

Missoula City Council Meeting Agenda

Date: November 23, 2020, 6:00 PM

Location: ZOOM Webinar

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Webinar ID: 871 1768 5875

Password: 027222, Press *9 to raise your hand to be recognized for public comment, *6 to mute and unmute

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Issues? Call the City Clerk 406-552-6078

Pages

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF THE MINUTES

- | | |
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| 2.1. Minutes from the July 13, 2020 meeting | 1 |
| 2.2. Minutes from the October 26, 2020 meeting | 35 |
| 2.3. Minutes from the November 9, 2020 meeting | 47 |

3. SCHEDULE OF COMMITTEE MEETINGS

- | | |
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| 3.1. City Council Committees will not meet the week of November 23, 2020 | |
| 3.2. Committee Schedule for the week of November 30, 2020 | 79 |

4. PUBLIC COMMENT

5. CONSENT AGENDA

(Items on the consent agenda were approved in City Council committees to be placed on the consent agenda to save time at Council meetings by voting on them as a package. The City Clerk will read the list aloud, so citizens watching on MCAT will know what is on the consent agenda. We'll invite community comment on these items before we vote.)

- | | |
|---------------------------------|----|
| 5.1. Claims - November 17, 2020 | 81 |
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Recommended motion:

Ratify claims in the amount of \$1,058,430.96 for checks dated November 17, 2020.

5.2. Claims - November 24, 2020 275

Recommended motion:

Approve claims in the amount of \$ 1,002,034.88 for checks dated November 24, 2020.

5.3. Resolution on the Mullan Area Tom Zavitz LUP 457
Neighborhoods Master Plan and Ordinance
establishing a form based code to implement
the plan.

Recommended motion:

[First reading and preliminary adoption] Set a public hearing on December 7, 2020 and preliminarily adopt an ordinance of the Missoula City Council establishing Title 21, Chapter 1, Missoula Municipal Code to implement a traditional neighborhood development form based code for the area generally located north of Mullan Road, west of North Reserve Street south of West Broadway and east of the Missoula International Airport.

5.4. Referral – 601 W Broadway Riverfront Trail Kaitlin McCafferty LUP 1215
Development Agreement

Recommended motion:

Approve and authorize the Mayor to sign the 601 W Broadway Riverfront Trail development agreement with Riverfront LLC.

5.5. Trinity Mullan 2 Lot Minor Subdivision Cassie Tripard LUP 1242

Recommended motion:

Approve the variance request to allow a 66-footwide public access easement, 5-foot-wide sidewalks, and no boulevards for Mullan Road adjacent to the subject property.

Recommended motion:

Approve the variance request to allow 47.5 feet of right-of-way, 29.5-foot paved street width, curb and gutter, curbside sidewalk and parking lane on the south side of the street, 5-foot wide sidewalk and landscaped boulevard on the north side of Maple Street between West Broadway and the subject property, subject to the conditions of approval.

Recommended motion:

Approve the variance request to allow a 5-foot-wide sidewalk and no bike lane on the southwest side of West Broadway adjacent to the subject property.

Recommended motion:

Approve the variance request to allow a 6-foot-wide public access easement and 5-foot-wide improved surface for the pedestrian trail between Maple Street and Mullan Road.

Recommended motion:

Approve the Trinity Mullan 2 Lot Minor Subdivision, based on the findings of fact and subject to the conditions of approval in the staff report, as amended by Land Use and Planning Committee on November 18, 2020.

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

7. SPECIAL PRESENTATIONS

8. PUBLIC HEARINGS

(State law and City Council rules set guidelines for inviting community comment in a formal way on certain issues. Following a staff report on each item, the City Council and the Mayor invite community comment. During COVID 19, the City Council is holding the public hearing open for a week and then voting the following week, unless there is a requirement for final action on the night of the public hearing.)

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| 8.1. | Trinity Affordable Housing Development Bond Resolution | Eran Pehan | AF | 1718 |
|------|--|------------|----|------|

The Council will vote on this item during the public hearing on November 23, 2020.

Recommended motion:

Adopt a resolution relating to a project on behalf of Trinity Apartments, LLLP, and the Issuance of revenue bonds or notes to finance all or a portion of the costs of designing, engineering, and constructing a multifamily rental housing project commonly known as Trinity Apartments and associated costs under Montana Code Annotated, Title 90, Chapter 5, Part 1, as amended; approving the project and authorizing the issuance of bonds or notes therefor.

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|------|--|---------------|----|------|
| 8.2. | Dean Stone Corridor Open Space Acquisition | Grant Carlton | PC | 1725 |
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Recommended motion:

The Missoula City Council will hold this public hearing open and will take it up under Final Consideration at the next regular City Council meeting on December 7, 2020

9. FINAL CONSIDERATION

Items listed under Final Consideration have had a public hearing. The hearing was held open to allow time for additional public comment before final consideration and action by the City Council. The chairperson of the standing City Council committee will make a motion. We invite community comment on each item.)

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| 9.1. | Referral and Staff Report Hellgate Village East Townhome Exemption Development Conditional Use | Cassie Tripard | LUP | 1792 |
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Recommended motion:

Approve the townhome exemption development conditional use request for property located east of Flynn Lane on Mary Jane Boulevard and Killarney Way based on the findings of fact in the staff report, subject to the conditions of approval.

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| 9.2. | Schmidt Road- Milwaukee Trail to Mullan Road Connector Public Trail Easement Open Space Acquisition | Grant Carlton | PC | 1942 |
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Recommended motion:

(Adopt/deny) a resolution to expend up to \$25,000 of the City's portion of the 2006 Open Space Bond funds to purchase a perpetual public trail easement that will provide a critical connection between the Milwaukee Trail corridor and Mullan Road and Trail.

9.3.	Proposal to regulate tobacco sales and prohibit the sale of flavored tobacco products	Mirtha Becerra, Gwen Jones, Stacie Anderson, Heidi West, Julie Merritt	PSH	1951
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Recommended motion:

[Second and final reading](Adopt/Deny) an ordinance of the Missoula City Council creating Title 8, Chapter 8.38 Missoula Municipal Code entitled "Restrictions on the Display of Tobacco Products and the Sale of Flavored Electronic Tobacco Products, and on the unlawful transactions consisting of selling or giving tobacco products to youth under the age of 18.

10. COMMUNICATIONS FROM THE MAYOR

11. GENERAL COMMENTS OF CITY COUNCIL

12. COMMITTEE REPORTS

(Items listed under committee reports were not approved unanimously in City Council committees. The chairperson of the standing City Council committee will make a motion. We invite community comment on each item.)

12.1.	Administration and Finance committee (AF) report			
12.2.	Budget Committee of the Whole (BCOW) committee report			
12.3.	Committee of the Whole (COW) committee report			
12.3.a.	November 18, 2020 Committee of the Whole report			2039
	12.3.a.a.	LEARN Missoula Contract	Eran Pehan COW	2044

Recommended motion:

Approve and authorize the Mayor to sign a contract for services with All Nations Health Center, the fiscal sponsor for LEARN Missoula, for \$75,000 to conduct a thorough research project and provide a place-based action plan that is created by and centered upon Black, Indigenous and People of Color (BIPOC).

12.4.	Land Use and Planning Appointments (LUPA) Subcommittee report	
12.5.	Land Use and Planning (LUP) committee report	
	12.5.a. November 18, 2020 Land Use and Planning report	2082
12.6.	Parks and Conservation (PC) committee report	
12.7.	Public Safety and Health (PSH) committee report	

12.7.a. November 18, 2020 Public Safety and Health report

12.8. Public Works (PW) committee report

13. NEW BUSINESS

13.1.	Community Development Block Grant COVID Funds (CDBG-CV) Round 3 Allocation	Montana James	2101
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Recommended motion:

Set a public hearing on Monday, December 7, 2020 to consider a Resolution granting approval of the City of Missoula Amended Action Plan for Program Year 2020 and approving and authorizing the Mayor to sign an agreement with The Poverello Center for the provision of Emergency Winter Shelter services funded by the Community Development Block Grant COVID-19 funds.

13.2.	Resolution for 2nd round of amendments to amend the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2021 budget and capital improvement program	Leigh Griffing	2194
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Recommended motion:

Set a public hearing on December 7, 2020, 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.

13.3.	Resolution for year-end close out FY 2020 budget amendments. This resolution amends the fiscal year 2020 budget to appropriate expenditures and budget transfers not identified in the original budget.	Leigh Griffing	2195
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Recommended motion:

Set a public hearing on December 7, 2020, on a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2020 budget and capital improvement program.

13.4.	North Riverside Parks and Trails Master Plan	Nathan McLeod	2196
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Recommended motion:

Adopt the North Riverside Parks and Trails Master Plan including narrative as shown on Exhibit "A."

Recommended motion:

(Adopt/deny) a resolution adopting the North Riverside Parks And Trails Master Plans for Caras, East Caras, Bess Reed, Downtown Lions, and Kiwanis Parks, and Ron's River Trail, including the plan narrative per Exhibit "A" and amending the 2019 Downtown Master Plan and the Master Parks and Recreation Plan for the greater

Missoula area.

14. ITEMS TO BE REFERRED

(Items listed here have been proposed by Council members, staff, or the Mayor for consideration in City Council committees. Committee chairs are responsible for scheduling consideration of these items in their respective committee meetings. These items are listed on our agenda for information only. They will not be considered at this meeting. For further information about any item, contact the person listed in italics.)

14.1. Administration and Finance committee referrals

14.1.a.	FY21 Community Based Organization Contract – Climate Smart Missoula	Chase Jones	2323
14.1.b.	FY21 Community Based Organization Contract – Home ReSource	Chase Jones	2331
14.1.c.	Missoula Aging Services Professional Services Agreement Amendment	Karen Gasvoda	2339
14.1.d.	Legislative Lobbyist Contract 2021	Dale Bickell	2350
14.1.e.	Resolution to authorize lease and approval of contract for transfer center	Dale Bickell	2356
14.1.f.	City Council meeting schedule for 2021	Marty Rehbein	2365

14.2. Budget Committee of the Whole referrals

14.3. Committee of the Whole referrals

14.3.a.	Risk Displacement Ratio – Invest Health Update	Heidi West, Julie Merritt	2367
14.3.b.	Resolution and agreements for the sale and conveyance of the City-owned land commonly known as Parcel A of Lot 3, Scott Street Lots	Dale Bickell	2368

14.4. Land Use and Planning Appointments Subcommittee referrals

14.5. Land Use and Planning committee referrals

14.5.a.	Affordable Housing Development Agreement	Eran Pehan	2370
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14.5.b.	Referral – Phased Development Review, Heron’s Landing Subdivision, Phase W1	Dave DeGrandpre	2380
14.6.	Parks and Conservation committee referrals		
14.7.	Public Safety and Health committee referrals		
14.8.	Public Works committee referrals		
14.8.a.	Change order for city hall security access point	Matt Lawson	2440
14.8.b.	Referral – Professional Services Agreement Amendment No. 1 for Transportation Engineering Consulting Services	Kevin Slovarp	2441
14.8.c.	Professional Services Agreement with WGM Group, Inc. for the W. Broadway Water Main Replacement Project	Andrew Schultz	2450
14.8.d.	Referral – Professional Services Agreement with ERA Lambros	Dennis Bowman	2461
14.8.e.	Mullan BUILD Grant Project Informational Update	Jeremy Keene	2471
15.	MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS		
15.1.	Administratively approved agreement report		2472
16.	ADJOURNMENT		