

Journal of Proceedings

Missoula City Council

March 7, 2022, 6:00 pm
ZOOM Webinar

Members Present: Stacie Anderson, Mirtha Becerra, Daniel Carlino, John P. Contos, Jordan Hess, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, Heidi West

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

1. CALL TO ORDER AND ROLL CALL

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

2. APPROVAL OF THE MINUTES

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

Public Works Committee, March 9, 9:00 - 10:15 a.m.

Parks and Conservation Committee, March 9, 10:30 - 11:40 a.m.

Land Use and Planning Committee, March 9, 12:10 - 12:55 p.m.

Mayor John Engen Thank you Ms. Rehbein. Any changes to the committee schedule? 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 going to our attendees list Mr. Larson.

Matt Larson Hi Matt Larson, Ward 3, nice to see and hear everybody again. I just wanted to remind the public that last month we were told that we'd be returning to in-person meetings for the City Council and we're, we're still not there two years into this. And you know, I'm very thankful for the headers on all of the agendas that have the join meeting link, fought very hard to get that link on there, and it seems to be useful now. I just also wanted to talk about the university a little bit and a professor by the name of Clayton Looney. If you haven't checked it out yet, check it out on Instagram. Fire_clayton_looney. This is regarding Clayton Looney's public statements....This is regarding Clayton Looney's public statements

Alderpersion Jones Point of order...

Matt Larson I'm using the N-word.

Alderpersion Jones Point of order Mr. Mayor. I think this is bordering on a personal issue and

Matt Larson Point of order.....Gwen

Alderpersion Jones Can you hear?

Matt Larson Gwen, let me talk please. Thank you.

Alderpersion Anderson Point of order. We don't have anything to do with the university.

Matt Larson Point of order, this is general commentary.

Alderperson Anderson Point of order. This is general commentary on matters having to do with the City.

Matt Larson This is where the university is located.

Mayor John Engen I will rule in favor of Ms. Jones' point of order. And Erin Heaton.

Erin Heaton Hello. Can everyone hear me?

Mayor John Engen We can.

Erin Heaton Hello Council members. My name is Erin Heaton. I'm an ASUM Senator and MontPIRG intern. I notice that on the City Council homepage there's a tab for LGBTQ+ info and resources. This is absolutely crucial to supporting and advocating for queer Missoulians. I believe the same decency should be extended to other minority groups. I recommend that the City Council homepage add a tab for BIPOC in phone resources. The information in this tab can include the same ordinance given under the LGBTQ+ tab and the same anti-bias links. It can also include resources that are unique to the BIPOC experience. Last week, the Mayor stressed the importance of Black History in the Missoula community. The City Council ought to respect this proclamation by providing support for BIPOC Missoulians. Thank you all for your time today.

Mayor John Engen Thank you for your time. And Mr. Peebleson.

Jonathan Peebleson Good evening everyone, Mayor and City Council members. My name is Jonathan Peebleson. I'm here this evening with Heather McConnell. We represent Decriminalize Nature Montana, a chapter of Decriminalize Nature, a 501(c)(4), National Advocacy Program out of Oakland. We are both here as Missoula Montana residents. Decriminalize Nature is a grassroots organization that supports the decriminalization of entheogenic plants and fungi and believe that all humans have an inalienable right to build their own relationship with nature. We've been working in the Missoula community for the past 18 months, educating the community, and building a consensus understanding about what this means. Our movement is aligned with plentiful scientific evidence that supports that there is strong healing potential in entheogenic medicines and we're here to continue to educate the community about how those medicines such as psilocybin, mescaline, and iboga have been shown to provide pathways to significant and lasting healing from depression, anxiety, addiction, and trauma. We are currently looking for sponsors and co-sponsors to support our movement and to help reinforce our inalienable rights to access natural medicines and bring healing opportunities to our community. Thank you.

Mayor John Engen Thank you sir. All right, seeing no additional general public comment this evening, we'll move on to our consent agenda.

5. CONSENT AGENDA

Mayor John Engen Items here were approved unanimously by City Council standing committees and we save a little time on Monday evenings by considering, considering these items all at once. We only have two of them this evening and we'll take comment on these items before we vote. Ms. Rehbein.

Marty Rehbein Thanks Mayor Engen. Hang on just a second I want to bring up the agenda here so I can have folks read along with me....

Alderson Carlino Sorry to interrupt, I think Brett Haverstick in the attendees had his hand up, just like, just before you moved on...

Mayor John Engen Let me....Thank you Mr. Carlino. Mr. Haverstick.

Brett Haverstick Yeah, hi. Can you hear me?

Mayor John Engen We can.

Brett Haverstick Hey thank you. I, I had trouble finding the link to get into tonight's meeting, so thank you for the time. My name is Brett Haverstick, I live in Ward 3, and I appreciate the opportunity to speak. Tonight, I want to speak on behalf of Missoula bears, particularly the grizzly sow and three cubs that will soon be coming out of hibernation in the North Hills, but I want to pivot to the larger effort efforts of our City and that is my understanding. I'm here tonight to encourage every member of City Council to support the newly formed Bear Smart Missoula team. I'd also like to encourage City Council to revisit and adopt new language that would strengthen our current ordinances, that would be number 3419, the Missoula garbage ordinance and ordinance 3330, which is the feeding of wildlife. What I've learned, in doing research on the Bear Smart program and some of you might be in agreement. It seems like the two big keys to a successful Bear Smart program are education and enforcement and, and I'd also like to encourage City Council to seek funding sources to help costs associated with said education and enforcement parts of the Bear Smart program. And I know you've, I think you've been hearing a lot about this, and I've also been following it and the great thing is, is we're not alone. Others in our region have been successful and are, are implementing it and last but not least, we could use this opportunity to also partner with the university, as well as our public school system and take a proactive approach to save the lives of as many bears as we can. And we just need to clean up our act a little bit and I think it'll be better for the bears and also for our citizens and, and all of our safety. So, thank you.

Mayor John Engen Thank Mr. Haverstick, appreciate that and those conversations are ongoing, and we appreciate the advocacy. Now back to the consent agenda. Ms. Rehbein.

AYES: (12): Alderson Anderson, Alderson Becerra, Daniel Carlino, Alderson Contos, Alderson Hess, Alderson Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Alderson Sherrill, Alderson Vasecka, and Alderson West

Vote result: Approved (12 to 0)

5.1 Accounts Payable (claims) for checks dated March 8, 2022

Approve accounts payable in the amount of \$1,295,877.49 for checks dated March 8, 2022.

Vote result: Approved

5.2 Referral-Surplus Resolution for Fire Department Equipment

Approve a resolution declaring certain City of Missoula Property as Surplus and Authorizing its disposal and or sale.

Vote result: Approved

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

Alderperson Anderson Thank you so much Mr. Mayor. I just want, for the record, I know when we left Public Safety and Health there was a quick question in regards to the where the funds for the surplus vehicle or sale would go and it is customary when we do this that this actually goes back to the general fund. The Fire Department had requested that it goes to the Fire Department but normally the items are purchased out of the CIP which is funded through the general fund and that is the way it works with all the other departments. So, we're going to keep in line with that and just have the funds go back to the general fund and keeping with how we've done things in the past. Thanks so much.

Mayor John Engen Thank you Ms. Anderson. Any further questions or comments from Council members? All right seeing none, anyone in the audience care to comment on the consent agenda this evening? Mr. Larson.

Matt Larson Yes, Matt Larson, Ward 3. Thanks for allowing me to speak for now. I don't think that we should be getting rid of it, really, rid of any surplus Fire Department equipment until the City actually has an inventory of all its equipment. The second point I would like to make is, the City is dealing with the vendor directly to sell back this piece of equipment while there's a national shortage on used cars and used equipment such as this. So, I'm wondering how much we're gonna get for this piece of equipment? And I'm sorry, did somebody, does somebody want to interrupt? Okay. I was just wondering how much we were gonna get for this piece of fire equipment? Thanks for allowing me to speak and fire Clayton Looney crackers.

Mayor John Engen And Andi.

Andi Hoelzel Andi Hoelzel, Ward 2. This is actually my first Council meeting since Council changed, so welcome to new Council members. I wanted to comment on the report or the news of UBC Montana from February the 27th, as well as what I believe is claims accounts payable to Rogers International in this consent agenda. Addressing Rogers International security patrolling "vulnerable areas around Missoula" which is what, that's the language of the NBC Montana story. I'm concerned about \$30,000.00 for a two week, looks like a two week period to a security agency that is, appears to be heavily armed every time I've seen them. I've been meaning to ask y'all about them for some time now, whether outside the Sleepy Inn or across the street from my home, which is on the west side near Lowell Elementary School. This happened not two weeks ago; there were four, what appeared to be four gentlemen, dressed in Rogers International security uniforms carrying what were, what appeared to be, I don't know anything about weapons but what appeared to be very large weapons. I have a lot of concerns about the City's money going to this private security firm and a lot, a lot, a lot of questions about which part of the budget this comes from and why we're doing it? I would love to have some explanation of that, and I would urge Council to vote against the consent agenda, these claims at least until further explanation is given. Thank you.

Mayor John Engen Thank you. Seeing no additional comment on the consent agenda, we'll have a roll call vote.

Alderpersion Hess I'm sorry, I'm late to the party, but may I comment briefly?

Mayor John Engen Mr. Hess.

Alderpersion Hess Thanks. I wanna, I wanna address briefly the Rogers International question, and I was searching for the agenda and I'm not, I'm not finding it. I believe it was in late October to secure a contract to add the Rogers International to provide security within and around the Poverello Center and the winter shelter. And I just wanted to highlight that was something that was approved in in October. There was a, a really broad list of, of training that was provided to, to this or that was mandated for the security firm, specifically around dealing with some of the unique issues that might be encountered in in some of the vulnerable, vulnerable population in and around Poverello Center, the emergency winter shelter, the authorized campsite, and the temporary safe outdoor space. And I feel like it was in response to an immediate need in in those in those areas. And it was not my intent when we voted for this, nor is it my intent now, to be supporting any kind of privatized police force or any kind of any kind of privatization of public functions. And I think, on the ground, there's been some statements of support from within the Poverello Center for what this this this firm has been able to provide, in terms of, of providing some, some non-law enforcement forces of, of stability and of, of maintaining a public order. I just want to flag that this is this is the decision that we made in October and it's something that we'll review in the future, and I'm gonna support this tonight because we're paying a bill on a contract that we had, but, but as always I remain interested in looking at how we do things moving forward.

Mayor John Engen Thank you Mr. Hess. And with that, 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

Mayor John Engen We do have one special presentation in the form of a proclamation.

7.1 Proclamation - March for Meals Month

WHEREAS, the Meals on Wheels program at Missoula Aging Services is a valuable resource to older adults in Missoula County; and WHEREAS, in the past year in Missoula County, Meals on Wheels provided 111,161 home delivered meals to homebound elders and adults with disabilities and had an average of 2,388 home delivered meals served each week with 394 clients actively receiving meals, 90 active volunteer drivers delivering those meals, and a 66% increase in home delivered meals since the start of the pandemic; and WHEREAS, volunteer drivers for Meals on Wheels are the backbone of this program through their dedication to bring not only hot nutritious meals to clients, but also caring, concern, and attention to their welfare; and WHEREAS, Missoula Aging Services counts on these volunteers and the support of the community to serve the growing numbers of elders who need this service in order to

remain in their homes; and WHEREAS, we wish to raise awareness and support for Meals on Wheels in Missoula and surrounding areas. Now, therefore, we the Missoula Board of County Commissioners and the Mayor of the City of Missoula do you hereby proclaim the month of March 2022 as March for Meals Month in Missoula, Montana.

Mayor John Engen And we invite citizens to thank the caring volunteer drivers, recognize the value of this service to homebound elders and adults with disabilities, and encourage citizens to volunteer as Meals on Wheels drivers so elders may remain in their homes. And those of you who have been around a while have heard me say this before. The Meals on Wheels program was instrumental in helping my parents stay in their home as long as was practical and safe for them. It is a terrific program, and those drivers log so many miles and bring not only food but, but companionship and, and a safety check, and I am extraordinarily grateful for what they do.

8. PUBLIC HEARINGS - None.

9. FINAL CONSIDERATION

Mayor John Engen We have one item for final consideration. Items for final consideration have had a public hearing and we've allowed that public hearing to remain open for a week after a staff presentation. This evening's loan item for final consideration is a resolution for 2nd Quarter budget amendments and that's happening in the Administration and Finance Committee. Ms. West.

Alderpersion West Do you want me to repeat the motion? It's already on the floor, but at least here if anyone has any questions about this item.

Mayor John Engen Sorry Ms. West, I'm actually gonna have you make the motion.

Alderpersion West Okay, we'll make it again. The Resolution for 2nd 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. Oh, I'm sorry I read the wrong thing. Adopt a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2022 budget and capital improvement program. It is a bunch of housekeeping.

Mayor John Engen Thank you Ms. West. That motion is in order. Is there a discussion on the motion? Seeing none among Council members, anyone in the audience care to comment on the motion? Seeing none there, we will have another roll call vote.

9.1 Resolution for 2nd 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.

Moved by: Alderpersion West

Adopt a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2022 budget and capital improvement program.

AYES: (12): Alderperson Anderson, Alderperson Becerra, Daniel Carlino, Alderperson Contos, Alderperson Hess, Alderperson Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

Vote result: Approved (12 to 0)

Mayor John Engen And the budget resolution is approved.

10. COMMUNICATIONS FROM THE MAYOR - None.

11. GENERAL COMMENTS OF CITY COUNCIL

Mayor John Engen We'll begin general comments from Council members with Mr. Nugent.

Alderperson Mike Nugent I'll pass tonight, thanks Mayor.

Mayor John Engen Ms. Sherrill.

Alderperson Sherrill I'm going to pass as well. Thank you.

Mayor John Engen Ms. Vasecka.

Alderperson Vasecka I'll pass, thank you.

Mayor John Engen Ms. Jordan.

Alderperson Jordan Thank you. I just wanted to say that I'm really interested to hear more about decriminalizing natural substances here in Missoula and look forward to hearing more from that group that spoke up earlier. Thank you.

Mayor John Engen And Ms. Becerra.

Alderperson Becerra Thank you. I just want to remind everyone that march is Women's History Month and according to the womenshistorymonth.gov website, the Library of Congress, National Archives and Records Administration, National Endowment for the Humanities, National Gallery of Art, the National Park Service, Smithsonian Institution, and United States Holocaust Memorial Museum are joining in commemorating and encouraging the study observance and celebration of the vital role of women in American history. And I just want to add that I am very grateful to all those women who fought and dedicated their life's work to get us where we are right now. And women who have contributed tremendously to the advancement of arts and science and politics. Women are paving the way every day to ensure that our world is more equitable and just. We have a long, we have come a long way since women fought for the right to vote and there are women in the Supreme Court, the White House, our State Legislature and here in this City Council and I'm just honored to serve along all of you.

Mayor John Engen Thank you Ms. Becerra. Ms. West.

Alderperson West So, for all of you that are tracking the progress over at the Westside Park, we're about to enter our next phase. So, there is going to be a volunteer day to deconstruct the existing playground. It is going to be on April 2, 2022 from 9:00 a.m. to 3:00 p.m. Because it's kind of an involved bit of the project, people need to sign up to volunteer ahead of time. So, that sign up can be found at volunteermisoula.org if you just search for Westside Park playground deconstruction and you can sign

up for a two-hour shift to come help us prepare the site for the new playground that will be built this summer. So, hope to see you all there.

Mayor John Engen Thank you Ms. West. Ms. Savage.

Aldersonperson Savage I'll pass tonight Mayor. Thank you.

Mayor John Engen Ms. Jones.

Aldersonperson Jones I'll pass tonight. Thank you.

Mayor John Engen Ms. Anderson.

Aldersonperson Anderson I will too pass.

Mayor John Engen Mr. Carlino.

Aldersonperson Carlino Thanks Yeah, I just wanted to address some of the public comments from tonight. One about the BIPOC resource page on the website. I just wanted to show like support that I think it sounded like a good idea and I'd like to continue that conversation or reach out to the commenter about that. And then also, I really do support the idea of the Decriminalize Nature. I think we're still all living under the Reagan-era, war on drug type policies, and to not take action on that I think doesn't I think the Decriminalize Nature idea really matches up with the City's jedi goals and with criminal justice reform and just not punishing people. So, I just wanted to show support for that idea and hope to continue that conversation. And then also with the grizzly bears, I think it's the first time we've seen grizzlies in Missoula since like colonization in Missoula or since like everything got so developed here. So, I think it's really urgent that we try and take action on that as well or at least start looking more into it. And then, the last public commenter too about the security system at the homeless shelters. I just wanted to also echo the concerns there, just that we're spending a large amount of money on security when you know for example that outdoor authorized camping space still doesn't have like heaters or like running water system. Yet, we have \$10,000.00 to spend on security every two weeks, I just think it's something that could change. And I just also think that ideally we wouldn't hire like a private for-profit company to do that thing. So, I just I realized that this might be a temporary solution, but I'd like to just continue look or look into the City hiring somebody instead of hiring Rogers International in the future. And yeah, so I just wanted to echo some of the commenters. Thanks.

Mayor John Engen Thank you Mr. Carlino. Mr. Contos.

Aldersonperson Contos I'm good. Thank you.

Mayor John Engen And forgive me, things got slightly out of order....Did I miss anyone? Mr. Hess, sorry...

Aldersonperson Hess Okay, thanks Mayor. I, I did find what I was looking for earlier in the meeting, which was the goals of, of hiring the, the Rogers International and that was to create a trauma-informed harm reduction approach that decreased law enforcement presence. And, and one of the goals of this was, was to decrease re-traumatization and decrease criminal justice system involvement. And so, it was it was specifically to have a non-law enforcement presence in these, in these facilities, and also relational approach to addressing common challenges such as trespassing and public health concerns. The

thought here was that there would be the opportunity to build and maintain relationships with individuals and that and, and that that would have a role in this. And lastly, that it was designed not to stay in the way of services or discourage clients and community members from accessing spaces of warmth and nourishment. And I, I'm not I'm not saying one way or another that I'm defending this or not, but I, I would say that news coverage on this was a little bit biased and that this was the approach that was intended in the contract.

Mayor John Engen Thank you Mr. Hess. Miss anybody else?

12. COMMITTEE REPORTS - None.

- 12.1 Administration and Finance committee (AF) report
 - 12.1.1 Minutes from the March 2, 2022 Meeting
- 12.2 Committee of the Whole (COW) committee report
- 12.3 Land Use and Planning (LUP) committee report
 - 12.3.1 Minutes from the March 2, 2022 Meeting
- 12.4 Parks and Conservation (PC) committee report
 - 12.4.1 Minutes from the March 2, 2022 Meeting
- 12.5 Public Safety and Health (PSH) committee report
 - 12.5.1 Minutes from the March 2, 2022 Meeting
- 12.6 Public Works (PW) committee report
 - 12.6.1 Minutes from the March 2, 2022 Meeting

13. NEW BUSINESS - None.

14. ITEMS TO BE REFERRED - None.

- 14.1 Administration and Finance committee referrals
- 14.2 Committee of the Whole referrals
- 14.3 Land Use and Planning committee referrals
- 14.4 Parks and Conservation committee referrals
 - 14.4.1 Splash Montana 50m Pool Liner Replacement in the amount of \$237,920.00 with Aquatic Renovations Systems, Inc. (RenoSys).
- 14.5 Public Safety and Health committee referrals
- 14.6 Public Works committee referrals
 - 14.6.1 Purchase of three (3) Ford Explorers for Police Department from Duval Ford of Jacksonville, Florida for \$48,640.08 each totaling \$145,920.24.
 - 14.6.2 Award Street Maintenance and Construction Material Contracts for 2022
 - 14.6.3 Referral – Informational Resource Recovery Presentation

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 6:33 p.m.

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

John Engen, Mayor