

Journal of Proceedings
Missoula City Council Meeting

October 25, 2021, 6:00 pm

ZOOM Webinar

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

Members Absent: 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 October 27, 2021

Committee of the Whole, October 27, 9:00 - 9:45 a.m.

Parks and Conservation Committee, October 27, 10:00 - 10:10 a.m.

Public Works Committee, October 27, 10:25 - 11:45 a.m.

Administration and Finance Committee, October 27, 12:20 - 1:20 p.m.

Land Use and Planning Committee, October 27, 1:35 - 3:35 p.m.

Mayor John Engen Thank you Ms. Rehbein. Any changes to that committee schedule this week? All right seeing none, we'll move on to the general 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. We ask you to keep your remarks to about 3 minutes. And Mr. Larson.

Matt Larson Yes, this is Matt Larson, Ward 3, City Council, Mayor. I just wanted to reiterate that it is within the capabilities of the City to do hybrid meetings but yet we are still being shut out of these said hybrid meetings. The City has all the technology, capability, and know how to do this, but yet refuses to

implement this because frankly I'm pretty sure you guys don't want anyone else involved, but it is very cumbersome to, to log on to these meetings in the fashion which has been bestowed upon us by the powers of the be. So, I would ask that we actually do the hybrid meetings since we've prepared for them, set up for them, studied how to do them but haven't yet implemented them. So, I'd also like an update from the City Council and the Mayor about the status of the water company lawsuit, water company battle, as there is yet to be one of those for months, and then I'll comment again on claims and everything else.

Mayor John Engen And seeing no additional public comment this evening.

5. CONSENT AGENDA

Mayor John Engen We'll move on to our consent agenda. Items in that agenda.....oh and I will note that Ms. Anderson is here for the records. Items on the consent agenda were approved unanimously in council standing committees and we save a little time by considering these items all at once on Monday evenings. We'll take comment on these items before we vote. Ms. Rehbein.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Merritt, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (10 to 0)

5.1 Accounts Payable (claims) for checks dated October 26, 2021

Approve accounts payable in the amount of \$2,223,632.18 for checks dated October 26, 2021.

Vote result: Approved

5.2 Referral-Purchase Self-Contained Breathing Apparatus (SCBA) for the Missoula Fire Department

Approve and authorize the purchase of the SCBA's for the Missoula Fire Department from Sea Western Fire Fighting Equipment at the cost of not to exceed \$885,000.00 to be paid from core replacement (CIP).

Vote result: Approved

5.3 Referral-Purchase Firefighter Personal Protective Equipment Turnouts for the Missoula Fire Department

Approve and authorize the purchase of new turnouts for all members of the Missoula Fire Department from LN Curtis for the price of \$278,876.13 to be paid from ARPA funds as approved in this Fiscal Year's budget.

Vote result: Approved

5.4 Memorandum of Understanding with International Association of Firefighters (IAFF) Local 271 for Emergency Medical Services Certification Pay

Authorize the Mayor to sign a memorandum of understanding FOR EMS Certification Pay that was negotiated between the City of Missoula and Local IAFF 271.

Vote result: Approved

5.5 Appointment to the Bicycle and Pedestrian Advisory Board

Confirm the Mayor's appointment of Nick Furlong to the Bicycle and Pedestrian Advisory Board to complete a vacated term beginning immediately and expiring on September 30, 2023.

Vote result: Approved

5.6 Purchase of Four (4) 1 Ton Pickup Trucks for Missoula Water

Approve the purchase of Four (4) Ford F350 pickup trucks for Missoula Water from National Auto Fleet Group of Watsonville, CA for \$38,489.70 each for a total of \$153,958.80 for all four.

Vote result: Approved

5.7 Purchase of Two (2) Electric Parking Enforcement Scooters

Approve the purchase of two (2) Go-4 Electric parking enforcement scooters from MC Electric Vehicles of Seattle, WA for \$39,585.00 each for a total purchase price of \$79,170.00.

Vote result: Approved

5.8 Purchase of One (1) Small Pickup Truck for Parks CLM

Approve the purchase of one (1) 2022 Chevy Colorado for the Parks Conservation Lands Management program from National Auto Fleet Group of Watsonville, CA for \$30,515.74.

Vote result: Approved

5.9 Professional Services Agreement with WGM Group Inc. for Water Rights Consulting Services

Approve and authorize the Mayor to sign a professional services agreement with WGM Group Inc. for water rights consulting services at a cost not to exceed \$35,076.00.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Harp, Alderperson Jones, Alderperson Ramos, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSTAIN: (1): Alderperson Merritt

ABSENT: (2): Alderperson Hess, and Alderperson von Lossberg

Vote result: Approved (9 to 0)

5.10 Application of TDS Metrocom LLC for a Cable Franchise

Set a public hearing for November 1, 2021 on a resolution regarding application of TDS Metrocom, LLC for a cable franchise.

Vote result: Approved

5.11 Security Contract for Poverello Center Shelter and Surrounding Neighborhood

Authorize the Mayor to sign and execute an agreement with Rogers International PLLC for the provision of security services in the Cedar and Hawthorne St neighborhood funded by the City of Missoula.

Vote result: Approved

5.12 Security Contract Amendment for Shelter Sites

To authorize the Mayor to sign and execute an amendment to the contract with Rogers International PLLC for the provision of security services at four shelter sites funded by the City of Missoula.

Vote result: Approved

5.13 City Rezoning: Mill Site Special Zoning District Amendment. Emily Gluckin, Project Planner, City of Missoula

[First reading and preliminary adoption] Set a public hearing on November 8th, 2021, and preliminarily adopt an ordinance amending the standards of the Mill Site Special Zoning District,

legally described in Exhibit A, to remove the use restrictions on Moose Creek Trail and Silver Parkway in Subdistrict B/C and refer this item to the Land Use and Planning Committee for presentation on November 10th, 2021.

Vote result: Approved

Mayor John Engen Thank you Ms. Rehbein. Any questions or comments from Council members on the consent agenda? Ms. Merritt.

Aldersperson Merritt Thanks Marty, I will be abstaining from voting on item 5.9 on the consent agenda due to my connection with WGM Group.

Mayor John Engen Thank you Ms. Merritt. And I will note for the record also that Ms. West is here. Seeing no additional comment, anyone in the audience care to comment?

Matt Larson Yes, City Council, Mayor, this is Matt Larson, Ward 3. I have a question with the claims. Why? Well, I guess it's just more of an overall statement with the claims. There's a \$23,000.00 police charge for certifying all of our police with what I would believe is superfluous certifications for the taser. Why aren't we focusing more on certifying our police for the CIT and Crisis Intervention Team, only 49 of them years last time I checked we're certified for that? So, that's what we really need. We don't need superfluous training with a taser, which is like at this point old technology I would believe in policing. Not much has changed right? Pull trigger bam done. The other thing I was thinking was what's up with these water trucks? Why do we need four new one-ton water vehicles at \$150,000.00 or something? And also, what is up with the electric vehicle purchase for \$80,000.00 for the, the Parking Commission? Do we really need to focus on that during a pandemic, during a housing crisis, during income disparity? Do we really need to focus on issuing people more parking tickets? Thank you.

Mayor John Engen Seeing no additional comment, we will have a roll call vote.

Mayor John Engen Thank you 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 State Law and Council rules set guidelines for.... pardon me.... inviting comment in a formal way on a variety of issues and following a staff report on each of these items, Council and I will entertain public comment. As has been our practice during the pandemic, we are deferring action on these items for a week after the public hearing, so there will be no action taken out on either of these items this evening. They'll be considered later under the final

consideration agenda item in next week's meeting. With that, we'll take these hearings in order starting with the 2020 Long Range Transportation Plan. Our staff presentation this evening comes from Mr. Wilson.

Jon Sand Hi there and oh go ahead Aaron....

Aaron Wilson Yeah, I was just gonna, it's Aaron Wilson, Infrastructure Mobility Planning Manager and I'm just gonna quickly turn this over to Jon Sand to present and take you through this action item. So, thanks.

Mayor John Engen Thank you. Jon go ahead.

8.1 2020 Long Range Transportation Plan

The City Council will hold this public hearing open for a week and will take it up on November 1, 2021, under final consideration.

Jon Sand All right, I am going to go ahead and share my screen. All right thank you Mayor and Council members. My name is Jon Sand, the Transportation Planner with the Missoula Metropolitan Planning Organization. Thank you for having us here this evening to talk about the Long-Range Transportation Plan. Tonight, as many of you know, we've been updating the Long-Range Transportation Plan since early 2020 and this evening the item we would like to bring before you is to adopt or deny the Long-Range Transportation Plan, which we're calling the Missoula Connect as an issue plan to the 2035 City of Missoula Growth Policy. Just a little bit of context for you, the Long-Range Transportation Plan or LRTP is a comprehensive policy document aimed at guiding transportation investment within the Missoula Metropolitan Planning Area. Missoula Connect supports comprehensive planning for Missoula as an issue plan as described in the 2035 City Growth Policy. Just a quick reminder for folks, issue plans provide detailed analysis and policy guidance on specific infrastructure, facilities, development or conservation issues identified in in the Growth Policy. So, here is a visual representation of the planning area that was referenced in the previous slide, so you can see that our jurisdiction is, includes the entire City limits of Missoula, the urbanized area, and extends out into the county north to Avro, south past Lolo, west towards Frenchtown and east, east towards Turah. And the purpose of the MPO is to conduct continuing comprehensive and coordinated regional transportation planning, meet regional transportation needs of state and local agencies, and help secure federal funding for the region, also encouraging intergovernmental cooperation. So, in our case with our MPO, that's the City of Missoula, Missoula County, and the Montana Department of Transportation. In addition to those items, the MPO

also ensures development and implementation of a fully integrated multimodal transportation plan that meets all federal mandates. I wanted to share this slide with you to show how Missoula Connect is related to other, other plans in our community. So, you can see examples such as the Community Safety Plan, Active Transportation Plan, the Missoula Urban Transportation District, which is Missoula Mountain Line Strategic Plan, and work that the Missoula Redevelopment Agency does all informs Missoula Connect which is a, another reason why we, we're doing this plan update. As other plans update, they can feed into the Long-Range Transportation Plan which also informs the City and County Growth Policies. Some more information about the LRTP. As I mentioned, it's updated approximately every four years and it does plan for a 30-year planning horizon. A really important component of this plan is that it's fiscally constrained and cannot allocate funding to committed and recommended projects beyond what the estimated funding would be available over the next 30 years. So, as I mentioned, this update to the Long-Range Transportation Plan started in early 2020 with really successful in-person community engagement activities and then of course due to the pandemic shifted engagement to online and non-traditional means of engagement. However, we were still really successful in gathering public input during this process and getting feedback from folks. So, last summer was a call for projects where we heard from the community, other agencies, that we work with kind of there, just a list of projects that folks would like to see, see in the community. From that call for projects, we worked on project prioritization and scenario development. So, you may recall from a, a long-range plan update that Aaron provided in previous Council meetings, the three scenarios that were developed from this process were enhanced connections, new connections, and regional equity. And then again those three different scenarios were shared with the community and based on community feedback, a recommended scenario was created which included all projects from regional equity and enhanced connections, and additional projects from the new connections. From, from this the, as I said, the recommended scenario was developed in the implementation plan. Community outreach that occurred during this process in 2019, the Missoula Area Transportation Survey was conducted, a statistically valid survey from the Bureau of Economic Research, which really provided us a lot of information on community members perspectives of the transportation system. We did have a, before the state stay at home order, we did have a successful First Friday Event where we had hundreds of folks come through our event and participate in a few workshops. Outreach online continued throughout the pandemic. We had interactive surveys and mapping activities, virtual meetings, and then to address, just to make sure we, we could reach folks that may not necessarily have access to a computer, printed materials were provided with our partner, partner agencies such as the Food Bank, Missoula Aging

Services to make sure the word got out about the Long-Range Transportation Plan update. So from that community driven engagement, five goals were developed for the Long Range Transportation Plan (1) Improve safety and promote health to enhance quality of life; (2) Advance sustainability and community resilience to protect natural resources and address climate change; (3) Expand mobility choices to improve efficiency and accessibility for people and goods; (4) Connect and strengthen communities to create a more equitable region; and (5) Maintain assets and invest strategically to boost economic vitality. Plan development also included project prioritization, so this graphic shows the allocation of funding for, for capital projects and prioritization of funding. This does not include transit and maintenance but the projected allocated funding that I mentioned earlier from that 21 or excuse me 71 projects were identified through that prioritization process. Additional illustrative projects are included in the plan, however, because that needs to be fiscally constraint plan, those projects are not included in the recommended list. However, we have opportunities such as the Build Grant. The projects from included and in the Build Grant were previously illustrative and when that Build Grant funding came through, these projects were elevated to recommended projects. So, kind of an example of how projects can move between the two categories. This graphic shows the larger funding picture. The capital projects I mentioned in the previous slide in addition to Montana Department of Transportation's allocated capital projects, maintenance, and preservation and in transit. You'll see the last line item, Programs, there's additional funding from this process that can be allocated, it's planning to be allocated towards programs and policies and some examples of these are listed here on the screen. So, everything from community car share programs, transportation options policy, parking and curbside management plan, safe routes to transit. So, other you know other transportation related policies and programs that aren't necessarily infrastructure. So, the reason why we're you know here today is here tonight too is to talk about how this plan is in conformance with the City of Missoula, our Missoula Growth Policy. So, the safety and welfare goal from the Our Missoula Plan states encourage healthy lifestyles by having a complete active transportation and transit network for all abilities and recreational opportunities that are safe, clean, navigable. So, in the Long-Range Transportation Plan our goal that conforms with this is improve safety and promote health to enhance quality of life including improved safety for people walking and biking, increasing physical activity and human connections by making walking and biking more convenient, more convenient more modes of travel. And we did this part of that prioritization process I mentioned. For example, was looking at areas that have high crash frequency and prioritizing projects that will address that, as well as overall multimodal improvements. Another health safety and welfare goal from the Our Missoula Growth Policy is Missoula encourages the

close connection between development patterns, community infrastructure, and the environment, as well as the importance of a healthy environment to our sense of social, economic, and physical, physical well-being. Long Range Transportation Goal that relates to this is expand mobility choices, to improve efficiency and accessibility for people and goods. This would include building complete streets and increasing access to multi-modal options up and optimizing the efficiency and accessibility of the transportation system. Additional Growth Policy objectives that are supported by the LRTP are formulate land use policy that supports contact, development, transit and multimodal accessibility, support land use policy based on transit and multimodal transportation alternatives and focus inward concepts, continue to build and maintain the core transportation facilities that contribute to Missoula's overall quality of life and economic advantages, including streets, roads, interstate highway, and non-motorized trail and pathway system. So, the next few slides I'm going to go over are project spotlights that are pulled right from the Long-Range Transportation Plan, and these are projects that of course have elements of the Growth Policy objectives. So, you can see the Reserve Street, let's see North Scott Street, Reserve Street development area, and the Sxwtpqyen are both you know areas of, of Missoula that the City of Missoula is planning for through their Growth Policy and the infrastructure projects included in this plan support, supports growth in these areas through transportation investments. So, as you can see from this map, connectivity, creating more connectivity across, across Reserve Street, new connections in the North Scott Street Development Area, and active transportation and complete streets are also included in this. Another example I would like to highlight is the bus rapid transit project along the Brooks Street corridor and again I'm just reiterating that this is another example of a project in the plan that supports growth in the midtown area, increasing connectivity, transportation options, and all that. Another example is the mobility hubs which is kind of an innovative concept that would create better integration between land use and transportation. The previous two examples I shared with you are all projects that would happen within the typical, what you'd think of is the typical designated right-of-way for transportation projects. Mobility hubs could be some private partnership, public partnership where you know the, the right of way of is of course important but adjacent land use areas being designed and developed, considering multimodal transportation options. And yeah, components of mobility hubs could include car sharing spots, bike sharing, way finding signs, bus and transit access, and then of course consideration of other land use components going, going on around it such as housing and commercial centers. So, with that overview, I just wanted to update folks where we are in this adoption process. So, earlier this summer the Transportation Technical Advisory Committee recommended adoption for the Transportation Policy Coordinating Committee that was completed in

June, Federal Highways, Federal Transit and the Montana Department of Transportation approved this plan in late July. Considering air quality conformity and the planning board, the Missoula City County Consolidated Planning Board recommended adoption of conformity on September 7, 2021, and so we're here this evening requesting City Council approval of the LRTP as an issue plan for the 2035 Missoula City Growth Policy. So, with that of the recommended motion of adopting the 2020 Missoula Long Range Transportation Plan, Missoula Connect 2050, as recommended by the Missoula Consolidated Planning Board and replaces the previously adopted Long Range Transportation Plan, Activate Missoula 2045.

Mayor John Engen Than you Mr. Sand for that staff report. And John, if you wouldn't mind taking your screen down. Thank you. And with that, I will open the public hearing. Anyone interested in commenting on the Long-Range Transportation Plan this evening? With a reminder that the public hearing will remain open for a week. Mr. Larson.

Matt Larson Matt Larson, Ward 3. Yes, just going over those slides was really helpful. Thank you to John. I was wondering why only 22% of this is actually going to active transportation? It seems like we're just fixing the roads, which has kind of been a theme here in Missoula for quite some time. So, it's like kind of like this robbing Peter to pay Paul kind of scenario, it looks like here to me, 208 million dollars is a lot of money and only 22% of that is actually going to buses. It looks like to me. So, it's like what it says to me is like we're gonna have good roads and that's all well and fine and that's something that we needed, but our buses still might be not adequate enough for providing meaningful transportation for everyone, but I'm just wondering just the layman out here.

Mayor John Engen Thanks Mr. Larson. Seeing no additional commenters in our attendees list this evening and we'll keep this public hearing open. Any comment or questions from Council members before we move on to our second staff presentation? Mr. Hess.

Alderperson Hess Thanks. Mr. Larson's comments highlight I guess a frustration of mine and, and also the complexity of, of federal funding and I mean I there's, there's a lot of funding in this plan that and there's a specific line item in the Transportation Improvement Program for instance for interstate maintenance, which is a which is a, a type of federal transportation funding and I wonder if maybe Aaron or Jon, if, if you could speak to that a little bit and put into context how our transportation expenditures might differ from, from, from other MPOs, as far as our commitment to active transportation. And I mean, could you just provide a little bit more context around that ,that question?

Aaron Wilson Yeah, I can respond I guess generally related to our investments. I'm not sure, I don't know that I have a good answer in terms of how we compare directly to other MPOs, but I will say, you

know, related to that 22% for active transportation. That is only those projects that just provide active transportation and so if you think of the other you know 50% of that, that capital or capital projects that were recommended for funding, virtually all of those will include some active transportation component, whether that's improved crossings that are part of a corridor street or include sidewalks that are going along with a complete street reconstruction and, and so it doesn't really make sense to look at, at funding splits like that and say, you know only 22% is going to active transportation because it's not really an accurate picture when you look at, at the full range of projects. And I would say Missoula is incredibly progressive in terms of how we're funding transportation. In large part, because of our, our geography and the limitations that we have, we can't just build ever outward. There's just nowhere to go with streets. So, we're forced to be really efficient in how we invest those funds. The other thing I would point out is that for transit, I believe we've transit is about a 1/3 of our overall transportation budget when you look at the full picture not just the, the recommended capital projects, but the full transportation budget. Transit represents about a 1/3 of that overall investment and so, I think we again are being really progressive in investing in things that will be more efficient and effective use of our, our transportation system. So, I don't know if does that answer your question?

Alderson Hess Yeah, yeah, that's helpful Aaron. Thank you.

Mayor John Engen Thank you. Ms. West.

Alderson West Hi, I just have a general comment. So, that the kickoff to this whole process was I think the last thing I attended before the COVID shutdown happened. I took five kids to this open house back in 2019. I can't believe it's that long ago already and I have to say that this, the display and the exercises that participants or attendees were asked to do were some of the most engaging and most fun, you know public outreach I've ever participated in. And I think it was attainable and accessible to like you know people of all ages. I think the youngest kiddo I have had with me was four and it was super. It was just great and I was hoping to get my son's class actually to come as you know look at the exhibit and participate as a field trip but of course none of us went back to school so that never happened but I just want to commend everyone that worked on this on a really great public engagement process and compliment you on pulling it off and pivoting and just putting this together during the pandemic, and you know coming back with this. So, thanks.

Mayor John Engen And Ms. Sherrill.

Alderson Sherrill Yeah thanks and Heidi I think I saw a picture of your family, in one of the, in part of the presentation so I knew you were there. And I am, I am working my way through this document. I know we're going to get a, an opportunity to ask more questions on Wednesday but I'm just curious,

Aaron or Jon, when it says financially constrained based on project funding availability, and we're looking at a project that's going out 30 years, can you just give us some idea of how, how you're predicting that? I mean, that's, that's a long-range plan and we're kind of guessing what our federal and state funding might be. So, can you speak to that just a bit?

Aaron Wilson Yeah, I mean it's, it's an imperfect science I guess is the, the easy answer, given that we're at, an essentially a month-to-month transit transportation funding at the federal level at this stage. So, hopefully that will become more predictable in the near future, but you know we, we do a, we try to look back at historic funding levels. Most of the federal funding is on a fairly predictable schedule and then we just estimate small increases over time. And try to be really conservative with the amount of funding that we're projecting out, so that we're not over promising what we what we think we can do. So, it's a combination of you know what, what have we received in the recent five to ten years projecting out some of these revenue sources that we know are gonna, they tend to increase 3-5% every five or six years and so it's, it's a combination of those two things. Again, trying to be as conservative as possible so that we're predicting a deliverable fiscally constrained plan.

Mayor John Engen And Ms. Harp.

Alderperson Harp Thanks Mayor. Jon and Aaron thank you very much for the presentation tonight. Like Heidi, I was in attendance at that public event, and it was it was a wonderful opportunity for our community to share their input and feedback, and I think we I think from based upon this document that has put together this plan it it's very robust and it, I think encapsulates a lot of those ideals. What I would like to hear more about perhaps on Wednesday is how Land Use and Transportation can better dovetail together so that we can really think more holistically if you will about how those two areas intersect. And I think a lot of times there and Aaron I think you would agree, a lot of times we, we plan for perfection. We realize how pricey that perfection is whether it's streets or sports, developing residential neighborhoods and how can we meet somewhere in the middle between perfection and practicality of those dollars that are applied because that 208 million bucks, that would cover 71 projects is also before inflation and we have to be cognizant of that as well. So, looking forward to what you'll present later this week.

Mayor John Engen Thank you Ms. Harp. Seeing no further hands in the virtual air, again this public hearing will remain open, and Council will take this up next week.

Mayor John Engen We will move on to our second public hearing which is the annexation of the 11th Supplement of Linda Vista, as well as the 18th Supplement. And our staff report this evening comes from Mr. DeGrandpre.

8.2 Annexation of Linda Vista 11th Supplement, Linda Vista 18th Supplement, and Tract 3A of Certificate Of Survey No. 6798

The City Council will hold this public hearing open for a week and will take it up on November 1, 2021, under final consideration.

Dave DeGrandpre Good evening Mr. Mayor and Councilors, and members of the public. My name is Dave DeGrandpre, I work as a Land Use Supervisor for the City of Missoula in the Community Planning, Development, and Innovation Department. Can you all see my screen? The presentation?

Mayor John Engen We can.

Dave DeGrandpre Fabulous, okay. So, as the Mayor introduced, this is an annexation and zoning project, an application and it is the Linda Vista 11th and 18th Supplements and also track 3A of Certificate of Survey No. 6798. Tonight, is the public hearing. In terms of your decision-making space some of the regulatory parameters that you have to work within. Montana Code annotated lays out several methods for annexation. City Council has final authority on all additions to the city boundaries and Council may impose conditions of approval. The bottom line is the City, when, when properties annex, the City must provide services to the newly annexed property in a light condition or to a similar extent degree as you'd provide services to any other area of the City. And by services, I'm talking about things like city water, city sewer, fire protection, police protection, street maintenance, etc. And a public hearing on zoning and annexation is required and can be conducted concurrently. Again, that's what's happening now. So, you, this this slide shows areas of the city limits, already the city limits within red and then the three proposed annexation areas. Down in the lower right-hand corner, Linda Vista 18th Supplement. This is 41 undeveloped lots, streets, two common areas on 18.17 acres. I'm going to go into a little bit more detail on each of these areas here in just a second but just as an introduction. I've got 41 lots on 18 acres, currently those lots are undeveloped. This is Tract 3A of Certificate of Survey No. 6798, it's 15.55 acres. It is already developed with 200 residential units. It's basically an apartment complex with 17 different structures that receive city water and sewer. There are internal streets, internal sidewalks, etc. but it's already developed and then finally there are seven lots in this residential subdivision called Linda Vista 11th Supplement. Here is, going back and I'll talk in a little bit more detail about each of these, again 41 undeveloped lots. This is the 18th supplement streets and two common areas on 4.5 acres, that's what the common areas make up. This was recently, this went through the county approval process and was granted final approval by the Board of County

Commissioners in June of this year. However, all streets, all sidewalks, sewer, water, and storm water systems were reviewed and approved by the City Public Works and Mobility Department. So, I'm confident and have been assured by city staff that these facilities have been developed, designed and developed up to city standards. And so, upon annexation, the City would then maintain those facilities. And then also I mentioned that these lots are undeveloped. The petitioner, Lloyd Twite of The Lloyd Twite Family Partnership seeks to, seeks to have building permits issued. There's quite a demand, as you all know. Several contractors are waiting to build and building permit issuance is contingent upon annexation into the city and also compliance with the proposed conditions or conditions that you may adopt. This shows the apartment complex site. It is, this is Tract 3A, kind of a blow up of it. That's where the 17 structures, the multi-family structures, 200 lots are located. There are internal streets. Here you can only see a portion of one. This is Jim Loop, but I'll show you an exhibit here in a few minutes that shows the other internal streets that serve the apartment complex as well. There are internal streets, sidewalks, and parking areas. One thing to note though is although this area is already built out and served by city services, not all of the easements are in place. And so, easements would be for the city to access the water lines, the sewer lines, fire hydrants, things like that. So that'll, I'll be discussing that a bit further in just a minute. And then finally, this is the plat of the 11th Supplement, the 7 residential lots. These lots are already developed; this was approved again by the county back in 2001. There are detached single-family residential structures on each of these lots and they all receive, it abuts Joy Drive to the west, a portion of which is already within the city, actually this northern portion. This southern portion is not and would be annexed along with these 7 residential lots. The lots are all served by city water and sewer, and I've highlighted a section of the plat here that shows acceptance of a deed to lots and accessible land dedicated with this plan shall also constitute a waiver of the right to protest annexation proceedings by the City of Missoula contingent upon the provision of city sewer services by the City. And again, these, these laws were developed in 2001, all received city water and sewer. So, essentially that condition has been met. One thing I, I guess I didn't mention that is pretty central to this annexation is the, The Lloyd A. Twite Family Partnership, the developer of, of this whole area, the Linda Vista subdivision area has petitioned to annex Linda Vista. It's, we call it 19, but it's also the Certificate of Survey and then also 18. So, we've received petitions, essentially voluntary annexation and then this little Linda Vista 11th area with the 7 residential lots, the City is seeking to annex and bring that into the city again because they receive city water and sewer and the owners have waived the right to protest annexation. Annexations, of course, have to comply or be guided by the Growth Policy. So here is a snippet from the future land use map. I apologize that the lots the transparency is not great,

it's kind of hard to see exactly where the lots are, but this is a guiding document. It's our Missoula Growth Policy that the City has adopted. This future land use map is, is central to decision making on annexations and zonings. The land use designation for this future land use map, for these properties, is residential medium density with a density of 3:11 dwelling units per acre. And this, the 3 annexations combined, average just under 7 dwelling units per acre. So, again, they're all residential. All of the units, all of the land is used for residential purposes, and it complies with the density and the land use that's stipulated in the future land use map. The current zoning, it's interesting, when this project was developed and approved back in 1998, a certain zoning was, was applied to it and it's a planned unit development called Miller Creek View Addition, and that was adopted by, that zoning was adopted by both the City and the County. So currently, you have this PUD, Miller Creek View Addition zoning in the County and it also will, essentially there's no change that's proposed to the zoning. So, the zoning, as it is today, would remain in the future upon annexation by the City. I guess the only change is administration. Obviously, the County wouldn't administer the zoning in this area. Upon annexation, the City would but that's it. And then these are the 2 annexation exhibits that you have attached to your documents, your annexation documents. A few things I'd like to point out, slowly but surely over the years the area in yellow has been annexed into the City limits. It reaches as far back as I think 1999 and up through essentially the present. The most recent one appears to be on this map at least from 2018. So, these phases of the subdivision have been annexed in over the years through resolution. The blue areas these are the annexed the areas that are proposed for annexation right now that have been petitioned. This is the Certificate of Survey. This is the Linda Vista 18th Supplement and over here on the left, these are the 7 lots in the Linda Vista 11th Supplement and then adjacent to it, a small stretch of Joy Drive also would be annexed. And then over here to the right Miller Creek Road, under Montana Code, public streets that are adjacent to areas that are annexed also must be annexed into the City. So, a portion of Miller Creek Road and Joy Drive would be, and then also there's this little intersection up here, Joy Drive, sorry Miller Creek Road and Jeff Drive that was not annexed I'm, I'm guessing it was an oversight back in 2018 when this area was annexed but that would be brought in as well. The idea is here, we don't want to have areas of roads that are maintained by the City and also maintained by the County. We prefer to get it all, I think both the City and the County would prefer to have longer stretches of road to maintain not little bits here and there. So, and then also I guess I just want to circle back. I did mention that in on this survey, again this is the multi-family dwelling complex. You have several internal streets that would also be annexed along with this. These are essentially, they'd be public access streets. There'd be an easement for public access, however, private maintenance. In

talking with our Public Works and Mobility Department, they indicated these streets were not built to City standards. There's a little concern about costs for public maintenance over time. So, they're proposed with to be maintained privately, as they currently are today. I've talked to folks at the County; they do not maintain these streets. Although, there is a small section of Jim Loop, you can see in yellow right here. This was annexed into the City and this only this stretch of, of Jim Loop is maintained by the City and that will not change. So, Montana Code Annotated, as well as our local ordinance provides criteria for zoning when you're annexing property, when a municipality annexes property and at least one of these criteria has to be met. And in my evaluation that I provided to you, in the referral or staff report, I found that all three of these have been met. In that, the, the zoning would or sorry, this action would authorize land uses comparable to the land uses authorized by the county zoning classification that's applied to the to the property. Again, the zoning will not change. It's Miller Creek PUD today, it will be Miller Creek PUD tomorrow. Also, that the zoning authorizes land uses that are consistent with the land uses approved by the Board of County Commissioners. Again, the Board of County Commissioners adopted identical zoning to the City. So, the land uses that the County has adopted and authorized would also be authorized under the City zoning. And then finally, that the zoning would be consistent with the land use and zoning recommendations for the subject area, as set forth in the Growth Policy. The future land use map that I showed you with the residential medium density, 3-11 dwelling units per acre or just a couple of minutes ago demonstrates that the, that the property the project the zoning also complies with the land use and zoning recommendations for the Growth Policy. So, I believe you're on strong footing, sound footing finding that each of these or all of these criteria have been met. Regarding comments, we have not received any public comments to date. I did receive a phone call from a lot owner, a homeowner in the Linda Vista 11th Supplement asking what sort of changes might occur to that person's taxes if the property were annexed in the City. I talked with the City Finance Department, they suggested that I. I didn't, I don't exactly have an apples to apples comparison, but I believe that there would be some additional fees for things like parks, but I don't think it's a substantial increase and so I provided that information to. I guess to be more specific what the Finance Department stated was City taxes amount to about \$379.00 per \$100,000.00 of, of market value. And so, unfortunately, I don't know exactly what the City taxes, how they compare to that, but anyway that's what I found out and provided that to the, to the citizen. And then just the other day, it was last week, we received a request from our, it was an additional public comment, sorry not public comment, agency comment from our Public Works and Mobility Department asking that the streets in, in the multifamily complex have public access and private maintenance easements. So, what that

means is that a member of the public, the pizza delivery person, the, the cable person could go out and have legal right to access these streets. The internal streets in the multi-family complex, but the streets would still be maintained privately. And so, I've issued memo number one that's available to you via e-scribe and in your packet, and so that's essentially what it what it boils down to, and that's reflected in the Revised Conditions of Approval. So, there are only three proposed conditions of approval by staff. We're recommending these to you and they're essentially the easements for water and sewer mains, fire hydrants, storm drainage facilities, and public access with private maintenance easements within the multi-family complex be provided. Number two, that street maintenance within that complex, that's in Tract 3A Certificate of Survey No. 6789, be provided. Oops, sorry I have a little typo there didn't finish the sentence.... And then number three, that the resolution to annex does not become effective until conditions one and two have been met. As I mentioned earlier, the developer's really trying to get building permits to start construction on some of those homes, to get foundations in place before it gets too cold, and staff is recommending that the conditions must be met prior to issuance of the first sewer connection permit in Linda Vista 18 Supplement. At the staff level, we provided these conditions to the applicant close to a month ago. So, they're well aware of the conditions and I have been working with our Public Works and Mobility Department to provide the easements and maintenance agreements to meet these conditions so that building permits can be issued in short order. And then although tonight is, this is not an action item, we'll be discussing this on Wednesday at the Land Use and Planning Committee meeting and with final consideration and action next Monday, but staff is recommending adopting the resolution to annex and incorporate within city boundaries these three properties subject to the two conditions, sorry three conditions based on the findings of fact and staff report and as amended via the memo. And so that concludes my presentation but I'd be happy to try to answer any questions that you have.

Mayor John Engen Thank you Mr. DeGrandpre. And with that, I will open the public hearing and at the moment, I see no hands up among attendees. With that, are there any questions or comments from Council members? Ms. Anderson.

Aldersperson Anderson Thank you so much Mr. Mayor. Dave when we talk about this on Wednesday in Land Use and Planning Committee, can you ask Troy to join us or maybe provide a memo in? I'm concerned about the increase of traffic on upper Miller Creek and into lower Miller Creek, and given the limited ways in and out of the Miller Creek area. It's something that has many of my constituents have brought up to me as a concern and I know in 1998 when this was all originally plotted out, there was hope that there would be additional ways or opportunities to build out other egress and grass egress

out of Miller Creek but that none of those have actually come to fruition. So, I would like to have a conversation and provide some more, if we've done a traffic study on Miller Creek lately, kind of what do we think the capacity for that road is, and would like to hear some more about that on Wednesday. Dave DeGrandpre We'll do.

Mayor John Engen Seeing no additional comments from Council members. We will keep this public hearing open until Council takes action next week. We have no additional public hearings this evening.

9. FINAL CONSIDERATION - None.

10. COMMUNICATIONS FROM THE MAYOR

Mayor John Engen I just want to briefly express my gratitude to all of you and to the community for the remarkable kindness and compassion that you've shown me and my family in light of personal loss. All is made a little bit easier by virtue of that remarkable support. So, thank you very much.

11. GENERAL COMMENTS OF CITY COUNCIL

Mayor John Engen We'll move on to general comments from Council members and we'll start this evening with Ms. Anderson.

Alderson Anderson You just never know where we appear on your Brady bunch tiles. So, thanks so much Mayor and again our condolences and it's nice to have you back at the helm this week. And folks, it's voting season. All of you should have received a ballot and many of you still have it on that pile on your dining room table like my ballot is on the pile of my dining room table. Please find it, fill it out. This is your opportunity to have a say in how your local government is ran. Local government is the closest to the people and every couple years, you get an opportunity to weigh in and we are a better democracy, the more people weigh in. So, please go ahead and vote. Drop it in the mail by Friday. If you have it come next weekend, go ahead and drop it off in person. There will be, if you look on the Missoula County Elections website, there will be drop box locations but please exercise the democratic right to vote. Thanks so much.

Mayor John Engen Ms. Jones. Mr. Contos.

Alderson Contos I'll pass, thank you.

Mayor John Engen Ms. Becerra.

Alderson Becerra I'll pass, thank you.

Mayor John Engen Ms. Sherrill.

Alderson Sherrill Pass, thank you.

Mayor John Engen Ms. Merritt.

Aldersperson Merritt Yeah, speaking of elections, I just want to note that the County, the Missoula County Elections Administrator Bradley Seaman has invited folks in, if they are curious to see what the elections process looks like. He is an open book and invites questions. So, I know there's been a lot of talk about the security of our elections, and I would like to just give Mr. Seaman our thanks for his openness and his willingness to make sure that everyone who is interested understands how the process works. So, if you're interested in that, I would invite you to go to the Missoula County Elections office webpage and find out more information. Thanks.

Mayor John Engen Ms. Vasecka.

Aldersperson Vasecka Thank you. I also I wanted to reiterate my deepest condolences to you Mr. Mayor, I can't imagine what you're going through with this. I do want to piggyback on what Ms. Anderson and what Ms. Merritt said. It is election season. It's very important. This is how you have your voice and what's going on in the, in your local government and the election center is on Wyoming and Russell Street. It's just, if you're heading over the Russell Street bridge from the south, it's just right there on the right. It has a huge white or a huge yellow sign that says elections on it and they're very helpful. And I want to reiterate with what Ms. Merritt said, Bradley Seaman is very great. He's great at his job. He's an open book and he's very willing to open up and answer all of your questions. I also wanted to say that there is an open house for the Johnson Street Winter Shelter this Thursday from 4:00 p.m. to 7:00 p.m. I would encourage anyone who has concerns or questions to be there and I, I guess that's all I have to say tonight. Thank you.

Mayor John Engen Ms. Harp.

Aldersperson Harp Thank you Mayor. Once again, it's really great to have you back John and condolences to you. I also wanted to just re-announce that tomorrow evening at 6:00 p.m. Habitat for Humanity is going to be having its town hall to discuss what we are doing to pivot in this housing crisis, and we are taking feedback based on some of the ideas that we have been working on for the last year and a half and are ready to share that with the community. And it's going to be, I think, a really great opportunity to hear what we're working on. So, we're going to be on the fourth floor of the library, and we will also have it via ZOOM so if you can't be there, participate remotely. We'd love to have you. Thanks.

Mayor John Engen Mr. Hess.

Aldersperson Hess I'll pass, thanks Mayor.

Mayor John Engen Mr. Ramos.

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

Mayor John Engen Ms. West, you're batting cleanup this evening.

Alderperson West This weekend is Halloween. So, I guess I would like to invite folks to come to the Halloween parade at the Lowell Neighborhood Center. It's this Friday, October 29, 2021, from 6:30 p.m. to 7:30 p.m. All ages are welcome, and people do need to wear masks inside of Lowell School, per MCPS and Missoula Parks and Recreation guidelines, but it should be a really good time. It's one of many events it seems that are happening this weekend around Halloween. I think we're making up for kind of a low-key Halloween last year. So put on your costumes and have fun, and be safe. Mayor John Engen
Thank you all.

12. COMMITTEE REPORTS - None.

12.1 Administration and Finance committee (AF) report

12.1.1 Minutes from the October 20, 2021 Meeting

12.2 Committee of the Whole (COW) committee report

12.3 Land Use and Planning (LUP) committee report

12.4 Parks and Conservation (PC) committee report

12.5 Public Safety and Health (PSH) committee report

12.5.1 Minutes from the October 20, 2021 Meeting

12.6 Public Works (PW) committee report

12.6.1 Minutes from the October 20, 2021 Meeting

13. NEW BUSINESS - None.

14. ITEMS TO BE REFERRED - None.

14.1 Administration and Finance committee referrals

**14.1.1 Funding Recommendation for Affordable Housing Trust Fund Innovation
Funding Round & Tri-Annual Affordable Housing Trust Fund Update**

**14.1.2 Resolution for 1st Quarter FY 2022 budget amendments. This resolution
amends the fiscal year 2022 budget to recognize revenues, and appropriate
expenditures and budget transfers not identified in the original budget.**

14.2 Committee of the Whole referrals

14.2.1 Mobile Support Team Update

14.3 Land Use and Planning committee referrals

14.3.1 Growth Policy 5-Year Review

14.4 Parks and Conservation committee referrals

14.4.1 Land and Water Conservation Fund Grant Agreement – Westside Park

14.5 Public Safety and Health committee referrals

14.6 Public Works committee referrals

14.6.1 Purchase of Fencing for Authorized Camping Site & Garden City Compost

14.6.2 Professional Services Agreement with IMEG for East Front St Water Main Replacement

14.6.3 Professional Services Agreement with IMEG for Urban Renewal District III Water and Sidewalk Projects

14.6.4 Establishing a Temporary Speed Limit of George Elmer Drive

14.6.5 Establishing a Temporary Speed Limit on Upper Miller Creek Drive

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 7:07 p.m.

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

John Engen, Mayor