, and these are two AASHTO documented site visibility triangles. These are areas that AASHTO is recognized need to be kept clear so that oncoming drivers of vehicles approaching an intersection have an unobstructed view of any conflicting vehicles or pedestrians. So, in order to comply with Title 20, zoning in Title 12, which is engineering and to keep these site visibility triangles clear, city engineering recommends a condition of approval prohibiting objects either on public or private property that exists at 30 inches or more above the established top of street grade within the site visibility triangle. So, everything within these site visibility triangles, these yellow triangles, needs to be below 30 inches, established top of street grade. Another notable element on this site plan is the location of the Kentucky coffeetree along 6th street which I have marked by this tree icon that is green and blue. Kentucky coffeetrees are one of Missoula's slowest, slowest growing species and it also holds a really high value for its climate resilience and its carbon sequestration. So, because of this, staff recommends a condition of approval requiring the applicant to retain this Kentucky coffeetree and provide a tree protection plan prior to building permit approval. City Parks and Rec also recommends that the remainder of the existing trees are to be removed and replaced to meet boulevard landscaping requirements along Hazel and South 6th Street West. The last element on the site plan, that's worth noting, is this big red X that I have right here and it's just a marker that will make my next slide make sense, but so this X is marking the proposed access to the property, into this proposed cross access easement. So just keep an eye on that, as I switch to this slide. So that X is here, this proposed approach is right here. This is a current ariel of the current condition of the site and then there's that tree just to orient you guys again. The proposed approach, from the site plan, I just pointed out is right here, and then as you can see to the east of the subject site and this is a different parcel, this is not the subject parcel, but there are already two existing approaches to this parking lot. And too many driveway approaches on one block, increases the chances of conflicts between vehicles and pedestrians. So, because of this, City Engineering commented that the new driveway approach to South 6th Street West, that's this proposed approach right here, cannot be approved unless one of these two existing approaches marked by the X's are eliminated. The applicant is fully aware of this condition and is working with the adjacent property to coordinate a refiguring of the parking lot to meet this requirement. Now on to the explanation of parking. So, Title 20 zoning ordinance treats group living uses like a single family residence with a lot of bedrooms. So, there's multiple bedroom suites; however, cooking and dining spaces are communal just like a house with a bunch of bedrooms in it. Because of this, the parking requirements are similar to a single-family residence, which is two per building. A group living building is not considered a multi-dwelling structure

for Title 20 because multi-dwelling structures have multiple independent dwelling units, they each have their own separate entrance, full cooking, bathing, living, dining facilities and this is just, these are qualities that this project does not have and does not fall under. So, it is a group living use and the applicant is required to provide two parking spaces and they have, in fact, proposed six parking spaces plus the additional ADA van space that was on the east side of the site plan. Similarly, for bike parking, Title 20 does not list group living under required standards which makes the requirement for bike parking zero. The applicant has proposed six short-term bike parking spaces near the entrance of the building and in the basement, there's space for long-term storage for bikes which are accessible by elevators. So, all in all, both vehicle and bike parking, the applicant is exceeding the minimum requirements for parking in Title 20. In addition, it's definitely worth noting that this location is very well served by public transit. Now for the staff's analysis of how this conditional use meets this conditional use proposal meets the review criteria of Title 20, that I mentioned at the very beginning of my presentation. And these requirements are listed on this slide. So first we've got compliance with growth policy and zoning, which is required and along with engineering and fire standards will be confirmed at the time of building permit approval, per conditions of approval number one through six. Also in this chapter, in its chapter on housing, the growth policy calls for that city-wide emphasis on creating a range of opportunity for affordable housing development for seniors. This project's 55 plus age restriction and those communal elements for the tenants really speak to this need, that's specifically called out in the growth policy. Next the project is in the interest of public convenience and has no significant impact on the general welfare, because of a condition of approval number two, which restricts the density to the amount allowed by zoning and the use will provide convenient housing for seniors close to public transit and essential services including those dense commercial areas we know as the hip strip, downtown and Orange Street. The project is compatible with the character of the area and surrounding buildings. It is similar in design and scale to the surrounding area which includes a diverse mixture of single dwelling residential and commercial, multi-dwelling, religious assembly, and mixed-use buildings. The surrounding structures vary from single story to over four stories. The project will also comply with boulevard with boulevard landscaping standards which adds to the character, fitting in with the character surrounding the project. Next the group living use has a compatible operating characteristic similar to all the other residential uses in the surrounding area, so it'll fit right in. Traffic safety is maintained through the project's compliance with all applicable sections of Title 12 and will be further confirmed if City Council imposes conditions number three and four; those were the conditions about the site visibility triangles and the surrounding road infrastructure is adequate to handle the



additional traffic that will be generated by the group living use and the site is served by transit sidewalk and bike lanes. Next the group living use, again it's a single residential structure with multiple bedroom suites and communal living, dining, and kitchen facilities. It will not impede the improvement of surrounding properties because it has to comply with Title 20 standards with those maximum height setbacks, as well as the use of specific building standards for group living uses. And finally, the project will properly address open space, light, and protection of natural features by complying with setback requirements and maximum height standards to ensure adequate open space and light and again if City Council imposes conditions of approval five and six, the applicant will be required to, to retain and protect that existing Kentucky coffeetree and follow boulevard landscaping standards, as recommended by City Parks and Recreation. Based on staff review, the recommended condition of approval for this conditional use request are: (1) That the applicant will first comply with all applicable portions of Title 20 and shall substantially conform with the plan submitted at the time of the conditional use review; (2) Provide executive, provide that executive, executed affidavit restricting density and compliance with Title 20 use of specific building standards for the group living uses, so that's speaking to that density; and the 3rd condition of approval is that the applicant shall locate any landscaping, guardrails, patios, or other objects at 30 inches or more above grade outside of the visibility triangles at the corner of Hazel and South 6th Street West and at the west side of the driveway approach on South 6th Street West. Condition of approval number 4, the applicant shall eliminate the driveway approach to South 6th Street West unless one of the two driveway approaches to the parking lot to the east are eliminated. And the last 2 conditions of approval are number 5, that the applicant retain and provide a tree protection plan for the one Kentucky coffeetree located in front of 228 South 6th Street West; and finally, number 6, remove all other boulevard trees except the Kentucky coffeetree by a licensed arborist and provide boulevard landscaping plan for the boulevards on Hazel Street and South 6th Street West that meet city park and recreation standards. In conclusion, recommend the approval of this group, of this group living conditional use requests for Hogan Senior Living located at 228, 234, and 246 South 6th Street West in accordance with Missoula City Zoning Ordinance Title 20, sections 20.10.020D, 20.40.110, 20.85.070, and 21.05.020B1 based on the findings of fact in the staff report and subject to the conditions of approval. And that is the end.

Mayor John Engen Thank you Ms. McCafferty. I had no idea until this evening that a Kentucky coffeetree was a thing. So, I continue to learn something every day here as the Mayor of the city. So, with that, I will open the public hearing. Anyone interested in commenting on this item feel free to do so and please

remember the public hearing will remain open for a week. And I see no one in the audience at the moment.

Marty Rehbein Mayor Engen, the architect had his hand up; his name was Colin. There he is, right down there in the bottom corner, a frozen window.

Mayor John Engen Oh, Mr. Lane, you popped, you moved from park, from attendees to panelists. That's my problem, still figuring out ZOOM apparently. Go ahead Mr. Lane.

Colin Lane Thank you very much. I'm Colin Lane with MMW Architects, and I thank you Kaitlin for walking through all that. I just wanted to reiterate that we feel like this project is in great compliance with, with the growth plan, as well as any all the other more recent planning work that the city has completed. This fills a very, fills a very acute need with, with seniors at, at prices that will be attainable and we're excited to, to be a part of this community. Thanks.

Mayor John Engen Thank you Mr. Lane. Seeing no additional public comment, again the public hearing will remain open. I have two council members hands up. Ms. Merritt.

Aldersperson Merritt Thanks. I just wanted to point out that the immediately adjacent to this project is the Missoula Community School preschool and I'm wondering, Mr. Lane, if there are, if that's been part of the discussion and any measures? I know one of the things is that the, the students from that school will walk out of the building and cross the alleyway to get to the playground that they use there. And I just hope that there are some safety considerations in mind in that regard. I didn't I didn't see anyone mention anything about the fact that this is adjacent to a school.

Colin Lane Yeah, you, you bet. I, the not part of this application or, or this project but the, the church owns the parking lot and the playground next to it. They are in the process of relocating that playground to the same side of the block that the school is on. So, the, the plan is to make that a much safer relationship. I will also say that we, we believe that having the school next to this senior living community represents a great opportunity for some intergenerational relationships to happen.

Mayor John Engen And Ms. Harp.

Aldersperson Harp Thank you. Colin, just kind of going along those lines, we, I, I've had a couple of constituents kind of concerned about this idea of group living. And I think it's something we've used very, very, very seldomly throughout Missoula. I'm wondering if you can just kind of go on the record and explain how this differs and why the, your, your client decided to go down this route than trying to do multi-family and, and speaking to the need of this particular demographic.

Colin Lane Yeah, thank you, you bet. My client has had a heart for seniors for a very long time. He has also lived in group living situations and recognizes that the living in a group situation can, can offer a lot

of sense of community and support that our senior population might, might particularly need. So, the, that, that group living is, is very much a part of the DNA of my client and what this project is about. So, thank you.

Mayor John Engen And Ms. Jones.

Alderson Jones Thanks, interesting project. I have not made it through all the public comment yet. I got stuck in meetings all afternoon and I'm gonna make it through the rest of the public comment and then I do have a bunch of questions for Wednesday when we're having this in committee, Kaitlin and Colin, regarding parking and bike storage and I think we need a little bit more clarification regarding conditional use and what that means and what comes underneath that umbrella but for tonight, I did, so I'll, I'll get to that on Wednesday but I was wondering if you have any ideas in terms of price ranges that you'll be looking at for these units? And I understand it's a work in progress, but I think that is a first and foremost on people's minds.

Colin Lane I, I can only, I'm only prepared to speak to that generally. I think Mike may be here and may want to speak to that but generally, the, we've used the term attainable in an attempt to not specifically tie to a particular median income calculation. The, the project is privately funded; it's, it's not required to, to meet any particular threshold but, but I would also say that the, the intent is there similar to how I explained why the group living use is very much a part of what this project is. So is, is having the, the price structure be reasonable for, for folks in Missoula.

Alderson Jones Follow up?

Mayor John Engen Ms. Jones.

Alderson Jones Thank you. And just to clarify, these are not condos, but it will be a rental unit owned by an entity and all of these will be rentals?

Colin Lane Correct.

Alderson Jones Okay, great. Well, I will craft my questions for Wednesday, I needed some more time but thanks for opening the hearing tonight.

Mayor John Engen And Ms. Sherrill.

Alderson Sherrill Yeah thanks. And, and just quickly, I have not had a chance yet to get through all the public comments. So, I will have those done by Wednesday but I, I just wanted to say that I think just from what I know about this project so far, it's a very creative project for senior living and as I was listening to this, I kept thinking about my parents in Portland, that, you know, you know they're still together and still both alive, but you know it isolation becomes a real thing and they don't really cook that much anymore. They kind of nibble on things and eat out a lot and you know so I and I imagine

being close to transit and close to walking places, I just you know as I think about seniors and some of the things that they struggle with this. This idea, I mean, we'll get into the specifics of the project a little more on Wednesday with some more questions but I, I just appreciate the creativity and you know making, making life good and hopefully attainable, that's obviously a big thing for the seniors. So, thanks.

Mayor John Engen All right. Seeing no additional council comment, we will take this item up and the public hearing closes next week.

8.2 Ordinance rezoning 2103, 2103 1/2, 2105, and 2105 1/2 River Road from RT10 (Residential 10 Two-Unit/Townhouse) to RT5.4 (Residential 5.4 Two-Unit/Townhouse)

Mayor John Engen Our next public hearing this evening is on a re-zoning ordinance for a number of addresses at River Road from RT10 to RT5.4. And our staff Mr. DeGrandpre.

Dave DeGrandpre Good evening Mr. Mayor and Councilors. Thank for the opportunity to speak with you tonight. I'm just about to share my screen. Can you see it?

Mayor John Engen We can.

Dave DeGrandpre All right, great. Well, my name is Dave DeGrandpre. I am a land use supervisor with Development Services, Community Planning, Development, and Innovation, and we have received an application for a rezoning of a property with four addresses: 2103, 2103 1/2, 2105, and 2105 1/2 River Road from RT10 to RT5.4, and application was submitted by Paul Forsting at IMEG Corporation on behalf of DLE Investments. In terms of the decision-making space or parameters that you have, City Council typically either approves or denies a rezoning based on specific criteria, criteria that are in Title 20 and also the criteria that are in Montana Code annotated section 76-2-304. A zoning district in one area of the city, this is based on Montana law, the zoning district based in one area of the city such as RT5.4, for example, is applied equally across RT5.4 districts in other areas of the city. In other words, re-zonings are not tied to a specific site plan, they're not conditioned, they're applied, and administered equally across different parts of the city, but one unique feature of a zone change is that if owners of 25 percent or more of the property within the rezone or within 150 feet of the property protest, file a protest petition, with our office, then two-thirds of the present and voting members of council is required to approve the re-zone. The subject property is 38,420 square feet in size. It's located on the south side of River Road between Reserve on the west and Russell on the east. The area is largely developed with single- and two-family type residential developments. There are some properties that are less developed, I suppose. that have some space for potential future development but largely it's, it's fairly built out with smaller scale residential type homes, not real high density but it's a developed area of

Missoula kind of in the core. All of the zoning surrounding the subject property is RT10. There's an un-zoned parcel here still in the county, that you see in green and then a couple of other zoning districts. There's a plan unit development over on the next block to the east in RM2.7 to the southeast, but largely it's RT10 in the area. Here's a snip from the Growth Policy map and our, the Our Missoula Growth Policy calls out this area as residential medium density. So that's a density of residential development between three and 11 dwellings units per acre and the Growth Policy specifies that there are four, it's called current relateable districts, zoning districts, with the residential medium designation and they are RT10, which is the current zoning, R8, R5.4, and then RT5.4, which is the proposed zone. The zoning districts are very similar, the existing and proposed. In terms of building types, they both allow detached houses, lot line houses, two-unit townhomes, the RT10, the existing district also allows three-unit townhomes. They have identical setbacks, 20 feet in the front and rear, 7.5 interior side, and 10 feet street side, identical maximum building heights, really the difference is density. The existing zoning RT10 requires a 10,000-foot minimum, square foot minimum lot size and also 10,000 square feet minimum area per unit. The proposed zoning would allow 5,400 square feet per unit, in per lot. So, what that boils down to is, currently four existing dwelling units are allowed on the site and up to seven could be built. So, it's a kind of an incremental increase, is what the applicant is asking for. Slightly higher density and incidentally, the developer has not submitted any additional plans for redevelopment. Currently there are four homes on the property and I, from what I understand, from talking with the developer and his agents, he's preparing the property for sale. The four homes are modest in scale. Actually, I'll show you a slide to keep a better indication. So, here's a more zoomed in aerial photograph. You can see the four homes on the property. They are all detached residences of modest scale. There are three conventional or three stick-built homes and also a mobile. They share a private driveway, and you can see and it's partially paved, it's partially, partially gravel. Development in the immediate vicinity is a mixture of, its mostly single, single family detached type homes, but also some duplexes, two-unit homes in the area. River Road is a collector, and a major collector, is how it's designated by the city. The property itself is currently served by septic systems and also an individual in, a community water system. So interesting to note, at least it was interesting for me; there are quite a few septic systems in this area. I think over time, as properties are redeveloped, they're required to connect to city services. Here's actually a map of city utilities. So, in the yellow, the yellow lines indicate sewer mains. So, you can see that sewer is available along River Road and these little circles are, are manholes incidentally. You can see that the sewer flows to the west, and the blue are water mains, the blue lines are water mains. So, both water and sewer are available to serve the property. If redevelopment were to occur or when redevelopment

occurs on the property, at some point, then the property will be required to connect to city sewer. They wouldn't have to connect to city water, from what I'm hearing from the City Engineering Department, unless the existing well fails, but they would, it would have to connect to city sewer. They would also have to improve the private drive. They would have to improve the street frontage along River Road into a complete street and those sorts of improvements upon redevelopment, but again we don't have any plans for redevelopment submitted at this point. There are fire hydrants in the area. There's one here located to the west at the intersection of Curtis and also River and then the fire hydrant here in the northeast portion of the image and also to the east of the property. So, you can see that city services are available along a fairly major transportation corridor. The Missoula Growth Policy, as you know, calls for a focused inward approach and so it, it promotes redevelopment of existing parcels of land as opposed to sprawl; that's kind of the general concept. And so, you can see from this image, you've got LaFray Park, a nice little park located it's, it's about one point, sorry 0.16 acres, sorry feet from the property. What am I trying to say? It's 1.6 miles from the property, sorry about that. I'm getting my facts and figures mixed up, very close to the property and you can get to it via sidewalk. You have the Milwaukee Trail located a short distance to the south, which as you know can provide access to different parts of the city. You also have transit; a transit stop here at the River Road - Russell intersection. I guess the downside is that to get to that transit there, there isn't a lot in the way of sidewalk and there are not designated bike paths at this point, but the long-range transportation plan, that's about to undergo the adoption process calls for complete streets along the street along this section of River Road. So, at some point in the future, eventually anyway, the idea is to have sidewalks, bike paths, boulevards, and that sort of thing. So, to, to provide pedestrian bicycle facilities. This property is in proximity to urban services. I talked about sewer and water, you also have police and fire. It's in a central location within the City of Missoula. It supports a compact development pattern and is in the urban core. So, it's, I believe, in compliance and supported by the Growth Policy goals. The staff report describes the criteria. I don't probably need to go through them all in great detail tonight but if you want to talk about them, I'm happy to do so and we could also talk about them more at the Land Use and Planning Committee meeting on Wednesday but both staff and the planning board found that this project is supported or, or complies with the criteria called out in Title 20 and also Montana Code and that it complies with the Growth Policy, it facilitates the provision of public services and transportation, promotes compatible urban growth, public health and safety, and also considers district character and sustainability and suitability of use. So the planning board held a public hearing of their own on April 20, 2021 and by a vote of eight to zero unanimously recommended approval of the zone change and it was good

discussion of the board, lots of interesting ideas thrown out, but in general, the board felt that this level of zoning, this zone change, you know it's an incremental increase and provides some assurance to neighbors about future development due to the limited scope and scale, the zone change, the board members at least one mentioned that the possibility of three new homes is reasonable; it wouldn't be a, a drastic change. That connection to city water and sewer upon redevelopment or at some point in the future would be beneficial. Also, that this, this rezoning would allow an increased density and not, not beyond undeveloped farmland, which some of the members thought that was that was important, and then also you know there was some back and forth and discussion about what would prompt connection to city services, what would prompt street improvements, and those sorts of things, but I think the board was generally satisfied with the proposal in its scope and scale. And so, the board recommended approval and then lastly, just procedurally, tonight's the public hearing of course and City Council has final consideration on the 17th, so next Monday night. In terms of public comment, I mentioned at the beginning, that if there's protest that comes in over 25 percent of the adjoining landowners, that two-thirds majority would be required to approve the zone change. In this case, we do not have any protests that have been submitted to date and no written public comment at this time. That concludes the report.

Mayor John Engen Thank you Mr. DeGrandpre. Does staff have a recommendation for the council?

Dave DeGrandpre Yes, sorry. The recommendation is for the zone change and as stipulated in the staff report.

Mayor John Engen Thank you sir, appreciate that. With that, I will open the public hearing. And we have two participants this evening, neither of whom has raised a hand, so we'll take some council comments. And we'll begin, oh I'm sorry Mr. Forsting on behalf of developer.

Paul Forsting Yes, Paul Forsting, IMEG Corporation. Thank you Mayor and thanks Council Members for hearing this project. We, this is an infill project that we're excited about. We don't have grand plans necessarily for how, how the site's going to be developed. I'm here today with Josh Eder, he's the property owner. He's actually selling the property and so he's the person, the person he's selling it to, is going to start by remodeling the two back units. By back, I mean furthest to the south and then potentially work forward but ultimately, I think they will add three units, getting the total count to seven if the zoning is approved. The, anytime that, whenever this site is developed or when development occurs on the site, water, sewer, roads those type of things will have to be evaluated and installed, designed. Josh and I haven't done that yet. So, we don't have any type of plans but I, I know it's a tight site, so those things will have to be done with care and in accordance with the city's rules. And so that's

all I add right now, and I look forward to well I'm thankful that they've got the planning board approval unanimously and I'm very thankful for the staff report from the planning staff of the recommendation for approval. That's, that's all I'll add. Thank you.

Mayor John Engen Thank you sir. All right with that. Oh Mr. Eder.

Josh Eder Thank you. Thank you all for taking the time, appreciate you, you allowing me the opportunity to speak. I just wanted to add to what Paul was saying. I know the name says DLE Investments, that's just a name after my late father but my name is Jose Eder, born and raised here in Missoula. I lived there, at this residence, the first year of my life and then later in college. It's been in my family for over 50 years, next year will be 50. Personally, I've been part of affordable housing, nonprofits in Missoula for eight or nine years in my 20 years in the nonprofit arena and I tell you that because I have a strong passion, strong feelings for, for housing. Currently, I have two residents that have been there for about 15 to 20 years, respectively. Both of them are going to be staying in their current locations. The two back houses, as Paul said. I had them drug tested; they came back positive for methamphetamine, so those need to be remediated. So, something needs to happen with those regardless. So, as probably over three years ago, I started down this road with Paul to redevelopment this property. The biggest thing knowing that it needed some work on the infrastructure end of things, to improve, the biggest things like a sidewalk on the front of the street, that'd be wonderful for the whole, whole neighborhood, but as I went into this further and then we started the re-zoner about January of this year, personally things changed in my world. So, I didn't want to take it to the next two to three years to develop this. I was able to find an older couple looking to, as a retirement, to work on some houses in Missoula. They have family here. They, as Paul said, want to start very small. The great part is, I'm not, nobody's getting kicked out right away. So, nobody's losing their homes. The new owners are open to talking with, with, with the current residents. It fits great, I think in what the city is putting forward, I think with the new Growth Policy, it's a great example to put to other residents that are thinking about something like this type of project. And with it being restricted into that, that lot size, you know there's not really a whole lot outside of what's been presented today that they can additional developers are going to do. So, having said all that, I just want to share my story and the reasonings behind why, why this is happening, why I'm not the one going to see through the development, but it is not a big outside developer coming in or changing the character. I've been very adamant about keeping that character in and about the residence currently there. So, thank you all for your time.

Mayor John Engen Thank you Mr. Eder. And with that, council members. Ms. Merritt.



Alderson Merritt Thank you. I just have a question for Dave and if you don't have the answer off the top of your head that that is completely fine. Of what I noticed in looking at this is that a number of the lots surrounding this lot do not meet that minimum 10,000 square foot parcel size and you know so I've been kind of having a hard time wrapping my head around why this is all zoned RT10 to begin with because we don't have RT10 density in existence in a lot, in a lot of this neighborhood. Can you maybe speak to what that, what the implications are of having a lot of existing non-conforming lots, or, or maybe can you confirm for me that there are a lot of non-conforming lots there?

Dave DeGrandpre I can't actually off the top of my head. I'll have to go back and, and look at the lot sizes surrounding this property. I'm happy to do that prior to Wednesday's meeting but in terms of implications, it's really not a big deal. In the sense that, there's essentially a grandfather clause in in the city zoning ordinance that allows those lots to continue to be used in their current fashion into the future with very few limitations. So yeah, I don't know exactly why the RT10 was applied to homes in this area, to this area but I know, but I can tell you that it's, it doesn't impact the lot owners a whole lot.

Alderson Merritt Thanks.

Mayor John Engen And Ms. West.

Alderson West So I'm happy to wait for the answer until Wednesday but I wanted to ask about, just if this is in the floodplain, or where the floodplain is in relationship to this property? I know that River Road is adjacent to a levee and I think it would just be good information to have. So, thank you Dave.

Dave DeGrandpre Sure. The property is not located in a 100 year or 500-year flood plain. It's in an, it's an area that's considered zone X area of low flood hazard risk.

Mayor John Engen All right seeing no additional comment from council members, this public hearing will remain open. We have no additional public hearings this evening.

## 9. FINAL CONSIDERATION

### 9.1 Pattee Street Right-of-Way Vacation Request

Moved by: Alderson Becerra

Adopt a resolution closing and vacating the south approximately thirty (30) feet of Pattee Street lying north of Bess Reed Park and at the southern end of the Pattee Street cul-de-sac, as described in Exhibit A

AYES: (11): Alderson Becerra, Alderson Contos, Alderson Harp, Alderson Hess, Alderson Jones, Alderson Merritt, Alderson Ramos, Alderson Sherrill, Alderson Vasecka, Alderson von Lossberg, and Alderson West

ABSENT: (1): Alderson Anderson

Vote result: Approved (11 to 0)

Mayor John Engen We do have a couple of items for final consideration. The first of which is the Pattee Street Right-of-Way Vacation Request, and our staff report is or I'm sorry, we don't even have a staff report this evening. We do need a motion, however, from Ms. Becerra.

Aldersperson Becerra Thank you, just one second. Okay. So, I recommend that we adopt a resolution closing and vacating Pattee Street lying north of Bess Reed Park at the southern end of Pattee Street cul-de-sac, as described in Exhibit A.

Mayor John Engen And that motions is in order. Is there discussion on the motion this evening? All right, seeing none. Anyone in the audience care to comment. We no longer have an audience but Ms. Becerra.

Aldersperson Becerra I just briefly wanted to say that this is a logical next step in order to get us to accomplish the goals that we are setting as a community for the North Riverside Plan that's taking shape. This will go a long ways to, to help us do that. So, I fully support it. Thanks.

Mayor John Engen Thank you Ms. Becerra. Any further comment from council members? All right seeing none, we'll have a roll call vote.

9.2 Amendment to Article 3, Section 080.7 Parks and Open Space Requirements "cash-in-lieu" clarifying methodologies for determination of value.

Moved by: Aldersperson Hess

Adopt a resolution to amend Article 3, Section 080.7 of the existing Subdivision Design Standards, Missoula City Subdivision Regulations to reflect the proposed language as set forth in the attached Exhibit A "Proposed Amendment Language", amended to include the staff recommended change to Subsection B.

AYES: (6): Aldersperson Becerra, Aldersperson Hess, Aldersperson Jones, Aldersperson Sherrill, Aldersperson von Lossberg, and Aldersperson West

NAYS: (5): Aldersperson Contos, Aldersperson Harp, Aldersperson Merritt, Aldersperson Ramos, and Aldersperson Vasecka

ABSENT: (1): Aldersperson Anderson

Vote result: Approved (6 to 5)

Amendment:

Moved by: Aldersperson Ramos

Amendment to B as follows:

B. The sale price of the property being subdivided, documented by a purchase, and sell agreement or other executed contract, if it was purchased within three (3) years one (1) year of the date of the final

plat application submittal, provided the property's zoning designation remains unchanged and the sale was an arm's length transaction.

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

NAYS: (7): Alderperson Becerra, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, Alderperson von Lossberg, and Alderperson West

ABSENT: (1): Alderperson Anderson

Vote result: Failed (4 to 7)

Mayor John Engen Our second item for final consideration is an amendment to our Park and Open Space Requirements cash-in-lieu component and I would love a motion from Ms. Sherrill.

Alderperson Sherrill And I would love to give you that motion but give me just a second. I'm in the wrong screen.

Alderperson Hess And Mayor if I may interject? I think this was an LUP item that...

Mayor John Engen Oh I apologize Mr. Hess. Mr. Hess, I'll take the motion from you.

Alderperson Hess Sure, thank you Mayor. I would move adoption of a resolution to amend Article 3, Section 080.7 of the existing subdivision design standards Missoula City Subdivision Regulations to reflect the proposed language as set forth in the attached Exhibit A, proposed amendment language, amended to include staff the staff recommended change to Subsection B, and I'd speak to the motion if that's right?

Mayor John Engen Mr. Hess.

Alderperson Hess So this is, as we've described several times, a pretty minor change to the cash-in-lieu requirements of, of the parkland dedication chapter of subdivision. It's been described as surgical, and I think that, that's a pretty accurate way to describe it. It's, it's a minor change to create some consistency on how we come up with values for parkland. I want to acknowledge the planning board who gave us a no recommendation on this and as I said in committee the other day I don't take overturning a planning board recommendation lightly. I think that the planning board made some good points and staff came back and had a few, some additional information and a few recommended changes to this based on planning board feedback. I would also note that the planning board voted to not recommend this in a real bifurcated manner. That is, that is that the no votes were, were split and the yes votes were somewhere in the middle and I think with the staff revisions and the council discussion, I think that this all pans out to be a pretty good piece of business for in, in my mind. Cash-in-lieu is not perfect; it is a tool to get to get money when parkland dedication isn't the most appropriate thing and the City has used it well over, over the last several decades but there is additional work to amend this, this tool and

to really make it the strongest tool with the best community interest that we have, but in the meantime, I think that this is a good amendment and I support it. I want to acknowledge also the staff, the staff's work to include the development community and the implementation of this. I know we had a few comments at the last committee meeting from the development community and, and our city staff have, have assured me that they'll, that they'll really work to include developer and appraisal, appraiser representatives as they go to implement this. So, all of that said, I support the motion and I encourage you all to do the same. Thank you.

Mayor John Engen Thank you Mr. Hess. Mr. Hess's motion is in order. Discussion on that motion, Ms. Merritt.

Alderson Merritt Thanks and I do appreciate the work that staff has put in on this and, and I do I totally understand the need for it, that there has been conflicting information about how to proceed with the cash-in-lieu transactions but I'm, I'm just not able to support this motion at this time. I, I think that we could have approached it better with the development community and, and gotten some more buy-in from them. I know that there have been a lot of great conversations among staff and the development community, that are really moving things along in other areas and, and I hope that in the future that the same will happen in this arena but I'm not gonna be able to support this tonight. Thanks.

Mayor John Engen And Mr. Ramos,

Alderson Ramos Thank you Mr. Mayor. I know we discussed this in committee. I'd like to offer an amendment and see what the council thinks of it. So, under Subsection B, the sale price of the property being subdivided documented by a purchase price and sell agreement or other executive contract if it was purchased within one year of the date of the final plat application submittal, provided the property zoning designation remains unchanged. I'd like to change that to within three years, and the reason for that suggestion is simply because sometimes the city is overwhelmed and sometimes it takes far more than a year to get a property approved for development. So that kind of changes the whole business model and I don't want this to, to deter any investors from investing here and any developers from developing here. As we know, we have a supply shortage, so I just don't want to have any of those unattended consequences. So, with your permission, I'd like to offer an amendment to change that to within three years of the date of the final plat applications submittal.

Mayor John Engen Mr. Ramos's motion to amend is in order. Is there discussion on the motion?

Alderson Hess Thanks. I really appreciate the amendment and I apologize for not addressing that in my comments. I know that that Mr. Ramos brought that up in the committee and I think that that there's some, some importance to the, the timeline and I guess, I am I'm not going to accept that as a

friendly amendment and, and the reasons for that is that that the one-year timeline and, and I'm going to get out of my depth here fairly quickly, so I defer to Mr. Carlton to fill in the gaps here, but there are some, some standards in terms of the length of time that a, that an appraisal price is valid. And those are, those are industry standards and I think that Mr. Carlton can speak to those. Also, the appraisal is not, is not triggered at a point in time where delay on the city part could, could cause any, any problems on the part of the developer. So, I think that the, the, the appraisal is just ordered up at the time when, when it makes sense in the process. And so, I appreciate I, I appreciate that these land you know these large developments can take a long time to, for the deal to be closed or for the project to move along, but I think that those timelines are all, are all pretty well addressed in, in this process and so with, with apologies to Mr. Ramos for not for not bringing this back up with an update. I, I don't think that those, that that amendment is, is necessary in this case and I think that we're okay with as we are. Thanks. And Mayor, if I may, while I have the floor, can I ask Mr. Carlton to fill in the, the gaps on, on the appraisal timeline?

Mayor John Engen You may. Mr. Carlton.

Grant Carlton Sure. Thank you Council Members. Yeah, so I, I speaking to the actual appraisal itself let's you know, let's get that clear; that would be Subsection A. We, we will work that out directly in the implementation phase. So that should not be an issue; we will have a design process there to address when an appraisal actually is commissioned. Speaking to Subsection B, the timeline in that Subsection the, the, the 12-month timeline was, you know, we did vet that and we specifically included that. So, if you look at the current existing language, right now, it's, we do require an appraisal so nothing's changed there. What we what we wanted to do was carve out an exception, so when a subdivider has a recent sale within a year that that subdivider does not then have to commission their appraisal. So, this was an additional sort of carve out to make life a little bit easier for a subject provider who recently purchased a property. That is consistent with other communities and I, and I would say that we do have a fairly, as you guys know, a fairly rapidly changing market. So that's why we landed on a year. A lot can change in two years or and especially three years and so again a subdivider, you know as it currently stands would have to commission an appraisal which is, which, which wouldn't change anything given the current language, if that makes sense. So, we, we wanted to add a bit of an exception there and to make the road a little bit easier but only you know under the, you know, sideboards of you know a year so that the market doesn't change drastically. That, that was our design and our plan.

Mayor John Engen Thank you Mr. Carlton. On the motion to amend, Ms. Sherrill.

Aldersperson Sherrill Yeah I, I appreciate Jesse's, Jesse's motion and thinking about this but I, I think that Grant and Jordan have answered some of my questions. My concern was around the appraisal's validity and the timeline of an appraisal but you know one thing that I've always worried about with the cash-in-lieu program and I will be supporting Jordan's motion, but one thing that I've always worried about is the fact that you know we're putting the money in a pot right and then we don't spend it immediately and our property values are already changing quite rapidly, as we see. So, if we, it says we can you know if we push it off three years and then it's in a pot of money I just think that it's, it's not going to be it's too far out and there's too many unknowns about property values at that point for me to support that. Although I, I do appreciate Jesse's consideration.

Mayor John Engen Further discussion on the motion to amend? Seeing none, it's hard to, it's hard to hear a voice vote. So, we'll have a roll call vote on the motion to amend. So, the motion to amend fails. We're back to discussion on the main motion. Further discussion? Seeing none and we have no audience to ask to participate. So, we will have a roll call vote. We have no additional items for consideration this evening.

10. COMMUNICATIONS FROM THE MAYOR - None

11. GENERAL COMMENTS OF CITY COUNCIL

Mayor John Engen We'll begin general comments from council members with Ms. Sherrill.

Aldersperson Sherrill So again, I'm going to be a broken record, but I just want to tell everyone that there is a clinic that's popping up for vaccinations at WinCo. You can get a Johnson & Johnson shot, one, you know one shot deal. It's on Thursday the 13th and you need to be 18 or older. I also just wanted to make a quick comment about the lifting of the mask mandate that the Health Department just did. You know we; we had looked at what our back, you know when we considered lifting the mask mandate and making it a recommendation. We had looked very carefully as a board of what our goals were going to be as far as vaccinations, as far as our case numbers. We felt like tomorrow was going to be that day. In the meantime, the Governor signed, I think it's senate bill it may have been a house bill, HB 257, which made the mass mandate unenforceable anyway. So, it all kind of came at the same time. What I will say, you know, to our community that I'm sure is feeling anxious about it and I'm feeling anxious about it too, even though my family is fully vaccinated, and I know so many others are. You know our case numbers are good. Our vaccination rates are good, we have, as of two weeks ago we had over sorry my kids are making noise, we had over 83 percent of those that in our community that were 70 and older were vaccinated; 83 percent of 70 and older that is a really good number and those are the ones we worry about being most at risk. So, our numbers are really good. Obviously, it's going down, as we get

younger, but we are, we're getting pretty close, I think I haven't heard an update for a couple weeks but to getting almost to 60 percent of our eligible population that has had at least one shot and which has pretty good immunity and then I'm happy to say that the FDA just approved for 12 to 15 which is a big deal. MCPS came out saying they will keep the mask mandate in effect until the end of the school year which I support, fully support because a lot of that population is still unvaccinated. I would say get vaccinated and please, please respect the businesses that decide that they are going to require masks. That is their decision, and it is not really an employee's job that is selling you, you know clothes or selling you some type of gear or serving you to force you to do that. So, if they, please respect the businesses if they decide to continue to have a mask mandate. And thanks so much.

Mayor John Engen And Mr. von Lossberg.

Aldersperson von Lossberg Than you, I just wanted to give a shout out to the Missoula Community Foundation for the incredibly successful Missoula Gives campaign and a special recognition to my Ward 1 colleague, Ms. West, for everything she did to help the Lowell School PTA do an incredible job, exceed expectations, and have top six, if I'm not mistaken, in number of donors. So well done Heidi and everyone who participated in the campaign.

Mayor John Engen And Ms. Harp.

Aldersperson Harp Just following along those lines. Missoula Gives gave, raised 20 percent more in dollars than they did last year. So, what it demonstrates is that this community really does care about the, the work that we that non-profits all do. Kudos to you Heidi, you did a great job.

Mayor John Engen Ms. Jones.

Aldersperson Jones Thanks, I just wanted to add a couple more facts on to Ms. Sherrill's discussion of current stage of the vaccination in Missoula and that is that the 16- to 18-year-olds in our community are, 36 percent of them are vaccinated which is great. So, they have made huge inroads since that door was opened. And Ms. Sherrill said, now 12 to 15, that age group is opened up. So, let's continue to encourage our young people to get those vaccinations and I know that they are continuing to work on the 20 to 30-year age group. So, let's, let's go to some concerts this summer and get those vaccinations done.

Mayor John Engen Mr. Contos.

Aldersperson Contos I'll pass, thank you Mr. Mayor.

Mayor John Engen Ms. Merritt.

Aldersperson Merritt I'm going to add one more vaccine comment and that is, that MCPS is planning on doing a vaccination clinic for the 12- to 15-year-olds that have just been approved and those are

scheduled for May 20th and 21st. If you have a student in that age range at MCPS keep an eye out for more information about how that, those vaccination clinics are going to happen. Thanks.

Mayor John Engen Ms. Becerra.

Aldersperson Becerra I'll pass, thank you.

Mayor John Engen Mr. Ramos.

Aldersperson Ramos I'll pass, thank you Mr. Mayor.

Mayor John Engen Mr. Hess.

Aldersperson Hess I noticed a couple of young, very young donors to the little PTA cause, which was great, and I think it's really great that those young people, those elementary school students were committing their allowance money in that way and so nice work. I, I wanted to highlight also that the, the TSA has, has extended a federal mandate of, of masks in federal transportation facilities which include our airport and also Mountain Line Transit through, through mid-September. And so, you know, public transportation has, has been proven to be remarkably safe throughout the pandemic and masks will continue to keep it so. And so, I just wanted to draw that distinction that as, as our mask mandates through action of the legislature and other factors become, as those mandates change there, there are places that still have mandates and as Ms. Sherrill said, I encourage folks to respect those mandates where they continue to exist.

Mayor John Engen Ms. Vasecka.

Aldersperson Vasecka Thanks, I was happy to hear of the, the changing of the mass mandate to recommendation, instead of requirement. And I also wanted to let everyone know and just like what Ms. Sherrill and Mr. Hess said, these are private businesses, so they are able to choose to keep the mask requirement. So please be respectful of that. If you don't want to do the mask mandate there, then just now you have the option of going somewhere else. So please be courteous about our neighborhood and our community. Thank you.

Mayor John Engen Ms. West you get the last word.

Aldersperson West I must be on the bottom of your screen. So, I've got a couple things. First of all, a big giant thank you to the Missoula Community Foundation. I think Missoula Gives is one of the most awesome events and it really makes fundraising something that's accessible to really tiny organizations that maybe don't have, you know staff capacity or internal capacity and still manage to pull off really successful events. So, I think that's great. My second item is a big congratulations to the YWCA, they, some of us had the opportunity to tour the Meadowlark last week and it is an absolutely amazing building that clearly had a lot of thought go into it. It has all sorts of just really well thought out details



that I think are going to make it a, a wonderful, if temporary, home for people in our community. And then today, the Missoula County Sheriff's Office announced that they finally identified Christy Crystal Creek who has been a Jane Doe since, I believe, 1985 and they finally gave her, her name back. She was Janet L. Lucas, and they are looking for information of anyone who ran into her back in 1983 or 1984, so they can figure out how, now that they know who she is, how she ended up where she did, and I also just want to encourage people that have gotten their DNA profiles to upload that information to places like GEDmatch that allow this genetic genealogy process to happen. That has been given, giving people their names back and solving crimes and this really new technology that's yeah changing, changing how we investigate, yeah past crime. So, thank you.

Mayor John Engen All right with that, we have no committee reports this evening nor any items of new business. It turns out that legislature is shut down for a spell.

12. COMMITTEE REPORTS - None

12.1 Administration and Finance committee (AF) report

12.1.1 May 5, 2021 A&F Committee Report

12.2 Budget Committee of the Whole (BCOW) committee report

12.3 Committee of the Whole (COW) committee report

12.4 Land Use and Planning (LUP) committee report

12.5 Land Use and Planning Appointments (LUPA) Subcommittee report

12.6 Parks and Conservation (PC) committee report

12.6.1 May 5, 2021 Parks and Conservation report

12.7 Public Safety and Health (PSH) committee report

12.7.1 May 5, 2021 PSH Committee report

12.8 Public Works (PW) committee report

12.8.1 May 5, 2021 Public Works Committee Report

13. NEW BUSINESS - None

14. ITEMS TO BE REFERRED - None

14.1 Administration and Finance committee referrals

14.1.1 Appointment to the Downtown Business Improvement District

14.2 Budget Committee of the Whole referrals

14.3 Committee of the Whole referrals

- 14.3.1 Appointments to the Affordable Housing Oversight Committee
  - 14.4 Committee of the Whole Appointments Subcommittee referrals
  - 14.5 Land Use and Planning committee referrals
  - 14.6 Land Use and Planning Appointments Subcommittee referrals
  - 14.7 Parks and Conservation committee referrals
    - 14.7.1 Presentation: Missoula Urban Forest Program Update
  - 14.8 Public Safety and Health committee referrals
  - 14.9 Public Works committee referrals
    - 14.9.1 Flynn-Lowney Ditch Acquisition
  - 15. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS - None
    - 15.1 Administratively approved agreement report
  - 16. ADJOURNMENT
- Mayor John Engen As always, I thank you for your service and we will be adjourned.
- The meeting adjourned at 7:26 p.m.

Martha L. Rehbein, CMC, City Clerk

John Engen, Mayor