



**Historic Preservation Commission
Agenda**

Date: August 1, 2019, 6:00 PM
Location: City Council Chambers
140 W. Pine Street, Missoula , MT
Members: Solomon Martin (Alternate 1), Jamie Ryan Lockman, Jolene Brink, Chair (At large), Steve Adler (Professional), Cathy Bickenheuser (Professional), Paul Fillicetti, vice-chair (Downtown), James McDonald (Professional), Julia McCarthy-McLavery (At large), Bruce Haroldson (At large)

If anyone attending this meeting needs special assistance, please provide 48 hours advance notice by calling Development Services at 406-552-6630.

Pages

1. Call to Order
2. Roll Call
3. Approval of Minutes
 - 3.1 Approve Minutes from July 11, 2019 1
4. Public Comment
5. New Business
 - 5.1 Historical Museum at Fort Missoula (HMFM) Update - Special Presentation, Ted Hughes, No Motion Required. Emily Scherrer
 - 5.2 Moon Randolph Homestead Internship Update - Special Presentation, Gwendolyn Lockman, No Motion Required. Emily Scherrer
6. Old Business
 - 6.1 Implement Revised HPC Bylaws Draft Emily Scherrer 4
 - 6.2 Education and Public Awareness Emily Scherrer
 - 6.2.1 Greenough Park Bear Cage Sub-Committee Emily Scherrer
 - 6.2.2 Legacy Business Sub-Committee Emily Scherrer

6.2.3	Building Watch	Emily Scherrer	
6.2.3.1	Farviews Radio Building, Federal Building, MCPS Admin Building, Cold Springs Schoolhouse	Emily Scherrer	
6.2.4	Informational Letter to MCPS on Behalf of HPC - No Motion Required.	Emily Scherrer	28
6.3	Preserve Historic Missoula Report	Emily Scherrer	
7.	Historic Preservation Officer Staff Report & Project Notification	Emily Scherrer	30
8.	Board Member Comments		
9.	Announcements, News & Upcoming Events		
10.	Adjournment		



Historic Preservation Commission Minutes

July 11, 2019, 6:00 PM
City Council Chambers
140 W. Pine Street, Missoula , MT

Voting members present: Solomon Martin (Alternate 1), Jamie Ryan Lockman, Jolene Brink, Chair (At large), Steve Adler (Professional), Paul Fillicetti, vice-chair (Downtown), James McDonald (Professional), Bruce Haroldson (At large)
Regular member(s) absent: Cathy Bickenheuser (Professional), Julia McCarthy-McLavery (At large)

1. Call to Order

Jolene Brink called the meeting to order at 6:05 p.m.

2. Roll Call

Randy Frazier called the roll.

3. Approval of Minutes from June 6, 2019 as Presented or Amended

Bruce Haroldson noted he was absent from the meeting on June 6, 2019.

The minutes were approved as amended.

4. Public Comment

There was no public comment.

5. New Business

6. Historic Preservation Office Internship Update

Sophia Eiter, Historic Preservation Intern, shared a summary of the work she has been involved with during her post. She provided a PowerPoint presentation highlighting the projects. She noted that there has been good momentum with the projects and it will be interesting to see where the story goes as further research is done. Missoula has an extraordinary, rich history that is more involved than what is currently known.

7. Old Business

8. HPC Bylaws

Emy Scherrer spoke on this item which has been under discussion. Last month, it was decided to hold the vote to allow for more members to be present. Ms. Scherrer provided a summary of the changes noted in the draft bylaws available in the public record history associated with this item.

A motion was made by Jolene Brink and seconded by Steve Adler to approve the updated HPC Bylaws draft dated 5-30-2019.

The committee discussed whether more time to review the draft was needed; they determined that they would review the bylaws during the meeting to ensure the language was satisfactory and understood.

Steve Adler asked to make a change to the draft to allow for training be be paid for the chair or a member designated by the chair. Emily Scherrer agreed to ask the City Attorney if the language could be changed.

Edits to "commission" were requested to capitalize where needed.

The committee discussed the conflict of interest section, highlighting that the wording "past" professional relationship with the project may be too vague. They noted that the need to disclose a potential conflict to the chair is implied and the chair holds the responsibility of notifying Historic Preservation Commission of the conflict.

The members of HPC continued discussion on other sections of the draft and determined that more time was needed before a decision to approve, approve with conditions, or deny the updated HPC draft could be made.

The committee agreed to send language edit recommendations of the draft to the Historic Preservation Officer. The recommended edits would then be presented to the City Attorney for review. The decision to approve the HPC Bylaws will be held for a future date.

Jolene Brink withdrew the motion on the floor; the item will remain held in committee.

9. Education and Public Awareness

1. Establish the Greenough Park Bear Cage Sub-committee.

Solomon Martin spoke on the restoration work needed to the Greenough Park Bear Cage and recommended creation of a subcommittee. Parks and Recreation is willing to provide funding. Bruce Haroldson and Solomon Martin agreed to collaborate to come up with a work plan.

2. Establish the Legacy Business Program Sub-committee.

Legacy Business Program subcommittee is needed to make decisions on how this project will move forward into its second year. Jamie Lockman shared interest in providing leadership with this subcommittee; Emy Scherrer shared she would be participating as well.

3. List of "Radar Buildings.

No updates to the three identified buildings: Pipefitters Building, Firestone Building, and the MCPS Admin Building. Cold Springs School Building was suggested to be added to the list.

MCPS Admin building is a priority to the committee; they asked city staff to reach out to request that the commission be informed of any status changes. Emy Scherrer will send a copy of a letter previously sent to Mark Thane to the new superintendent to ensure the school administration is aware of the interest of HPC in the historic MCPS Admin Building. Ms. Scherrer informed she would contact MCPS administration and offer to present at an upcoming MCPS committee meeting.

10. Preserve Historic Missoula Report

11. Historic Preservation Officer Staff Report & Project Notification

Emy Scherrer provided the HPO Staff Report which is attached to the record associated with this item.

12. Board Member Comments

13. Announcements, News & Upcoming Events

Emy Scherrer spoke on the Historic Master Plan created in 1990. She shared that the goals outlined in that document have been accomplished. She recommended that a formalized document with goals outlined in an organized manner be created that could be used to help inform and guide the goals of HPC. If agreed, this project would need funding and Council approval as it would be a large undertaking, involving a consultant and a public process. Ms. Scherrer added that she would provide a presentation to HPC to provide further details on the process of establishing such a plan.

14. Adjournment

Jolene Brink adjourned the meeting at 7:59 p.m.

BYLAWS

AS APPROVED

MISSOULA HISTORIC PRESERVATION COMMISSION

Article 1 — Authority

The Missoula City Council established the Missoula Historic Preservation Commission November 9, 1987. The authority of the Commission is set forth in Section 20.90.030 Missoula Municipal Code.

Article 2 — Scope

The Missoula Historic Preservation Commission shall serve in a quasi-judicial capacity to the Missoula City Council, Missoula Consolidated Planning Board, the Board of Adjustment, and in other capacities included in the city's regulations and laws.

Article 3 — Definitions

As used in these bylaws, the following terms mean:

“Advisory” means the process of the Commission identifying, evaluating, and protecting prehistoric and historic resources based on established criteria, providing comments and recommendations to public boards involved with those resources; and facilitating public participation and education in the historic preservation process.

“Quasi-judicial” means the process of approving, approving with conditions or denying applications for historic preservation permits as outlined in Title 20.85.085 and 20.25.070.F as applicable.

Article 4 — Powers and Duties

The Missoula Historic Preservation Commission has the powers and duties, as assigned to it by the City Council, in accordance with Title 20.90.030, including all amendments thereto, and as set forth in 36 CFR 61, “Procedures for Approved State and Local Government Historic Preservation Programs,” and in “The Certified Local Government Program in Montana.”

Article 5 — Membership

It is the responsibility of each Historic Preservation Commissioner to work for progression of the Missoula Historic Preservation program. All Historic Preservation Commission members shall have a demonstrated interest, competence or knowledge in historic preservation. Members shall not serve as advocates for any specific jurisdiction, neighborhood or association, with the exception of designated regional appointees. Every member is expected to attend and participate in meetings, outreach, community education, events and activities performed by the Historic Preservation Commission.

- A. The Missoula Historic Preservation Commission consists of seven (7) regular members and two (2) alternates as outlined in Title 20.90.030.B.
- B. Membership participation opportunities include, but are not limited to, establishing annual community events, planning and instituting new community events, updating the Missoula Preservation Plan, maintaining existing survey and district documentation and planning and instituting new surveys, nominations and documentation.
- C. An alternate member shall participate in the same capacity as a regular member. The chair shall call on alternates to vote in the absence or vacancy of another member. Alternate 1 shall be called to serve first, and Alternate 2 shall be called to serve second.
- D. Pursuant to 7-4-4111(8) a member's position is vacant if the member:
 - 1 has three (3) unexcused absences from regular meetings during a calendar year; or
 - 2 is absent and unexcused from regular meetings for three (3) consecutive months at any time during their term of office; or
 - 3 the member ceases to meet the qualifications for holding their position on the Commission.

In order for an absence to be considered excused, it is the responsibility of the member to e-mail or a leave city staff a voicemail message as soon as possible and prior to the meeting date and time. Extended illness shall automatically constitute a notified, excused absence.

- E. If a member wishes to resign from the Commission, he/she shall submit a written resignation to the Historic Preservation Officer who shall notify the chair of the HPC, the Land Use and Planning Committee chair and the City Clerk office.
- F. City Council solely possesses the authority to remove a member from the Commission. If the Commission desires to recommend removal of a member, the chair shall attempt to contact the member via the last known information provided by the member to Development Services, that the Commission will be voting to recommend the removal of the member. The matter shall be regularly placed on an HPC meeting agenda and voted on by the Commission during the noticed meeting. If approved, the Historic Preservation Officer shall forward the recommendation for City Council consideration.
- G. Vacancies on the Commission shall be filled in accordance with the procedures adopted by the City Council for appointments to commissions and boards.

Article 6 — Officers and Duties

- A. Chairperson. The Commission shall elect a chairperson from its members who shall serve in that capacity for one (1) year. There are no term limits.
 - 1. The chairperson shall preside at all meetings and perform the duties normally conferred by parliamentary procedure, and other such duties as may properly be prescribed by the Commission.
 - 2. Special meetings shall be called in the manner prescribed by city law.
 - 3. The chairperson may participate in the discussion of matters before the Commission.
 - 4. The chairperson may vote on all matters before the Commission, subject to the conflict of interest section of the Bylaws.
 - 5. A chairperson may cancel or reschedule a meeting.
 - 6. The city historic preservation budget may provide for conference and training registration expenses for the chairperson and should be considered on a case by case basis and depending on available funding. Conference and training registration expenses must be approved by the Commission.
- B. Vice Chairperson. The commission shall elect a vice chairperson from among its members who shall serve in this capacity for one (1) year. In the event that the chairperson is absent or incapacitated, the vice chairperson shall assume all duties and responsibilities of the chairperson.
- C. Other officers may be elected at the prerogative of the Commission and have duties and responsibilities assigned which are consistent with the intents and powers as established by Title 20.90.030.

Article 7 — Meetings

- A. The commission shall meet at least once each month in a regularly scheduled session, on the first Thursday of each month, unless the meeting is cancelled by the chairperson. The chair shall not cancel a meeting if a request for review is scheduled to be heard by the Commission.
- B. The staff shall make arrangements for a suitable meeting place for each meeting of the Commission in consultation with the chairperson.
- C. Requirements for public notice of meetings shall be executed by staff as required by law and in Title 20.90.030.D. Notice of special meetings shall be carried out in the same manner as regular meetings.
- D. All meetings shall be open to the public in accordance with Montana Open Meeting and Public Participation laws.

- E. A quorum of the Commission is four (4) members. A quorum shall be present at all meetings at which official action is taken.
- F. Votes shall be taken by roll call, after a motion has been made and seconded and debate (if any) has concluded. A simple majority of Commission members present shall be required to pass any motion.
- G. The Commission may consult with city staff and councilpersons, interested parties, professionals in the field and/or technical advisors as needed. Commission members will observe the special parameters in Article 11 when dealing with permit applications.
- H. All members are expected to attend and participate in all regularly scheduled meetings including alternates.

Article 8 — Parliamentary Authority

Robert's Rules of Order shall apply in all parliamentary matters unless these bylaws otherwise apply.

Article 9 — Conduct of Meetings

- A. The order of business at regular meetings shall be:
 - 1. Call to Order
 - 2. Roll Call
 - 3. Approval of Minutes
 - 4. Public Comment on Items Not Listed on the Agenda
 - 5. Special Presentations
 - 6. Public Hearings
 - 7. Public Comment
 - 8. Membership Comment
 - 9. HPO Report
 - 10. Other Business
 - 11. Adjournment
- B. Voting shall be taken after a motion has been made and seconded. In the event of a tie vote, the motion fails.
- C. The Commission, by majority vote, may change the order of business. The order of business shall constitute the agenda.

Article 10 — Potential Conflict of Interest and Avoidance

- A. A potential conflict of interest exists when a member of the Commission:

- 1 Has a current, past or future financial, property interest or holding in a matter under consideration by the Commission;
 - 2 If the member represents or is under professional retainer of a party having such an interest;
 - 3 Has provided work for a project or property under consideration, except to the extent that such work exists under a definition of supportive professional services such as architectural services;
- B. Before consideration of any matter, the chairperson shall disclose for the public record the name of any member who has declared a potential or actual conflict of interest and the reasons therefore, and the disqualification shall be entered into the minutes.
- C. The disqualified member may participate in discussion by giving testimony, professional evaluation, analysis or transmittal of professional findings, but shall not vote on the issue for which a conflict of interest or potential conflict or interest has been declared.

Article 11 — Appearance of Fairness and the Commission’s Quasi-Judicial Role When Considering Permit Applications

In the case of permit applications, HPC decisions are quasi-judicial. HPC members must maintain an appearance of fairness and conduct themselves and their proceedings accordingly. HPC members should avoid ex parte discussions, whether with applicants, interested parties or other members of the public. Ex parte discussions are those held informally or privately, and thus, out of the public forum. Public meeting laws require that deliberations be publicly noticed and open to public attendance. HPC members should urge applicants and interested parties to make the communication where it will be part of the public record, rather than ex parte. Communications after the public hearings should be in writing and addressed to the HPC. In the event of an ex parte discussion that could potentially influence an HPC member’s vote, the HPC member should enter a record of the discussion’s content in the public record prior to the closing of public comment, or if that is not possible, prior to the final HPC vote.

Article 12 — Policy Setting Capabilities of the Commission

- A. The Commission may, by simple majority vote of a present quorum, adopt policies for the purpose of:
- 1 Presenting any and all additional information to assist the Commission in process;
 - 2 Correcting situations and procedures which the Commission may determine to be problematic in the conduct of business and process;

- 3 Developing general guidelines for the Historic Preservation Officer and city staff to ensure interpretation and application of standards and criteria in the review process are sufficient;
 - 4 Adhering to commission guidelines, as established by the National Park Service and the Montana State Historic Preservation Office;
 - 5 Developing any procedure which does not constitute an amendment to or does not conflict with these bylaws or any other Missoula city ordinance;
- B. Adopted policies shall appear as appendices to these bylaws and shall be attached to these bylaws in the Appendix Section.

Article 13 — Subcommittees and Ad-Hoc Committees

The commission may establish committees with generalized and focused task analysis and completion responsibilities.

- A. Subcommittees shall operate under all legal and binding provisions which govern and regulate the processes and procedures of the Commission. If a quorum is not present, the subcommittee shall make recommendations to the Commission.
- B. Any meeting body established by the HPC is required to comply with Montana Open Meeting and Public Participation laws. Meetings must be properly noticed and open to the public, allow for public participation and agendas and minutes must be kept.
- C. Committees shall report back to the Commission, and committees shall support and advise the Commission's general mission and tasks.
- D. Ad-hoc committees shall be committees of temporary duration and focus.

Article 14 — Final Governance

Any and all duties, powers, activities, and processes of the Commission and its members are governed by provisions of Missoula Municipal Code and these bylaws.

Article 15 – Amendments to Bylaws

- A. Proposed amendments to these bylaws may be made by city staff or Commission members as needed.
- B. Proposed amendments must be submitted in writing and included as a discussion item at a regularly scheduled Commission meeting. The vote to consider the amendments must be scheduled at a subsequent meeting.

- C. A copy of the approved bylaws shall be available in Development Services.
- D. New bylaws shall be adopted by a majority vote of the members.

ADOPTED BY A _____ VOTE AND APPROVED BY THE
COMMISSION THIS __ DAY OF _____, 2019.

MISSOULA HISTORIC PRESERVATION COMMISSION

Jolene M. Brink, Chairperson

DRAFT

**MONTANA STATE HISTORIC PRESERVATION OFFICE
HISTORIC PRESERVATION COMMISSION CERTIFICATION STATEMENT
ON AVOIDING CONFLICT OF INTEREST**

As a Commissioner on the Missoula Historic Preservation Commission (i.e., a commission member who participates in programs and/or projects assisted by apportionments from the State of Montana by the Secretary of the Interior from the Historic Preservation Fund), I understand that I am prohibited from using my position for a purpose that is, or gives the appearance of being, motivated by a desire for personal benefit or private gain for myself or others, particularly those with whom I have family, business, or other ties.

I shall not participate in the nomination or certification of any property or take part in any discussions or make recommendations about that property, or participate in the selection or in the award or administration of a subgrant or contract if a conflict of interest, real or apparent, would be involved. I understand that such a conflict would arise when I, any member of my immediate family, any of my business partners, or an organization employs, or is about to employ, me or any of the above has a financial or personal interest in the subgrantee entity or firm selected for award.

I shall not engage in outside employment or private business activity or have any direct or in direct financial interest that conflicts or would appear to conflict with the fair, impartial and objective performance of officially assigned and responsibilities.

I shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to potential or actual subgrant awards.

SIGNATURE

Date

BYLAWS

AS APPROVED

MISSOULA HISTORIC PRESERVATION ADVISORY COMMISSION

Article I — Authority

The Missoula Historic Preservation Advisory Commission was created on November 9, 1987, by action of the City Council of the City of Missoula in accordance with City Ordinance Number 2585, codified at Chapter 2.84, Sections 2.84010 through 2.84070, Missoula Municipal Code (MMC).

Article II Objectives

The objectives of the Missoula Historic Preservation Advisory Commission, as established in City Ordinance 2585, Chapter 2.84.010 of the Missoula Municipal Code, is to establish an appointed citizens commission for the City of Missoula charged with the expressed mission of establishing a local community-wide historic preservation program; integrating historic preservation ethics and activity into local, interlocal, state, regional, and federal planning and decision-making processes; identifying, evaluating, and protecting, to the broadest extent possible, prehistoric and historic properties or cultural resources within and bordering Missoula, and otherwise ensuring that Missoula, as a Certified Local Government (CLG), conforms to CLG objectives and guidelines as established by federal and state regulations.

Article III — Scope

The Missoula Historic Preservation Advisory Commission shall serve in an advisory capacity to the Missoula City Council, Missoula Consolidated Planning Board, Missoula Zoning Commission, the Board of Adjustment, and other such or similar decision making bodies within the City of Missoula municipal jurisdiction.

Article IV — Definitions

- A. “City Council” means the governing body of the City of Missoula, State of Montana.
- B. “Historic Preservation Advisory Commission” means the Commission created by City Ordinance 2585, whose members are appointed by the City Council of the City of Missoula, which is responsible for creating and administering a historic preservation program and carrying out related supportive activities.
- C. “Community Historic Preservation Assistant”, hereinafter called “Preservation Assistant” means the person(s) appointed by the local government who is charged with the responsibility of acting as staff to the Historic Preservation Advisory Commission. S/he may, in the course of his/her duties, be referred to as the Missoula City Historic Preservation Officer.
- D. “Historic property” means any prehistoric or historic district site, building, structure, or object included in, or eligible for inclusion in, the National Register. This term includes, for the purposes of these regulations, artifacts, records, and remains that are related to and located within such properties. The term “eligible

for inclusion in the National Register’ includes both properties formally determined as such by the Secretary of the Interior and all other properties that meet National Register listing criteria.

- E. “Certified local government” means a local government that has been certified to carry out the purposes of the National Historic Preservation Act, as amended, in accordance with Section 101(c) of the Act.
- F. “Advisory capacity” means the formal process of the commission identifying, evaluating, and protecting prehistoric and historic resources based on established criteria and providing written comments and recommendations to public boards involved in planning, zoning, and redevelopment; reviewing and commenting on those projects or undertakings, whether privately or publicly initiated, which involve the use of federal or state funding permitting or debt-structuring guarantees and backing; and facilitating public participation in the historic preservation process Recommendations for action, although non-binding, will provide a means through which the public interest can be expressed about historic preservation resources and issues.

Article V — Powers and Duties

The Missoula Historic Preservation Advisory Commission has the powers and duties, as assigned to it by the City Council, in accordance with City Ordinance 2585, including all amendments thereto, and as set forth in 36 CFR 61, “Procedures for Approved State and Local Government Historic Preservation Programs,” and in “The Certified Local Government Program in Montana.”

Article VI — Membership

The Missoula Historic Preservation Advisory Commission shall consist of ten (10) members, as provided for in Municipal Ordinance 2585, Section V. A-E, “Establishment”, for staggered terms two (2) years in duration, in accordance with City Ordinance 2585, Section V, “Appointment and Term Vacancy.” Two unexcused absences or three total absences during a fiscal year are grounds for removal from the Commission. Vacancies on the Commission shall be filled within thirty (30) days by appointment in accordance with the procedures adopted by the City Council for appointments to all advisory commissions and boards.

Article VII — Officers and Duties

- A. Chairperson. The Commission shall elect a chairperson from its members who shall serve in that capacity for one (1) year. As officeholder, the chairperson may be elected to consecutive and successive terms, serving at the pleasure of the Committee.
- B. Vice Chairperson. The Commission shall elect a Vice Chairperson from among its members who shall serve in this capacity for one (1) year In the event that the Chairperson is absent or incapacitated, the Vice Chairperson shall assume all duties and responsibilities of the Chairperson.
- C. Commission Staff. A designated staff member employed by the Commission shall serve as a voting member of the Commission and shall hold and be able to

exercise all rights and privileges of a Commission member, and shall perform duties of recording secretary of the Commission and perform all communication tasks as required by the Commission. This person may act as Chair of meetings and direct the course of proceedings in the absence of or by direction of the Chairperson.

Article VIII--Duties of Officers

1. The Chairperson shall preside at all meetings and perform the duties normally conferred by parliamentary procedure, and other such duties as may properly be prescribed by the Commission.
2. The Chairperson may call special meetings and may enter into discussion of matters before the Commission.
3. The Chairperson may vote on all matters before the Commission, subject to the conflict of interest section of the Bylaws.
4. Other officers may have duties and responsibilities assigned which are not inconsistent with the intents and powers as enumerated by Municipal Ordinance 2585.

Article IX — Meetings

Regular Meetings. The Commission shall meet at least once each month in a regularly scheduled session, on the first Thursday of each month, except that the Chairperson may cancel any meeting or schedule special meetings when such meetings or cancellations are necessary to carry out the provisions of Municipal Ordinance 2585. Meeting time and place shall be established by resolution of the commission in its public record. Written notice of special meetings shall be personally served on each member or left at the member's usual place of residence at least twenty four (24) hours before the set time and place for the meeting. Requirements for public notice of meetings of the commission shall be determined by the Executive Committee in consultation with the Chairperson and, if needed, in consultation with the Missoula City Attorney. All meetings shall be open to the public in accordance with the Montana State Open Meeting Law. The staff shall make arrangements for a suitable meeting place for each meeting of the commission in consultation with the Chairperson. A quorum shall be present at all meetings at which official action is taken. Six of the members, including counting the staff who is Member Ex-Officio, constitute a quorum.

Article X — Parliamentary Authority

Robert's Rules of Order shall apply in all parliamentary matters unless these bylaws otherwise apply. Rules of order may not be suspended.

Article XI — Conduct of Meetings

The order of business at regular meetings shall be:

- a. Call to Order
- b. Roll Call
- c. Approval of Minutes and Communications to and from Commission/Staff

- d. Old Business
- e. New Business
- f. Properties and Projects Needing Commission Review and Comment
- g. Comments from Membership and the Public
- h. Other Business
- i. Adjournment

The commission, by majority vote, may change the order of business. The order of business shall constitute the agenda.

Article XII — Potential Conflict of Interest and Avoidance

A potential conflict of interest exists when a member of the commission:

1. Has a financial or property interest, or a past financial or property interest, or a future such interest or holding, in a matter under consideration by the commission;
2. If the member represents or is under professional retainer of a party having such an interest;
3. Has provided work for a project or property under consideration, except to the extent that such work exists under a definition of supportive professional services such as architectural services;
4. Feel that she/he should be disqualified from voting on or influencing a decision of the commission related to commission comment on any particular project or property, except that qualified comment may be provided with qualifying disclosure that a potential conflict may exist or that an interest exists on the part of the member party to the matter under consideration.

Before consideration of any matter, the Chairperson shall disclose for the public record the name of any member who has declared a potential or actual conflict of interest and the reasons therefore, and the disqualification shall be entered into the minutes of the public record.

The member may participate in discussion by giving testimony, professional evaluation, or transmittal of professional findings and material professional analyses, but the disqualified member may not vote on the issue for which a conflict of interest or potential conflict or interest has been declared.

A potential conflict of interest, whether substantiated or not, whether or not factual, shall be the equivalent of a conflict of interest for the purposes of the functioning and process of the commission.

Article XIII — Policy Setting Capabilities of the Commission

The commission may, by simple majority vote of a present quorum, adopt policies for the purpose of:

1. Aiding in the conduct of meetings, solicitation of public comment, and determining the amount of and content of commission comments when the

- commission is transacting business related to providing review and comment on projects or property needing commission review and comment;
2. Presenting any and all additional information to assist the commission in process;
 3. Correcting situations and procedures which the commission may determine to be problematic in the conduct of business and process;
 4. Developing general guidelines for the Historic Preservation Officer and other staff as may be designated to ensure interpretation and application of standards and criteria in the review process sufficient to meet review and comment criteria common to historic preservation commission guidelines, as established by the National Park Service and the Montana State Historic Preservation Office;
 5. Developing any procedure which does not constitute an amendment to or does not conflict with these bylaws or any other Missoula city ordinance;
 6. Determining and delineating the process of and content of commission review and comment of projects and properties determined by the commission to require review and comment;
 7. Determining the nature of and extent of the commission's advisory nature and role, within the limitations of an advisory capacity but also with the extended meaning of the necessity of extended review and comment on the part of the commission, and solicitation of such review and comment by other active city executive, planning, and review boards, and making other entities aware of the commission's determination as to the extent of and nature of its advisory nature and role.

A policy may be adopted or repealed by the commission by simple majority vote, in which all principals vote, a quorum being present.

Adopted policies shall appear as appendices to these bylaws and shall be attached to these bylaws in the Appendix Section.

Article XIV — Standing and Ad-Hoc Committees

The Commission may, from time to time, establish committees with generalized and focused task analysis and completion responsibilities. Standing committees shall operate under all legal and binding provisions which govern and regulate the processes and procedures of the commission as a plenary group. Committees shall report back to the commission as a whole and committees shall act in supportive and advisory capacities in support of the commission's general mission and tasks.

An executive committee shall be the standing executive organizational core of the commission. The executive committee shall be chaired by the chairperson of the commission.

Other committees shall be established as necessary and establishment of such committees shall be set forth in terms of policy statement by the commission which, in turn, shall be set forth in writing and attached to these bylaws, in the case of standing committees, for as long as these committees shall serve and exist.

Ad-hoc committees are committees of temporary duration and focus.

Article XV — Final Governance

Any and all duties, powers, activities, and processes of the commission and its members are governed by provisions of enabling Ordinance 2585, adopted by the City of Missoula, City Council of Missoula, in session on November 9, 1987.

ADOPTED BY A UNANIMOUS VOTE AND APPROVED BY THE
COMMISSION THIS 2ND DAY OF MARCH, 1989.

MISSOULA HISTORIC PRESERVATION ADVISORY COMMISSION

By, William G. Dratz, Chairperson

Another option for Article 10 --

From Ryan Sudbury, Deputy City Attorney:

This is more or less pulled directly from state (MCA 2-2-105) and city (MMC 2.88.070) law, and only modified to the extent something wasn't applicable to the Commission. Nothing else has been added. The benefit to this approach is that if an issue involving a conflict under this section comes up, we can look to other situations from around the state to see how to handle it. That gives us more insight in how to treat issues versus a custom conflict of interest provision that is written and only used by the HPC.

Article 10 – Actual or Potential Conflict of Interest and Avoidance

- A. The requirements in this Article are intended as rules of conduct, and violations constitute a breach of the public trust and public duty of the Commission. Except as provided in subsection (C), a member of the Commission may not engage in any act that is in conflict with the performance of official duties. A member of the Commission shall be deemed to have a conflict of interest if he or she directly or indirectly:
 - a. Acquires an interest in any business or undertaking that the member has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by the Commission;
 - b. Is beneficially interested, directly or indirectly, in any matter that may come before the Commission, or accepts, directly or indirectly, any compensation, gift or thing of value from any other person beneficially interested therein; or
 - c. Accepts or seeks for others, directly or indirectly, any employment, travel expense, service, information, compensation, gift or thing of value on more favorable terms than those granted to the public generally. These favorable terms may not be solicited from any person doing business, or seeking to do business before the Commission.
- B. A member of the Commission may not, within 12 months following the voluntary termination of office, obtain employment in which the member will take direct advantage, unavailable to others, of matters with which the member of the Commission was directly involved during the term of their office as a member of the Commission. These matters include rules, other than rules of general application, that the member actively helped to formulate and applications, claims, or contested cases in the consideration of which the member of the Commission was an active participant.
- C. When a member of the Commission is required to take official action on a matter as to which the member has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the member of the Commission's influence, benefit, or detriment in regard to the matter, the member of the Commission shall disclose the interest creating the conflict prior to participating in the official action.
- D. A member of the Commission may not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the member of the Commission has a substantial personal interest in a competing firm or undertaking.

From: Paul Filicetti <pfilicetti@ae.design>

Sent: Tuesday, July 30, 2019 7:23 AM

To: Emily Scherrer <ScherrerE@ci.missoula.mt.us>; 'Jolene Brink' <jolenembrink@gmail.com>

Subject: RE: Bylaws Updates

Emy,

My apologies for getting bylaw review comments back to you so late. Having reviewed them, my comments are:

B – I question the use of "Membership" in the sentence, we're an appointed committee

We use the term membership to keep it uniform with City Code, 20.90.030.

D - is "member" in the sentence referring to a "regular member" or "alternate member" or both? (Similar question in D.3); this distinction follows the entire document, i.e. can / does an alternate have all the abilities of a regular member? Can an alternate be elected to an office?

Yes, C. states, "An alternate member shall participate in the same capacity as a regular member," which does hold true for the entire document. "...in the same capacity" would include the ability to be elected to an office.

D.3 - are the qualifications outlined somewhere that one could refer to to ensure that is not an issue?

Yes, the qualifications are outlined in the City code, [Title 20 – Historic Preservation Commission chapter, under B. Membership.](#)

A.2 the statement about special meeting is under the heading of the Chairperson, can you explain why? Perhaps better definition here i.e as prescribed by city law, the chairperson may call for special meetings... not sure what the city law is or if other regular members (vs alternate members) may call for a special meeting, by vote

City code 20.90.030 states, "Special meetings may be called by the chairperson or by simple majority vote of the Historic Preservation Commission." I see what you're saying though, it would probably fall better under Article 7. Meetings, I'll switch that placement. Best practice is to direct the reader to city law, rather than quoting it verbatim.

7.A for clarification, if the chairperson knows in advance there is no quorum do they still have to proceed with the meeting if there is a request for review on the agenda? Or should the sentence suggest that if a quorum is not present at the regularly scheduled meeting the chairperson can cancel the meeting, regardless of the request for review, and schedule a special meeting to achieve a quorum?

Well, we say that a quorum has to be present for all meetings at which official action is taken in 7.E. To add clarification I can add to the end of 7.A., "...unless a quorum is not present."

7.B suitable meeting place - we discussed moving the meeting to other venues but due to MCAT / public access, that is not an option. Is it necessary to even suggest there's an optional meeting location when there is no option currently available?

I would like to keep this in case anything changes in the future.

7.G I mentioned at the last meeting being accosted (a really poor choice of words on my part for which I'm sorry) by a member of the public for an issue before the commission and we discussed how to bring that forward to the commission. This statement is specific - the commission may consult - not any one individual member / commissioner but clearly only the whole committee? If the commission has the option to consult then where / when does that action occur? Once the commission has heard the request for review or could it occur knowing the RFR is coming to a meeting, would it be a breach of bylaws to solicit a consultant to make a statement during the RFR?

I discussed this with the City Clerk and Attorney. Since we already have a clause in City Code 20.85.085 – Historic Preservation Permit, which describes consultation during the demolition process, we should not repeat it in the Bylaws, and should thus be removed.

9.A I recall during our board orientation, that public comment should ideally occur before approval of the minutes in the event public comment is specific to an item in the minutes which could then change the way the commission views minutes.

We can switch this, most bylaws have approval of minutes first, including the sample bylaw given to us by the board orientation, but let's discuss with the Commission.

10.A I'm not sure the issue is resolved. I.e. a project may come forward that is an A&E project that engaged DCI engineers. Bruce who works at DCI is not aware of the project and votes, is that an issue?

Similarly, if a project comes forward from A&E that Jim or I are not familiar with, is it a conflict of interest for us to address the request? Or if a project were nominated for a preservation award and was work by A&E's other offices, can we vote on it? Perhaps that's what the "financial" part of this statement is attempting to define? The next statement (A.2) makes it possible for a member to vote / discuss a request given what seem like a personal relationship with the issue at hand vs working for the firm / company who is bringing the issue forward? The way the statements are made they discuss the individual member's rather relationship with the issue rather than a member and firm or company the member works work? I'm not sure.

I discussed this with the City Clerk and Attorney – it's important to remember that Bylaws are guidelines for Commissioners and are written to be short, sweet and general. The nature of Bylaws is intended to offer overall guidance for projects, not a case by case basis. As every project is different, it is highly encouraged to consult with the City Attorney as to whether a conflict of interest is taking place, that is part of their job, offering that counsel to HP Commissioners. As a government official, it is integral always to air on the side of caution, be transparent in all actions, ask for guidance from city staff per project, evaluate and make a judgement call on behalf of yourself and the fairness of a public hearing.

10.A the financial clause and A.2, representation of a professional retainer should provide guidance for a Commissioner to make that judgement call. Further, I added this language: A4. Feels that she or he should be disqualified for any reason not listed above.

10.B should this not read "existing or potential" rather than "potential or actual" where actual then should be included in the preceding statements?

I switched "existing" to "actual" to make it uniform.

10.C Does this statement assume the member with the conflict has reached out to the chairperson prior to the meeting? Or is it to suggest that members will be provided sufficient information in advance of meetings to determine conflicts and reach out to the chairperson?

Yes to the first question, based on 10.B. All Commission members will have sufficient information in advance of the vote as all members have at least 15 days and up to 60 days to review the application per city code.

11 and 7.G need clarification for me. They seem to suggest a contradiction of principal. If a member is aware of a pending RFR, knows a statement from someone outside of the commission could be important to the discussion – i.e. a consultant as suggested by 7.G they can reach out to that individual but by 11 it sounds as if they cannot. Please clarify.

From the City Attorney: "If potentially substantive and/or substantive inquiries or communications are made of city staff, city elected officials, consultants, it is preferable that the communications occur during a public meeting; but if they do not occur during a public meeting the substance of those communications should be entered into and disclosed in the public record, whether by providing any written communication or by a thorough summary of what was communicated." It is important to note that consultation and ex-parte are different things. Consultation is the formal process of seeking advice, usually through the HPO. Ex-parte is an informal discussion happening out of the public record, such as when you were accosted. If that discussion feels like it could sway your vote or provide important information to the board, it must be entered into the record.

12.A uses "majority vote by present quorum" how/why does that text differ from 7.F or 9.C or 15.D which are each phrased differently?

Not sure

13 capitalize "Commission"

Done.

13 uses the text "committees" and "subcommittees" interchangeably. Is there a distinction to be made or should all committees be subcommittees? Is "any meeting body" a subcommittee or is that another distinction that's being made?

I can see where this may be confusing, when it simply states committees, it is referring to both ad-hoc committees and subcommittees, as in B. and C. ie any committee, short term (ad-hoc) or long term (sub) must follow those clauses. Could we delete 13.A?

I hope this is clear, if you have any questions or would like to meet to discuss, please let me know!

Thank you so much,

Paul

PAUL FILICETTI

BYLAWS – UPDATED DRAFT 7/11/2019

AS APPROVED

MISSOULA HISTORIC PRESERVATION COMMISSION

Article 1 — Authority

The Missoula City Council established the Missoula Historic Preservation Commission November 9, 1987. The authority of the Commission is set forth in Section 20.90.030 Missoula Municipal Code.

Article 2 — Scope

The Missoula Historic Preservation Commission shall serve in an **advisory and** quasi-judicial capacity to the Missoula City Council, Missoula Consolidated Planning Board, the Board of Adjustment, and in other capacities included in the city's regulations and laws.

Article 3 — Definitions

As used in these bylaws, the following terms mean:

“Advisory” means the process of the Commission identifying, evaluating, and protecting prehistoric and historic resources based on established criteria, providing comments and recommendations to public boards involved with those resources; and facilitating public participation and education in the historic preservation process.

“Quasi-judicial” means the process of approving, approving with conditions or denying applications for historic preservation permits as outlined in Title 20.85.085 and 20.25.070.F as applicable.

Article 4 — Powers and Duties

The Missoula Historic Preservation Commission has the powers and duties, as assigned to it by the City Council, in accordance with Title 20.90.030, including all amendments thereto, and as set forth in 36 CFR 61, “Procedures for Approved State and Local Government Historic Preservation Programs,” and in “The Certified Local Government Program in Montana.”

Article 5 — Membership

It is the responsibility of each Historic Preservation Commissioner to work for progression of the Missoula Historic Preservation program. All Historic Preservation Commission members shall have a demonstrated interest, competence or knowledge in historic preservation. Members shall not serve as advocates for any specific jurisdiction, neighborhood or association, with the exception of designated regional appointees. Every member is expected to attend and participate in meetings, outreach, community education, events and activities performed by the Historic Preservation Commission.

- A. The Missoula Historic Preservation Commission consists of seven (7) regular members and two (2) alternates as outlined in Title 20.90.030.B.
- B. Membership participation opportunities include, but are not limited to, establishing annual community events, planning and instituting new community events, updating the Missoula Preservation Plan, maintaining existing survey and district documentation and planning and instituting new surveys, nominations and documentation.
- C. An alternate member shall participate in the same capacity as a regular member. The chairperson shall call on alternates to vote in the absence or vacancy of another member. Alternate 1 shall be called to serve first, and Alternate 2 shall be called to serve second.
- D. Pursuant to 7-4-4111(8) a member's position is vacant if the member:
 - 1 has three (3) unexcused absences from regular meetings during a calendar year; or
 - 2 is absent and unexcused from regular meetings for three (3) consecutive months at any time during their term of office; or
 - 3 the member ceases to meet the qualifications for holding their position on the Commission.

In order for an absence to be considered excused, it is the responsibility of the member to e-mail or a leave city staff a voicemail message as soon as possible and prior to the meeting date and time. Extended illness shall automatically constitute a notified, excused absence.

- E. If a member wishes to resign from the Commission, he/she shall submit a written resignation to the Historic Preservation Officer who shall notify the chairperson of the HPC, the Land Use and Planning Committee chairperson and the City Clerk office.
- F. City Council solely possesses the authority to remove a member from the Commission. If the Commission desires to recommend removal of a member, the chairperson shall attempt to contact the member via the last known information provided by the member to Development Services, that the Commission will be voting to recommend the removal of the member. The matter shall be regularly placed on an HPC meeting agenda and voted on by the Commission during the noticed meeting. If approved, the Historic Preservation Officer shall forward the recommendation for City Council consideration.
- G. Vacancies on the Commission shall be filled in accordance with the procedures adopted by the City Council for appointments to Commissions and boards.

Article 6 — Officers and Duties

- A. Chairperson. The Commission shall elect a chairperson from its members who shall serve in that capacity for one (1) year. There are no term limits.
 - 1. The chairperson shall preside at all meetings and perform the duties normally conferred by parliamentary procedure, and other such duties as may properly be prescribed by the Commission.
 - 2. The chairperson may participate in the discussion of matters before the Commission.
 - 3. The chairperson may vote on all matters before the Commission, subject to the conflict of interest section of the Bylaws.
 - 4. A chairperson may cancel or reschedule a meeting.
 - 5. They city historic preservation budget may provide for conference and training registration expenses for an HPC member and will be considered on a case by case basis and depending on available funding. Conference and training registration expenses must be approved by the Director of Development Services in advance and are subject to the City's travel policy.
- B. Vice Chairperson. The commission shall elect a vice chairperson from among its members who shall serve in this capacity for one (1) year. In the event that the chairperson is absent or incapacitated, the vice chairperson shall assume all duties and responsibilities of the chairperson.
- C. Other officers may be elected at the prerogative of the Commission and have duties and responsibilities assigned which are consistent with the intents and powers as established by Title 20.90.030.

Article 7 — Meetings

- A. The commission shall meet at least once each month in a regularly scheduled session, on the first Thursday of each month, unless the meeting is cancelled by the chairperson. The chairperson shall not cancel a meeting if a request for review is scheduled to be heard by the Commission, unless a quorum is not present.
- B. The staff shall make arrangements for a suitable meeting place for each meeting of the Commission in consultation with the chairperson.
- C. Requirements for public notice of meetings shall be executed by staff as required by law and in Title 20.90.030.D. Notice of special meetings shall be carried out in the same manner as regular meetings.
- D. All meetings shall be open to the public in accordance with Montana Open Meeting and Public Participation laws.

- E. A quorum of the Commission is four (4) members. A quorum shall be present at all meetings at which official action is taken.
- F. Votes shall be taken by roll call, after a motion has been made and seconded and debate (if any) has concluded. A simple majority of Commission members present shall be required to pass any motion.
- ~~G. The Commission may consult with city staff and councilpersons, interested parties, professionals in the field and/or technical advisors as needed. Commission members will observe the special parameters in Article 11 when dealing with permit applications.~~
- H. Special meetings shall be called in the manner prescribed by city law.
- I. All members are expected to attend and participate in all regularly scheduled meetings including alternates.

Article 8 — Parliamentary Authority

Robert's Rules of Order shall apply in all parliamentary matters unless these bylaws otherwise apply.

Article 9 — Conduct of Meetings

- A. The order of business at regular meetings shall be:
 - 1. Call to Order
 - 2. Roll Call
 - 3. Approval of Minutes
 - 4. Public Comment on Items Not Listed on the Agenda
 - 5. Special Presentations
 - 6. Public Hearings
 - 7. Public Comment
 - 8. Membership Comment
 - 9. HPO Report
 - 10. Other Business
 - 11. Adjournment
- B. Voting shall be taken after a motion has been made and seconded. In the event of a tie vote, the motion fails.
- C. The Commission, by majority vote, may change the order of business. The order of business shall constitute the agenda.

Article 10 — Potential or Actual Conflict of Interest and Avoidance

- A. A potential or actual conflict of interest exists when a member of the Commission:
 - 1 Has a potential or actual financial, property interest or holding in a matter under consideration by the Commission;
 - 2 If the member represents or is under professional retainer of a party having such an interest;
 - 3 Has provided work for a project or property under consideration, except to the extent that such work exists under a definition of supportive professional services such as architectural services;
 - 4 Feels that she or he should be disqualified for any reason not listed above.
- B. It is the member's responsibility to disclose a potential or actual conflict of interest and the reasons therefore to the chairperson before the consideration of any matter.
- C. Before consideration of any matter, the chairperson shall disclose for the public record the name of any member who has declared a potential or actual conflict of interest and the reasons therefore, and the disqualification shall be entered into the minutes.
- D. The disqualified member may participate in discussion by giving testimony, professional evaluation, analysis or transmittal of professional findings, but shall not vote on the issue for which a conflict of interest or potential conflict of interest has been declared.

Article 11 — Appearance of Fairness and the Commission's Quasi-Judicial Role When Considering Permit Applications

In the case of permit applications, HPC decisions are quasi-judicial. HPC members must maintain an appearance of fairness and conduct themselves and their proceedings accordingly. HPC members should avoid ex parte discussions, whether with applicants, interested parties or other members of the public. Ex parte discussions are those held informally or privately, and thus, out of the public forum. Public meeting laws require that deliberations be publicly noticed and open to public attendance. HPC members should urge applicants and interested parties to make the communication where it will be part of the public record, rather than ex parte. Communications after the public hearings should be in writing and addressed to the HPC. In the event of an ex parte discussion that could potentially influence an HPC member's vote, the HPC member should enter a record of the discussion's content in the public record prior to the closing of public comment, or if that is not possible, prior to the final HPC vote.

Article 12 — Policy Setting Capabilities of the Commission

- A. The Commission may, by simple majority vote of a present quorum, adopt policies for the purpose of:

- 1 Presenting any and all additional information to assist the Commission in process;
 - 2 Correcting situations and procedures which the Commission may determine to be problematic in the conduct of business and process;
 - 3 Developing general guidelines for the Historic Preservation Officer and city staff to ensure interpretation and application of standards and criteria in the review process are sufficient;
 - 4 Adhering to commission guidelines, as established by the National Park Service and the Montana State Historic Preservation Office;
 - 5 Developing any procedure which does not constitute an amendment to or does not conflict with these bylaws or any other Missoula city ordinance;
- B. Adopted policies shall appear as appendices to these bylaws and shall be attached to these bylaws in the Appendix Section.

Article 13 — Subcommittees and Ad-Hoc Committees

The Commission may establish committees with generalized and focused task analysis and completion responsibilities.

- ~~A. Subcommittees shall operate under all legal and binding provisions which govern and regulate the processes and procedures of the Commission. If a quorum is not present, the subcommittee shall make recommendations to the Commission.~~
- B. Any meeting body established by the Commission is required to comply with Montana Open Meeting and Public Participation laws. Meetings must be properly noticed and open to the public, allow for public participation and agendas and minutes must be kept.
- C. Committees shall report back to the Commission, and committees shall support and advise the Commission's general mission and tasks.
- D. Ad-hoc committees shall be committees of temporary duration and focus.

Article 14 — Final Governance

Any and all duties, powers, activities, and processes of the Commission and its members are governed by provisions of Missoula Municipal Code and these bylaws.

Article 15 – Amendments to Bylaws

- A. Proposed amendments to these bylaws may be made by city staff or Commission members as needed.

- B. Proposed amendments must be submitted in writing and included as a discussion item at a regularly scheduled Commission meeting. The vote to consider the amendments must be scheduled at a subsequent meeting.
- C. A copy of the approved bylaws shall be available in Development Services.
- D. New bylaws shall be adopted by a majority vote of the members.

ADOPTED BY A _____ VOTE AND APPROVED BY THE
COMMISSION THIS __ DAY OF _____, 2019.

MISSOULA HISTORIC PRESERVATION COMMISSION

Jolene M. Brink, Chairperson

Missoula's schools have served as centers of community for nearly 150 years. Indeed, it is because historical neighborhood schools are enmeshed in our community, that neighboring residents protest so fervently when school districts announce plans to close, sell, or demolish these communal hubs. While such protests sometimes reflect a feeling of loss for architecturally distinctive buildings, more often and more fundamentally, they are a protest against the destruction of community anchors and neighborhood beacons.

Although many historical schools have suffered from deferred maintenance and other problems, they were generally solidly built, often with great craftsmanship and architectural significance. With the help of creative architects and sensible school board policies, many school districts have demonstrated that historic schools can be brought up to 21st-century standards, and continue to serve the neighborhoods they have anchored for the past 50, 75, or even 100 years. Moreover, when updated to meet contemporary education and building demands, an historical school provides children with the ability to interact with their local history through tangible place. An older school building which has anchored a neighborhood for generations physically represents tradition, continuity, and change-over-time.

While we believe some of the consequences of the Smart Schools Initiative (most notably the demolition of Willard School) are regrettable, we understand that the decisions are final. Now we must look to the future of the remaining stock of historical school properties. If the school board should decide to sell a historic property, then the future use and greater common good ought to be considered. We respectfully request that a historic preservation professional be invited to participate in future planning involving the sale, demolition or alteration of MCPS's remaining historical school properties. Furthermore, we respectfully request improved public participation process and transparency through the establishment of policy which ranks the greatest future public use of any historical property slated for disposal. The "Missoula County Public Schools Building Historicity/Architectural Sensitivity" Report, 11/6/1995, produced by OZ Architects, is a great example of previous efforts to plan for change to education-related infrastructure. The Missoula Historic Preservation Commission would be an excellent source of expertise and would be happy to provide a volunteer for any such committee.

The greater purpose of historic preservation is to encourage the general public to integrate the past with the present and the future. Preservation does not halt growth, change, or progress, but instead emphasizes the totality of human experience in a given community. It drives identity within a city, and it fosters community cohesiveness, cultural identity and interaction. The additional benefits of preservation are varied and many; studies have shown that retaining and using our existing historical buildings boosts local economic development, heritage tourism, small-business growth and sustainability. Recycling historic fabric is inherently environmentally friendly, and the choice alternative when considering environmental impact.

Ideally, school facilities should be planned with input from a representative group of people who use, value, and interact with them, those invested in both Missoula's education and the preservation of our communal identity as seen through the historic built environment.

Respectfully,

Missoula Historic Preservation Commission

Jim McDonald – Chair, Steve Adler – Vice Chair, Joshua Pollarine, Jolene Brink, Julia McCarthy-McLavery, Paul Filicetti, Cathy Bickenheuser, Solomon Martin

Preserve Historic Missoula Board of Directors

Page Goode, President, Jennifer Anthony, Vice President, Dan Hall, Treasurer, Kayla Blackman, Secretary, Sydney Bacon, Stan Cohen, Rob Henry, Patricia O'Keefe, Chad Taylor

Other Interested Parties

Janene Caywood, Cultural Resource Specialist, Brian Upton, Attorney, Philip Maechling, retired Historic Preservation Officer



Forward Thinking, High Achieving.

Missoula County Public Schools
215 South 6th West
Missoula, MT 59801
728-2400, Ext. 1026

Ms. Jennifer Anthony, Vice President
Preserve Historic Missoula Board of Directors
Missoula, MT 59801

Dear Ms. Anthony:

Thank you for your correspondence regarding the Missoula schools and your interest in being engaged in the process to upgrade and enhance the Missoula County Public Schools' (MCPS) facilities.

MCPS has endeavored to engage the public throughout our SmartSchools 2020 facility planning process. More than three hundred fifty community members participated in the strategic planning process between May 2013 and February 2015. The planning process included numerous public meeting and community forums and was extensively covered by local media. MCPS has maintained an active website throughout the planning and implementation phases. Historical documents and meeting agendas are available at: <https://www.mcpsmt.org/Page/9323> At the conclusion of the planning process a comprehensive bond campaign was launched to detail the proposal to the community, including presentations to several neighborhood councils, all school PTA/PTO organizations, multiple service clubs and civic organizations, the Community Forum and the City Council Committee of the Whole. The bond language identified the scope and intent with regard to our projects. Nearly all of our projects thus far have been subject to public hearings through the Missoula Board of Adjustments.

We continue to phase-in the work supported by the passage of the bond request. We are currently under construction at Russell Elementary, Washington Middle School, Willard Alternative High School, Hellgate High School and the new Jeannette Rankin Elementary. Design is nearing completion for a renovation and addition project at Sentinel High School, which will be under construction beginning in April. We have recently retained architects to complete the development of plans for the renovation of Lewis and Clark Elementary, Hawthorne Elementary and Meadow Hill Middle School. In the spring of 2018 we anticipate issuing the RFQ for architect selection for the Big Sky High School and C.S. Porter Middle School projects.

While I don't anticipate significant demolition or façade renovation in any of our current projects, I would welcome your participation. Please advise me regarding any projects of specific interest and I will make certain you are added to the meeting listserve.

Sincerely,

Mark A. Thane, Superintendent
Missoula County Public Schools

UNSEEN MISSOULA

- We've developed a new partnership with the non-profit Pedal Missoula in offering historic biking tours downtown, called "Pedal Through the Past": <https://www.missouladowntown.com/pedal-through-the-past/>
- A new tour is being developed for North Higgins area as well as a monthly newsletter which will feature a column from the HP Office.
- We will be hosting a Halloween tour this year!
- Members of Har Shalom reached out and are interested in partnering with the pop-up museum and displaying their recently finished exhibit on Missoula's Jewish History. We're hoping to have the show up by September. It's gearing up to be a fairly large exhibit.
- The steering committee met on 7/18
- The HPO met with UM Public History professor on 7/31 and is planning on partnering with the fall Public History class in either an Unseen Missoula or Heritage Plan project.

MISSOULA DOWNTOWN HERITAGE INTERPRETATION PLAN (MDHIP)

- Jimmy Grant, lead consultant, continues to meet with interested parties throughout Missoula and will be hosting an exhibit on Missoula's Music History with a tour during River City Roots.

/AR ADAPTIVE REUSE OVERLAY ORDINANCE

- Public notice has been completed. We received three public comments all in favor of the ordinance.
- The /AR Overlay was presented to Planning Board on July 2, and received a unanimous vote to continue to City Council with no revisions.
- The /AR Overlay was presented to Land Use & Planning Committee on July 10, and received a unanimous vote to schedule a Public Hearing and final reading at City Council on August 12th.
- If it passes City Council, it will be implemented as code 30 days after the final vote.

OTHER PROJECT REVIEW & CONSIDERATIONS

- The HPO meets as a member of the MT DT Main Street Conference steering committee every Wed, to plan for this year's conference which is taking place in Missoula, Oct 23-25th. Jim will be hosting a panel and Emy will be presenting the Adaptive Reuse Overlay during the conference.
- Preserving Missoula County's Heritage grant (PMCH) committee reviewed applications on 7/12. There will be another call for applications in the fall.
- On 7/18 the HPO met with the Union Temple and advised on paint colors and graffiti removal.
- On 7/23 the HPO presented to the Heart of Missoula Neighborhood Council on Historic Preservation in the DT Master Plan draft.
- Sophia, the HP Office intern is working on three citizen inquiries regarding private residences and buildings.
- On 7/29 the HPO met with Missoula in Motion to discuss Walk and Roll week.
- The City of Missoula has renewed our membership with the National Trust for Historic Preservation Leadership Forum with an "Organizational Membership." This means Commission members have a

discounted rate of \$95 should you want to join individually. This also applies to conference registration and other events/activities offered by the Trust. Email Emy for our Organization Membership #.

- o This year, the Past/Forward NTHP Annual Conference will be taking place in Denver, CO on 10/10-12.

Join us for a Historic Ribbon Cutting
Commercial Building
Historic Renovation Project
August 7, 2019 at 10:45AM - Missoula County Fairgrounds



A \$2.5 million investment was made by Missoula County to ensure the 1915 Commercial Building will continue to serve Missoula and the Western Montana Fair for another 100 years. The ribbon-cutting, held at the opening moment of the Western Montana Fair, will throw open the doors to reveal a building overflowing with beautiful handmade local crafts. Thanks to the MADE Fair Marketplace, hundreds of local artisans will display and sell their fine products at the Western Montana Fair once again. Speakers will include: Lieutenant Governor Mike Cooney; Missoula County Commissioner Dave Strohmaier; Jim Harmon, Harmon's Histories; and Paul Filicetti, A&E Architecture.