

Journal Of Proceedings
Missoula City Council Meeting

February 1, 2021, 6:00 pm

ZOOM Webinar

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

Members Absent: Julie Merritt, Amber Sherrill

Administration Present: Marty Rehbein, Communications Director Ginny Merriam, City Attorney Jim Nugent

Administration Absent Mayor Engen

1. CALL TO ORDER AND ROLL CALL

The virtual meeting of the Missoula City Council was called to order by Acting Mayor Bryan von Lossberg at 6:00 PM.

2. APPROVAL OF THE MINUTES

2.1 Minutes from the January 25, 2021 meeting

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Committee Schedule for the week of February 1, 2021

Parks & Conservation Committee, February 3, 10:30 - 10:45 a.m.

Committee of the Whole, February 3, 11:00 a.m. - 12:00 p.m.

Administration & Finance Committee, February 3, 12:30 - 1:00 p.m.

Public Works Committee, February 3, 1:15 - 2:45 p.m.

Public Safety & Health Committee, February 3, 3:00 - 4:15 p.m.

4. PUBLIC COMMENT

Acting Mayor Bryan von Lossberg This is an opportunity to provide comment on items that are not elsewhere on our agenda. So, if anyone who is attending would like to raise their hand, to provide public

comment, I'd ask you to keep that to 3 minutes or less but again this is a public comment opportunity for items not elsewhere on the agenda. And not seeing anyone so we will go to the consent agenda.

5. CONSENT AGENDA

Moved by:

AYES: (10): Stacie Anderson, Mirtha Becerra, John Contos, Heather Harp, Jordan Hess, Gwen Jones, Jesse Ramos, Sandra Vasecka, Bryan von Lossberg, and Heidi West

ABSENT: (2): Julie Merritt, and Amber Sherrill

Vote result: Approved (10 to 0)

5.1 Claims - February 2, 2021

Moved by:

Approve claims in the amount of \$ 1,131,394.50 for checks dated February 2, 2021.

Vote result: Approved

5.2 Service Agreement with 2G Energy

Moved by:

Approve and authorize the Mayor to sign a Service Agreement with 2G Energy for maintenance of the combined heat and power system, Co-Gen, for the Waste Water Treatment Plant for a cost not to exceed \$80,000.00.

Vote result: Approved

5.3 Resolution to Order 2020 miscellaneous curb and sidewalk improvements – Project 2020-001

Moved by:

Adopt a resolution relating to curb and sidewalk improvements adjacent to miscellaneous parcels, Project 2020-001 of the city's sidewalk, curb, gutter, and alley approach program; ordering in the sidewalk, curb, gutter, and alley approach improvements.

Vote result: Approved

5.4 Development Agreement with Homeword, Inc. for the Trinity Project (Mullan Road) – Maple Street Surface Improvements

Moved by:

Approve and authorize the Mayor to sign a Development Agreement with Homeword, Inc. for the Trinity Project (Mullan Road) – Maple Street Surface Improvements for an amount not to exceed \$100,000.00.

Vote result: Approved

5.5 Montana Board of Crime Control Grant Award – Victim Services Project

Moved by:

Authorize the mayor to sign the FY 2021 – FY 2022 Montana Board of Crime Control Victims of Crime Act grant award (20-V01-92565) in the amount of \$138,468.00 with a guaranteed local match of \$27,694.00 for the City Attorney Victim Services Project.

Vote result: Approved

5.6 Interlocal Agreement between City of Missoula, Missoula County, City of Bozeman and City of Helena

Moved by:

Approve and authorize the Mayor to sign an Interlocal Agreement between the City of Missoula, Missoula County, City of Bozeman and City of Helena concerning engagement of a consultant to analyze green tariffs and utility rate structures.

Vote result: Approved

5.7 Referral and Staff Report – Parcel 1-A COS 6689 – Miramonte Annexation

Moved by:

Adopt a resolution of intention to annex and incorporate within the boundaries of the City of Missoula a certain parcel of land described as Parcel 1-A of Certificate of Survey 6689 and generally located at the Southeast corner of the intersection of West Broadway and Mary Jane Boulevard as shown on Exhibit A, zone the property C2-2 Community Commercial, based on the findings of fact in the staff report, subject to the recommended conditions of annexation approval, set a public hearing for February 22, 2021, and refer the item to the Land Use and Planning committee on February 10, 2021.

Vote result: Approved

Acting Mayor Bryan von Lossberg I am going to go to public comment on any items on the consent agenda and then I'll get back to council. I see one hand and Mr. Larson.

Mr. Larson Hi, yes. Matt Larson, Ward 3, good to see everybody. Um, wondering about the 160 some thousand-dollar payments going back to Missoula County Treasurer. There is some sort of erroneous payment, I guess. Um that one seems odd to me and also wondering what the CIP improvement is for the water department that is being purchased from the auto fleet, just wondering if we're just buying another truck, but that's about it. Um, looks like we're updating our chemical agent reserves at the Police Department. I know that's very important cause we wouldn't want to pepper spray anybody with expired pepper spray so uh that's a good look I guess, but um, that's it. And also wondering why we're even entering into this consulting agreement with these other cities for this green study, um, I mean I guess we're getting the best deal out of all of the other cities, but I feel like we're possibly also the most on top of this and don't need to participate in this study, um but I don't know, just my observations. Thank you.

Acting Mayor Bryan von Lossberg Thank you. Um, I'm not seeing any additional public comment. I'll go back to Council. Ms. Jones.

Alderperson Jones Uh, thank you. I actually had sent an email to Leigh Griffing regarding um the payment that was a reimbursement to the county, that must have been some kind of mistake. I didn't hear back from her today, I believe she was attending the BBE&R Economics Summit all day, so I'll be following up on that with her but I'm, but I have no doubt there's an explanation. Just a funny day in which a lot of City staff were in an all-day seminar, so not necessarily sitting on email. In, but the thing that I mostly wanted to address was in administration and finance this last week, we addressed the interlocal agreement for green tariffs and it's just such a good fitting, I wanted to highlight it, even though it's in the consent agenda. I've heard from several um constituents, after we had it in committee last week, that they were thrilled with this and this is going to ultimately create the analysis so that in the long run we hope to have some alternative energy sources via Northwestern Energy that are renewable and through this green tariffs' analysis people will be able to choose those if they want. So, I'm really thrilled that we are taking a firm step forward down this road, starting to figure out how to um make renewables work and that our community will hopefully have that option in the long run. So, I just wanted to highlight that because um sometimes the consent agenda doesn't get a lot of attention, but this is a great thing for Missoula.

Acting Mayor Bryan von Lossberg Thanks. Any additional comments from council? Seeing none. Yeah, I wanted to just weigh in quickly, um. For additional information, I think there was a good article in the

Missoula Current about the green tariff. I had seen the county's staff member, Diana Maneta, and the attendees wanting to thank her again for all of her work on this. It is a really important step forward and it's a great opportunity for us to collaborate with the county and these other cities in a more cost-effective way. If we were to do this alone, it would be a lot more expensive for us, so being able to share that cost that crosses different entities makes good fiscal sense and as Ms. Jones mentioned, this is part of a pathway to bringing additional renewable resources onto the grid via the utilities and give people a choice about whether to purchase this. So, with that and seeing no additional comments, we will have a roll call vote on the consent agenda.

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

7. SPECIAL PRESENTATIONS - None

8. PUBLIC HEARINGS - None

9. FINAL CONSIDERATION

9.1 Parks & Recreation Master Fee Schedule 2021

Moved by: Gwen Jones

Adopt a resolution revising City of Missoula Parks and Recreation Fee Schedules for Parks and Recreation programs, facilities and permits for 2021.

AYES: (10): Stacie Anderson, Mirtha Becerra, John Contos, Heather Harp, Jordan Hess, Gwen Jones, Jesse Ramos, Sandra Vasecka, Bryan von Lossberg, and Heidi West

ABSENT: (2): Julie Merritt, and Amber Sherrill

Vote result: Approved (10 to 0)

Acting Mayor Bryan Von Lossberg Bear with me, I realize I did this a little bit out of the order I typically do so we hold the public hearing open, so I'd like to give additional opportunity for public comment on this and then we'll close the public hearing. If anyone has a public comment on that Mast Fee Schedule, please go ahead and raise your hand and I'm not seeing any. Ms. Jones go ahead. With that, I close the public hearing. Sorry, out of practice folks. I'll close the public hearing, now Ms. Jones.

Alderpersion Jones Thank you. Um, so we, Shirley Mackenzie presented on this, gave us a full run down. There's frankly very little change that's happening this year compared to last year so it's, it's for the most part keeping things as is. There were a few minor changes because we're in the middle of a pandemic. I think we're just trying to make the budget work, as best as possible and not have any increased fees so with that, I'm very much in favor of it. Thank you for your time.

Acting Mayor Bryan von Lossberg Thanks. Any additional comments from any council members? OK, not seeing anyone, we had a public hearing. We have a motion on the floor, and we'll have a roll call vote.

10. COMMUNICATIONS FROM THE MAYOR

Acting Mayor Bryan Von Lossberg Acting Mayor Bryan Von Lossberg I just want to briefly acknowledge that today is the first day of Black History Month and I also would like to thank everyone involved with the mass vaccination clinic over the weekend. I could go on and on about that, but I will simply say thank you to everyone that made that happen and thank you to everyone who was able to participate in it. There will be additional opportunities down the road but that was a really important and wonderful step so thanks. And with that, we will go to council comments.

11. GENERAL COMMENTS OF CITY COUNCIL

Acting Mayor Bryan von Lossberg I'm gonna, I know this is unsettling, cause I'll just take you from my screen order and that starts with Mr. Contos.

Aldersperson Contos I'll pass.

Acting Mayor Bryan Von Lossberg Thank you. Ms. Jones.

Aldersperson Jones I'll pass, thank you.

Acting Mayor Bryan Von Lossberg Ms. Harp.

Aldersperson Harp Thanks. I just want to really call out a special moment of gratitude to all of the mental health professions in our community that have really stepped up their game in the last 10-12 months and really helping as many folks as you possibly can. You really have bent over backwards accommodating people in using Tele health in ways that a year ago we never imagined, and your work does not go unnoticed nor unappreciated. I think everyone of us here really do thank you from the bottom of our hearts, um to try and take care of those throughout our community who've been struggling, as we see those numbers really tick upwards, so thank you very very much.

Acting Mayor Bryan Von Lossberg Thank you. Ms. Anderson.

Aldersperson Anderson Right, you just never know when you're going to get called on. I do want to echo what President von Lossberg said about the thanks to our community for the mass vaccination clinic, everyone who participated in being a vaccinator and those folks who packed their patience and waited in line. I would encourage the rest of the community to please, we are try to get as many vaccines into arms as quickly as possible. The county health department has been doing yeoman's work and I know it's been a long, long 11 months and it feels like the light is almost at the end of the tunnel and people are very excited about getting vaccines, but we are only allotted a little bit and that's out of our control. So, as you continue to check the county's website and check in with your providers and call in to those

hotlines with folks, just please just take an extra moment of patience, I ask of you, and we as a community all just need to kind of take a breath and hunker down, and it will come as quickly as it can and just thank you to everyone for your continued patience in all of the big and small ways that we've had to adapt our lives and I'm just really excited about all of the work around the vaccine rollout and hope more continues to come. Thanks.

Acting Mayor Bryan Von Lossberg Thank you. Ms. Becerra.

Aldersperson Becerra Thank you. I just found a spider on my phone there so pardon my weird movements here. As President Von Lossberg mentioned, today is the first day of Black History month and I just wanted to say that as we continue to work to become a more just and equitable and inclusive nation, I think it's important to recognize the contributions that black communities have made and continue to make to make all aspects of our society better. So, um, much work to be done but a lot a lot of progress has been done. So, with that, thank you.

Acting Mayor Bryan Von Lossberg Thank you. Mr. Ramos.

Aldersperson Ramos Pass. Thank you, Mr. President.

Acting Mayor Bryan Von Lossberg Thanks. Mr. Hess.

Aldersperson Hess Thanks, I'll pass.

Acting Mayor Bryan Von Lossberg Ms. Vasecka.

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

Acting Mayor Bryan Von Lossberg You're welcome. Ms. West.

Aldersperson West Pass.

Acting Mayor Bryan Von Lossberg Alright, I don't think I missed anybody.

12. COMMITTEE REPORTS

12.1 Administration and Finance committee (AF) report

12.1.1 January 27, 2021 Administration and Finance report

12.2 Budget Committee of the Whole (BCOW) committee report

12.3 Committee of the Whole (COW) committee report

12.4 Land Use and Planning Appointments (LUPA) Subcommittee report

12.5 Land Use and Planning (LUP) committee report

12.6 Parks and Conservation (PC) committee report

12.7 Public Safety and Health (PSH) committee report

12.8 Public Works (PW) committee report

12.8.1 January 27, 2021 Public Works report

13. NEW BUSINESS

13.1 Legislative Update and Action on Bills

Acting Mayor Bryan Von Lossberg We do have the latest update linked under the Legislative Update and Action on Bills. The understatement of the year would be to say that the Legislature is in high gear, lots of activity continuing to take place. So, um I don't believe there's any other report for this evening, but the updated information is available at that link.

14. ITEMS TO BE REFERRED

14.1 Administration and Finance committee referrals

14.1.1 Resolution Relating to the Financing of Proposed Water System Improvements; Establishing Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code

14.1.2 Review items held in City Council committee

14.2 Budget Committee of the Whole referrals

14.3 Committee of the Whole referrals

14.3.1 Review items held in City Council committee

14.3.2 Resolution and agreements for the sale and conveyance of the City-owned land commonly known as Parcel A of Lot 3, Scott Street Lots

14.4 Land Use and Planning Appointments Subcommittee referrals

14.5 Land Use and Planning committee referrals

14.5.1 Review items held in City Council committee

14.6 Parks and Conservation committee referrals

14.6.1 Resolution Authorizing Application to Land and Water Conservation Fund Grant Program for Westside Park and Playground

14.7 Public Safety and Health committee referrals

14.7.1 Review items held in City Council committee

14.8 Public Works committee referrals

14.8.1 Review items held in City Council committee

14.8.2 Agreement with Eric Maurer for the purchase of 1337 West Broadway

14.8.3 Agreement with John and Mark Bakula for the purchase of 1359 West Broadway

14.8.4 A Resolution and an Ordinance Establishing the Sxwtpqyen Area Transportation Special Impact Fee

15. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

Acting Mayor Bryan Von Lossberg I'm not seeing any. Oh, I'm sorry, I do have a hand up. Ms. Harp. Alderperson Harp I just wanted to make a special call out for our committee of the whole this week, Thursday, sorry Wednesday from 11:00 a.m. until 12:00 p.m. Our Chief Administrative Officer, Dale Bickell, is going to be presenting on the Scott Street project and this truly is one of the more unique public-private, nonprofit partnerships our community has ever been granted and I think it's a, if anybody's curious about what we're looking at in terms of that particular area, I, I encourage you to tune in. It's going to be quite interesting.

Acting Mayor Bryan Von Lossberg Alright, um with that, I don't think we have any other announcements.

15.1 Administratively approved agreement report

16. ADJOURNMENT

Acting Mayor Bryan Von Lossberg I thank you for your service and attendance tonight. It's like this is the first time I've done this. Um, my apologies but thanks very much and we will be adjourned.

The meeting adjourned at 6:23 p.m.