

Journal of Proceedings
Missoula City Council Meeting

September 20, 2021, 6:00 pm

ZOOM Webinar

Members Present: Stacie Anderson, Mirtha Becerra, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Amber Sherrill, Sandra Vasecka, Heidi West

Members Absent: John P. Contos, Jesse Ramos, Bryan von Lossberg

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

1. CALL TO ORDER AND ROLL CALL

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

2. APPROVAL OF THE MINUTES

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Committee Schedule for the week of September 20, 2021

Committee of the Whole, September 22, 9:00 - 9:40 a.m.

Public Works Committee, September 22, 9:55 - 10:25 a.m.

Administration and Finance Committee, September 22, 10:40 a.m. - 12:00 p.m.

Mayor John Engen And thank you Ms. Rehbein. Any changes to the committee schedule this evening?

All right seeing none, we'll move on to the public comment portion of our agenda.

4. PUBLIC COMMENT

Mayor John Engen This is your opportunity to comment on items not elsewhere on the agenda this evening and if you would please keep your comments to around 3 minutes. Mr. Larson.

Matt Larson Hello City Council. This is Matt Larson, Ward 3. I am coming to you live from the great political outpost known as Flipper's Bar and Casino. Here at Flipper's, we're a little concerned about transparency, having to do with the police shootings and we'd like to, to show and have the City Council please read the guest column from *The Missoulian* dated September 16th entitled *More Transparency Needed in Police Shootings*. We've had 10 police shootings in Missoula since 2015. We have a new police chief who was brought in from the outside and not promoted from within in order to clean up our

police squad I believe, and we also have some open complaints against MPD, given the fact that they are not using their body cameras. So, there's just a lot of problems here that it would be very helpful to the citizens of Missoula if the City Council members would actually do something to provide equitable justice for those in their community, but I mean it's sort of par for the course. You know we got a; we got a county commissioners that run a jail with 25% native general populists. We have City Council members who just want to sit on their hands and not, not even address these issues and we have Chief White who's personally been involved in 34 officer related shootings in the last 10 years. So, we obviously know where he stands on this type of thing. Shoot first, ask questions later, but hey that's neither here nor there.

Mayor John Engen Because of Mr. Larson's personal attacks, I just cut him off. There are a variety of misstatements there, statements that are not bounded in fact and while this forum is certainly for public comment, it's not for the dissemination of misinformation. So, Mr. Larson, will not be able to continue that comment. Seeing no additional comment in the audience tonight, we will move on to our consent agenda.

5. CONSENT AGENDA

Mayor John Engen Items there, ladies, and gentlemen, were approved unanimously in council committee meetings and we save a little time on Monday evenings by considering these items all at once. Ms. Rehbein will read the list of consent agenda items aloud, pardon me, so those in the audience will know what we're considering, and we'll take comment on those items before we vote. Ms. Rehbein.

Marty Rehbein Mayor Engen, for the record, I'd like to note that Stacie Anderson has joined us hang on just a second I'm going to update our roll call.

Mayor John Engen Thank you.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (3): Alderperson Contos, Alderperson Ramos, and Alderperson von Lossberg

Vote result: Approved (9 to 0)

5.1 Accounts Payable (claims) for checks dated September 21, 2021

Approve accounts payable in the amount of \$837,620.21 for checks dated September 21, 2021.

Vote result: Approved

5.2 ESRI Enterprise Geographic Information Services (GIS) Software Maintenance

Agreement

Approve and authorize the Mayor to sign a three-year Geographic Information Services (GIS) Software Maintenance Renewal Agreement with ESRI in the amount of \$55,300.00 per year.

Vote result: Approved

5.3 Appointment to the Public Art Committee

Confirm the Mayor's appointment of Debra Parker to the Public Art Committee to fill a vacated term, beginning immediately and expiring on June 30, 2023.

Vote result: Approved

5.4 Appointment to the Impact Fee Advisory Committee

Confirm the Mayor's appointment of John Newman to the Impact Fee Advisory Committee for a term beginning immediately and expiring on November 30, 2022.

Vote result: Approved

5.5 Resolution to Authorize Submission of Community Development Block Grant Coronavirus (CDBG-CV) Applications

Set a public hearing on September 27, 2021, on a resolution to authorize submission of Community Development Block Grant Coronavirus Aid, Relief, and Economic Security Act (CDBG-CV) applications for financial assistance to the Montana Department of Commerce.

Vote result: Approved

5.6 Appointments to the City Board of Adjustment

Confirm the Mayor's appointment of Joe Dehnert, as Alternate 1, and Ryan Morton, as Alternate 2, to the City Board of Adjustment for terms to begin immediately and expire on June 30, 2023.

Vote result: Approved

5.7 Purchase of one (1) Mini Excavator for Street Dept.

Approve the purchase of John Deere 35G Mini Excavator from RDO Equipment of Missoula, MT for \$66,600.00.

Vote result: Approved

Mayor John Engen Are there any questions or comments from Council members? Seeing none, anyone in the audience care to comment on items on the consent agenda? Mr. Larson.

Matt Larson Yes, this is Matt Larson, Ward 3. I don't know what you cut me off there for but I'm going to continue on like an adult here. So, and speaking of fraudulent stuff, just check out some of the Mayor's campaign materials about lowering taxes that's, that's a big one right there, but anyway neither here nor there. I'd suggest that no one approve any expenditures to buy any capital assets for the City until a complete capital asset list has actually been provided because the general budget and the City is leaking money like a sieve. So, it does not make any sense to buy anything more until the City actually knows what it actually owns. but I mean I it's just par for the course here. It's just like a circus. I don't even know what to say.

Mayor John Engen And seeing no additional comment this evening, we'll have a roll call vote.

Mayor John Engen And the consent agenda is approved.

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

7. SPECIAL PRESENTATIONS - None.

8. PUBLIC HEARINGS

Mayor John Engen We do have two public hearings and Council Rules and State Law provide an opportunity in a formal way to hear from the folks we serve on a variety of issues and following a staff report on each, Council and I will invite comment. During the pandemic, our practice has been to keep public hearings open throughout the week until Council takes items on for a final consideration at their next regular business meeting. So, both of these items this evening, I'm sorry both public hearings will remain open. With that, we'll start with a Project Review and Outcomes for Community Development Block Grant (CDBG) & Home Investment Partnerships. This is a couple of significant resources of federal revenue that we use annually to help lift folks up in our community and our staff report this evening comes from Ms. Lisum.

8.1 Project Review and Outcomes for Community Development Block Grant (CDBG) & Home Investment Partnerships (HOME) Program Year 2020

The City Council will hold this public hearing open for a week and will take it up on September 27, 2021, under final consideration.

Kendra Lisum All right, thank you Mr. Mayor, let me share my screen here.

Karen Gasvoda Okay thank you. And I'm Karen Gasvoda, I'm a grants administrator with the City's Community Planning Development and Innovation, along with Kendra Lisum and Deputy Director, Montana James. And one of the obligations the City must fulfill, as an entitlement city for the Federal Community Development Block Grant and the Home Investment Partnerships Program is to prepare a yearly consolidated annual performance and evaluation report. Each program year runs from July 1st through June 30th, and we are here today to present our end of the year report for our program year 2020 CAPER, and as a reminder, these are federal funds that do not come out of the City's budget. Each year the city receives federal funds from the Department of Housing and Urban Development. Missoula has been an entitlement city for CDBG since 1999 and a partner, participating jurisdiction for a HOME since 2003. These funds help benefit individuals with low and moderate income and leverage resources to improve the supply of affordable housing, public improvements, and public services. Low- and moderate-income residents are classified as those whose income does not exceed 80% of the area median income, which in Missoula for a family of four is \$75,000.00. Area median income is the household income from the middle household in a region. So, when we say we help those with incomes that do not exceed 80% of AMI, we're saying, as an example, that we help households of four who make less than \$60,000.00 a year. The CAPER is our chance to tell the story of what we accomplished using our federal funds over the past year. We report accomplishments in connection not only to our annual goals, as outlined in our Annual Action Plan, but also in relation to the larger goals we set in our consolidated plan which is published every 5 years. Program year 2020 was the second year of our 2019 through 2023 consolidated plan. Our CAPER is the culmination of a 16-month process that begins with applications for funding. As mentioned, the applications we ultimately choose must align with community goals, consolidated plan goals, and housing policy goals. Once the program year begins on July 1st, the progress we make towards these goals are reported through the CAPER. In program year 2020, we were awarded nearly \$577,000.00 in CDBG funds, \$394,000.00 in home funding, and \$705,000.00 in CDBG, CARES Act funding. With those funds, including any program income we received from past projects, we were able to fund a total of 12 projects. While we received approximately the same amount of funds each year from HUD, with the addition of the CARES Act funds in 2020, the funds aren't adjusted for inflation, which means we have to do more with less money. In 2020, we funded two home projects, the Trinity Apartments Project, partially funded in program year 2020 was a collaboration among non-profit developers, private developers, and supportive service providers. Our ultimate goal is the construction of 202 units of homes people can afford on two separate sites. Trinity

broke ground in spring 2021 and is expected to be completed in 2023. In addition, community housing development organization operating expense funding was provided to Homeword to support their development of the Trinity Apartments and other HUD funded projects. It is also important to note that the Bellagio Home Development Project, which is planned to create 200 new units also broke ground in program 2020; this project was funded in program year 2018. In 2020, we funded a total of 10 CDBG projects, 2 for public service and 4 CDBGc projects. CDBG funds supported the YWCA's Meadowlark Facility which opened its doors in May 2021. The Meadowlark provides a comprehensive array of services to homeless families and families at risk of homelessness in one location and ensures that families are sheltered the same night they lose their housing. The goal was to house 225 families. As of this report, 34 families have been housed at the Meadowlark. The rifts of 25 ADA unit homes at Clark Ford Commons have been replaced. This project has addressed the city's goal of preserving and managing existing affordable housing stock in Missoula. In addition, the Human Resource Council's Owner-Occupied Rehabilitation Program, which was funded in program year 2019 is processing small rehab loans for people with low incomes. Two households have completed renovations and six are in the process of rehabilitating their homes.

Kendra Lisum All right, thanks Karen. Up to 15% of CDBG funds can be allocated for public service projects. In program year 2020, we funded 4 projects. The Housing Retention Project allowed the Poverello Center to hire a housing retention specialist to work with high barrier individuals and support them in retaining housing. Our goal for this project was to support 50 individuals and we were only able to support 20 in part due to the transfer of the position from the Poverello Center to the Open Aid Alliance in April of 2021. The Rapid Intake Project provided immediate access for those experiencing homelessness to referrals and appropriate services with the focus on employment and housing. Our goal was to support 1,300 individuals and we did. The YWCA's Ada's Place provided emergency housing support and case management to people experiencing homelessness. Our goal was to help 250 individuals and we fell short of this goal thanks to the opening of the mental work which actually housed those that would otherwise use this service. Homeword served Missoulian's through their financial renter and homeownership classes and counseling. These classes help prepare individuals for homeownership, be savvy renters, and plan for financial success. Thanks to the CARES Act funding of 2020, we were able to fund four additional projects to support our shelter system and unsheltered homeless populations during the COVID-19 pandemic. The Missoula City County Health Department's Community Outreach coordinator was funded to provide service to unsheltered homeless individuals

placed in COVID-19 quarantine and isolation locations. The Health Department fell short of their goal to serve 312 people, but this project has been continued into the winter of 2021 and so it'll no doubt reach its goal by then. The increase in the number of individuals experiencing unsheltered homelessness not only proves the serious impact of COVID-19 on the Missoula community, it also shows how important the COVID-19 Homeless Outreach Project or CHOP is in supporting those who are unsheltered. The intent of the CHOP position was to provide outreach services to those who have left the emergency shelter to socially distance themselves. This project too far exceeded its goal. The intent of the emergency shelter sanitation project was to ensure that the Poverello Center is as safe and sanitary as possible for its guests, volunteers, and staff. The goals of the project were to (1) Keep the coronavirus from transmitting among individuals experiencing homelessness; (2) Provide a sanitary environment for the Poverello Center; and (3) To retain the Poverello's essential employees by taking every measure possible to ensure a sanitary work environment. The Emergency Winter Shelter Project provided safe, expanded shelter capacity to Missoula's unhoused population during the harsh winter months. From its opening on November 1, 2020, the emergency winter shelter was fully staffed 24 hours/7 days a week. Beginning in April, the shelter went down to operating 12 hours a day, providing a place to sleep for those who would otherwise experience unsheltered homelessness; this project also exceeded its goal. These projects will have long lasting impacts for our community, and you can see here an overview of the outcomes. And then if you're interested in commenting on our CAPER, please go to engagemissoula.com until September 27, 2021, or you can email Karen or myself at the email addresses is listed here. Thank you.

Mayor John Engen And thank you both. And I will open the public hearing, keeping in mind that this public hearing will remain open for a week. Anyone interested in commenting on the CAPER this evening? Mr. Larson.

Matt Larson Hi, this is Matt Larson, Ward 3. Thank you for allowing me to speak again. I would urge everyone not to comment on Engage Missoula because as I've found, the comments are only aggregated every seven days from Engage Missoula to actual recipient, recipients they're supposed to go to, but that's just been my experience over months and months and months. I'd also like to remind everyone that these meetings are not done in a hybrid fashion, which the City has the capability to do but.....

Mayor John Engen Mr. Larson.....

Matt Larson Hey, hey please stop interrupting me.

Mayor John Engen Nope. If you'd like to comment on the CAPER, you had that opportunity. Anyone else care to comment this evening? All right, with that, we will keep the public hearing open until next week when Council considers this. Finally, our second public hearing this evening is on a Resolution Setting Policy for the Missoula Redevelopment Agency. In conversations with Council members, the intent is to return this item to committee for further consideration. So, I will have a public hearing this evening. Council doesn't plan on taking any action on this item for some time and with that, we have a staff report this evening from Mr. Bickell.

8.2 Resolution Setting Policy for the Missoula Redevelopment Agency

The City Council will hold this public hearing open and continue discussion on the matter in Administration and Finance Committee at a later date.

Dale Bickell Can you hear okay?

Mayor John Engen A little challenging Mr. Bickell.

Dale Bickell Okay hopefully my mic... Is that better?

Mayor John Engen It is.

Dale Bickell Okay I will now share my screen. And are you seeing the presentation?

Mayor John Engen We are, well we're seeing a blank screen at the moment. Now we see it.

Dale Bickell Very good. Okay Dale Bickell, the City's Chief Administrative Officer. I am going to run through a similar presentation that we've heard in committee over the past 2 and we'll get started here. Just to cover, in general, what is proposed by the resolution before Council. The first issue area is to ensure there's an appropriate balance between resources that are available in our Urban Renewal Districts versus the operating revenues needed to support all the local taxing jurisdictions. And what the proposal, the resolution does is provide the limitation on the amount of tax increment based on percentage of the incremental value versus city-wide taxable value. The issue area two that's being addressed in the resolution is to ensure comment from local taxing jurisdiction is considered as part of the MRA Project deliberations and this proposal does that by expanding MRA board members, membership to include non-voting official members from local taxing jurisdictions. And then issue area three is ensure city and MRA goals are consistent, particularly in areas of housing and infrastructure development and, and that would be to proposedly to adopt a joint strategic plan of the city and MRA to support the overall goals of the City. Now this, this presentation will go through the details of each of those issue areas. First I want to talk about the guiding principles that we are using to craft this resolution and the, and the additional work that's to come before us, as we return this to committee

and continue to do some work. The first guiding principle is a balance, ensure appropriate balance is this between the resources available in the URDs versus the operators and taxing jurisdictions. We talked about that but just to make sure that, that balance is appropriate, make sure it is predictable, that we have a system that provides MRA predictability on the scale and timing of remittances under such a resolution and that the city and other working governments can predict and plan for revenues that might come from MRA or other projects that MRA might be funding. And also, some flexibility, we need to ensure the ability of MRA or any of the agencies to take advantage of opportunities and mitigates risks as they arise. So they happen, unanticipated priority projects may emerge in one of the URDs that we need to be able to react to and additionally unforeseen issues in taxing jurisdictions may emerge. I just put an example there of COVID where we may experience more expenses than were originally anticipated and we may need some flexibility in the way we may try to fund those expenses. So back to the issue areas, I'm going to just go through a couple of these quickly and spend more time on the limitation. One of the issue areas is creating a joint strategic plan and make sure that we jointly identify strategies consistent with a citywide strategic plan and the growth policy with a priority on housing and infrastructure. It's important to acknowledge the lifecycle of Urban Renewal Districts in, in this in the strategic plan and I'll talk a little bit about that on the next slide. And make sure we articulate the parties that MRA will consider as part of its deliberations on improving projects. On the, on the life cycle, this graph shows the life cycle of an urban renewal district. You can see early on when the TIF is adopted, there isn't much increasing in the, increase in the tax base. You know we rely on private sector investments, and you know the and with the incentives that TIF provides to do to do you start building that tax base and as the tax base matures, there is additional tax base within those increment districts and, and then the focus of those districts then shifts to the public style projects of infrastructure and creating a strategic plan that is mindful of that is important. Issue area number two here is board representation, and the proposal is to add non-voting ex official representatives to MRA's board, so that would include the chair of the A&F Committee of Council, a designee from Missoula County Public Schools, and a deputy from the County Commissioner's office. We believe to facilitate communication with the other taxing jurisdictions, provide a broader perspective on community needs, as MRA board deliberations happen, and it will enhance the community benefit of tax income funding. And then finally, the issue area is the limitation of incremental taxable value. So, under the resolution, as proposed, it, it proposes that the cumulative total incremental taxable value of all Urban Renewal Districts shouldn't exceed 9% of the total taxable value of the City. And so, to the extent that, that, that

amount is over 9%, that the revenue under that amount would have to be remitted through the tax and jurisdictions. However, there are some limitations on the limitation. These have to be subordinate to increment revenue bonds. We have contractual debt covenants that can't be violated by these caps, and I talked about how that is any remittances would be refunded or paid to taxing jurisdictions proportionate to the, to their share of mill levies. This is a little bit of history on taxable values in the city's URDs. So historically, we've had increment values of about 4% of the total tax base. It went down a little bit here in these years, if you look at the years prior to this it's, it's really similar. However, in 2018, you can see the big increases started happening. You know and I think two things happened at that time, the real estate market in Missoula and in Montana started getting really hot and we started seeing you know more rapidly rising property values and, and, and more new construction. And also, it was also the implementation of a two-year reappraisal cycle that started at the state. Prior to that, it was a six year reappraisal cycle, and those values were phased in. Now with the two reappraisal cycle and all of the value is placed in on the first year. So, I think both of those things have contributed to this rapidly growing tax base. It happens outside of the URDs, as well as inside, but as you can see, the increase inside the URDs is growing quite a bit faster than outside of the Urban Renewal Districts. This shows a bit of the scale of the increases. So, as you can see as the yellow or tannish represents the total tax base. The incremental value is, is in green and you can see it starting to increase at the bottom and so still while green it's still not a big portion of the tax base but that green bar is growing. Also is our two previous revenues that have happened in recent history. In 2020 and in 2019, in these amounts, both of those remittances returned approximately \$750,000.00 to the City General Fund. And this is just an example of the growth in value between the TIF districts and the normal tax base. It's hard to see the, because of the smaller piece of the pie, that our district is, that, that the increase is there but this attempts to show that diversion. Looking specifically at the tax increment districts, you can, this is, this, this shows over time the changes in the values of the districts, and you can see particularly URD-II and URD-III are our most mature districts and those districts that are later in its life cycles are, make up most of the, the incremental value in our, in our URDs today. Peer city comparisons, I think it's important to note how Missoula does compared to its peers in other cities. You can see Missoula and, and Butte, Silver Bow are, are, have the highest percentage of taxable value in increment districts and I've and, and I think a lot of that it relates to that Missoula and Butte have, have used tax increment financing for a long time and some of these other communities have, are early new to it, particularly Helena and Bozeman. There's just a little bit of mechanics on how our remittance works, presuming a 9%,

presuming a 9% limitation, MRI will look at the amount of the remittance required and determined, has the flexibility to determine based on criteria such as these on where that remittance should come from, and it would tend to come from districts with more capacity later in the life cycle such as URD-III. Again, as state law requires, remittances that are proportional to each taxing jurisdiction's mill levees and here's an estimated cost, as proposed if 1% remittance, that is. If 1% of the incremental value over the limitation, over the tax increment limitation would cost, the total remittance would be about 1.6 million per 1%, and the city's per rata share of that would be about \$429,000.00. Again, this is another pie chart of the Urban Renewal Districts and where the value is today; this is FY22. You can see URD-III and II. The most mature districts are the ones with the most taxable value. The next part, I'm going to talk a little bit about how the remittances would both affect MRA and The City, particularly the City General Fund. So, this first scenario, I'll discuss, is just what a potential remittances looks like, just driven only by potential new projects. And so, working closely with Ellen Buchanan and at MRA, we, we estimated taxable value of known high priority city projects that we anticipate being completed in the, in the next 2 to 4 years. So, Riverfront Triangle, a very large project, potential taxable value of 2.2 million and then Scott Street area housing project. The Scott Street Housing Project, the City is partnering with [inaudible] on and some of the other known housing projects that MRA is supporting, that brings on another \$520,000.00. So, a total of about 2.8 million in new taxable value, that would increase total incremental value, this is assuming that everything else is frozen, total incremental value goes to about 18 million and almost 178 million in total but looking at scenarios of a 9% or a 10% cap. You can see that these projects, just these projects alone, would, would trigger a remittance and a sizable one over the cap at a 9%, which is you know presuming it would be out of the URD with the most capacity. It'd be about 33% of that district's revenues and then at 10%, it's quite a bit smaller at \$184,000.00 remittance, with the city getting \$48,000.00. The next analysis looks at projected taxable value and incremental values using the growth rates, forecasting the growth rates that we've had since 2018 and looking at the next five years. So that is a huge caveat, and we are projecting on some of the fastest growing property values we've seen in Missoula history and so I just want to say that, you know, these are projection. All I know about them is that they're gonna be wrong compared to it, but I think but I think the reasonable, but we use some reasonable estimates related to trying to figure this out. So, what this is showing is you know that we're going to show total taxable value is going to grow and it's been growing at an average of 13.99% in each of the appraisal years. So, these are averages of the since we've had the new two-year appraisal cycle and this is what we would estimate our taxable value changes are in each of the

next few years, assuming that's it's pretty flat in the years there was not an appraisal and pretty large in, in the reappraisal years. Total change in incremental value is quite large and the same issue, though I did, it was about it was I'm using 50% of the recent average because there were some adjustments made in commercial properties in the first years of the reappraisal cycle that I think were one-time corrections and we don't have to anticipate those growing nearly as quickly as they had. So, we did use this, though I would argue this is still a very aggressive 24% increase that changes in incremental value then you can see the percent, percent of incremental value over total taxable value how that would continue to increase in this scenario from 8.8% projected next year all the way up to 15.4% if these projections hold up. And the bottom chart here is the, what, what the remittances look like. So, at 8.8%, you know, no remittances required. They start coming in though in 2024 and you can see that differences in the remaining remittances based on either 9% limitation here on this green bar or a 10% limitation here in blue. And the other, as you see, the remittances continue to increase and 9%, particularly it starts exceeding the value in URD-III, and so other districts would have to contribute as well but this is just for this is just an example of kind to just kind of weigh the scale of the of those potential remittances. And then finally, talking about the General Fund projections over this time, you know this is, the General Fund gets to grow in two ways. One is from General Fund tax which is half of the inflation rate by law, and this is the estimate of what that looks like based on the inflation rate we use for the FY22 budget and then we get value from new revenue from newly taxable property, new construction, annexation, and those types of things. And this shows the growth in dollars, this results in General Fund tax growth of 3%, 3% sounds inflationary but in a growing community like Missoula, while it does provide the ability to, to almost keep pace with inflation, it really, what it really does is doesn't pay for growth. We don't have the ability as new streets are built and new populations move in, and we need to add police officers and other services, we don't have the opportunity to do that with, with the limitations in our property tax revenues the way they are now. And so now remittances would certainly help us maintain and continue to grow City operations, as the City increases. And the other thing I want to say is that this is based on a newly taxable property number, in particular, is based on an average. So, we're certainly going to have highs and lows there. This next graph shows that, this big peak we had here in FY20, that was due to the large annexation out by the airport so that's a bit of anomaly those previous numbers were adjusted to take the annexation out, but you can see in these past few years, you know the average has been quite low compared to past history. This tan bar on the high with the average from FY01 to FY10. Even in our hot real estate market from FY11 to FY22, our tax-based growth

numbers have been lower than they were traditionally. We did get a great number this year, above even the average of just, just above or at the average, but that is a continual constraint that we have is just that we do not get the value of new construction we used to and so that continues to compound the constraints on our General Fund. So that's the end of the presentation. I'm happy to take any questions and if there are any.

Mayor John Engen Thank you Mr. Bickell. And with that, I will open the public hearing. Anyone care to comment on this policy recognizing that Council will be considering this over time? Mr. Larson, you have violated all of rules of decorum this evening, and I will not allow you to speak further. If this meeting were in person, you would have been removed. I hope that you can, I hope that you can follow the rules and we would like to invite you back, but for this evening, not so much. Mr. Balon. Mr. Balon, it looks like you're muted.

Mark Balon Okay, can you hear me now?

Mayor John Engen We can, thank you.

Mark Balon Oh, thank you very much. Well, thank you Mayor Engen, thank you Council members.

Mark Balon My name is Mark Balon. I'm a board member for the Missoula Midtown Association. I'm here on behalf of the board to read a statement into record. I believe you were provided with a copy of it and so I'll just get right to it. So, statement to the Missoula City Council regarding the resolution to set MRA policy. The Missoula Midtown Association works to provide resources and information related to the success and growth of healthy business community and to enhance the quality of life and quality of place for visitors and residents alike in Missoula's vibrant commercial and residential district along the Brooks Street Corridor in Midtown Missoula. Midtown is changing rapidly and much of the beneficial development of our district utilize Urban Renewal District-III, investment of tax increment finance funds. In the last few years alone, TIF funding has been instrumental in the creation of vital east-west connections, new residential units, bike, and pedestrian trail connections, MRL park and infrastructure improvements to support large commercial development resulting in numerous jobs. Many of our members have been able to improve dated properties with aging or little infrastructure along Brooks Street Corridor with facade improvement projects, landscaping, and sidewalk projects in the public right-of-way because of the URD-III TIF investments. Furthermore, we have started an 18-month master plan process for midtown, to plan and encourage further redevelopment of this expanding commercial and residential district. All of our work to increase housing density, promote livability, and support businesses and residents in midtown could be in jeopardy without healthy economic development tool

to help us implement the priorities of the finished Master Plan. Even at this point in the process, we can articulate to Council that midtown needs more east-west connections, affordable housing, project adjacent to the MRL park, utility extensions for upcoming housing and commercial development, and the largest and most important project vital to the district, the completion of a decades-long process to reconfigure Brooks Street for multimodal transportation and improve traffic for everyone in Missoula County. Missoula Midtown has been waiting for two decades for the right moment to redevelop. We have patiently built the increment and laid the groundwork to build so we can have the quality of life that other Missoula neighborhoods have. Our residents need the infrastructure identified that improves health outcomes. We urge you not to rush to action on this resolution and to take a much closer look at the proposed cap on TIF funding and how it directly affects Urban Renewal District-III, and the momentum of the district's redevelopment efforts. The resolution could deplete resources for workforce and affordable housing projects to be identified in the Master Plan and jeopardize the city's ability to provide a local match for federal funding for Brooks Street corridor improvements. This resolution, in its current form, will have lasting effects on the future of Midtown and now is not the time to deprive this district of the one economic development tool we have. Contacts for this statement Lauren Hutchison, Missoula Midtown Association Board President, Mark Balon, Missoula Midtown Association Past President from missoulamidtown.com. Thank you and I will be available if there are any questions.

Mayor John Engen Thank you Mr. Balon. I apologize for having mispronounced your name for many years and I won't make that mistake again. Seeing no additional commenters this evening among our attendees, Council members questions or comments? And Ms. Jones.

Alderperson Jones Thank you. I just wanted to give a few brief comments. We've had this in committee several times and we've opened the public hearing tonight, but I did want to reiterate that we're sending it back to committee and it will probably be several weeks before we actually see it in committee, because frankly it needs some work. I wanted to say that the times that we've had it in committee, we've actually had really good discussions, thoughtful questions, thoughtful comment, including tonight and all of that has helped to, help us take a really good look at this and I, I wanted to also go back to the guiding principles that Dale had put up on the screen and just say those again because that's, that's the goal here. The first one was to strike a balance between resources, between the URDs, and the operating revenues of the taxing jurisdictions. The second guiding principle is predictability, both for the MRA in planning projects and for the City in predicting and planning for

remittances. In the last 4 years, I think there have been 2 remittances that were done, and they were both really after we got the Department of Revenue numbers in and we're finalizing the budget, and it was clear we needed to look at that as a resource. That's pretty reactive instead of proactive, so a big goal of this is to be, have more predictability and I think that that's a good thing for MRA, as well as the City and the taxing jurisdictions. And then finally, flexibility is the third item Dale referenced in terms of guiding principles and having the flexibility for being able to accomplish some of the really big strategic projects that MRA has laid the base for, for years and for decades, and also being flexible when the City is needing resources for the General Fund. So, there's a lot of a lot of balance here, a lot of competing interests that we are working with, and I think we've gotten a lot of good information in. I think we need to spend some time analyzing, is a cap the right tool? Are there better tools to get at this in the long run? Is 9% correct? Does it need to be a higher cap number? So those are, those are the things we're going to be spending some time on analyzing and working through in the next few weeks and then if we can get it to a good point, we'll bring it back to the Administration and Finance Committee. So, I welcome more public comment on it that's thoughtful and helpful and gets at the substantive issues. It has been helpful to date, and I appreciate everyone's time on this. Thank you.

Mayor John Engen Mr. Hess.

Alderperson Hess Thanks. I don't have a lot to add. I, I think it's important to note that we are dealing with structural problems with financing municipal operations, given the dearth of revenue options provided to us by our Legislature. The Missoula Redevelopment Agency and Urban Renewal Districts provide the single greatest opportunity to shape development in our, in our community and this resolution is intended to codify good practices and that are that are existing and, and as Gwen mentioned it's designed to, to meet those three goals that that Dale had outlined: those three guiding principles. So, it's a good discussion. I look forward to continuing to have it, but we need to look into some of the unintended consequences a little further and, and have this back in weeks or months or however long it takes. Thank you.

Mayor John Engen Thank you Mr. Hess. Further discussion? Well for my part, I, I appreciate that you all are having this conversation. I am an unabashed proponent of Urban Renewal Districts and the tool that is taxing from and financing the work that that tool and the redevelopment agency through its board and through the actions of the Missoula City Council in collaboration with, with the Executive Branch of the City of Missoula have done remarkable things over the years. And the investment that we've been able to make using that tool have produced the community that we see today and in many cases, I

believe a lot of what we appreciate very much in the City of Missoula would go missing but for the tool. And as we move forward, I also believe that if we are ever to be in a position, which I think we are of really making meaningful progress in affordable and workforce housing for our community that TIF and the Urban Renewal Districts and MRA will play a critical role in that. The Montana Legislature has done its best to, to constrain municipalities just like ours from using this tool to its full effect. This is a tool that the, the legislature allowed. It's been on the ground and in practice in communities throughout the state and again but for a few exceptions, I think has been a remarkable instrument for public good. So, I hope as a function of this conversation that, that we, we don't end up constraining ourselves. There will be lots of folks who are spending time in Helena trying to do that for a variety of reasons, some of which I don't actually even understand but I would hate for us to be our own worst enemy as we consider how we move forward. I also believe that the balance exists today and, and I, I hope that as Council continues its discussion, that it recognizes the, the balance that I think is in play today and, and also the challenges of trying to, trying to create predictability in, in the in the face of something that I think is fundamentally unpredictable. We make projections and we make our best guesses but in the moment, the flexibility that we have today allows us to, to take advantage of the remittance tool when we need to. We don't need that tool every year and we often don't need, we often don't know that we need that tool until the time is upon us and that's, that's really the sort of flexibility that I think is, is inherent in the way we're operating today, and I think we've exercised that flexibility with, with prudence and good judgment and to good effect. So, I appreciate you all thinking about this in a meaningful way and the work that's gone into the resolution to date. I look forward to, to further conversations and refinement, but again I, I wanted to make it very clear that at least from my perspective, this, this tool is indispensable to the City of Missoula and to jurisdictions around the state and, and I would urge caution, as we as we consider refinements. I don't have a problem with them, but I sure want them to be the right ones so that we don't end up kicking ourselves at some point. So again, thank you. The public hearing will remain open, conversation will remain open, and I'm grateful for all of that. We don't have any additional public hearings this evening.

9. FINAL CONSIDERATION

Mayor John Engen We do have an item for final consideration and that comes from the Land Use and Planning Committee. Mr. Hess.

Alderson Hess Thanks Mayor. Apologies while I get to the right screen. Work from home has increased the number of tabs that I have open at any given time. All right, I move that we adopt a

resolution to annex and within the boundaries of the City of Missoula, two (2) parcels of land as shown on Exhibit A and England Boulevard right-of-way adjacent, located in the S ½ 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 subject to the recommended condition of approval. And if I may speak to the motion?

Mayor John Engen Mr. Hess

Aldersperson Hess This is a routine annexation for a parcel that is almost completely surrounded by city land or land that is within the city. It will provide needed housing stock and it will be consistent with the neighborhood character. The city staff, as we've seen through the public hearing and the Land Use and Planning Committee process have done due diligence and have recommended a thoughtful zoning option that meets the intent of the growth policy, despite some, some oddities about the land use map. So, I'm happy to support this. Thanks.

Mayor John Engen Thank you. Is there further discussion on the motion? All right...I'm sorry, Ms. Harp.

Aldersperson Harp Sorry, just a little slow to the punch tonight. In, in committee this week, I had asked the applicant to give us a little context in terms of what estimated rents were going to be and, and the reply at that, on Wednesday of last week was for one bedroom it was going to be in the \$800's and for a two-bedroom it was going to be in the \$900.00 range. And just so that folks have a pretty good understanding of where that falls, I just want folks to note that actually falls in between 40-80% of AMI for the vast majority of family households that range from 1-8. So, I'm very much in support of a project like this from the private sector that is trying to do its very best to build some housing that is affordable for a segment of our population. Thank you.

Mayor John Engen Any further discussion? Ms. Becerra.

Aldersperson Becerra Thank you. I just wanted to say that I am fully supportive of this, based on the zoning and the land uses surrounding this property. It makes, it make sense. I had raised questions about what this will do to the traffic flow in this area. It's already encumbered by, by that same, the same uses that we see in this area, commercial and now some residential and I want to thank Kaitlin for following up and, and giving me some, some answers, as to what the future holds in terms of transportation improvements for that area as a part of the build grant, as well as some other local infrastructure projects that will be taking place. So, the, at the time of building permit those will have to be addressed but I just wanted to say thank you for, for the extra information.

Mayor John Engen And Ms. West.

Alderson West I just wanted to thank Kaitlin for her very thorough explanation of how the designation of B2-2 was arrived at. I think that having an auto-centric business is definitely like a car lot is definitely not the appropriate use for this part of town, and I just really appreciated, you know, the very thoughtful recommendation of the, the zoning that is recommended.

Mayor John Engen Any further discussion? Seeing none, any attendees for the comments this evening? Seeing none, we'll have a roll call vote.

Mayor John Engen Any further discussion? Seeing none, any attendees for the comments this evening? Seeing none, we'll have a roll call vote.

9.1 Referral and Staff Report: England Boulevard Annexation

Moved by: Alderson Hess

Adopt a resolution to annex and incorporate within the boundaries of the City of Missoula, two (2) parcels of land as shown on Exhibit A and England Boulevard right-of-way adjacent, located in the S ½ 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 subject to the recommended condition of approval.

AYES: (9): Alderson Anderson, Alderson Becerra, Alderson Harp, Alderson Hess, Alderson Jones, Alderson Merritt, Alderson Sherrill, Alderson Vasecka, and Alderson West

ABSENT: (3): Alderson Contos, Alderson Ramos, and Alderson von Lossberg

Vote result: Approved (9 to 0)

Mayor John Engen And the motion is approved. We have no additional items for final coming in, final consideration this evening.

10. COMMUNICATIONS FROM THE MAYOR

Mayor John Engen Folks here and folks in the audience heard last week from our hospitals, healthcare providers, and health professionals in our health department about the, the seriousness of the delta variant and the rising number of cases of COVID-19, and the strain that is putting on our system and I will once again simply remind folks, at the risk of sounding like a broken record as many of us do right now, that that a vaccine in your arm will do a great deal to protect you and your family, friends, and the community. And our hopes of normalcy all rely on individuals taking responsibility for their actions and a vaccine is a, is an act of civil service and community building, and wearing a mask and washing your hands and all of those protocols that we've grown exhausted from over time still matter and still make a

difference. So, I hope that folks are hearing that. I hope that folks are taking this as seriously as we, as local leaders, are taking it because it doesn't take much for, for a tragedy to strike and when hospitals are full and needs are great, we are in trouble. We're doing our best through our work with the State of Montana. We expect a national guard deployment here in Missoula by the end of the week. There are some moving parts around that and some logistic issues that we're continuing to work through, but we're, we're back in this full force and we need more help than we've frankly ever needed. So, now's your time to do your part. We're certainly all doing our best to do ours and together we can, we can help to put a lid on this. So, thank you.

11. GENERAL COMMENTS OF CITY COUNCIL

Mayor John Engen We'll begin comments from Council members this evening with Ms. West and Ms. Jones.

Aldersperson Jones Yes, thank you. Thanks for those comments about the current state of the pandemic in Missoula but I actually wanted to talk about something else tonight. I just wanted to make some brief comments. A constituent of mine, Stan Nicholson, passed away about a week ago. He was a delightful person that I got to know since I got on Council. He contacted me after I was elected, and we had many discussions at his house on property tax and tax policy and tax reform. He was just incredibly intelligent and kind and caring and curious, and he just had such a wonderful story. He grew up in Missoula. He went to Paxson Elementary School and the University of Montana, and then got a Ph.D. in economics at Duke University and wound up working abroad in Nigeria for USAID. He worked at the Brookings Institution and was a director of the Fulbright Program in Washington DC, and then he was a vice president at Colby College and then he and his wife, Colleen, returned to Missoula for retirement. So I was, I was so lucky to have gotten to know him the last few years. He was a wonderful part of our Missoula fabric, and we will miss him.

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

Aldersperson Merritt I just want to express my support for all of our medical professionals who are working so hard in these conditions and, and to reiterate what the Mayor just said by getting vaccinated if you're able and wearing masks and staying home again if, if you're able to do that. We talked at the very beginning of this pandemic about flattening the curve and there's never been a time that it's more important to try and do that. Our, our hospital staff have expressed repeatedly how exhausted and overwhelmed they are and the best thing that we can do for them is to stay healthy and the ways to do that are to get vaccinated, wear your masks, and stay home if you can.

Mayor John Engen Thank you Ms. Merritt. Ms. Sherrill.

Alderson Sherrill Thanks, I'm gonna be a little bit of a broken record too. I appreciate your comments Mayor. I, I wanted to add to that that currently all of the Idaho hospitals are at crisis standards. That is a big deal because when you talk about diversion that means you're sending patients back and forth to hospitals. We continue to break records of hospitalizations. I believe we were at 50 today and the average age of those hospitalized is now 45-50-year-olds. During the height of the pandemic before, I guess maybe we're at the height of a pandemic hopefully. Before there was a vaccine, the average age of those hospitalized was closer to 80 years old. So, this is, this is a real thing for people that are younger and it's putting a real strain on our system that I continue to be very worried about. Please get vaccinated.

Mayor John Engen Ms. Vasecka.

Alderson Vasecka I'll pass, thank you.

Mayor John Engen Ms. Anderson.

Alderson Anderson Thank you Mr. Mayor. I will join you in what sometimes feels like yelling into the void about this issue and the pandemic, and like Ms. Sherrill says, we are breaking record numbers in no good ways. Record hospitalizations, record number of cases, and this, this is our height. We were, we talked about this for the last year and a half and it is now here, and it is incumbent upon all of us to do what we can. And I just, I think we need to think about what's happening in our hospitals, beyond just the COVID cases. I think that there is a naivete in our community about well I'm I've already had COVID, or I had my vaccine, so I'm fine, it doesn't matter. You know heart attacks are still happening. Car accidents are still happening. Strokes are still happening. Emergencies during pregnancies are still happening and these require crisis level care in our ICUs, and those are full with people who have chosen, for the most part, not to get vaccinated. So, there are still needs ahead for our for health care and they are not getting met because our hospitals are at max capacity. And like Ms. Sherrill said, in Idaho they are at crisis level of care, which means they are literally triaging and assessing care to those who are most likely to live. Everyone's not getting the same account level of care. They're not getting the level of care. The hospitals and the staff were all trained to be able to provide because there's not the resources, there's not the capacity, there's not the beds. And so, this is the what we all feared was going to come is now here and we need to be doing more than we're doing now. And I have heard from numerous people who are asking why are we not doing more at the county level, the city level to mandate whatever and it's because our hands are tied. The Legislative, the last Legislative session put

all sorts of rules in place to not allow for us to have some of the mandates we had in place a year or more ago. So, it is now upon all of us to actually do those ourselves. As Ms. Merritt said, wear a mask, stay home if you can, limit your circles, avoid crowds, just you know just for a little bit longer, do the right thing for your fellow Missoulian because they need it now more than ever.

Mayor John Engen And Ms. Harp.

Alderperson Harp Thank you. I wanted to give my condolences to Colleen Nicholson. As Gwen mentioned before, Stan left us about a week ago. One of the things that he also did and amongst that huge litany that list that you gave Gwen was he spent the better part of two years traveling around the State of Montana in the 80's, to really talk to the various different communities and talk about what we could be doing differently about taxation, and I learned a lot from that man. he gave me a book recommendation called *A Fine Mess* by T.R. Reid. It's a book that I think really could be a really great template for how we could do things better, not just complain about how our tax system is but actually pivot and actually do something about it. So, Colleen, my heart is with you. I too will talk about vaccines tonight, like I did last week. And I got to thinking about what I said last week, and I figured, I'd just continue on a little bit. I look at vaccines sometimes as almost like the easy button for addressing this particular pandemic. So here are the other things I wish I there was a vaccine for, that I would gladly take. One for depression, anxiety, inferior-anterior crucial ligaments, which are found in your knees, cancer, dementia, poverty, strokes, cases of the old or old age, heart attacks. I would love to find a vaccine for potholes and traffic or even just to remember my passwords, or even just a little bit of self-righteousness, but the reality is, there are no vaccines for those things. They are there for the kinds of conditions that are caused by viruses such as polio, small packs, smallpox, measles, mumps, rubella, rabies, cholera, hepatitis A, B, typhoid and encephalitis, and anthrax. And we have an opportunity folks, to actually do something that is very low cost and has a tremendous amount of personal responsibility to one another. And I think about, in *The Missoulian* this week, they did a really great story on Nathaniel and Blake Kaiser, 32 and 30-year-olds who have a 14-month-old, and she's pregnant. And the story of what it takes, the toll this disease takes on people who are in their finest health. The 2 1/2 months of recovery, the time lost at work, the time lost caring for other things that go on in life, or just plain out being fearful of what is yet to come or losing a spouse or losing a parent. These are things that can be easily solved if we do step up and do the right thing. And, and I know, I, I said this all in tongue-in-cheek with trying to get a vaccine for all of our, our classic ills of our society, but really this is something that

we can do so very easily. Think about it and, and really think about who you can affect in a positive way, and do your part. Thank you.

Mayor John Engen Ms. Becerra.

Aldersperson Becerra Thank you. I have not asked people to get vaccinated in the past. I don't think but this time I am please asking that you do it if you can. Do it for the little ones, they are the future of this community, they cannot get vaccinated. Do it for those who are immunocompromised and finally do it for all the healthcare providers. They, they are struggling and, and I think this is the time to, to get it done. On a more positive note, I would like to thank our Streets Division for giving some little love to some streets on the west side that were in much need of some improvement. So, I know that they do a lot with very little and I'm just fully appreciative of that. So, thank you.

Mayor John Engen And Mr. Hess.

Aldersperson Hess Thanks Mayor. I was just thinking about what I could even say about vaccines. I, I wonder if, if anything that I could say could have an impact based on the fact that there have been so many people saying so many things for so long, and we remain in a society where science doesn't rule the day, and common sense doesn't rule the day and conspiracy theory does. So, I guess I'll leave it at that. I, I hope that, that logic and science and, and please from public health professionals ultimately do rule the day but it's not what we've seen and it's a real sad state of affairs. Thank you.

Mayor John Engen And thank you all.

12. COMMITTEE REPORTS

Mayor John Engen We'll move on to committee reports and items here weren't approving us unanimously in Council committees. The chairperson of each of these committees will make a motion reflecting that committee's interests and we will invite comment on these items before we vote as well. Our first committee report this evening comes from the Land Use and Planning Committee and this is a marijuana land use regulation revision WHITE PAPER. And Mr. Hess.

12.1 Administration and Finance committee (AF) report

12.1.1 Minutes from the September 15, 2021 Administration and Finance Meeting

12.2 Committee of the Whole (COW) committee report

12.2.1 Minutes from the September 15, 2021 Committee of the Whole Meeting

12.3 Land Use and Planning (LUP) committee report

12.3.1 Minutes from the September 15, 2021 Land Use and Planning Meeting

12.3.2 Marijuana Land Use Regulation Revision White Paper

Moved by: Alderperson Hess

Direct Community Development Planning and Innovation to prepare an ordinance amending Title 20, the City of Missoula's Zoning Code, in alignment with the presented "HB-701 (MCA 16.12) WHITE PAPER" on marijuana land use regulation and set public hearing process at Planning Board, and November 15, 2021, public hearing at City Council.

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

NAYS: (1): Alderperson Vasecka

ABSENT: (3): Alderperson Contos, Alderperson Ramos, and Alderperson von Lossberg

Vote result: Approved (8 to 1)

Alderperson Hess Thank you Mayor. This motion is to direct Community Development Planning and Innovation staff to prepare an ordinance amending Title 20, the City of Missoula's Zoning Code, in alignment with the WHITE PAPER attached to the agenda "HB-701 (MCA 16.12)" on land use regulation and set public hearing process with a November 1, 2021 public hearing at the Planning Board, and November 15, 2021, public hearing at the City Council. And if I can speak to the motion briefly?

Mayor John Engen Mr. Hess.

Alderperson Hess So, as you all know, the voters approved adult use marijuana in 2020. The Legislature subsequently passed HB-701 that modified some of the voter approved rules, and this is a, an effort to create a zoning code that, that recognizes the voter's intent and addresses with a light touch issues around health and safety and nuisance that are best addressed in a zoning code, and so this just kicks off that process. There will be lots of opportunity for public involvement. This is a, an initial attempt to create some regulations that again hopefully honor the voter's intent and provide some, some sideboards. And the zoning code will be back before us in a few months and will be available or will hopefully be adopted in time to go into effect by the first of the year. Thanks.

Mayor John Engen Thanks Mr. Hess. Is there a discussion on the motion? Ms. Vasecka.

Alderperson Vasecka Thanks. I am not going to support this motion tonight. As I discussed on Wednesday, I have a problem with the requirement of having the, the frosted windows and then there was talk about having frosted windows not only on marijuana shops but for other shops as well in the future. I don't think that the government should dictate how private businesses, how they protect their

customers or how they protect their product, whether it be jewelry, watches, silver, guns, or marijuana, in this instance. I don't think that should be up to the government. So, therefore, I will not be supporting that this evening.

Mayor John Engen Further discussion on the motion to set a public hearing? All right, seeing none, we have one attendee remaining. And seeing no hands raised for public comment on the item, I would suggest that you might consider creating a new chapter here and calling it Title 420, but that's just me. Sorry I couldn't resist on an otherwise heavy evening ladies and gentlemen. With that, we'll have a roll call vote.

Aldersperson Merritt I'm sorry, just to be clear, this is not on the amendments, but to set a public hearing?

Mayor John Engen Right.

Marty Rehbein It's actually to direct staff to draft an ordinance and then sets hearings far into the future, yes.

Aldersperson Merritt Okay, thank you. Yes.

Mayor John Engen And the motion is approved.

Aldersperson Hess Mayor, I'm sorry. The motion is set for November 1, 2021, which is a Monday, for the planning board hearing. The planning board typically meets on Tuesdays. So, I, I just wanted to note that for the record and maybe clarify that the planning board, the staff can set the planning board hearing as appropriate.

Mayor John Engen Yeah without objection? Done. All right, our next report comes from the Public Works Committee. Ms. Becerra. Ms. Becerra, you're muted.

12.4 Parks and Conservation (PC) committee report

12.5 Public Safety and Health (PSH) committee report

12.6 Public Works (PW) committee report

12.6.1 Minutes from the September 15, 2021 Public Works Meeting

12.6.2 Purchase of one (1) Bike Lane Pedestrian Path Sweeper

Moved by: Aldersperson Becerra

Approve the purchase of a Bucher City Cat V20 Sweeper from Butcher Municipal of Mooresville, NC for \$165,464.00.

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

NAYS: (1): Alderperson Vasecka

ABSENT: (3): Alderperson Contos, Alderperson Ramos, and Alderperson von Lossberg

Vote result: Approved (8 to 1)

Alderperson Becerra I'm sorry, I believe that's an LUP item, no?

Mayor John Engen We've got a sweeper and radios?

Alderperson Becerra I'm sorry.

Mayor John Engen Mr. Hess is your hand raised or is that just a remainder?

Alderperson Hess Yeah that was just a remainder.

Alderperson Becerra I'm looking for it, just one second. I am not finding it on my....

Mayor John Engen Ms. Becerra could make the motion to approve the purchase of a Bucher City Cat V20 Sweeper from Butcher Municipal of Mooresville, NC for \$165,464.00. Would you like to make that motion?

Alderperson Becerra I would very much so thank you Mayor.

Mayor John Engen You're welcome and that motion is in order. Is there a discussion on the motion? All right seeing none..... oh, I'm sorry, there is discussion on the motion Ms. Vasecka.

Alderperson Vasecka I think Ms. Anderson was before me.

Mayor John Engen I called on you, go ahead Ms. Vasecka.

Alderperson Vasecka Okay. I have been thinking about this over the weekend. I did approve it on Wednesday, but I talked to some of my colleagues about it and I, I've kind of changed my mind, and since the one person that voted no on this is not here this evening then I'm just gonna not support it in a proxy for him.

Mayor John Engen Okay. Ms. Anderson.

Alderperson Anderson Thank you so much Mr. Mayor. I just wanted to point out that this is you know, we have a very aggressive multimodal split in our community to help alleviate traffic, as well as be greenhouse gases that come with single car trips and so and many of our fellow Missoulians get around by riding their bike and this is a purchase of equipment to help keep those bike lanes free of debris and, and safe for them to be riding around Missoula. And for someone who lives in the very far southern,

southwestern part of the city where often I have, it's a little bit too much to take a bike, having people who live closer to the center of town use our multimodal ways of transportation is, allows for folks who live farther out to get to and from downtown and around easy. So, I think that this is a good use to purchase this a piece of equipment, so that we can continue to maintain that infrastructure for our Missoulians.

Mayor John Engen Ms. Merritt.

Aldersperson Merritt Thanks. Yeah, I'll echo what Stacie just said. It's important that we have this equipment to, to keep our bike lanes clean. I don't know if anyone has ever been riding on a bike lane and come upon some kind of obstacle or a pile of garbage or something that you can't get around, and you are often like met with, you make a snap decision. And I've been both on a bike or in a car, and seen that happen and people swerve a bicycle source out into traffic, and that is just dangerous. So, this is something that is a, while it's not an inexpensive piece of equipment, it is going to get used to a to a great degree, and that it's, it's important that we take care of all parts of the infrastructure that we that we create in our town. Mr. Contos did express concerns about this in committee and he and I have had some discussions about why we have a complete streets policy and just that the items that Ms. Anderson mentioned of our aggressive mode split goals which is to get more people walking and biking and using public transportation, and those things have so many benefits to us. And so, this is important on just all of those levels and so I fully support it and I wish that everyone would.

Mayor John Engen Ms. Sherrill.

Aldersperson Sherrill I don't have much more to add than my colleagues that are also supporting this other than we need to keep our streets safe for cyclists. We need to keep our city clean, and this is this is a no-brainer as far as our multimodal goals.

Mayor John Engen Ms. Harp.

Aldersperson Harp Thanks. For all the folks in our community that choose to drive to and from their places of work or faith or schools or grocery stores, what this particular purchase allows us to do is help those of us who want to be able to do that by bike or by walking. And when I think about how expensive it is to build a street and then maintain those streets, this is like the one of the simplest and inexpensive ways that we could possibly reduce traffic congestion. That having this kind of equipment clears those pathways, which allow more and more people to feel safer to be able to ride their bikes. As a person who has actually experienced hitting a pothole that was covered up by leaf debris and then flying over her handlebars and spraining wrists, it, it's one of the, a really simple thing that can improve

more people riding their bikes and therefore reduce our cost of maintaining our streets for everybody who needs to be able to drive. So, I am in full support.

Mayor John Engen Ms. Becerra.

Aldersperson Becerra Thank you. I did find my items on the agenda, but I also wanted to express my support for this. I think it's an important piece of the puzzle here as we continue to grow west. Our build grant will be able to help us put some of the infrastructure down and it's important that we have the right tools to maintain those, that infrastructure so that we can provide safe, alternative ways of moving people around town. So fully supportive of it.

Mayor John Engen And seeing no additional discussion and no attendees in the audience to comment, we will have a roll call vote.

Mayor John Engen And the purchase is approved. Ms. Becerra.

Aldersperson Becerra Okay, I recommend the City Council approve and authorize the Mayor to sign a purchase agreement with Motorola for mobile radios at a cost not to exceed \$1,972,794.00.

Mayor John Engen Thank you and that motion is in order. Is there discussion on the motion? Ms. Anderson.

Aldersperson Anderson Thank you so much Mr. Mayor. This is an important piece of infrastructure to keep our police and fire safe, and allow them the reason the tool they need to communicate not only with dispatch, with each other. Missoula is continuing to grow out and up, and the current infrastructure that we have is out of date and it puts not only our first responders at risk, but also the greater public at risk. There needs to be a large overhaul of our, in our telecommunications within police and fire, and this is the first step towards this. This is also something that we're doing in conjunction with the county and by authorizing this purchase agreement, we actually are able to take advantage of some pretty significant savings that Motorola is offering to us because we're able to buy all at once. So, this is definitely a critical piece that is needed. It is hard to come up with the funds right off the bat out of the General Fund for a 1.9 million dollar expenditure like this, and so it is something that's being bonded against but this is a, this is just like buying a critical piece of equipment for your home and I do believe and the police chief, I see our, Chief White is on and can correct me if I'm wrong, but we're being offered a zero percent interest for this. Mr. Bickell or Mr. White can correct that if I have that information wrong, but just like when you buy a big piece for your home and you sometimes have to buy it and, and take a bit of debt for it. This is a critical component to keep our first responders safe, as well as the greater community safe and so I am definitely in support of this.

Mayor John Engen And Ms. Vasecka.

Alderson Vasecka Like I spoke last week, I just, I agree with everything that Ms. Anderson said. I just, I, I just really disagree with going into debt for it. If I can remember correctly, I might be mistaking this with a separate item, but I believe that this was approved in the budget, but it just wasn't funded. Correct me if I'm wrong, if I'm mistaking that with a different thing but therefore just because I disagree with the funding mechanism I will be voting no.

Mayor John Engen Further discussion on the motion? Seeing none, we have no attendees at this time. We'll have a roll call vote.

12.6.3 Lease Purchase Agreement with Motorola Solutions for Radios

Moved by: Alderson Becerra

Approve and authorize the Mayor to sign a purchase agreement with Motorola for mobile radios at a cost not to exceed \$1,972,794.00.

AYES: (8): Alderson Anderson, Alderson Becerra, Alderson Harp, Alderson Hess, Alderson Jones, Alderson Merritt, Alderson Sherrill, and Alderson West

NAYS: (1): Alderson Vasecka

ABSENT: (3): Alderson Contos, Alderson Ramos, and Alderson von Lossberg

Vote result: Approved (8 to 1)

Mayor John Engen And the purchase is approved.

13. NEW BUSINESS - None.

14. ITEMS TO BE REFERRED - None.

14.1 Administration and Finance committee referrals

14.1.1 Referral – Amendment to Corporation for Supportive Housing Contract for Services

14.1.2 Referral - Approve Buy-Sell Agreement to purchase 1205 West Broadway (Bridge Apartments)

14.1.3 Referral - Reimbursement Resolution – Bridge Apartments

14.1.4 Resolution for Radio and Communications Equipment Leasing Agreement

14.1.5 Reimbursement Resolution for Public Safety Radio and Communications Equipment Purchase

14.1.6 Referral - Contract for Filevine Sales Order and License Agreement

14.2 Committee of the Whole referrals

14.2.1 Update on the Missoula City and County Food Policy Advisory Board

14.3 Land Use and Planning committee referrals

14.4 Parks and Conservation committee referrals

14.5 Public Safety and Health committee referrals

14.6 Public Works committee referrals

14.6.1 Reappointments to the Bicycle and Pedestrian Advisory Board

14.6.2 Resolution Requesting Distribution of Funds from MDT's Bridge and Road Safety and Accountability Act (BaRSAA)

15. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS - None.

15.1 Administratively approved agreement report

16. ADJOURNMENT

Mayor John Engen As always, I thank you for your service and we will be adjourned.

The meeting adjourned at 7:35 p.m.

Martha L. Rehbein, CMC,
Legislative Service Director/City Clerk

John Engen, Mayor