

Journal of Proceedings
Missoula City Council Meeting
September 13, 2021, 6:00 pm
ZOOM Webinar

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

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

1. CALL TO ORDER AND ROLL CALL

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

2. APPROVAL OF THE MINUTES

2.1 August 30, 2021 Meeting Minutes

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Committee Schedule for the week of September 13, 2021

Committee of the Whole, September 15, 9:15 - 9:55 a.m.

Administration and Finance Committee, September 15, 10:10 a.m. - 12:15 p.m.

Public Works Committee of the Whole, September 15, 12:45 - 1:15 p.m.

Land Use and Planning Committee, September 15, 1:30 - 3:00 p.m.

Mayor John Engen I will note that Ms. Anderson and Ms. Becerra are here for the record.

4. PUBLIC COMMENT

Mayor John Engen [inaudible]. All right any other comment this evening? All right seeing no hands raised in the audience for general public comment, we'll move on to our consent agenda. Items there were approved unanimously in Council Committees to save a little time on Monday evenings by considering these items all at once. Ms. Rehbein will read the list of consent agenda items allowed so those watching via ZOOM will know what we're considering, and we'll take comment on those items before we vote as well. I'll also note for the record that Mr. Hess has joined us. Ms. Rehbein.

5. CONSENT AGENDA

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

Aldersperson Ramos Thank you Mr. Mayor. Can we divide the question and vote on item 5.2 separately due to \$15,000.00 going to Boone Karlberg for the water arbitration?

Mayor John Engen We may. And Mr. Hess.

Aldersperson Hess Thanks. I wanted to clarify, I think all the Council members are aware but for anyone, any members of the public who are watching that the reason of the Missoulia Building is not being approved tonight. It is being referred to Council committee and there's a public hearing being set. And so, there's opportunity to, to provide comment on that and actions tonight do not signify approval.

Mayor John Engen Thank you Mr. Hess. Ms. Merritt.

Aldersperson Merritt Thanks. I just, for the record I will be abstaining from voting on item 5.3, the rezone request for the Missoulia Building.

Mayor John Engen Thank you Ms. Merritt. Seeing no additional questions or comments from Council members, anyone in the audience care to comment this evening on consent agenda items? And seeing no hands there, we will move on.

Marty Rehbein Mayor Engen, we did not vote on the consent agenda.

Mayor John Engen We should vote....As it turns out, I'm a little rattled by there's an election tomorrow. I keep forgetting about this voting thing, beg your pardon Ms. Rehbein. Let's go ahead and vote on items 5.1 and 5.3 through 5.7 please.

Marty Rehbein Let's do 5.1 and 5.4 through 5.7 and because Ms. Merritt has indicated that she wishes to abstain on item 5.3.

AYES: (12): Aldersperson Anderson, Aldersperson Becerra, Aldersperson Contos, Aldersperson Harp, Aldersperson Hess, Aldersperson Jones, Aldersperson Merritt, Aldersperson Ramos, Aldersperson Sherrill, Aldersperson Vasecka, Aldersperson von Lossberg, and Aldersperson West

Vote result: Approved (12 to 0)

5.1 Accounts Payable (claims) for checks dated September 7, 2021

Ratify accounts payable in the amount of \$1,044,517.92 for checks dated September 7, 2021.

Vote result: Approved

5.2 Accounts Payable (claims) for checks dated September 14, 2021

Approve accounts payable in the amount of \$ 673,577.39 for checks dated September 14, 2021.

AYES: (9): Alderperson Anderson, 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

Vote result: Approved (9 to 3)

5.3 Rezone 500 South Higgins Avenue from Missoulian PUD and M1R-2 Limited Industrial Residential to C1-4 Neighborhood Commercial / DE-D Design Excellence Overlay, Hipstrip and OP1 Open Space.

[First reading and preliminary adoption] Set a public hearing on September 27, 2021, and preliminarily adopt an ordinance rezoning the property located at 500 South Higgins Avenue, legally described in Exhibit A, from Missoulian Planned Unit Development (PUD) and M1R-2 Limited Industrial Residential to C1-4 Neighborhood Commercial / DE-D Design Excellence Overlay Downtown Hip Strip and OP1 Open Space, subject to the applicant filing the amended plat and meeting the terms of approval for subdivision exemption application 2021-MSS-SEA-00020 within one hundred and eighty (180) days of approval of the rezoning, subject to review and approval by Development Services and Public Works and Mobility, otherwise the rezoning of the property shall become null and void, and the property shall revert to its original status; and refer this item to the Land Use and Planning Committee for presentation on September 29, 2021.

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

ABSTAIN: (1): Alderperson Merritt

Vote result: Approved (11 to 0)

5.4 Reimbursement Resolution for Equipment Financing

Adopt a resolution declaring the official intent of the City of Missoula, Montana, to reimburse certain original expenditures related to the purchase of capital equipment from the proceeds of tax-exempt bonds to be issued by the City after the payment of such original expenditures.

Vote result: Approved

5.5 Reimbursement Resolution for Sidewalk and Curb Financing

Adopt a resolution declaring the official intent of the City of Missoula, Montana, to reimburse certain original expenditures related to sidewalk, curb, gutter, and alley approach improvements from the proceeds of the tax-exempt bonds to be issued by the City after the payment of such original expenditures.

Vote result: Approved

5.6 Resolution Setting Policy for the Missoula Redevelopment Agency

Set a public hearing on September 20, 2021 on a resolution of the Missoula City Council setting Missoula Redevelopment Agency policy.

Vote result: Approved

5.7 Project Review and Outcomes for CDBG & HOME Program Year 2020

Set a public hearing for Monday, September 20, 2021, to review the City of Missoula Consolidated Annual Performance and Evaluation Report (CAPER) for HUD-Funded Programs for Program Year 2020.

Vote result: Approved

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

7. SPECIAL PRESENTATIONS

Mayor John Engen We do have three proclamations for special presentations this evening.

7.1 Proclamation - Arts in Education Week

WHEREAS, arts education enables students to develop critical thinking and problem solving skills, imagination and creativity, discipline and collaboration, alternative ways to communicate and express feelings and ideas, and cross-cultural understanding which supports academic success across the

curriculum; and WHEREAS, arts education contributes increased attendance and graduation rates, elevates academic achievement, and prepares students for college, career, and citizenship readiness; and WHEREAS, arts education contributes to personal growth outside of the classroom including increasing a student's likelihood to participate in civic life, volunteerism, altruism, and community engagement; and WHEREAS, to succeed in today's economy, students must masterfully develop traits that business leaders demand in a 21st century workforce such as communicating through words, images, sounds, and movement; and WHEREAS, the arts are an integral part of life in the United States, Montana, and Missoula and are an integral part of a complete education which contributes to the vibrancy and vitality of communities in the nation. Now, therefore, I, John Engen, Mayor of the City of Missoula in the State of Montana hereby recognize the week of September 12th through 18th as Arts in Education Week in Missoula.

7.2 Proclamation - Constitution Day and Week

WHEREAS, September 17, 2021 marks the 234th anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and WHEREAS, it is fitting and proper to give official recognition to this document and its memorable anniversary and to the patriotic celebrations which will commemorate it; and WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd as Constitution Week. Now, therefore, I, John Engen, Mayor of the City of Missoula in the State of Montana recognize the 17th day of September as Constitution Day and the 17th of September through the 23rd of September as Constitution Week and urge all citizens to study the Constitution and to reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

7.3 Proclamation - United Way of Missoula County Day

WHEREAS, the City of Missoula does affirm and acknowledge the benefit of thousands of residents from the United Way of Missoula County's work on behalf of our community; and WHEREAS, we recognize the importance of celebrating 90 years of that service; and WHEREAS, we support solutions that help people change their lives through United Way led programs and initiatives; and WHEREAS, we ask the Missoula Community to join us in recognizing the accomplishments felt by all since United Way's founding in 1931; and WHEREAS, we affirm the United Way of Missoula County's work to ensure that all people in our community have equal opportunity to improve their financial stability, education, and

health. Now, therefore, I, John Engen, the Mayor of the City of Missoula in the State of Montana hereby recognize the 16th day of September 2021 as United Way of Missoula County Day.

Mayor John Engen And I thank all those good folks at Missoula County and I'm sorry the United Way and those who generously participate in funding that organization. They're a great community partner and certainly a great partner to the City of Missoula.

8. PUBLIC HEARINGS

Mayor John Engen All right with that, we have a number of public hearings this evening. State Law and our own Council will set guidelines for inviting community comment in a formal way on a variety of issues. Following a staff report on each of these items, Council and I will invite community comment. During the pandemic, we have held public hearings open for a week so Council will not consider these items this evening but will, pardon me, but we'll consider them finally at our next regular meeting. Our first public hearing this evening is on an Edward Byrne JAG, that's the Justice Assistant Grant Memorandum of Understanding. And our staff report should be from Scott Hoffman this evening. Well, I didn't, I don't see so I will pinch hit the staff report. So, every year the City of Missoula, the Police Department is eligible for a grant from the Department of Justice. This, this year's grant is \$63,580.00. We typically receive this grant, share a portion of it, with Missoula County and it goes to support our law enforcement efforts. The public hearing this evening actually does not require Council action. The grant itself does require a public hearing and this is it, but there is no action for you to take this evening. So that is my sudden staff report called from years of hearing the staff report, but it's a good thing for the City. It's, it's money we can use. So, with that, Ms. Anderson.

Aldersperson Anderson Thank you Mr. Mayor. I was actually trying to look through back through meeting notes from when we heard this in committee. I do think it's a two part one where there is a memo or a letting you sign the grant and then the grant itself per whatever the does require the hearing.

Mayor John Engen You know that is, that is that's actually new.....

Aldersperson Anderson And I could have that wrong. I, I, I don't know.....

Mayor John Engen Let me, let me actually look here. Oh yeah this is, yeah you're right. I will, I will, in fact, ask for a motion this evening. That way, we can get the ball rolling on this.

Aldersperson Anderson Happy to make that motion.

Mayor John Engen All right, the motion is made but I will ask for any, whether anyone in the audience would care to comment on the JAG Grant. All right, seeing none, we do have a motion from Ms.

Anderson authorizing the signature on the memorandum of understanding. Is there any discussion on that? All right, seeing none, Ms. Rehbein will have a roll call vote.

Mayor John Engen And the motion carries.

8.1 Edward Byrne Justice Assistance Grant (JAG 2021) Memorandum Of Understanding (MOU)

Authorize the Mayor to sign a Memorandum of Understanding for the 2021 Edward J. Byrne Justice Assistance Grant between the City of the Missoula and Missoula County to accept funding for computer software programs and offset Missoula County's property clerk wages in the total amount of \$63,580.00.

AYES: (12): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, Alderperson von Lossberg, and Alderperson West

Vote result: Approved (12 to 0)

8.2 Referral and Staff Report: England Boulevard Annexation

Mayor John Engen Our second public hearing, which actually has a staff report this evening is on an annexation question at England Boulevard and our staff report this evening comes from Kaitlin McCafferty. Ms. McCafferty.

Kaitlin McCafferty Hello can you all hear me and see my screen?

Mayor John Engen We can.

Kaitlin McCafferty Yay. I'm Kaitlin McCafferty, good evening, Associate Planner with the Permits and Land Use Division of Development Services. Here this evening to review an annexation petition that was submitted by Mike Morgan of Hoffman Morgan & Associates representing El Mar LLC. The request is to annex into the City of Missoula and zone upon annexation two parcels located south of England Boulevard between Connery Way and Tina Avenue. The intended plan of this project is to build multi-building residential buildings. As a refresher, Montana code annotated Title 7, Chapter 2, provides several ways to add land into municipalities, to annex land. City Council has authority over all additions. City Council may impose conditions. The city must provide services to the annexed property and a public hearing on zoning and annexation is required, which is why we're here today. The subject properties are located just south of England Boulevard and west of North Reserve Street, shown here outlined in blue and marked with the star. The areas in red are identifying the current city boundary, so you can see that it's pretty surrounded. This is an aerial without the city boundary overlay. Again, the

subject parcel in blue at the star and as you can see there's a lot of residential development existing, surrounding all sides of this property which is an important fact in my staff evaluation. The current zoning, this is the current zoning map as it is today. The subject parcels are zoned in the county. They're zoned C2-2 which is the county's general commercial zone. This zoning district provides for retail trades and services that are inherently automotive highway-oriented so think gas stations, car dealerships, and some other lower intensity, commercial uses, offices, restaurants, personal services, as well as residential services at a density of one dwelling unit per 1,000 square feet. The property is currently vacant, so it is not an operation under any of these uses and the subject property is also located within the airport influence overlay. This is an overlay established to preserve the safety and utility of the airport and the public investment in it. This overlays an important fact for the recommended conditions at the end of my presentation, so remember it's in the airport influence area overlay. Oh, actually before I move on, I'm gonna go back to the slide and note the surrounding zones. So that point I made before about it being surrounded by residential development, you can really see it also in this map. So RT10 in the gray, that's residential two unit townhouse, RMH in the yellow, that's residential manufactured housing park, and as you get closer to Reserve Street over here, you have C1-4 and C2-4. Those are commercial zones; however, residential uses do exist and are allowed in these areas as well. Now to the site plan. So that you have a bit of a feel for the context and location of where this project is. Here is a very, very preliminary site plan of the proposed multi-dwelling units, that is the vision for and the reason for this annexation. The two buildings, you can see this here and here, with the parking in the middle. About 76 dwelling units, a mix of one and two bedrooms. So, while you're digesting this, keep in mind that the development proposal is not a part of an annexation approval request. I'm just showing this illustration and the next one to help you all picture the applicant's vision and the project and the reason for applying for this annexation. Here are some again preliminary, not finalized or approved and not a part of this request or approval, elevations of the property. I'm just showing these so you can get a general feel for the design of the facades. This is the view from England Boulevard. Okay back to the maps. This is a zoom in of Missoula's Annexation Policy map. The subject parcels are these two slightly raised green parcels outlined in blue and within the red star. The properties green color identifies it as within annexation area A, which means that these areas largely meet the guidelines for annexation. The property also is completely surrounded by yellow areas which are the city limits. These facts are important because it shows that the subject parcels, if annexed, would contribute to a pretty logical growth pattern of the City. It'll create orderly, contiguous,

municipal boundaries and the City Annexation Policy states that the City should prioritize the annexation of areas that have these qualities like the subject property. Speaking of the Annexation Policy, it was adopted in 2019 to guide the City to carry out orderly development including efficient delivery of municipal services and develop to developed and developing areas. It also has the purpose to implement the regulatory authorities necessary to protect public health, safety, and general welfare. This means that even when annexation occurs, the City is accepting responsibility to provide the same level of service and infrastructure to newly annexed properties as they do anywhere else in the City. Along with abiding with the Annexation Policy, annexation proposals must also follow recommendations in the City's Growth Policy. So, as you can see, this is the Growth Policy Land Use Map with again the subject parcel in blue at the star. It identifies the subject parcel under the regional and commercial services land use designation which is this pink area. The designation is intended for commercial uses that require larger land, land areas. So again, thinking about that auto oriented business, auto repair shops, gas stations, also construction and warehousing. This is because the areas are really close to Reserve Street which is a major transportation route. Along with all these commercial uses, high density residential development is also intended for this land use. So, when evaluating a project for the Growth Policy and its compliance with it, staff takes into consideration both the land use designation but also the entire Growth Policy, policy stated, the elements of the Growth Policy, and site-specific conditions which is really important for this report. The table at the top right here, this is the from the chapter that explains regional and commercial services, so that land use designation of the subject property and it recommends current relatable zoning. It recommends community commercial, neighborhood commercial, open lands, and limited industrial. Those are the relatable zonings for this parcel but again that's not the only factor that we take into consideration. It's important to note that in the housing element, a section of the Growth Policy, goal number four states that the City shall provide for the diverse housing needs while protecting the strong sense of place in the community in neighborhoods through compatible residential developments. This housing element also calls for the City to cultivate leadership, to support rezoning of land, to allow for multi-dwelling residential units in appropriate areas. Further, the next symbol represents the livability element in the City Growth Policy. Its goal number four states that Missoula will make thoughtful decisions about land-use planning that support the needs and values of residents in regards to neighborhoods and community character, parks, trails, and natural resources. The chapter also addresses the need to preserve the integrity of neighborhoods from encroachment of incompatible development and calls for the City to encourage development that

preserves community character in the character of the neighborhoods. So, these last two elements, the goals from housing and livability, cause staff to consider the surrounding residential uses of the subject property when recommending a specific zone for the zoning upon annexation for this project. When taking into consideration the current relatable zoning, staff determined that the commercial and industrial current relatable districts that are listed at this top table are not appropriate for parcels surrounded by residential uses. Again, think about a construction business or a car dealership right next to a residence. So, therefore applying a more transitional zone is what we're going to recommend. That speaks to these goals of compatibility. That transitional zone is B2-2, community business, shown here in blue on the proposed zoning map. The current project again proposing multi-dwelling residential; however, having the parcel view zoned one of the current relatable, those heavier industrial or commercial zones would mean that the parcel if, if it was sold later or switched uses, it would carry the permitted uses of having those heavy auto oriented uses such as car dealerships that don't fit with the larger context of this area. So, we really wanted to have that transitional zone that took out the option for those heavy industrial uses and B2-2 is a zone that does that. To further clarify, I made this fun table. So, this is the recommended zone B2-2 and these three right here C1-4, C2-4 and M1R-2 are those zones that were listed in the current relatable zoning under the land use designation in the Growth Policy. And as you go through it, the allowed density is the same. The allowed uses are where it's a little bit different. So B2-2 has the same residential allowed uses as the current relatable zoning. It has the same low intensity commercial, but the difference is that B2-2 doesn't have that high density or high-intensity commercial uses and therefore compatible with the housing goals of the Growth Policy B2-2 is a yes, compatible with livability goals. B2-2 is also a yes, where the other ones are not, and the only flip for that is that these are the current relatable zones and B2-2 is not specifically listed. So zoning criteria with annexation. So, when considering a zone with an annexation, the zoning classification, classification must comply with one of these three following criteria. This project does not hit criteria A or B; however, criteria C is where it complies. Based on staff evaluation, we believe that B2-2 is consistent with the land use and zoning recommendations for the subject areas, as set forth in the Growth Policy. This is because it generally complies with the density and the uses of those current relatable zones. They're all the same except for the high intense commercial ones and the reason that we're not recommending those high intense commercial uses to be allowed is when, is because when we take the entire Growth Policy into account, specifically those parts of the housing and livability goals that I called out earlier, that, they call specifically for neighborhood compatibility and these site-specific

conditions, those surrounding residential uses really need to be taken into consideration. So, that's why B2-2 does comply with the Growth Policy. And that leads us to our first and only condition of approval which is a callback from, like the first slide, and the condition of approval that we recommend is that the petitioner shall obtain an avigation easement from the Airport Authority in compliance with the Airport Influence Area Resolution and present evidence of the easement subject to review and approval of Development Services prior to the issuance of a building permit for the first building to be constructed on the property. So basically, just complying with that Airport Influence Area to ensure safety. And we're not voting tonight; however, the recommended motion that we will vote on and by we, I mean, Council will vote on, is staff recommends to adopt a resolution to annex and incorporate within the boundaries of the City of Missoula the two parcels of land, as shown on exhibit A on England Boulevard right of away adjacent, located in the south half section of Section 7, Township 13 North, Range 19 West and zone the property B2-2 community business, upon annexation based on the findings of fact in the staff report and subject to the recommended condition of approval. And that's all that I've got. Any questions?

Mayor John Engen Thank you Ms. McCafferty and with that, I will open the public hearing. Again, noting that the public hearing will remain open until next Monday for folks to comment. And seeing no comment from attendees, questions from Council Members? Ms. Merritt.

Aldersperson Merritt Thanks Kaitlyn. Thank you so much for that very thorough explanation and I, I really appreciate your, yours, and staff's effort to find what is a compatible zoning for this location. So just to be clear, there are a couple of buildings it looks like on that property but there are no residences on that property, is that correct?

Kaitlin McCafferty Correct. Everything, as of now, is demoed, it's vacant, there's no residence.

Aldersperson Merritt Excellent, thank you.

Mayor John Engen And Ms. Harp.

Aldersperson Harp Thanks. Kaitlyn great presentation and I have to say I always appreciate the side-by-side comparison of the proposed zoning to what it's going to or the other alternatives that are out there. My question to you is when, when we look at that that map of I think one of the original first maps that you showed us. This particular parcel is one of very few that is not annexed into the City, and it looks like you know, my question to you is, why would someone and this is just guessing here. Why would someone delay, to make this kind of up-zoning change, this this late in the game when everything else

has been annexed by the City and up-zoned? It just seems like a lengthy and perhaps more expensive way to do business.

Kaitlin McCafferty What do you mean or who do you mean by why would someone? Why would the city or why would?

Alderson Harp Why would the applicant wait this long to make a decision to, to annex and then rezone? Is there perhaps a benefit to that that I do not understand?

Mayor John Engen Likely just about timing and previous ownership would be my guess Kaitlyn. I, I don't want you to have to dig too deep on that one because I'm not sure that any of us have that answer but that'd be my guess Ms. Harp.

Alderson Harp Okay, thank you. It just looks like the rest of it was swallowed up at one point.

Kaitlin McCafferty I, I, I can't see the list of attendees but if, if the applicant, either Mike Morgan or the owner raise your hand if you have an answer for that. Otherwise, we could put a pin in it and get you an answer later.

Mayor John Engen Mr. Morgan

Mike Morgan Hello everybody thank you. Can you hear us okay?

Mayor John Engen We can thank you.

Mike Morgan I have, I have Albert Osellame and Nick Osellame with me here, the applicants, and they just recently became the owners of the property and so that's, that's the reason why the application now. I can't speak for the previous owners, but new owner of the property wishes to develop the property now.

Alderson Harp Thanks Mike, appreciate the, the context.

Mike Morgan You're very welcome.

Mayor John Engen Thanks Mike. Further questions? Mr. Hess.

Alderson Hess Thanks. I believe I know the answer to this because of meeting with staff, as LUP Chair, chair but it'd be good to get into the record from Mr. Morgan and the applicants that, that, the applicants are in favor of the of the staff recommended zoning and that it meets their needs?

Albert Osellame and Nick Osellame Yes, we are.

Alderson Hess Okay thank you.

Mayor John Engen Thank you. Mr. Morgan.

Mike Morgan I believe I was asked to question. Yes we're in favor of Kaitlin's recommendation. She did a great job. Thank you.

Mayor John Engen Great, thank you. All right, seeing no additional questions, this item will remain open for comment until next week when Council considers this finally and vote. We have no additional public hearings this evening.

9. FINAL CONSIDERATION - None.

10. COMMUNICATIONS FROM THE MAYOR - None.

11. GENERAL COMMENTS OF CITY COUNCIL

Mayor John Engen I'll begin comments from Council Members with Mr. Hess.

Aldersperson Hess I'll pass, thanks.

Mayor John Engen Mr. Contos.

Aldersperson Contos I'll pass, thank you.

Mayor John Engen Ms. Sherrill.

Aldersperson Sherrill Yeah thanks. Just quickly because I'm doing this every week. We are at kind of one of our highest points in hospitalization right now; we have 42 people hospitalized. That really creates an issue with capacity. We had 114 new cases on Friday which put us at, I think there have only been in the entire pandemic, well not the entire one, but since the beginning of December we haven't, we've had like three days that are that high. We have 69 cases on a rolling average per 100,000 people per day. So, 69 cases per day. So, our goal is being under 25. I mean this is, I don't know how to appeal to people more to get vaccinated and to be safe than we already have but this is not going away quickly. This is creating a real problem for our hospitals. You know it, it makes, it scares me to be honest. I feel scared. I feel scared for my, my teenage daughter driving around and if that something was happening to her. I feel scared for people having heart attacks. I mean we need, I, I don't know what else to do other than just continue to beg people and, and hope people get as scared as I feel about what's happening.

Mayor John Engen Thank you Ms. Sherril. Ms. Jones.

Aldersperson Jones [no answer]

Mayor John Engen Mr. von Lossberg.

Aldersperson von Lossberg Pass.

Mayor John Engen Ms. Vasecka.

Aldersperson Vasecka I'll pass as well, thank you.

Mayor John Engen Ms. Merritt.

Aldersperson Merritt If you still have your ballot from, for the primary election sitting around, please go ahead and drop it off at the at the Elections Office tomorrow. That will be the last day, thanks.

Mayor John Engen Mr. Ramos.

Aldersperson Ramos I will pass, thank you Mr. Mayor.

Mayor John Engen Ms. West.

Aldersperson West Pass.

Mayor John Engen Ms. Anderson.

Aldersperson Anderson Thank you Mr. Mayor. I just want to echo what Ms. Sherrill said. I have family in healthcare, and I can tell you that they are exhausted and heartbroken, and if you can't do it for you, you can't do it for your family, if you can't stay safe and be vaccinated for all the kids who can't. Do it for the healthcare workers because you want them at the top of your game if God forbid you ever find yourself in the hospital. And I know earlier this year, we at 8:00 a.m., would, we'd go out and clap for them and we you know had signs out in front of the hospital and all those platitudes are pretty worthless if we're not willing to do what it actually takes to keep, you know, not burning them out and over burning them to the point of, you know, staff shortages and, you know, running out of ICU beds and ventilators. You know, like the clapping is, is you know not what they need right now. They need everyone to you know wear their masks, get vaccinated. You know shut down your circle because we are having breakthrough cases. They're not as bad but you know your breakthrough case from a vaccinated can get transferred to somebody who isn't vaccinated, and they get very sick and end up in the hospital. So just absolutely echo Ms. Sherrill's plea to the community to please do more than what you're doing now because what you're doing now is not enough.

Mayor John Engen Ms. Harp.

Aldersperson Harp Thank you. I wanted to commend the United Way on its 90th anniversary. Ninety years of giving back to communities, especially here in Missoula is no small feat and one of the, they've been for years and decades addressing different needs in our community but one that is really very near and dear to my heart is Project Tomorrow which is our suicide prevention group. September is Suicide Prevention Month, it coincides coincidentally with my birthday month, so I really take it to heart. When I think about what, what both Amber and Stacie said a little bit ago, about asking folks to do the right thing and get vaccinated. Let me tell you as a person who deals with her occasional suicidal thoughts. If there's one thing I wish I could have a vaccine for that would be suicidal thoughts and unfortunately, that's just not something that's in the cards, but when we have a pandemic like this, that is completely

fixable with actions that we can all take to look out for ourselves, our families, and one another; it makes us stronger, longer together and I, I just, I just wish all of us could see the sense in that. And it actually, when we get vaccinated, creates more freedoms to go about our regular business, so that we can do the things we want to do and not have to be messed up, but we can't do that until we're, we have those numbers where we are a vaccinated community. So please, reach, reach out to those that you might, may be on the fence. I know there are a lot of folks who are and ask them to talk to their doctor or talk to someone who may just may have gone through some pretty ugly things because they lost someone. And with that, thank you all.

Mayor John Engen Thank you Ms. Harp. And Ms. Becerra.

Aldersperson Becerra Thank you. I just wanted to thank the Mayor for reading the proclamation about Arts in Education Week. I sit on the Board of SPARK! Arts Missoula and the way that art has enhanced the life of children in Missoula, in Missoula County is very impactful, especially during COVID. The kiddos were able to learn in a more fun way and if you haven't already seen the mural that kids put together with their art project, it's on the alley of Radius Gallery. So, take a look. One of the panels there is from all the, I believe is fifth graders, fourth and fifth graders of Missoula County Public Schools. So, thank you.

Mayor John Engen And thank you all.

12. COMMITTEE REPORTS - None.

12.1 Administration and Finance committee (AF) report

12.1.1 September 8, 2021 Administration & Finance Committee Report

12.2 Committee of the Whole (COW) committee report

12.3 Land Use and Planning (LUP) committee report

12.4 Parks and Conservation (PC) committee report

12.5 Public Safety and Health (PSH) committee report

12.6 Public Works (PW) committee report

13. NEW BUSINESS - None.

14. ITEMS TO BE REFERRED - None.

14.1 Administration and Finance committee referrals

14.1.1 ESRI Enterprise Geographic Information System Software Maintenance Agreement

14.1.2 Appointment to the Public Art Committee

