

# Journal of Proceedings

## Missoula City Council

February 6, 2023, 6:00 pm

Council Chambers (in person) or TEAMS (virtually)

Attend in person: City Council Chambers, 140 W Pine, Missoula MT

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

Members Absent: Jennifer Savage

Administration Present: Marty Rehbein, Jordan Hess, Mayor, Jim Nugent, City Attorney

### 1. CALL TO ORDER AND ROLL CALL

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

### 2. APPROVAL OF THE MINUTES

#### 2.1 Minutes from the January 23, 2023 Meeting

The minutes were approved as submitted.

### 3. PUBLIC COMMENT - NON-AGENDA ITEMS

Mayor Jordan Hess We'll now take public comment on items not listed on our agenda. So, if you're here for a general item not on the agenda, come on up and give us your name for the record please. Please keep your comments to about 3 minutes.

Travis Mateer Travis Mateer, Missoula resident. There are just some general comments. I think I finally determined the problem some of you elected officials have with the public. We are not the abstractions you see through the data of your surveys and listening sessions rendered sterile and manageable through the analysis of your experts. We are real, actual humans and your job is to represent all the people in your respective Wards, whether you agree with them or not. Increasingly what we disagree about are the core claims coming from the bubbles you exist in regarding the benefits of your policy decisions. Is the local bus system a better service after going free? Is this tax increment financing a generally good tool, improving the lives of average Missoulian's? Are victims of sexual assault being better served by the criminal justice system 10 years after John Krakauer's book. And don't get me started on snow removal; your answers arrive at the stink of a pandering public relations damage control campaign mixed with fancy consultants speak to impress Jane and Joe Smith into staying home and shutting up about what they plainly see happening on their streets and in their neighborhoods. I'm here as an independent journalist investigating local corruption to let you know you're damn lucky the public isn't paying closer attention because if they were, they'd see how you supposedly cash-strapped officials are doling out the funds left and right if it forwards your agenda. It's easy. So, I understand why you use public funds to flex for what you think is the right thing to do but outside your bubbles, people like me see businesses like the Radius Gallery getting TIF handouts to benefit their bottom line while one of the owners of that business makes life difficult for people who don't tow the political line in this liberal town. I see how a litigant against the university who is also a landlord ended the rental lease of a Council member she didn't politically agree with. I talked to reporters, not Gomer Kidston, but the ones who have left the state after getting too close

to your public-private schemes. I am more than willing to talk to reporters who are still here working about what I know and have with a few but, recently the *Missoulian* simply lumped me in as one of Scott Billadeau's ilk. Is this unprofessional language being used out of a professional laziness or is something else going on with John Talbot's *Missoulian*? Hmmmm....I bet having to deal with the public in person makes you nostalgic for the pandemic days when you've got loads of emergency money, which you shoveled out in no bid fashion with little to no accountability and you even got to buy a nasty motel for a pretty big price tag and the dirty hordes just had to stay home and take it. Well, if the resounding no of the crisis mill levy is any indication, the public in Missoula is no longer keen on just taking it and they made it known. Maybe you think that's a flash in the pan; I think it's just the beginning and when the damn of narrative control finally breaks maybe the public will finally see the humans you've helped disappear, humans like Sean Stevenson a black man who was euthanized inside a private hospital by the public Missoula County Sheriff's Office on January 5th 2020.

Alderson Anderson Point of order....

Travis Mateer Once they see, they will have to ask.....

Mayor Jordan Hess Mr. Mateer, one of our members has called the point of order. What is the point of order?

Alderson Anderson Point of order is inappropriate.... I mean naming of people, allegations of euthanasia, I mean completely inappropriate to our code of conduct.

Mayor Jordan Hess Okay.

Travis Mateer So, euthanizing black people in a town that cares about them....

[inaudible]

Alderson Jones Point of order.

Mayor Jordan Hess Alright, alright, alright. So, what we're going to do.

[inaudible]

Mayor Jordan Hess We direct the comments at the presiding officer, and we keep it respectful, and we'll move on to general, additional general public comment. Anyone, anyone else in the audience tonight?

Hannah Merrick Hi, my name is Hannah Merrick. I was here a couple months ago, and I introduced myself, but I'm going to redo it. I'm a student at the University. I'm also sit on the Associated Students at the University of Montana and as part of that, I sit on the Student Political Action Committee. This past November, the Student Political Action Committee conducted a survey across campus to kind of gather student priorities. This was originally done so we could take this information to the current legislative session, but as a committee we agreed it could be important for the City Council to know as students are active participants of the Missoula community. In order to be statistically generalizable, I can't really say that word, we're aiming for around a thousand completed surveys and we got 1, 218. Some of the data we gathered shows that 75.6% of students in the survey disagree that affordable housing is available, specifically graduate and second year undergraduate students are most concerned about finding affordable housing, non-binary and gender queer students struggle to find affordable housing more than other groups, 63% of students participating in the survey disagree that tuition costs are affordable, and 46% of students participating in the survey have experienced food insecurity while in school due to a lack of financial resource. It should not be surprising that these priorities are all financially based and a study done in 2020 states students facing housing insecurity have higher rates of anxiety, depression, worse health outcomes, and lower GPAs in their housing than their housing secure peers. Students who drop out of college despite succeeding academically commonly report that costs associated with living expenses such as housing impacted their decision to leave school without a degree. Obviously that research shows that many of these

priorities have to do with financial issues. Lots of the other surveys just consisted of campus life, but at the end, we gathered these were the five priorities we would be taking to the legislative session. One, maintain the constitutional right to a clean and healthful environment. People should have access to safe and legal abortions. Montana minimum wage should be increased, and the state licensing requirements should not be removed from medical professionals, teachers, etc. Those were the five priorities we took to the ledge session that we thought would just be helpful to share with you in order kind of to inform you where students are standing, and then the recommendations we have sort of are, ASUM recommends that local, campus, and state leaders carefully consider students unique needs to help improve student outcomes and potential workforce development. The University of Montana trains and produces some of Montana's finest minds and innovators; therefore, supporting student priorities is essential to the success of our community, state, and nation. I do have like copies of this data if anyone wants that I could email it. I do actually have to go to write a paper, but if anyone wanted to reach out to President Elizabeth Bowles, she would more than willingly send it.

Mayor Jordan Hess Thank you. Thanks for your comments tonight and thanks for your legislative advocacy. Any other general public comments in the room tonight? Yeah, yes sir, come on up..

[unannounced speaker] Stop me this down....241 down to 175. I had lived in a place managed by Bitterroot nicely for 11 years, Plum I think Joel Plum really just lambrose derivations. Peter in this case, another generation just like I'm two generations away from coming here five years when you took my son. Re-approachment is just beginning to solidify after all these years. He's now in his mid-40s. It's the damage you do, Republicans are recognizing it finally. Mark Roscoe at the time helped gets Yellow Tail whatever his name was a Democrat to a hold Senate hearings on the Department of Family Service, whatever it's named now, who cares but it was put under Human Services that was the only change it was made after five years of me fighting. coming up here insulting the City Council, Jack Reedy whatever his name was interchangeable under the administration first of pure vigilantes and then anaconda. Have you ever had a free government here? Where everybody's welcome no matter where they're from? Not going to happen. Californians are ruining the place but it was a Bozeman outfit that bought my building; it kicked me out after 11 years, into half a percent vacancy, 73, I was 72 that but I cannot tell you how moving out of a place that you've been living in a long time, paying the rent, 36 years of paying rent up here, never missing payment and I've been kicked out of every place that I've been in for a simple reason, gentrification. It had nothing to do with me, I was just cattle, you know, the resource. Well children are not resources, and I am not a resource and new people coming up here, they have my protection. Everybody that's ever dependent on me is dead, so that's not helping them much. So, I just want to say that you have to show respect for out-of-staters moving to Montana and becoming Montana's, 36 years here I am regarded as a Montana in every other state. Here, I am a resource and I'd be glad to debate it. We never debated with the old City Councils, they just listened or didn't listen, I don't know, but never responded once in five years, not once...No one in the Council ever responded anything I said. They took my son, and I came to the City Council not because they're the ones responsible, but because they were the only voice that I thought I might have. I'm not under that impression anymore. We'll never be friends; you took my son then you kicked me out in the cold on January 2nd last year, and you support Plum, and you support Lambrose, and you supported the dead whatever his name, the powerful attorney that just died. [inaudible] the dead Dasopoulos.....

Mayor Jordan Hess So, sir, we're approaching, we're, we're pushing 4 minutes, so I'd ask you to, to wrap it up and you're welcome to....We don't do a back and forth here. That's not how our format works, but, but you're welcome to get in touch with any of us individually and we could have a conversation.

[unannounced speaker] I find public hearings to be the best. If I can get a response in public, in front of the cameras or wherever that is, or the newspaper that doesn't exist here, but you're operating like Anaconda I'm afraid.

Mayor Jordan Hess So, so Council members are welcome to respond during the Council comment portion....

[unannounced speaker] Thank you sir. I will sit down and.....

Mayor Jordan Hess Could I get your name for the record as well please?

Dan Paul Newman Ran for justice of the peace, twice in the 90s, City Council at the behest of Judge Wally Clark who paid by filing fees for City Council and then the Democrats threw up a candidate that quit after 3 months, but he was elected. That's the way it goes in Missoula, I'm sorry but the people that can do something here are kicked out of the system.

Mayor Jordan Hess Okay. Thank you sir.

Dan Paul Newman Thank you.

Mayor Jordan Hess Anyone else tonight ? For general public comment. Anyone else in the room? Online, Mr. Larson.

Matt Larson Yes, this is Matt Larson, Ward 3. I can echo those sentiments of being disenfranchised, as I'm still banned from even emailing the City Council myself. This is a, basically the only thing I can do after being disenfranchised for viewing the City Council or, or airing my, my opinions to the City Council. I'd like to ask for more transparency when it concerns gratuities and fees that are collected by City Council members. I believe the City Attorney just did an opinion regarding state law regarding gratuity and fees and some of these fees, referral fees for let's say real estate agents per se should be known by the public I believe, and I think it's up to City Council members themselves to disclose these fees and gratuities as a part of their, you know, duty to us, the citizens. If, if they have a role as a, as a real estate agent or another position that allows them to collect these fees of over fifty dollars, then we should know what fees they are collecting and if we do not get to know that it's, it's kind of a conflict of interest I believe and the referral fees are very common in those in those trades and yeah I think, I think it's important and I think there, there is some, some conflict of interest there if, if it's not stated openly and I can see some of the some of the City Council members are rolling their eyes at this, but I think that's because you know it might just create more work.

[unknown speaker] Point of order.

Mayor Jordan Hess Mr. Larson, I'd like you to keep it to not personal attacks please and this is not a personal attacks please...

Matt Larson This is not a personal attack. This is a call for transparency. I don't know if you know that word, but that's, that's what I'm asking for. I tried not to, to call anyone out personally, but it's, it's hard to do so when they're collecting these fees and if you're collecting fees over fifty dollars that's against state law and you can refer to the, the City Attorney's opinion regarding that.

Mayor Jordan Hess Okay. Thank you sir. Anyone else tonight? All right, we have no additional public comment on non-agenda items. We'll move on to our schedule of committee meetings, Ms. Rehbein.

**4. ANNOUNCE COMMITTEE MEETINGS, COMMITTEE MEMBERSHIP APPOINTMENTS AND CHANGES TO COMMITTEE AGENDAS**

Budget and Finance Committee, February 8, 9:15 – 10:15 a.m.

Climate, Conservation, and Parks Committee, February 8, 10:30 – 10:45 a.m.

Land Use and Planning Committee, February 8, 11:00 a.m. – 12:00 p.m.

Public Works and Mobility Committee, February 8, 1:00 – 1:45 p.m.

Housing, Redevelopment, and Community Programs Committee, February 8, 2:00 – 3:14 p.m.

Mayor Jordan Hess Are there any changes to the committee schedule? Seeing none, the committee schedule is established as presented. We'll now move on to our consent agenda.

## 5. **CONSENT AGENDA**

Mayor Jordan Hess For folks in the audience tonight, we have items on our consent agenda that were approved unanimously during City Council committee meetings. We save a little time by just running through those all as a package. Our City Clerk, Ms. Rehbein, will read through the eight items tonight aloud and we'll take a community comment on those as a whole, and we will have committee discussion before we vote. Ms. Rehbein.

Mayor Jordan Hess Thank you Ms. Rehbein. Any public comment tonight in the room on the consent agenda? Seeing none, public comment online? Mr. Larson.

Matt Larson Yes, the Herrera Consultants contract. I don't know what this is regarding completely, but this looks like to be the same drainage issue that ARPA funds were directed towards on the South Hills and again, this is another conflict of interest thing, as there were real estate listings with a City Council member that exists in that area, but that's neither here nor there I guess for you guys. And so, I'll move on to my next issue which is the administrative approvals. There's over a hundred thousand dollars of administrative approvals at the bottom of this agenda. One of them includes a United Way contract for eighty thousand dollars, which I believe is the spouse of one of the City Council members and I believe the whole reason we have the administrative approvals was because of COVID....

Mayor Jordan Hess [inaudible] right now, we're on the consent agenda....

Matt Larson Yeah, this is on the consent agenda.....

Mayor Jordan Hess This is a different agenda item, but go ahead.....

Matt Larson Oh, why thank you. So, I, I think that we've passed the kind of COVID era right now where we need to have the Mayor sign all these contracts because we can't get everybody in the same room, and so, I would ask that we kind of rethink this strategy of having the Mayor approve over a hundred thousand dollars of contracts without any approval from the City Council, as we no longer need that kind of power to be bestowed upon the Mayor, just to get through this. So, I was just wondering what everybody else in the room thought about that? And again, I'd just asked for more transparency when it comes to people on their real estate agency listings.

Mayor Jordan Hess Thank you sir. Okay, additional comments on the consent agenda? Seeing none, questions or comments from Council members? Mr. Nugent.

Aldersperson Mike Nugent Thanks Mr. Mayor. For the record, I am the President of the United Way and any item in a committee that involves the United Way, I have abstained from. I think that's fully transparent, and I will leave it at that.

Mayor Jordan Hess Thank you Mr. Nugent. With that, we can have a roll call vote. Oh...Ms. Anderson.

Aldersperson Anderson Sorry, thanks. I wanted to comment on the stormwater issues up in the South Hills. It is a major issue that has been ongoing and we are very fortunate to not have to do an SID and then we have some grant funding for it and I think that it's all, it is it all above board process and it really helps the direct homeowners who literally are sub pumping their basements into the road adjacent to it, and so I'm really happy that we're able to help them out and with some grant funding. Thanks so much.

Mayor Jordan Hess Thank you. With that, seeing no additional comments, we can have a roll call vote, Ms. Rehbein.

Mayor Jordan Hess And the consent agenda items pass.

AYES: (11): Alderperson Anderson, Alderperson Becerra, Alderperson Carlino, Alderperson Contos, Alderperson Farmer, Alderperson Jones, Alderperson Jordan, Alderperson Nugent, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

ABSENT: (1): Alderperson Savage

**Vote result: Approved (11 to 0)**

**5.1 Accounts Payable (claims) for checks dated January 31, 2023**

Ratify accounts payable in the amount of \$1,183,229.01 for checks dated January 31, 2023.

**Vote result: Approved**

**5.2 Accounts Payable (claims) for checks dated February 7, 2023**

Approve accounts payable in the amount of \$451,081.75 for checks dated February 7, 2023.

**Vote result: Approved**

**5.3 Appointment to the Missoula Urban Transportation District Board**

Confirm the Mayor's appointment of Jason Wiener to the Missoula Urban Transportation District Board or a term beginning immediately and expiring on December 31, 2026.

**Vote result: Approved**

**5.4 Appointment to the Bicycle and Pedestrian Advisory Board**

Confirm the Mayor's appointment of Matthew Gehr to the Bicycle and Pedestrian Advisory Board for a term beginning immediately and expiring on September 30, 2025.

**Vote result: Approved**

**5.5 Professional Services Agreement with Herrera Environmental Consultants for the Bitterroot Outfall Project**

Approve and authorize the Mayor to sign a Professional Services Agreement with Herrera Environmental Consultants for the Bitterroot Outfall Project at a cost not to exceed \$190,917.00

**Vote result: Approved**

**5.6 Bid Award to RLC Enterprise, LLC for the Urban Renewal District II Montana Idaho Water and Sidewalk Project Phase 1**

Award the bid for the URD II Montana Idaho Water and Sidewalk Project Phase 1 to RLC Enterprises, LLC at a cost not to exceed \$733,988.59 and authorize the return of bid bonds.

**Vote result: Approved**

**5.7 A Resolution finalizing the Mullan BUILD Water and Sewer Special Development Fees**

Set a public hearing on February 27, 2023, to adopt a resolution of the Missoula City Council establishing the final Mullan BUILD Water and Sewer Special Development Fees to be applicable to new development within the Mullan BUILD Project Area to be effective March 7, 2023.

**Vote result: Approved**

**5.8 City County Planning Interlocal Agreement regarding land use and transportation planning, and grants administration.**

Approve and authorize the Mayor to sign an updated City County Planning Interlocal Agreement.

**Vote result: Approved**

**6. COMMENTS FROM CITY STAFF, CITY AGENCIES, COMMUNITY FORUM, NEIGHBORHOOD COUNCILS, BOARDS, COMMISSIONS, OR AUTHORITIES**

**7. SPECIAL PRESENTATIONS AND PROCLAMATIONS**

**8. FINAL CONSIDERATION**

**8.1 Referral and Staff Report - Rezone of 2160 Carol Ann Ct.**

**Moved by:** Alderperson Nugent

[Second and final reading] Adopt an ordinance to rezone the subject property located at 2160 Carol Ann Court and legally described as Lot 2 of Hansen Addition #2, located in the Southwest Quarter of Section 20, Township 13 North, Range 19 West, P.M.M. from RT10 Residential (Two-Unit / Townhouse) to RT5.4 Residential (Two-Unit / Townhouse), based on the findings of fact and conclusions of law in the staff report.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Carlino, Alderperson Farmer, Alderperson Jones, Alderperson Nugent, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

NAYS: (2): Alderperson Contos, and Alderperson Jordan

ABSENT: (1): Alderperson Savage

**Vote result: Approved (9 to 2)**

**8.2 Referral and Staff Report - Rezone of Tract 3 of the amended plat of Scott Street Lots, Lot 3**

Mayor Jordan Hess Our second item of final consideration is rezone of tract 3 of the amended plat of Scott Street Lots, Lot 3, and Ms. Porcari has our staff report. Tara any additional information tonight? Oh, I'm sorry, you're muted.

Tara Porcari My dang phone isn't working. Nothing new and there's no new public comment.

Mayor Jordan Hess Thank you. With that, any questions from Council. Seeing none, this was in LUP. Mr. Nugent.

Aldersperson Mike Nugent Thank you Mr. Mayor. I move that we adopt an ordinance rezoning the subject property located at the southwest corner of Scott Street and Charlo Street, legally described as Tract 3 of the amended plat of Scott Street Lots, Lot 3 located in the north half of Section 16, Township 13 North, Range 19 West, P.M.M., from M1R-2 Limited Industrial-Residential to M1R-3 Limited Industrial-Residential.

Mayor Jordan Hess And that motion is in order. Any discussion? Seeing none, Ms. Rehbein, we can have a roll call vote.

Mayor Jordan Hess And the motion passes.

**Moved by:** Aldersperson Nugent

[Second and final reading] Adopt an ordinance rezoning the subject property located at the southwest corner of Scott Street and Charlo Street, legally described as Tract 3 of the amended plat of Scott Street Lots, Lot 3 located in the north half of Section 16, Township 13 North, Range 19 West, P.M.M., from M1R-2 Limited Industrial-Residential to M1R-3 Limited Industrial-Residential.

AYES: (11): Aldersperson Anderson, Aldersperson Becerra, Aldersperson Carlino, Aldersperson Contos, Aldersperson Farmer, Aldersperson Jones, Aldersperson Jordan, Aldersperson Nugent, Aldersperson Sherrill, Aldersperson Vasecka, and Aldersperson West

ABSENT: (1): Aldersperson Savage

**Vote result: Approved (11 to 0)**

## 9. PUBLIC HEARINGS

### 9.1 Missoula Redevelopment Agency Fiscal Year 2022 Year-End Budget Amendments

The City Council will hold this public hearing open until they take up the item for final consideration on February 13, 2023.

Mayor Jordan Hess We have four public hearings starting with Missoula Redevelopment Agency Fiscal Year 2022 Year-End Budget Amendments, and we have Jil Dunn and Ellen Buchanan here with our staff report.

Jil Dunn Hi everybody, Jil Dunn. I'm the Business Project Manager with MRA and I'm going to be presenting our fiscal year 2022 year-end budget amendments. I have a PowerPoint to present, if that's what you would like me to do? I want to be respectful of your time.

Mayor Jordan Hess That'd be great, go ahead.

Jil Dunn Okay, thanks. I'll share my screen. Is everybody seeing the PowerPoint in front of them?

Mayor Jordan Hess Yes, thanks.

Jil Dunn Okay, greater. So, these are our fiscal year 2022 year-end budget amendments. We come to you every year with these amendments as part of our year-end closing audit process; that audit is underway right now. This PowerPoint presentation was presented to City Council members in committee and at our first City Council meeting when we requested the City Council to set a public hearing. This is the, just a summary of what this PowerPoint presentation is going to cover, amending the budget, funding sources, just going over for those of the community that might be listening and watching tonight just our, our city and fiscal year process, our budget process timeline, and then that these year-end amendments are required for our audit compliance. So, amending the budget is defined in Montana code and that the

governing body may amend the budget during the fiscal year by conducting the public hearing at the regular scheduled meetings, that is what we're doing this evening. Here's the section of MCA that refers to that public hearing and required notices. The notice, notice requirements are carried out by the City Clerk's office for all City Council action. The budget amendments are approved by City Council through resolution after a public hearing and actually we will have a final consideration next Monday night for this request. The amended budget constitutes our final budget and is used during the year-end audit process. We, like I said earlier, we are currently in the midst of that audit process and wrapping that up. Just a little bit about MRA funding. MRA is not a taxing jurisdiction and we do not levy mills or taxes. We are a component unit of the City of Missoula, a department of the City, if you will, and our funding does not come from the general fund of the city. We have six urban renewal districts that we oversee and those are funded through something called tax increment financing provision, which is authorized by state urban renewal law and there's the section of the law that you can find that information at. There's a little graphic there that Macy prepared for us for this PowerPoint and that's just how tax increment revenue is determined, it's based upon the property value that is determined by the Department of Revenue, and it's multiplied by the mill levies that are set by the taxing jurisdictions. There are seven tax taxing jurisdictions in the city that levy those mills that determine what type of revenue that's going to be coming into those tax jurisdictions and we get the increment and, and that's based on when the district is formed. So, tax increment revenue is used by each of these urban renewal districts to fund eligible components of urban renewal projects that are reviewed by staff and approved by the MRA Board of Commissioners. That MCA section 7-15-4288 defines eligible components of a project and then an acquisition, just a note that acquisition of any property in issuance of any debt requires City Council approval. Here's our budget process timeline; I will just leave this up here for maybe a few seconds. I don't know if I need to really go through every single thing, but what I do want to point out is that when we start the budget process for those of you out in the community that may be listening, we make best estimates on where our projects are going to be at the end of our fiscal year and we use last year's revenue estimates when we prepare our budget here at MRA. So, when we go through the process of setting the you know when the City Council adopts the budget, we've made estimates based on last year's revenue because we do not get our final revenue estimates until all mill levies are set by the tax and jurisdictions, not just the City and those don't come in until October, and then we don't have any idea as of June 30th where those projects are going to be at what stage they're going to be. So, we, we take an estimate of where we think we're going to be, so that's, that's important and kind of why we always have to come back at the end and recognize what we're what were our final revenues for the year. You know, when find those mill levies out in October, and then where were the projects as of June 30<sup>th</sup>, and what those carryovers will be. This is a procedural step to close out our fiscal year, as required by law and as an overview, our general, our budget amendments recognize project timing, carryover funds, which I just spoke to, revenues identified during the year, sometimes we have some grant revenues that may be identified during the year, and then expenditures that are approved during the year by the MRA board, and any bond issues that are approved by City Council. We did not have any bond issues in fiscal year 2022. Here's a draft income statement coming from our auditors. The Missoula Redevelopment Agency and the Missoula Parking Commission actually have independent audits separate from the city's audit. So, although we are component units of the City and the City has its own audit, the Parking Commission and MRA have their own independent separate audit. Here is the resolution that we are speaking to for this evening and if you'd like me to read that, I, I can, but happy to answer any questions.

Mayor Jordan Hess Thank you. With that, I will open the public hearing. If anyone wishes to make a comment on the proposed budget amendment, online or in the room? Seeing none are there questions from Council members? Seeing none, we will hold this

item open until next week. And if anyone has any questions, they're welcome to reach out to Ms. Dunn or Ms. Buchanan in the, in the intervening week.

**9.2 Resolution for 4th Quarter and final 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.**

The City Council will hold this public hearing open until they take up the item for final consideration on February 13, 2023.

Mayor Jordan Hess With that, we can move on to our second public hearing of the night. This is the Resolution for 4<sup>th</sup> Quarter and final FY 2022 budget amendments. This, and we have Ms. Griffing here with our staff report.

Leigh Griffing Thank you Mayor Hess. And if it is okay with Mayor Hess, I would address both of my budget amendments in my presentation?. And then of course, we've got two separate motions to vote on.

Mayor Jordan Hess Please do. I'm sorry, I didn't see that.

Leigh Griffing Thank you. I am going to go through this presentation pretty quickly because Jill nicely covered a lot of the lead up that we do with these presentations, mostly in order to inform new folks and the public as to what our process is for budget amendments, our timeline, how we amend and what we are doing. I always like this budget process timeline because I do say that the budget is a living sort of thing because so many things happen in a year, so we have to have some sort of ability to amend our budget throughout the year. On January 18<sup>th</sup>, I did a presentation to the Budget and Finance Committee where we presented both of these budget amendments there. The FY 22 final closeout amendments similar to the MRA amendments, we do these to capture audit entries, sort of a final cleanup and true up, so that we can complete that audit, and close the year, and we also have our FY 23 first quarter amendments, and both of these exhibits are attached to the agenda. I can, of course, pull them up for folks if they'd like to see those. We have two motions for two resolutions. There are to adopt or deny resolution for 4<sup>th</sup> Quarter and final FY 22 budget amendments; it will increase City revenues by 13.5 million and budgeted appropriations by 14.6 million, and again this is for FY 22, and this is really what we call that sort of housekeeping budget true up. And then our second resolution is to adopt or deny a resolution for 1<sup>st</sup> Quarter Fiscal Year 2023 amendments, and that will increase total City revenues by 1.3 million and budget appropriations by a little over 3 million. And that is the extent of my presentation. I was not sharing my screen with folks when I went through that entire thing was I? I'm very sorry about that, but we do have those two exhibits attached to the agenda that go line by line through each of those amendments and explain what the revenues sources are and what the extra expenditures are and usually a little bit of a description in there, in case folks have questions. Thank you.

Mayor Jordan Hess Thank you Ms. Griffing. With that, I'll open the public hearing on both items. If anyone would like to make comment on either item? Seeing none, any questions from Council members? All right, seeing none of those, this public hearing will be held open until next week and Ms. Griffing, we thank you for your time tonight.

**9.3 Resolution for 1st Quarter and FY 2023 budget amendments. This resolution amends the fiscal year 2023 budget to recognize revenues, and appropriate expenditures and budget transfers not identified in the original budget**

The City Council will hold this public hearing open until they take up the item for final consideration on February 13, 2023.

**9.4 Tourist Home Fee Update**

The City Council will hold this public hearing open until they take up the item for final consideration on February 13, 2023.

Mayor Jordan Hess We will move on now to our fourth and final public hearing, and this is the Tourist Home Fee Update. And we have Kirsten Hands and Montana James here, I believe.

Montana James Yes, can you hear me okay?

Mayor Jordan Hess Yes.

Montana James Great. Montana James, Deputy Director for Community Development and Community Planning Development and Innovation and as the Mayor mentioned, Kirsten Hands, our Business and Finance Manager is here as well. Share my screen here...So, this evening, we are opening a public hearing on a resolution amending the CPDI fee schedule for FY 23 to update the registration and renewal rates for Tourist Homes in Missoula. Staff presented to Council in November and December on a proposal to update those rates and it was kept in committee and we presented the new proposal on January 18<sup>th</sup>. The new fee schedule proposes a first-time registration fee of \$555.00 to more adequately cover the costs that the City incurs in processing, inspecting, and registering tourist home operations. Over the course of registering a new tourist home, staff from our permits team, current planning, and business licensing have to review applications for compliance with the City ordinance and zoning and to ensure neighbors are properly noticed in accordance with the ordinance, and then any new property wishing to be registered needs to be inspected by the Building Division and the Fire Department to ensure that the property meets code and life safety requirements. And, as we've discussed, there's a Health Department inspection as well via the City-County Health Department, and lastly for a new registration or permits and license staff review the full packet to make sure that all requirements have been met and then they issue that final registration. So, that process by our conservative estimates costs the city \$555.00 for each new registration. And for renewals, the process is a bit more streamlined and has to be reviewed by staff to make sure the property has met all those requirements previously and meets the renewal requirements, so that renewal process costs the city \$206.00 for registration. And for new tourist homes and for renewals, the City incurs the cost to monitor the tourist home landscape and ensure compliance throughout the year. With the ordinance, those are factored into the costs as well. So, the role of the City through the registration process of the tourist home ordinance is really three-fold. First, we play a role in making sure there's compliance with our city ordinance and local laws, and we do that through the zoning review as I mentioned in the application packet review and that provides staff the opportunity to look at submitted materials for the property and, and make sure that the property is in compliance ordinance and the zoning code, and this also provides staff the ability to provide notice to neighbors in accordance with our ordinance. The City staff also play a role in ensuring safety in tourist home operations and we do that through a building inspection and Fire Department inspection, just to ensure that the units are safe for operation, you know windows have proper regress, the electrical and HVAC systems are up to code. And then lastly, we provide ongoing tracking of the housing landscape, code compliance and potential housing market impacts. We're doing that through the monitoring of our online dashboard and review of data and the ability of staff to respond to those code enforcement pieces. And we've heard a bit over the last several months, confusion about that City role and what the City provides versus listing platforms or other entities. So, just wanted to clarify that listing platforms don't provide that same level of review or inspection to local city codes, or the health safety pieces, and the City-County Health Department primarily inspects for sanitation requirements. So, similarly does not provide that building or life safety level of review. And with that, we've got the motion here.

Mayor Jordan Hess Thank you.

Montana James I can take questions.

Mayor Jordan Hess Okay and we will first open the public hearing, if anyone wishes to comment. And Montana, we still have your screen share up as well.... oh there we go thanks....

Montana James Should be down...okay.

Mayor Jordan Hess Perfect. If anyone wants to provide comment in the room or online, now is your opportunity. Seeing none, any questions from Council members? Ms. Jones.

Aldersperson Jones Hi Montana, thanks for presenting on this and all the information. If you could, we often discuss the difference between rental properties, short-term rentals that are just full-time short-term rentals versus an owner occupied house that is periodically rented out for some supplemental income, and just, I just wanted you to clarify that we are prioritizing the short-term rentals that are 100% short-term rentals because we had an email today and I, it, to Council again it was on that issue. So, could you just talk a little bit about? That's our goal, that's what we're trying to get registered because that's part of this equation of housing stock.

Montana James Yeah. That's right and I know we've had some discussion about kind of what, which units our ordinance applies to, and which don't. And so we've, the staff have worked with the City attorney's office to make sure that we're interpreting state code and state definitions of a tourist home and that we're, we're in accordance with those, those state definitions, which don't consider homes that are a primary residence to, to be a tourist home.

Mayor Jordan Hess Additional questions? Seeing none, we will hold this item open until next week as well. And one last call for any public comment or questions. Seeing none. All right, we will hold this open. Thank you Ms. James for the presentation and that concludes our public hearings for the evening.

## **10. COMMITTEE REPORTS**

### **10.1 Budget and Finance (BF) committee report**

### **10.2 Climate, Conservation and Parks (CCP) committee report**

### **10.3 Committee of the Whole (COW) committee report**

#### **10.3.1 Minutes from the January 25, 2023 Meeting**

### **10.4 Housing, Redevelopment, and Community Programs (HRCP) committee report**

### **10.5 Land Use and Planning (LUP) committee report**

#### **10.5.1 Minutes from the January 25, 2023 Meeting**

### **10.6 Public Safety, Health and Operations (PSHO) committee report**

#### **10.6.1 Minutes from the January 25, 2023 Meeting**

#### **10.6.2 A resolution of the City Council of the City of Missoula, Montana, declaring its support for Legislation by the 2023 Montana Legislature restoring to local governments the power to regulate single use plastics.**

Mayor Jordan Hess Can I get a show of hands of how many folks are here tonight for either the resolution to the Montana legislature to restore local government's power to regulate single-use plastics? Okay and also the Higgins Avenue item? Okay. I'm gonna save you all a little time tonight and without

objection, we'll take those two items first. We have six public hearings in various phases on the agenda before those. So, without objection, we're going to go to committee reports and we will start with the plastics item. Ms. Anderson.

Alderson Anderson Thank you so much Mr. Mayor. So, this is an item that we heard in committee week before last, that not having a Monday sort of messes up the calendar. And basically, this is a non-binding resolution of support for efforts that are being, that are working their way through the Montana Legislature right now to restore local control to engage the community on how we want to, if we want to, regulate the usage of single-use plastics and Styrofoam's. We have many people in the audience who I'm very excited to see, who are excited to give comment on this and I think that the points that they're going to highlight is that the scientific proof is pretty obvious and irrefutable that plastics are a huge hazard to our environment, to our waterways and to us as individuals, and there is lots of really great research and resources to help illustrate that, but what the biggest thing for me is, this is really a two-part issue. It's giving local control local government, we're the body that is closest to the people, who are elected by the folks who live in the community. We are engaged daily in the with the folks in the community, we're the body that knows what's best and to take away our right to engage in the conversations and deliberations within our community is an overstep of the legislature. And so, this is one way in which to give those rights back and they are, there are many examples not just in the area of plastics where the legislature has overstepped and I think that you know having these opportunities for these forums and committee meetings, we are so much more accessible than the legislatures. We meet every week, almost every week, year in year out and so this is not only to talk about local control, but talk about the fact that the science is there about the plastics being harmful to our environment and to and how that we are directed by the Montana Constitution, which we all swore to uphold to make a for a clean and helpful environment. And I think the proof is pretty obvious that plastics are directly interfering with that. So, we're bringing forward this non-binding resolution of support to add to the record and hope that there are positive efforts through the legislature to not only give us back local control, but local control on the specific issue. Thank you Mr. Mayor.

Mayor Jordan Hess Thank you Ms. Anderson. So, what we'll do is, we'll take questions from Council Members, then we'll have a motion, and then we'll go to public comment, and then come back for discussion. Ms. Vasecka, a question?

Alderson Vasecka Yeah, I guess, if since, I've been delving over the Mason's Rules of Order, that was, it was just, we were supposed to make a motion and then speak to it....

Mayor Jordan Hess Well, so, this is our staff....so this, so Stacie is acting as our staff presenter.

Alderson Vasecka Oh Okay. I just want to make sure I have everything correct. Thank you.

Mayor Jordan Hess Yeah, so we'll do, we'll do a motion, or we'll do discussion on the motion or arguments for and against after the motion. So, any questions? Okay so, with that, we'll take a motion, and this comes out of Ms. Anderson's committee. Ms. Anderson.

Alderson Anderson Thank you. So, once again, out of the Public Safety & Health, we would like to recommend that the City of Missoula adopt a resolution in support for Montana state legislation that restores local government powers to regulate single-use plastics.

Mayor Jordan Hess Okay the motion is in order. On the motion, we will now take public comment. If you'd like to give comment, just please step on up and give us your name for the record, and please try to keep it to about 3 minutes. Good evening.

Liz Ametsbichler Good evening. I timed it I think it's under 3 minutes. Good evening members of the City Council and Councilwoman Anderson thank you so much for all of your support and for bringing this forward. My name is Liz my name is Liz Ametsbichler and I live in Ward 6. And so, I would like to take this opportunity to thank the Committee of Public Safety, Health, & Operations for passing the non-binding resolution to regulate single-use plastic in Missoula with overwhelming support or approval. And I, at this point, also would like to recognize all of the Missoulian's who are out here tonight to show their support. Do you guys want to stand? Yeah...So, I appreciate them coming out and showing their concern about plastics and their support for this resolution. I spoke at the committee meeting last time and I just wanted to speak again tonight to reiterate my concerns about the ubiquitous presence of plastic in our lives. It pollutes our air, water, soil, and bodies. It threatens our wildlife and ecosystems. It increases illness, widens inequality, and hastens the climate crisis. It's the, one it's one of the greatest environmental and health threats of our time. Plastics release climate warming emissions at every stage of their life cycle, from the extraction of oil and gas used to manufacture plastic products, to transporting them, refining them, and even to recycling or trying to dispose of them. All of this accelerates climate change. Here in the U.S., the plastic industries, greenhouse gas emissions are poised to surpass those of the coal industry by 2030. If plastic were a country, it would be the world's fifth largest greenhouse gas producer. We cannot solve our climate crisis without also solving our plastic pollution crisis, so, and it's a first good step, we could start here in Missoula. We need to be able to decide locally about how to regulate single-use plastics because we care about the health of Missoula citizens and we want to improve it. As you all know and we all know, the Montana legislature has banned local communities and Councilwoman Anderson pointed to this again tonight, they banned local communities from moving forward with common sense regulation and this really has to change. So, thank you for your time and your support and we have maybe four or five other speakers.

Mayor Jordan Hess Happy birthday.

Lee Brown Hi again. My name is Lee Brown, and I was born in Missoula, raised in Conrad, but kept moving back here, so I ended up moving back here permanently 1987. I taught 25 years at Hellgate High School, and I was head of the SAVE Program at Hellgate High School. So, I feel really obligated to get up here and stand for the students, all the students here in Missoula and I'm from Ward 3. I'm here to ask Council to support the resolution to give control back to the local government to repeal House Bill 407, which has passed during the 2021 legislation, legislative session. We'll be joining other cities around the state, giving us permission to protect the environment life support system from degradation, improve adequate remedies to prevent unreasonable depletion and degradation of natural resources from, that is straight from the Montana Constitution Article 9, part 9, section 1.3. Missoula County banned wood stoves on October 1, 1994, and many of us were here at that time and remember what the air was like, and because of that ban we were capable of improving the, the air quality of Missoula has improved phenomenally. We just, we just did it just for the City of Missoula given the Seeley Lake area, they were not required to follow that banning, and so what that tells me and the legislation legislatures have never gone back and said no you can't do that. House Bill 407 is a ban on bans, which the legislature does not wholly embrace. If they did, they would, they

would stop us and recently there's legislation, I've talked, I talked about this before that now they've passed on the regulation of e-bikes on our trips. They said we want you guys to decide. So, my point is, is that it's really not a ban on bans, it's a ban on specific things that they don't want us to make decisions, that there's no, I can't figure out how it would be any other way. I was thinking today, I was thinking well I wonder if they would ban us banning drag shows in Missoula? I'm just going to bet that they wouldn't, that they would not stop us from doing something like that. I don't know, I'm just guessing at that having lived here for 66 years. Basic, what we're asking is to basically the same thing to give local control to communities, so they have the right to maintain and improve clean and healthful environment in Montana for present and future generations and that too is from the State Constitution, article 9, part 9, section 1.1. So, thank you for letting me speak.

Mayor Jordan Hess Thank you for your comments. Anyone else tonight? So, so. we don't, we don't applaud in the chambers, it's just a, out of respect for anyone who might disagree, but thank you for the, the enthusiasm and come on up.

Megan Thornton Hi, my name is Megan Thornton, t-h-o-r-n-t-o-n, correct. I am mother to three children ages eight, five, and three and we live in the Russell neighborhood of Missoula. We are so grateful to call this beautiful place home. I talk to my kids about climate change and pollution, and we brainstorm ways that we can be better stewards of the earth. We try to find small, doable, incremental actions that we, we can take, such as picking up trash on our walk home from school and looking for treasures at thrift shops instead of buying new. Last year, we watched the documentary film Microplastic Madness about elementary aged kids in New York City who work to curb plastic pollution in their community, and they succeed and banning Styrofoam. I was both shocked at the scope of the plastic problem, in this film, and really inspired by the youth and their mentors and we continue to talk in our family about ways to reduce our plastic consumption. Governments regulate harmful substances in the environment all the time, it is part of their reason for existing to ensure a safe and safety and health, the safety and health of their citizens. Plastic pollution, understanding and addressing plastic, plastic pollution and its impact on human health and the health of species in the environment is no different and falls squarely within their role. The plastic problem is overwhelming; I feel overwhelmed when I start to dive into the research and think like you know what can I possibly do to make a difference because it is so huge and is it is accelerating. Taking steps at the local community level, for this reason, seems so important, not only for the actual change that will come about but modeling to our kids that change is actually possible. And for this reason, I am in full support of this resolution of the City Council and I think this kind of thing can have a really powerful ripple out effect, statewide and nationally, globally and have huge, huge impact in exchange for sacrificing very small amounts of convenience in the plastic world. So, thank you very much.

Mayor Jordan Hess Thank you for your comments tonight. Anyone else tonight? Come on up.

Ted Geilen Good evening. Howdy, Ted Geilen, from Recycling Works speaking in support of the resolution of ban. And before I start, I just wanted to say that I, I appreciate the service of the people that I'm, I'm looking at some of the comments, the style, I felt trapped in all in the second row, so thank you. This is going to be a softball, we're going to start off with some good news that as a member of the non-profit called Recycling Works, we've been collecting glass at Missoula City Compost, and we now have the largest glass recycling center in

the State of Montana. We've collected 1.8 million pounds over four years. We have donated the proceeds of that activity \$35,000.00 to support community activities, public education, so thank you for being part of that. I, I don't want to give the same talk that I gave last time, but in case there are folks that haven't heard, we, we're doing now multi-stream recycling, which is paper, plastic, cans, cardboard and plastic, and that's why I'm here tonight is that I've learned a little bit about plastic over the last nine months or so in setting this up. And what I've learned in the most basic form is that there are two types of plastic that that are readily recycled in the United States, mountains of it and it's number one, number two. It's not gonna be a surprise to anybody. Number one becomes this carpet; number two here comes those park bench boards outside. So there, there's some, of course no plastic is, is better for most cases but when, when using plastic one and two is readily recyclable. Things like Styrofoam and stirrers, and the like the single-use really can't be recycled in any sort of practical way. Recycling is kind of hard and you need a lot of stuff that looks exactly the same with no contaminant. These single-use plastics don't have a constructive way to be brought back into the system and so we stand in support of a ban of single-use plastics. Thank you.

Mayor Jordan Hess Thank you. Anyone else?

Jeremy Drake Good evening City Council Members, Mayor Hess. My name is Jeremy Drake and I live in Ward 5. I spoke to the committee a week and a half ago, so you already know from my comments then that HB 407 prohibits the city from implementing parts of the Zero by 50 zero waste plan that was unanimously adopted by City Council a couple years ago. I'd like to remind you that more than 300 Missoulian's participated in the creation of that plan and the, the piece in the plan around banning problematic plastics as a possible policy. We've heard tonight about how our constitution guarantees our right to a clean and healthful environment and a yes vote on this resolution is a vote for the environment, and it's also a vote for the health of Missoulian's. We've heard about the health impacts of, of plastics all across the, the cycle. We all know about Libby Montana, right? It's cautionary tale that has some relevance here, asbestos was once thought of as a miracle material. Now, for plastic, the, the gig is up, we know what's going on, but why are our legislators pushing plastic by restricting your power. Who's really behind HB 407? When I testified against that bill in 2019, petroleum industry representatives were in the room. They were joking about serving lobster on Styrofoam trays to celebrate their victory; it was grotesque. A yes vote on this resolution will send a message to Helena and beyond that Missoula puts its people before the petroleum industry. I urge you to vote yes on the resolution even if you believe repealing HB 407 will make it difficult for Montana businesses to comply with a patchwork of local regulations. Why? It's because that this resolution also calls for a statewide legislation on banning certain single-use plastics. Plastic is not political; its harmful effects don't discriminate based on your political viewpoints. My kids are here tonight; they're two of over 72,000 kids that are enrolled in MCPS Schools alone. So, what kind of Legacy do you want to leave to those kids here in Missoula? Thank you so much for your time.

Mayor Jordan Hess Thank you for your comments. Anyone else? Okay, anyone else in the room? Anyone online? Mr. Larson.

Matt Larson I think that the single-use plastic thing is, is great and all. I'm wondering why the City of Missoula still uses glyphosate in all the city parks and why we can't do something about that first as opposed to placing a ban on private businesses which will be hard to enforce? It's not that I'm against the ban; it's that it's the practicality of it, when there's other things that we can do to

protect our aquifer and protect you know our children and the cancer rates of our community. Stop using glyphosate, stop using Roundup or glyphosate, as a weed protector, weed killer in all the public parks here in Missoula, that's simple. We can, we can implement that without infringing on any private businesses and I think we can all agree that Roundup is bad to ingest and so when Roundup goes in our public parks on the grass and it rains, it goes into our aquifer. It's pretty simple but I enjoy all the virtue signaling.

Mayor Jordan Hess Thank you sir. Straying into non-agenda item territory there a bit. Anyone else online? Seeing none, anyone else in the room? All right. So, thank you all for the public comments. We will now go back to Council discussion, and anyone wish to make a comment tonight? Ms. Anderson.

Alderson Anderson It's still, like do you wanna, is for just uniformity, is it easier for you if we always raise our hand virtually?

Mayor Jordan Hess I would prefer it if you did it possibly and, and just rather than online, that's, that's my preference.

Alderson Anderson Oh perfect, I'm glad I asked the question. Okay, thanks so much everyone for coming, happy birthday Liz, and for showing your support. I, I did a little bit of speechifying in my presentation about why I brought this, and I appreciate everyone for giving me the opportunity to help bring this through to Council, myself and Councilwoman West have been working on a single-use plastic bag ban prior to the pandemic and then the world kind of got put on hold and then the legislature decided to intervene in the meantime. And to say we were frustrated is a bit of an understatement. but this is a way for us to continue to show our support for local control, our support for you know the banning single-use plastic six, as well as Styrofoam's. It just, in this day and age, it still shocks me when I go and get takeout anywhere that it's given to me in a Styrofoam and so I try to, when I remember to be the weird person to bring my own Tupperware because you know, it still surprises me, especially here in Missoula. So, thank you to my Council members for who will be supporting this. I think it's an important step to show our solidarity that in this issue, as well as for local control and to give us the opportunity to really engage in a thoughtful and meaningful discussion with our constituents about how they want to you know see you regulate single-use plastics and, and for all the reasons that were much more eloquently articulated than what I can say in terms of the effects of plastics in our lives and on our health and, and for the environment and for this planet that we only all temporarily inhabit and we leave it to the younger generation to take over from us and, and we are not helping that cause. So, this is just a small step really in solidarity but hopefully gets a meaningful conversation started. So, thank you so much.

Mayor Jordan Hess Thank you. Ms. Sherrill.

Alderson Sherrill I don't remember if I'm muted online too. First, I want to I want to thank Ms. Anderson and Ms. West for their work on this that, that actually preceded me being on Council. So, they were, they were at work on that when I came on to Council in 2020 and unfortunately that got stalled fairly quickly. I also want to thank the public for coming out two different times and as I said last time, I really hope if, if we are successful in this that you will come back. I think there's a lot of conversation about it and I think there's going to need to be a lot of research around how we would do that if that if we get to that point. So, and I, I really appreciate, I'm sorry I don't remember your name, but the gentleman that pointed out that this is this is our Zero by 50 plan, a plan that we are operating under, it, it see, this is kind of a no-brainer this is pushing that plan forward. So, to me, this is the number I'm gonna vote for it. It's the right thing to do for so

many reasons that I could keep you here a really long time talking about it, and I won't.

Mayor Jordan Hess Thank you. Ms. Jordan and then Ms. Jones.

Aldersperson Kristen Jordan Yeah thank you. Stacie, Ms. Anderson, I would like to thank you for bringing this forward. I think this is a really awesome first step in setting some boundaries with the state I know that it's a tricky tenuous position to be in because it puts us in the radar, but resolutions like this are one of the reasons why I wanted to be on City Council because they're super meaningful, they are going to affect generations, and it is letting the state know that Missoula has certain values that have been made important by the people that have been voted into office, if that makes sense? We want to represent the folks who came out tonight, who think that this is really important and I'm excited for next steps because this is the first step. The next step, I think, is to perhaps absorb a little bit of risk and conflict aversion and maybe push a little harder at the state level for things that are important to us as a community, but thank you so much for bringing this forward. I fully support it.

Mayor Jordan Hess Thank you. Ms. Jones followed by Ms. Becerra.

Aldersperson Jones I'd echo all of my co-Councilors comments. Thank you everyone and I did want to tell folks in the audience, I appreciate you not clapping because we do try and keep an atmosphere where all are welcome to, to say their piece in here, but we do clap four birthdays, so it's okay, pretty non-partisan, you know. Anyway, I, I again thanks, thanks Stacie and Heidi for working on this. This is a good step forward and this really goes to the issue of local control. There are many communities in America that have taken this step of not having local stores use one use plastic bags and things like that, and honestly you, I've been in plenty of these areas and you, you figure it out, you adapt, you move forward, you don't think twice about. It, it's a no-brainer and Missoula could easily take this step forward. The beauty about local control is if we on Council had the chance to craft a, a resolution for this, we could build in the flexibility where we need, work with folks, make sure that it is as impactful and as workable as possible, and really craft a good product. The legislature is a very different beast, it is fast and furious, it is broad strokes on the local control level down here. We can take the time to really make it work in our community and we know our community, and the support here is wonderful tonight. So, I'm very much in support of it and thanks for bringing it.

Mayor Jordan Hess Thank you Ms. Jones. Ms. Becerra.

Aldersperson Becerra Thank you. I too want to thank my colleagues, Ms. Anderson and Ms. West, for bringing this forward and to all of you for everything that you have done to collaborate and bring it to the forefront. It's an important issue; I think that for anyone who wants to focus around the economics of regulating single-use plastics; the economic impact is significant. I have spent time in countries and in cities in the U.S. where plastics are regulated significantly and the amount of money that you can save by not having to deal with the unintended consequences sometimes of plastics is significant and that can be put to deal with other important issues. So, if, you know, if the environmental and health impacts are not enough for someone to support it, I think there's economic benefit to doing something about it as well. So, thank you for everything that you have done; I will fully support it.

Mayor Jordan Hess Thank you. Ms. Vasecka.

Alderperson Vasecka Thank you and happy birthday. I do want to thank everybody for coming out tonight. I spent the weekend and a lot of today honestly researching a lot of the plastic controversy. You know, I went to some rabbit holes on the internet, and I watched a really interesting, I don't know if it was a documentary but it was some forum of I cannot remember it because I wasn't sure if I was going to take notes during it, but of Massachusetts. There was this Keep Massachusetts Green and it was a doc, it was like a little like news documentary, it took about an hour, hour of two folks one who worked in the recycling area and one who worked for not Greenpeace but some other some other environmental program and they were all for a plastics ban, but I learned some things during that, is that there's a lot of specifics that have to go into the plastic ban. So, a lot of, a lot of the bans, I guess talk about the thickness of the plastic, and you can only have it so thick then it has to be banned, but if it's thicker than that then it's not bad, but the problem with that is, is, if it's thicker plastic then it takes longer to decompose. And so, then there was that argument of the paper versus plastic and then the paper bags essentially with landfills, they are and yes the whole point is to get the people to recycle more, but if they do end up in the landfills then essentially a lot of landfills end up as, instead of composting things or having them break down to the earth, it becomes a kind of sort of a mummifying because of all, I don't know the science involved, but it kind of mummifies things so it keeps it intact, if, if, if we don't recycle them. So, you got to think of human behavior with all that and then like if we do get rid of plastic bags and then we move to paper, is that still help helping as much as we want it to and also with the reusable bags, I went down a rabbit hole of this. The reusable bags that you can go, you forget them you forget to wash them and then yes this is just that one source and if anybody asks, I'll look it up later and I can get it to you. They said that it will take over 300 times to use that one reusable bag for it to equal the amount of environmental impact of single-use plastics. So, I mean, I, I completely understand and the frustration and the, everybody being so passionate about this because I have a child myself, I am very concerned about his future. However, that is not what the question is today. The question today is, are we going to have state uniformity with auxiliary containers and having healthy state economics. And the reason why I bring that up is because that's what that bill is and to repeal that bill makes everything kind of chaotic in the business world. Let's say that you have a restaurant, and you have a chain here in Missoula, you have a chain in Helena, and then our rules here in Helena or here in Missoula are way different than the stores in in Helena. So, you can't just order from an out-of-state manufacturer for all of your containers and then hope that that that will fly, I guess, in, in both cities. So, it becomes a huge, a huge costly burden for restaurants and other and other businesses around our city and it really does harm local business owners. And so, I do believe in local control and at that local control, I believe it at the state level fourth for this because with commerce, it's really tricky to have to buy things and do your business and as soon as you go into a different county, you have to play by a whole different rules and so I do believe that with the state uniformity of this, I, I understand where the legislators were coming with this and I do want to continue the conversation about plastics and a single-use plastic uses and on that note I love, I can't remember which gal came up and said that how about you know, you gotta teach, teach your children by example and I agree. I think that we should all do that, but if I forget my, my bag I don't want to have to buy another one and never use that and put it in the back of my closet. So, I, I'm not going to support this because I do believe in the state uniformity, but I really do understand the frustration and the and the concern for the future. So, I, I'm happy to have conversations about this in the future but I, I am not going to be in support of, of signing this resolution.

Mayor Jordan Hess Thank you. Anyone else tonight? Mr. Nugent.

Alderperson Mike Nugent Thanks Mr. Mayor. I think that any time that we can request local control back, it's a, it's a good thing. And Ms. Vasecka, I understand it through the point you're making, and I think that I would just echo President Jones point that we're not having a conversation on what our policy could potentially look like right now, we're having a conversation on saying this is something that we think we can do better at the local level and I think that's important. I guess to all the supporters who are here, I would just say thank you all for being so organized and polite in your comments, that doesn't always happen on topics including others tonight. And I would just say that take this for what it's worth, but I think this is the easy part. I hope that you are ready to be this organized in fighting to get our local control back at the state legislature because that's really where the work is going to be and I, I commend you all for showing up and just keep on doing it.

Mayor Jordan Hess Thanks. I'd add to that, thank you for, for that Mr. Nugent. Today, the, the body that would be in charge of repealing this at the state level canceled a hearing with 3 minutes notice. So, if you drove over to our Capital City from, from Missoula or worse yet from Glendive to testify on that hearing, you may have been disappointed to learn that your travel time was not well spent. When we acquired our local water system, that effort started in, it was one of the very first things when I was seated in the City Council in 2014 that, that we entered an action to condemn our water system. And one of the big things that we kept talking about over and over and over again is that the PSC, the Public Service Commission, that regulates Utilities in the state of Montana had this arcane quasi-judicial process to do things like set water rates. You had to have standing, almost you know are a court to provide testimony at that those hearings. You had to again schedule a trip to Helena. This process was opaque; it was not very easy to navigate. We set water rates in this chain in these chambers now and people come down and they get mad at us when we change water rates and that is what keeps us accountable is that is that our local community is looking after us on water rates. I totally agree with all the stuff on plastics. I'm not going to talk at all about plastics because I think the science is clear that plastics are a problem, but for me the issue of local decision making is and it's not to me it's not control, what, what the control is, is the state reaching in and controlling the destiny of local communities. What, what I think we need to advocate for is local decision making to have the ability to, to make decisions in these chambers that affect that affect you all and all of us around the table and, and our children that are here in in attendance tonight that, that's what's important. There are 25 under 7-1-11 MCA, there are 25 powers denied, those 20 or 6 of those were enacted in the 2021 legislative session, 13 of those, over half of them have been enacted in the last decade. So, the, the trend, the trend line on powers denied being added to Montana code is alarming, it is taking authority away from local communities, and it's really problematic. Another Mayor in the state recently told me, very different politics for me, and recently said I don't agree with much that you all do in Missoula but I support your right to do it and so, I think this is something that is of concern to communities around the state and something that we need to continue to talk about and, and push. And if you go over to Helena and your hearing isn't canceled, I would encourage you to, or if the hearing was scheduled with enough notice for you to get there, I would encourage you to have resolve on this, and I thank you for your courage in coming down here tonight and for taking the fight beyond here. Ms. Vasecka.

Alderperson Vasecka I did forget to mention a couple of things, if I'm not on cap because if this does get repealed and I'm not on Council when it does happen, I just ask that we're very conscientious about what we're actually going to ban, if, if

that is the intention. You got to think about if, when you put your, your broccoli into that plastic, if you go to the good food store and you're using your spices and you put into that plastic. Yeah, I want, I want it to be very, I guess I don't want it to have a huge gridlock and not have the, have unintended consequences is what I'm trying to get at because I was looking at in New Jersey, folks who did forget their bags they would just steal the baskets and they would and they're eight dollars a basket so they would go under their car and just drive away with it. So, there's some unintended consequences with some of the regulations, so if it does get to that point I just want everyone to be very I guess think about it from every angle that you can think of. Thanks.

Mayor Jordan Hess Thank you. Okay, we've had a good discussion, we've had good public comment and we have a motion on the floor. We can have a roll call vote on that motion now Ms. Rehbein.

Mayor Jordan Hess And the motion passes. Thank you Ms. Anderson and thank you all for coming down tonight.

Adopt a resolution in support for Montana state legislation that restores local government powers to regulate single use plastics.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Carlino, Alderperson Farmer, Alderperson Jones, Alderperson Jordan, Alderperson Nugent, Alderperson Sherrill, and Alderperson West

NAYS: (2): Alderperson Contos, and Alderperson Vasecka

ABSENT: (1): Alderperson Savage

**Vote result: Approved (9 to 2)**

## **10.7 Public Works and Mobility (PWM) committee report**

### **10.7.1 Minutes from the January 25, 2023 Meeting**

### **10.7.2 Minutes from the February 1, 2023 Meeting**

### **10.7.3 Presentation on the Higgins Avenue Corridor (Brooks to Broadway) Planning Project**

Mayor Jordan Hess We will move on to the other item of committee reports and then we'll be back in our regular order. You're welcome to hang around or not. We've got lots of public hearings after that too, if you're interested. We'll just, we'll just stand in a brief recess. We'll, we'll recess until 7:15 p.m. We will be in order. We will move on to our next item of committee reports. This is our Higgins Avenue Corridor Planning Project. I'm going to start with, without objection, I'm going to deviate from our order a bit. I'm going to start with, with public comment on this item and then we will come back to our standard order. Any, any public comment on the Higgins Avenue Corridor Planning Process?

Amy McQuilkin Good evening, my name is Amy McQuilkin. I operate a business I started in Ward 3 called Betty's Divine. I have been doing that for 18 years. I practically call Higgins Avenue my home. I'm here tonight to thank the majority vote that happened recently in the committee for the preferred concept of the Higgins Avenue changes. I have been part of the process over the last two years. I'm an engaged business owner. I care about my community. I care about safety. I also operate a business and understand that economic prosperity and safety do not need to be opponent. I have seen many opportunities to participate, to engage, to look at graphics, ask questions. Engage Missoula, I

find to be more entertaining than Instagram, so thank you for that. I also honor the hundreds of hours of work that knowledgeable staff of our city have put into this, public servants, educated consultants, and also business owners and community members alike. I've seen many people at these meetings, seeing comments, and there has been no lack of engagement despite what has been coming up in the recent mix. So, with that, I will keep this brief. I like this plan for many reasons but the main one is I am excited that there's a vision for Missoula's future and not an attachment to a past that no longer serves us. Higgins Avenue I see as a destination. It is a place that serves and especially in my area of the Hip Strip, it serves the senior center, it serves the high school, it serves neighbors, children, children going to middle school, people walking, people doing business, it's a wonderful place, it is a destination, it is not a highway for cars. I, I see this change to be beneficial for everybody. My experience during COVID, no sorry, we won't talk about that. My experience during the Higgins Bridge rehab, when we went down to two lanes was actually some of my best years of business. So, I am excited to see what the preferred concept does for our community. Thank you.

Mayor Jordan Hess Thank you. Thanks for waiting for the item tonight. Any additional public comment in the room? All right, come on up.

John Frederickson Hi, I'm John Frederickson and I live on Brooks Street. I, I disagree with the previous speaker. In my limited opinion, the Higgins Avenue Bridge needs to stay two traffic lanes. The bridge was designed for the bikes to be on the sidewalk. The sidewalk is 12 feet wide on both sides. The lanes are narrow as they are. Reducing it to two lanes, in my limited opinion, is not appropriate. There are four bridges across the river. Pedestrians have one bridge, pedestrians and bikers have one bridge underneath Madison Street. There's also the pedestrian bike bridge over at the university that's used exclusively by pedestrians and bikers. I think the 12 feet sidewalks on both sides the Higgins Avenue Bridge is adequate for the bikers and the pedestrians, and I would suggest you leave it as is.

Micki Frederickson Yeah, so, we did this little thing. Well, no wait with me, so, we're like. So, I'm, I'm five feet and John is six, so, so put your hand out. So, it's like, this is what we're looking at. This is what we currently have, you have a path that's wide enough for the bikes and the pedestrians. So, we are not, you know we're just not understanding why we can't leave the street as is. I think one of the letters to the editor said if it's not broken leave it and I can tell you from living three blocks from that intersection, I know that you can do lots and lots of tests and surveys and your, your architects and all your people are counting numbers and you know, however long it's going to be for a wait but I can tell you where I live, I see that traffic backed up. I go home at five o'clock and there's red lights like a couple of box blocks down the street. I don't understand how you can take Brooks and Higgins and have them combined to be one lane of traffic. I just, I don't understand. I think it's a big mistake. Thank you.

Mayor Jordan Hess Thank you. Can we get your name as well for the record?

Micki Frederickson Micki Frederickson.

Mayor Jordan Hess Thank you. Anyone else in the room tonight? All right, I'm going to go to online comments. I have two telephone commenters, the first one, phone number ending in 73. It looks like you're unmuted.

Jessica Tuberty Hi there.

Mayor Jordan Hess Yes, hello.

Jessica Tuberty Yeah. Hi, my name is Jessica Tuberty. I am a private citizen calling in in support of the preferred concept. I'm excited and grateful for the four to three conversion so that I can bike, walk, or drive whatever the mood I happen to have that day suits me and arrive downtown safe, and ready to spend my money and engage with my community. I think that people feel good when they can choose a path to downtown and know that when they're in their car, it is a predictable, well-managed traffic situation for all modes. The evidence is really strong that these types of conversions protect car pedestrian and car bicycle interactions, accidents, and even fatalities, so way, way down and there's, that's just wonderful for everyone whether you're the car driver or the cyclist or the pedestrian. And so, I think that is great for people who visit, who maybe don't understand where they're going. I think it's great for people of all abilities or people who are differently abled and I think it is a wonderful change for families who would like to take their entire family at multi-age through Higgins to get to downtown and back. The second thing I think is really important, having driven, walked, and cycled on other four to three conversions is I appreciate the vibrancy that this brings to the business. People call it a postcard street and I think there's something to that. It is a gift to every business. It is a gift to the people of the community to get to be part of that and to see the energy that people who are safely cycling and walking and driving through bring to the space, and so, I think it's brilliant. I'm proud that I live in Missoula. I'm proud that people look at these different options and as I say, I think the most important thing is number one we know in other communities it is safer for everyone, all most arrive safer. We know from other communities if you've experienced it that it's beautiful. It is a beautiful change to a street and then I'll just add the third thing for any of you all who have tried to turn left when the sign says don't turn, the idea of having a predictable left turn lane on Higgins at all times a day is delightful. Thank you so much for hearing public comment, for all the hours of work that the city has put in. I have observed and interacted with the outreach activities over many months and even years and I think this is a decision that has been very thoughtfully examined and perhaps will be uncomfortable in thinking of, but I think enjoyable and something to be really proud of when it's complete. So, thank you for your time and good luck.

Mayor Jordan Hess Thank you Ms. Tuberty. And I have Mr. Larson next.

Matt Larson Yes, Matt Larson, Ward 3. Thank you for allowing me to speak. I believe there's a quote, the distance between theory and practice is much closer in theory than it is in practice, and I think this is going to be an example of this, should it be passed. We're taking away all the parking from the Hip Strip. We're essentially pricing out all the other businesses that have parking right now, and all the residents, and this is part and parcel for the City Council's plan to just raise everybody's cost basis in the, in the Hip Strip. This is totally going to destroy the Hip Strip, which is why I think you're not seeing very many if, if at all. I think we just we've only seen one person, one Hip Strip owner support this. I don't know of any other Hip Strip owners, and I live in the Hip Strip and know many of the businesses personally. I can't see any of them supporting this except the one that already doesn't have parking on the Hip Strip, so, it's a, it's an issue. People are disabled, they need to have their parking to participate and it's one of one of these issues that we can you know, use, use the old, the age-old saying like others were saying before me, if it's not broken don't, don't fix it and this is going to bottleneck downtown more. Downtown has already been bottlenecked with the other bridges and it's not really making downtown safer. As far as pedestrian versus vehicle accidents, I can speak from personal experience to that, being hit by two cars downtown, but that's neither here nor there I guess, just another citizen speaking into the echo chamber here. Thanks for allowing me to talk.

Mayor Jordan Hess Thank you sir. We have another phone participant, phone number ending in 66. And yes, we can hear you.

[caller 66] Okay, great, thank you. All right, I'm a resident of Ward 3 as well and I'm calling in support of the proposed plan. To start off, I'd just like to quote an op-ed written by Jeremy Keane, the Public Works Director for the City of Missoula. He said, "that our recommended design is expected to reduce crashes by as much as 50%, cars will always be a welcome and necessary part of downtown, but by prioritizing space for pedestrians, bikes, transit, turn lanes and on-street parking, the Higgins quarter will be safer, provide better access to downtown businesses and parking structures, and often more transportation choices for getting downtown." I read this op-ed and was in support of the plan because it sounds like we're gonna get more people walking around our downtown, looking in the storefronts, and supporting our local businesses. There's expanded bike claims to help people commute in a more sustainable way and reduce our carbon emissions some while also making a healthier citizenry for Missoula, and also just making downtown a more beautiful vibrant place too by having more pedestrians and bikers. I think it, it will be a more lively feeling in those summer evenings we all know. So, just like those new bike lanes down near the break are awesome, they're all pretty and gardened up, I'm sure those, I think that these new changes will hopefully be a part of that Downtown Missoula that I know and love in a few years' time too. So, I'm calling in support on account of the safety concerns, as well as the more vibrant downtown we'll have people looking in the business in the storefronts and to be able to bike and walk more. So thank you.

Mayor Jordan Hess Thank you sir. I don't see any additional public comments online or, or in the room. So, with that, I will return back to questions from Council and, and before I do that, give an opportunity for Mr. Wilson if you have any additional comments outside of us outside of answering questions. Yeah? Sorry go right ahead, are you just questions?

Aaron Wilson No, I can, I can....

Mayor Jordan Hess Okay, yeah if you want to, if you have.....

Aaron Wilson I have a couple of quick....It's so unusual to be here in person, it's kind of nice to see everyone, everyone's face. I just wanted to add. I don't have a lot of additional info to present, but just wanted to clarify a few things and just sort of reiterate the purposes of this project and what we're trying to do because I think there has been a lot of confusion and a lot of different topics flying out there. So, the first thing I want to state is that you know this is a hard, I've said this on Wednesday last week that this is a hard decision, you know it requires change. There's not enough room to do everything for everyone and so what we set out to do is try to evaluate all the pros and cons of different changes and try to pick a concept for the corridor that works for all of those different goals including safety, including business activity, including accessibility, different circulation, movements including motor vehicle and parking. All of those things were factored into our decision making and we tried to do as much research and analysis as possible on all of those. So, as I said on Wednesday, we can make an informed decision based on all of that evidence and all the input and hopefully you had some time to read through the comments that we, we sent along. As I said, I think we had 160 or 170 pages worth of public outreach results from the last two years of conversation, so we've been talking about this a lot. We've talked to a lot of different people and not surprisingly, there are a lot of different views and a lot of different opinions and, and some middle ground but you know we can't accommodate every interest on this corridor regardless of what decision

we make. So, the first point of clarification I want to make is that this project started not as a bridge redesign; this started as really catalyzed by the bridge and the, the facilities that were provided there and how much they highlighted the, the lack of connectivity on either side of the bridge and the conflicts we were creating by having a good facility on, on Bear Tracks bridge that then turned into you know bike lanes disappearing or a lack of adequate pedestrian safety or accessibility. And so, that, this didn't start as a way to how can we change the bridge design now that we've just built it, it was what can we do on either side of the bridge to create a consistent corridor from one end for from Brooks all the way to the, the end of the x's. And, and so that was what we set out to do what we were proposing, in terms of lanes and configuration on the bridge is really in my mind sort of the least critical aspect of this. You know, I think there's a lot of room to do a lot of different things with that available space, but what's really critical is how you connect that then along through south of the, the river and north. So, this, this is not a primarily a bridge redesign project; it is looking at the corridor as a whole. So, that's the first piece. The other one is that you know we are trying to accommodate all the different modes, so for example on the highway 12 section which goes from Brooks to Fifth and Sixth, we intentionally made design decisions that preserved capacity where we're seeing, that's where we see the highest volumes on, on Higgins is taking that Brooks to Fifth and Sixth and so, we preserved those right turn lanes for that capacity of people traveling the highway 12 corridor knowing that that's where we have the highest volumes. We also have had a lot of questions about air quality, and you know are there impacts from idling, and will that increase our air quality concerns, and I can assure we did look at that, as we have air quality issues. As an MPO, we're required to evaluate those things you know as a region and on individual projects and what we found and the way we're viewing this project is that yes there may be some small additional CO2 emissions that come from based on existing volumes if nothing changes based on that additional congestion, but looking forward into the future, we're going to have far more in savings by allowing people to take more sustainable modes and also just through vehicle emissions technology. Really most of our air quality improvements in the valley have not come from free-flowing traffic, they've come from vehicle technology, wood stove issues, reducing the amount of vehicle miles traveled, things like particulate matter which primarily come from dust and tire wear, not from tailpipe emissions, that's where we see the most air quality issues locally, and so this project doesn't impact those. In fact, long term, I think it makes it better because we're providing opportunities for people to take other modes that don't contribute to those air quality issues. So, so on that side, I think we're making a decision that we would, we're making a recommendation that wouldn't impact air quality in the long term and in fact has a lot of opportunity to make it better. You know, safety has been, there's been a lot of conversation around safety and how does this compare to other corridors and I would just say that we it's often really hard to compare one corridor to another because you have to look at things like crash rates, you have to look at the geometrics of the corridor, you know what what's happening at the intersection, who's involved in those, those crashes, are they primarily property damage are there injuries and what we found on this corridor is that there are crashes. I think there were about almost 500 or 600 crashes over the, the last 10 years so average of 55 or 60 a year, at least 12 of those end in injuries over the course of that time period. Most of those crashes are actually vehicle, they're not predominantly bicycle and pedestrian crashes, although what we found is that bicycle and pedestrians are the most vulnerable road users, so if they are involved in a crash, they're much more likely to be injured, much more likely to be in a severe crash and so there's a benefit to those users to providing increased safety and preventing them from getting in the crash because they're much more likely to be injured. Related to parking, I know we've sort of had a lot of you know

questions about how many parking spaces are we losing, where, and it's sort of hard to answer that with a definitive number because it really depends on the final engineer design, but we know we're losing generally between 15 and 20 spaces. However, what we heard from the public in all of our meetings is that we could mitigate that impact through improved management, particularly south of the river, that the way people are utilizing parking could be managed to easily mitigate those additional impacts. And what we've seen is, we, we have I think the stat I saw was somewhere around 3,000 housing units in the downtown or in the downtown area and you don't see traffic increasing commensurate with, with or parking needs increasing at the same rate as the number of housing units. And so, there, there's an efficiency there that the more housing needs, you get down there people are, are biking and walking and you could have more activity without the need for those parking spaces. So, there's sort of multiple ways that we can address that potential loss. Although when we're making a decision on preferred designs, parking was one of the higher criteria. We had a couple of, at least one preferred alternative that removed all parking and that basically came off the table immediately, that that wasn't a viable alternative because of the impacts to parking and so we tried to be thoughtful about that. You know, the other thing I wanted to just add as a, as an anecdote I guess, we met with some advocates and folks who were really involved in disability advocacy and thinking about navigating, particularly for people who have visual disabilities and there's a lot, we got some good feedback, some you know design decisions that we can tweak to make it, the design easier for people to navigate but also I received the feedback that this provides a lot of benefit in terms of reducing travel lanes. If you think, you know if you have a vision disability, crossing two lanes of traffic going in the same direction is much more dangerous than a single lane. So, again, for the, the user of the street that are the most vulnerable, we have a lot of benefits, and this will make downtown and Hip Strip more accessible. And then finally, we're continuing to work with, with MDT. We had a really good meeting today with, with staff from the, the state to go over concerns that they had. They had some creative ideas of ways that we can start to both track the impacts of this project, think about things like signal, signal technology and having signal performance measures that that could allow us to have more of a, be more responsive to traffic patterns and, and help increase the efficiency of our street system with this design or without. So, that's something we'll be looking into I think city-wide, but particularly in this project could have, have some real benefit. And I think, we're getting close to the point where you know we continue to move forward with the state on this project and I think we're close to having their, their support or they're really interested to see what you know we want as a community and being able to support us in that. So, that's our hope, we'll continue working towards that. I think those are all the things I would want to add, but again I have my whole slideshow here, so if there are any questions we can go into as much detail or, or data as, as we'd like but sometimes it's hard for us we get so far into the weeds of all the data, we lose kind of the big picture that I think we've heard some, some of the proponents or opponents on this project so...

Mayor Jordan Hess Thank you and that's Aaron Wilson for the record. Any questions from Council members? Ms. Vasecka.

Alderperson Vasecka Don't sit down....First of all, I wanted to thank you for compiling all those questions that I asked you last time and getting those to me very quickly, so I appreciate that. And also, I was wondering if fire and police have given their opinions on this? I'm sorry if I missed it in a presentation, but my concern is with I mean granted it's not I mean it's not my ideal way to get across the river, but in reality, we only have so many rivers there are so many bridges to

go across the river so if there is an emergency and police or fire do need to get across, I'm concerned about their ability to do so.

Aaron Wilson Yeah, so, we did talk to police and fire. Police response is they thought the design wouldn't impact their ability to get to the corridor. In fact, they felt like it would make it safer and that you know makes their job easier. Fire had some concerns about some of the specific intersection designs [background interference] ..... I don't think that was mine. Okay, fire had specific questions about some of the curb extensions and how, how far they extend into the intersection and how, how that allows them to make turns, but all of that is designable and what is we get into engineering and we can accommodate that and just make sure we're looking at the right vehicle that they have in downtown and that they can make those movements, but as far as getting across the bridge, you know, we would have more room for emergency vehicles. So, we have a slightly wider buffer in the middle between those two travel lanes, plus if that's the design that that moves forward having the, the buffered bike lane that would allow vehicles to pull off even further. And so, I think you could clear that traffic much easier than what's there today, where you have two lanes of traffic, if those are full, there's really nowhere for an emergency vehicle to go or those vehicles. They can't really get out of the road, so you have to wait for them to sort of filter their way through and get through and I've recently saw this happen on, on Brooks where, I believe it was police was trying to get through Brooks. There was nowhere for the cars to go, both lanes were full, and so, it just makes it harder to get through, you have to wait for all the cars to get off to the side of the road. So, I think our design, at least over the bridge accommodates that. You have the two-way left turn lane that allows some additional space to, to get around vehicles. So, I think nothing we're doing should impact the emergency response.

Alderson Vasecka Okay, great. Thank you.

Mayor Jordan Hess Mr. Nugent.

Alderson Mike Nugent Thank you Mr. Mayor. Yep, Ms. Vasecka, I think that's a good question and, and we kind of put that on Aaron's plate last week too. You know, that's a follow-up to the question I'm about to ask you. You've talked a couple times about final engineering and a lot of the questions we've asked; we don't have answers for. Does the final engineered plan have to come back to Council for approval?

Aaron Wilson Not typically, at least, I don't know that we always bring things back as the final, but it goes through the City for review and all of our city agencies review that, so police review that, fire, parks, public projects go through the same process that private development does and it's certainly something we could come back and provide updates on as we go through. Certainly, if we get something like a federal grant to do a project like this, I think the more you know input and having those opportunities you know are worthwhile. And there are certain stages you know you want to try to get comments in as early as possible because as you get close to a final design, making major changes can be really hard and expensive. So, we want to sort of start to narrow our comments as we get further along in the design process, but I think that's something we could certainly work through and I'd be happy to bring it back and present those. Though, as we get further into the engineering design, when we get to that phase.

Alderson Mike Nugent Okay, I just think that there have been lots of questions where the answer was, we'll figure that out engineering.....

Aaron Wilson Yeah....

Alderson Mike Nugent So, I mean, that concerns me a little bit.... I'm going to ask you one more question for engineering. I've had a lot of people reach out who generally support the idea, but have specific intersections or things they're concerned about and one of the questions I heard today was the intersection of Higgins and Brooks and specifically if you are leaving downtown and going down Higgins, we're going to have a lane, we believe, that goes straight down Higgins and we're going to lane the turns right to go to Brooks, and there's the bike lane and the bike lane, if I remember right, from the conceptual drawing feeds back into the lane earlier on that block. Does that sound about right? Can you walk us through that? Because the concern was, we going to set up bike versus car conflict where we've got a green light a green arrow on the bike strip.

Aaron Wilson Yeah, and this is one of the areas where we had some challenges in the design to, we wanted to maintain that capacity and that right turn onto Brooks, as part of the highway 12 corridor, but you have the issue there with a dedicated right turn lane, what do you do with the bike facilities that you don't have that right turn conflict? And so, what the design currently proposes is having, continuing the protected bike lane all the way up to Brooks and it's like the cyclists would cross with pedestrians in sort of the same space, but we could use a dedicated bike signal. So, similar, we have one in the state that's currently in operation it's on South Avenue where the trail crosses diagonally, so it's a signal head specifically for cyclists that would turn green when that right turn is either stopped or there they have a yield. Similar to what you have with a pedestrian, you have the same issue if you're trying to cross Higgins today with that, that right turn from Brooks on to or from Higgins on to Brooks and so that bike signal would stop cyclists when you have that right turn freely operating and then you would get a green phase for both bikes and pedestrians to get, get out and cross safely while that that right turn is either stopped or yielding to those, those movements. And we do this, we have the same issue at Sixth where we're maintaining some capacity to turn right from Brooks onto Sixth for that highway 12 connection again and we do the same, have that bike signal. So, we're, we're stopping cyclists when there's right turning movements that would conflict and making sure that that operates safely. So, there's a little bit of trade-off there, trying to maintain that capacity but also making it safe.

Mayor Jordan Hess Additional questions? Ms. Jones.

Alderson Jones Sure just to touch on a couple of items that you, you referenced in your, your, you're talking tonight. When I first talked with our transportation staff back in 2016/2017, the emphasis has always been on safety, because from my point of view the Hip Strip is not safe, not, certainly not safe for bikes, really not very safe for cars either and because of that it's been a huge deterrent so that we hardly have any bikes on the Hip Strip and they're in the surrounding neighborhoods, which is okay to a degree but there's a lot of uncontrolled intersections and it's a bit of a free-for-all. And by getting everybody on to safe bike lanes, my focus has always been on making the Hip Strip safe and then the section north of the bridge safe, and I feel like a lot of the conversation in the last several weeks has been, wait a minute, the bridge four lanes, two lanes, what's going on and that is really, I think you referenced this, but I just wanted you to, to touch upon it again is the emphasis is on the blocks south and north of the bridge. We do have a beautiful Bridge with a lot of breathing room now, which is wonderful, but we want to make that bridge safe for when it intersects with the blocks north and south of the bridge and there is a lot of traffic and traffic engineering and analysis and psychology that goes into how people drive, and we have to take that information and create the right design, so

we don't have unintended consequences. So, am I saying what you were saying, just using my words and yeah?

Aaron Wilson Yes. So, there's the consistent and continuity of the corridor. So, if you go from three lanes to four back to three, you're creating bottlenecks that, that can be an issue, people are trying, you know not merging in the right places or you could potentially have offset intersections where the lanes don't line up on either end of the intersection, which creates issues you know think of this time of year when you can't see the striping knowing where to go as a vehicle or if you're not familiar and, and we see that a lot in places that don't have.... I mean, even on Fifth and Sixth today, when it snows, the travel lane shifts over generally into the bike lane, which I think is people's natural reaction to but when you can't see the, the striping at sort of people choose their own path to some degree. So, all of those issues, I think play into wanting to have a consistent corridor. The other thing I would say about the bridge is that you know prior to construction, we were seeing two to three thousand pedestrians a day cross, cross that bridge. I think we're seeing quite a bit more now just based on anecdotal events. That, that bridge is frequently full of people, especially in the summer and during busy months. And so, so creating some additional separation of modes could be good. I think it could function certainly well with, with cyclists and pedestrians combined. It would, you know a pedestrian and cyclist conflicts tend to happen at a slower speed and we don't see a lot of injuries or you know people get nervous about it, but we're not seeing people killed because they were hit by a cyclist or vice versa, so that separation is really important and we'd want to continue that regardless of what design we have, but, but really the issue is how do you transition when you're coming off the bridge? And we want it to be consistent for all the modes, we want it to be safe, and we want there to be predictability. So, today when you when there is no facility for, for a particular mode, they choose to do whatever they think is going to be the most safe which might not be and that might not be what the, the driver or pedestrian or cyclist is thinking the other one will do. And so, you want that consistency predictability and that's what really gets the, the safety benefits.

Mayor Jordan Hess Additional questions? Mr. Nugent.

Aldersperson Mike Nugent Sorry to ask two sets of questions, my apologies. Two more questions just to kind of follow up on the engineering. How, how long will the engineering portion take, do you anticipate?

Aaron Wilson That's a good question. I think usually, I mean not being an engineer, I've worked on a number of these projects, but I think generally six months to a year would be like the longest. It depends on the, the funding source and you know do we have money available to build the project? You know, we could make it go faster than, you know if there's if there's no funding for construction, sometimes the engineering takes longer because there's no immediate need but....

Aldersperson Mike Nugent So, would your intention, I know that the intention is to apply for a grant. So, would the intention be to start engineering immediately or wait until you get grant approval to start that process?

Aaron Wilson I think we would wait. I mean we don't have funding currently programmed for engineering and so we would likely hold off, you know, hope for, pursue those grants. If we don't get the grant funding then I think we need to figure out another way to fund this, but that just sort of extends that further out so....

Aldersperson Mike Nugent One quick follow-up?

Mayor Jordan Hess Go ahead.

Aldersperson Mike Nugent And I know this is probably not a question you can answer, but you're standing up there....So, if, if the approval was contingent on reviewing the final engineering, do you think that would reduce the city's chances to be successful in the grant application?

Aaron Wilson Well, if we apply for a grant, there, the, if we get a grant award, there's an expectation that we deliver the project that is pitched in the grant, so, there are certain things we can change. We know we haven't done the final engineering or really any of it, we just have a concept. So, things like specific intersection designs and curb, curb extension, turning movements, all of those kinds of details are, are generally ironed out and I think there's an expectation that that would be figured out in the engineering phase, but sort of the overall concept, if it were to change dramatically, I think would be an issue and, and put those grant funds at risk. So, there's an expectation you're going to deliver the project that you're proposing in the grant but that said, all of those really specific details that we haven't figured out, we can certainly do over the course of that, and it shouldn't impact the grant funding. I think a good example is the, the Mullan BUILD project. You know, there, that was really just a concept at the time and, and we got partial funding in part because it was just a concept and it wasn't really ironed out like this project or some others, so a lot of those details were determined over the course of the design of that project and, and we did a lot of public outreach in terms of public meetings, you know looking at those designs at every stage of the way and providing feedback to Council and others. So, I think that could be a model of doing that level of public outreach but still wanting to move the project forward quickly.

Mayor Jordan Hess And I'd suggest that we have a technical process and a policy process and our, our technical and, and professional process is, is the engineering process and our policy process has been the adoption of you know an award-winning complete streets policy. We have a great complete streets policy that sets direction for staff. We have our vision zero policy that sets direction for staff, and we have a variety of other things in that sphere that really guide design decisions based on Council policy. So, I'd suggest we, and I think we could also lean on a model that has Council involvement. Russell Street had a technical design committee and a, and a policy committee, so there was a group of, of people that included one City Council member, the Mayor, someone from MDT, I believe, and there.... but it was a, it was a structure that was set that had you know a conduit back to Council, as well as, you know not making design a, a political process.

Aaron Wilson Yeah.

Mayor Jordan Hess Any additional questions? Mr. Nugent.

Aldersperson Mike Nugent I don't have any questions; I want to talk about in a little bit....

Mayor Jordan Hess Let's come back to that in just a moment.... I have, I have one question myself. Can you talk a little bit about the conditions that exist when we have minimum widths next to minimum widths and how that impacts the safety and flow and operations of Higgins?

Aaron Wilson Yeah, I mean it creates a lot of issues. It's one of the things we see in the crash, so like sideswipe crashes where someone's trying to pass too closely, particularly in the winter where there isn't sufficient room to plow the streets and, and provide that width for two, two travel lanes. There, there's also

an issue of you know, transit tends to be the largest vehicle and so transit struggles to operate on those smaller than standard streets just because they're wider and so it just creates a lot of, of that side friction and for vehicles and conflicts trying to pass and it makes it harder to maintain. I think it makes it harder for emergency access, there's just less room for people to get out of the way. So, all of those things can pound into, one, making it hard to maintain and, two, I think we don't have the capacity that we think we do during you know four to six months out of the year when the snow is reducing it down to a lane and a half in each direction or a lane in each direction.

Mayor Jordan Hess Thanks. Any additional questions? Okay, at this time, we can take a motion, Ms. Becerra.

Alderperson Becerra Thank you Mr. Mayor and I would like to note that at the last committee meeting we amended the motion slightly to include continued engagement with the community. So, for consistency, I'll read that motion. So, I move, that we direct to move forward with the project.... sorry this is convoluted. The motion is to direct staff to move forward with a preferred concept as outlined and continue to engage with the community.

Mayor Jordan Hess Thank you. The motion is in order. Discussion on the motion? I know Mr. Nugent has, just got, has something to, to say about the motion. Do you want to go first?

Alderperson Mike Nugent I don't know if I want to go first because I don't know what I want to say yet. I, I came into the night only expecting to vote yes, and I support a lot of this project. I think the, the space between the bridge and Sixth Street, specifically I think this will improve it tremendously and make the, the ability to do left turns all day will make traffic flow and we've heard from businesses on that stretch, Betty's Big Dipper, I believe Roxy made a comment at some point and, and that's all really supportive. I am concerned; we've heard a lot of public comment on this and there's, there's pro and there's con, and that's normal and healthy, and this is an interesting conversation and it's actually been fun to hear from people. I am concerned and I understand that we don't want to micromanage every project. I am concerned with saying we're moving forward with this, but we don't know the specifics of some of the intersections that we've heard complaints and thoughts about, and saying there's no, there's no more check from Council. I understand the Mayor saying that we've, we've done previous things on Russell that have you know [inaudible] committee with a Council member and kind of report back. So, I'm not yet 100% sure where I'm at on this but that worries me a little bit just because I do think that the community has a lot of questions and I think that a lot of them are fair and valid and we don't have answers our answer is we'll get back to you and so I, I am concerned about that and I just kind of wanted to put that out for conversation.

Mayor Jordan Hess Ms. Vasecka.

Alderperson Vasecka Thanks and I have to agree with my colleague, Mr. Nugent. I, I also am concerned about that, although I do appreciate what you said about how I guess you can't just apply for a grant and then change the plans completely, so, I, I do appreciate that. I do appreciate that statement. I also did want to thank all the staff and everybody who provided their comments. There was a large, extreme from one from either really liking it or really not liking it and their comments were entertaining to say the least and I really do appreciate everybody who did reach out and, and participate in the survey and participate with everybody or everything that was involved in this. And I do want to thank them, the couple here that gave the demonstration on how wide that is. It's always good to have visuals and thank you for coming down. I, I am concerned

about this. There's been a lot of pushback about the lane reductions and yes it, it is directly attached to Higgins, I guess, Bear Tracks bridge, but you also have to consider going over Madison Street bridge because it is you come from Brooks and then you do take part of that corridor to go on the Sixth Street, to go to the university, to go to, or to go across the river to get out of town, and it's also probably folks from the Bitterroot to connect to I-90. I mean yeah a lot of people do say oh they're going to take Reserve Street, but a lot of people don't take Reserve Street, they try to avoid it as much as they can. So, there is going to be a lot of increased traffic there and I, I am really concerned about the lane reductions, and I am concerned about the business access. I have done, I went down kind of a rabbit hole for, for this type of project, as well and there have been a lot of recent folks saying across the country whether it be California or New York saying that their businesses definitely were at risk or have shut down because of because of lane reductions and increased pedestrian and bicycle availability. And while we can't get actually know what the future has, I did want to point out that, oh goodness where is it? Oh page 12 on this, sorry about that....So, yes this is about safety but there was a, oh I'm sorry, I pulled up the wrong thing here. There it is. So, it looked like they're yeah well there were a lot of vehicle crashes, there were a lot of sideswiping in vehicles, it looks like there were only, corridor wide, there were 3.7 crashes per year involving someone bicycling and 1.2 crashes per year involving someone walking. And while I don't want to diminish that the, the tragedy of getting, getting in an accident when you're on your bike or walking on the sidewalk or walking on a crosswalk and that must have been traumatizing for both involved, the victim and the person who accidentally hit them, but I don't know if we should do this huge project for that small of a number. And I, I'm uncomfortable saying that because how many is, is the right number but I just I don't think that this is necessary and I'm really uncomfortable, especially with a lot of the comments with the Engage Missoula and a lot of people have reached out to me about this. So, I, I think I am going to have to vote in in their favor, in their favor and unfortunately I do appreciate all the work that you guys have put in this but I, I don't think I can support it.

Mayor Jordan Hess Thank you. I have a queue of Council members. I'm going to go to Ben Weiss. Ben, Mr. Weiss.

Ben Weiss Thank you Mayor Hess. I wanted just to speak a little bit to Councilperson Nugent's kind of comment/question about how much of this is, is being decided later and I just want to add a little clarification to some of the things that Aaron said. And that when we're talking about what gets figured out and what we're asking for today versus what we're asking to figure out in engineering is we're asking today for a go ahead with this this concept of a three-lane, cross-section with raised bike lanes, keeping as much parking as possible, and you know that the intersections are as safe as possible for, for everyone involved. When we talk about what is to be figured out in engineering, we're talking about a matter of inches and how, how is the, exactly how far does that turn radius stick out. And so, it's, it's not that we would be revisiting you know, it's not that we don't know how it would work or, or none of the changes we would make would, would change any of the analysis that we've done as far as traffic operations and, and things like that. So, it really, what we're, what we're seeking approval for is to, to move forward with the, the concept as shown, and what the study showed was that it is feasible. There's some minor impacts to vehicular operations at the afternoon rush hour, but that the overall benefits, at least in the way of the adopted policies seem to outweigh those, those trade-offs. And so, we're asking for affirmation that that's true and that and that we can be trusted to figure out you know some of those specific details, again a matter of inches and once we go to engineering.

Mayor Jordan Hess Thanks Mr. Weiss. Next up, I have Ms. Sherrill and then Mr. Contos.

Alderperson Sherrill I, I have a question now and then, then I have comments. So, I, I guess I'll start with the question, is that okay to do that? Since we have new information. Ben, I don't, you were there somewhere, and I don't know if Aaron, you would answer this, but having, having written and had had to implement many grants in the in the past, in my past life. I mean, by the time you write that grant, which that's what we're kind of asking them, them to do. We're saying we agree with the concept, go forward, try to figure out funding, meaning try to get a grant. There's some pretty specific information in there and then you have to do what you said you're going to do, right? So, I mean the, to me the, so that's my question and, and Aaron is nodding and Ben's probably nodding somewhere off in the virtual world, but so you know to me and, and I, I appreciate the questions around what are what's coming back to us and, and you know what are we approving here but we are approving a conceptual design that's going to go with a few more specifics into a grant application and we are going to have to implement that in the way that we have said in order to get that funding, whether it be federal funding or whatever. So, okay that's my first, first thing. My comment, I guess, first is that I, I appreciate everyone's emails, everyone's participation in this, it has been robust, we have had people fairly passionate about both sides of that. I do not believe that this plan is going to solve all of our problems. I don't think anyone is, is saying that, all of our traffic problems in the area, but I do believe it's going to improve public safety and, and I have I have sworn to try to do that and that is what I will continue to do. We did hear from a number of businesses; there was a comment earlier about not hearing from businesses on the strip, the Hip Strip and that, that's inaccurate. Betty's Divine Roxy, Missoula Bicycle Works, I think someone mentioned Big Dipper. I don't know for sure if they Clyde okay, I'm getting some other names here I don't want to name names that I haven't, I don't remember for sure, but I also want to say that I really respect the work of staff and I and experts in this area, which I am not I'm not a transportation person, and that you know you have no vested interest in doing anything other than doing your job well, right? I mean, you're not saying, I can't, I gotta get that left turn lane, like you just want to do your job well. You know, we have tasked staff with developing plans that keep our community safe, and we've tasked them with researching, analyzing, and implementing the best practices in their fields, so, I believe that you've done this. I believe that I am not a traffic engineer and that me knowing if the sidewalk was a couple inches further this way or that way, is, I'm not going to have any valuable information for you to add to your knowledge base on that. You know, so, and I, I, as I said, I think that the grant application is going to have more of those specifics that we need to follow. I, I can imagine this being a really beautiful, well working plan for a downtown that has, as one of the commenters said, has people looking in shop windows, has people walking, has people biking. You know, I think that's great, and I think that's great for our economy, my bigger, my bigger issue is safety and I have lived in this town long enough to know that that area does not feel, feel safe. So, I appreciate all your work on it and I'm going to be voting in favor.

Mayor Jordan Hess Great. Mr. Contos and then Ms. Farmer.

Alderperson Contos Yes, thank you. You know, I have a carpet cleaning business and I drive 350 to 400 miles a week in this town, so I have a pretty good understanding of the traffic flow and since I've lived here since 94, I have steadily seen a decrease in traffic lanes, blowouts, roundabouts, slowdowns. This is a town with cars, and we really need to take that into consideration. I think one of the things that probably bothers me the most with this is this city is growing and we're shrinking streets, that just doesn't make sense to me. This particular area,

I drive it quite a bit, it works, it definitely works. As far as the safety aspect of this, I think we've gone a little too far in removing danger from people; they're no longer thinking about danger. We've got people falling off cliffs taking selfies of themselves because the danger has been removed. I think in crossing streets, we gotta look. We have to think about things like this. That particular area, I think to make it look more beautiful than a safety thing, we really need to think about that one. It's functional, it works, it has worked. I'm, I think, and I have read some other things too in Europe, some European cities where they've done things like this, it's worked well with them, but that's in Europe, we're in the United States and more specifically, we're in Montana where if you want to go somewhere, for the most part, you need a car. If you're going to Bozeman, if you're going to Butte, if you're going to Spokane, you need a car and I've noticed there has been kind of a reduction in cars in this town. In some ways, I think that's, that's fine, I think we've gone too far. I look at the expense of this and yeah there's grants and everything else, but is it really necessary for this particular project? I think the thing that really bothers me the most, I, I was in a networking group the other day and I, I asked a question, you know let me see a show of hands of, of how many people are really not in favor of this Higgin shrinking? Every single hand went up and that surprised me. I think, I think the thing that I'm hearing from other people is the timing of this. We did this bridge, this multi-million dollar bridge, and now we're doing this piece here, and whether the bridge came first or whether the you know, the shrinking of the, the road can't, that's not even an issue. What really upsets people is like wait a minute we just did this bridge and now we're doing this, what in the world's going on? And it creates a mistrust with people. I think since being on City Council that I think one of the biggest things that I've seen or, or feel and sense is, is trying to take care of people. Can you please all the people absolutely not? It's not going to happen, but I think keeping, I, I think trying to build trust with city government and people is important, and I think the timing of this right now is, is not doing that at all.

Mayor Jordan Hess Thank you, Mr. Contos. We have Ms. Farmer and then Ms. Becerra on, on deck after Ms. Farmer.

Alderpersion Farmer Thanks. Yeah, I just wanted to first say thank you to everyone that commented, both in favor and against it. I, frankly, it just made me really proud that so many people are so engaged and paying attention and that we have such an engaged community. I know everyone is feeling kind of afraid with all the changes that are coming. You know, 20 years ago, I used to bob and weave along the Hip Strip over Higgins bridge on my bike to get to my high school job because I could back then; I could do that 20 years ago. Today, I can't do that, and my kids can't do that because Missoula has changed and we have to change with it. You know, I remember talking about malfunction junction changing and the Broadway diet changing, and there was people super upset about that as well and there's probably people in Missoula that don't even remember it any differently today, and we've lived to see it work. So, I think ultimately, I do support this because it is changing in a way that Missoula has to change, and it really is about safety, and one accident is one too many. If that was you know your child getting hit by the car, I think you would feel pretty strongly about that as well. So, I, I do support this. I think that I think that there are going to be a lot of steps along the way that the public could stay more engaged, and I hope that the people that did comment continue to stay engaged with the next step, with the engineering study because we do want to hear from everyone. And this was a hard decision, but I think ultimately we're making the right decision. So, I do support it.

Mayor Jordan Hess Thanks. Ms. Becerra then Ms. Anderson.

Alderson Becerra Thank you. I have a lot to say about this, but I'm gonna try to keep it short. First and foremost, I think we've heard tonight and throughout the comment period for this project that this is not broken so don't fix it and I can tell you as someone who's lived here for a long time and worked in the field of transportation and planning that we have been hearing about issues along Higgins for a long time. This is not something that started a couple of months ago, so I would say that it is broken because it doesn't safely accommodate all the modes that represent Missoulians. It's not safe for, for pedestrians, cyclists and for cars. This is not a bridge issue, the, this is a corridor issue, and the bridge is part of it, so please don't think of it as a bridge diet. This is also not a road diet; it's rather a redistribution of our infrastructure so that we can better serve all parts of our community, all modes of transportation. This is also not a car versus bike issue, it's rather providing safety for all modes of transportation. We have heard, received many comments and I think I spent a good amount of time reading through hundreds of pages, so please don't think that we just don't care because we have, I have used all the comments provided to arrive at an informed decision. In terms of the engineering, I have had the opportunity to sit on many conversations throughout years about the Russell Bridge, Russell Street. There were things that changed even after we set out to fix that stretch of the corridor throughout the years, many of the smaller changes and engineering changes took place after funding was already allocated for it. The same thing with the BUILD Grant, light versus a traffic circle that was determined I believe after or not necessarily when we apply for the grant, the same thing about accommodating bike facilities on Mary Jane Boulevard. So, I don't think it's gonna be any different for the Higgins Avenue corridor, if we're lucky enough to receive the grant, and I guess that brings me to my next point, that this is not the end, that this is not the final step on this process; we are, we, what we're voting on tonight is to direct our staff to go ahead and apply for a grant with this vision and then if we're lucky to get the grant, we can look again at how to fine tune that that vision and I believe that a set of individuals with the right skills will be looking at it very closely, but I, I don't see necessarily. I don't think that we need to be completely excluded from that process, we can certainly get updates and provide our input, as we get information from our staff throughout that process. So, for all those reasons, I will be supporting, and this this preferred alternative and I want to thank everyone who's dedicated so much time throughout a very long time because this didn't just start a few months ago. Thank you.

Mayor Jordan Hess Thanks. Ms. Anderson and then Ms. Jordan next.

Alderson Anderson Thanks so much. I will try to keep my comments succinct and brief, given the great comments from my fellow Council members. And I think that one of the things that I am struggling with this in this process is the amount of misinformation that is causing people to then make comments on, which you know we have the luxury of having you know staff responding to us, access to emails, tracking it through the process, but you know we've had several people come up and talk about well there was this change.org petition that was sent out, and I read through all of that and it was talking about that there was a 16, we spent 16 million dollars on a bridge and now we're going to completely redo it. And we talked about it in count committee last week about the fact that there was this bridge design that the Montana Department of Transportation took the lead, the city's portion of it was about a tenth of it 1.6 million dollars and that, that bridge was redone for a because it was aging, it was not structurally sound, and the time had come and that the Department of Transportation said okay we are doing this bridge, we are doing it now and they widened it and it's wonderful and it has, as pointed out much larger pedestrian lanes and none of that is changing on that bridge it will still be wide and beautiful.

I think what Aaron has said is that at with this plan as it connects to both the north and the south parts of Higgins, it's striping in the middle, so we're not re-building a bridge that we just built. It is and if at 10, 15, 20, 30 years from now this design because of whatever changes that can't be foreseen, it's just striping that changes again. If I got that wrong tell me. Okay thanks I got affirmative nod from....So, it to the points I think other Council members have made, this is not a bridge rehab project. The bridge is just sort of a small portion of the overall corridor that connects and I've given a lot of thought to this because I tracked my how many times I came downtown this last weekend and over the course of Friday, Saturday, Sunday, I drove from my house to downtown four times. And for a variety of different reasons, all of which included spending money downtown, brunch, movies, dinner, things like that and every time I saw somebody walking or biking, I wanted to be like thank you because they created a, they did not take a parking spot that I needed because as somebody on Council once said, it you feels like you practically live in Lolo, which I don't but I'm feeling way the heck out there, just a, you know stone's throw from Lolo so as much as I Peloton to my little heart's content, I'm not gonna be one of the people biking downtown. It's just not gonna happen, I'm sorry Aaron, I know I'm not helping your multi-modal split, I'm gonna get in my car and drive. And so, the more people that we can get from the core of downtown to walk and bike and bus, the more parking spaces it leaves for myself and other people who live farther out of town and I think that that has sort of kind of gotten lost because we are a community of you know predominantly cars and bikers, but there is a method to the madness. When I very first got in Council, one of the things that kept coming up in when I first ran was like why in the world am I paying for Mountain Line when it doesn't even come out here and I was like is an excellent question, I do not know, and I will go find out. It's for the exact reason, it's the more people who you know we help support Mountain Line because it moves people in a much more efficient way, so those of us who drives downtown, the more people are on those buses, the less cars on the road, the less parking spots and the more opportunities for us. And I think that Ms. Jordan and Ms. Sherrill have brought it up that very well and I think it's to be reiterated, that you know we are looking to the experts on this to guide us, to give it you know industry standards. I asked that question last week in committee are the measurements that we're using, the analysis that we're doing, the data that we're inputting....Is it, you know accepted by the Montana Department of Transportation? Is it, like we're not just making this up on the fly because we feel like putting this you know square peg into a round hole and we got comment about well we shouldn't be doing this because we should be focused on housing. Well, I think that the you know what I have learned, and I continue to learn is that the City of Missoula is a very complex, multi-faceted enterprise and at various points in time there are hundreds of projects happening and this just happens to be the one in front of us now. Does it mean that we're not prioritizing housing? It just means that we are trying to you know do you know the folks in the transportation department are doing their job and doing it well to try to work on a transportation corridor that, as Ms. Becerra and Ms. Jones have pointed out have been on the radar for quite some time, and so but the other point that Mr. Wilson brought up tonight is there's going to be an additional 3,000 houses that are expected to come downtown. So, building good infrastructure does also help for housing just like the when we put in for the Build Grant. So, I said more than I intended to. I will stop but I am in support of this because I do think it is multifaceted and, and you know for those of us who drive our cars, you know the more people who are biking and bussing and walking and the safer it is for them it's safer for everybody. I mean this is just to me a win-win on a multi different facets and thank you for your time and expertise and your passion for transportation because I just, I just drive, and you know and I'm glad that there is

somebody who thinks about it and is losing sleep over it as our former Mayor used to say. So, thank you so much.

Mayor Jordan Hess Okay. Thank you Ms. Anderson. Ms. Jordan and then Ms. Jones.

Alderpersion Kristen Jordan Thank. Aaron, thank you for coming and giving the information, and I am really impressed by the work that you and your and the folks in your department have put into considering options for this particular section of road. I, you know I mentioned before that we, we have received so much comment on this. It's been amazing to me how this is really struck a chord with members of the community and it's, it's great to have the input. I think one thing that you know we've talked about it a little bit already tonight. One thing that it surprises me is how there's been kind of a lack of consideration from some folks who are providing comment about the expertise that it takes to make these decisions and I think that it's really important for folks in Missoula to realize that we're not doing this to move traffic solely. We are doing this for a variety of reasons. We're doing it for safety. It's going to affect some traffic flow. It's going to affect some parking. It's going to also allow for different modalities. It's also going to change the feeling downtown. I feel lucky in that I got to live overseas for a while where they do things differently with traffic and I've seen it work. Just because, it's nothing personal but just because it's not America doesn't mean it won't work here. Roundabouts are fantastic when they're put in the right place. Bike lanes encourage different uses. I lived in a capital city overseas where they shut down about eight city blocks in in the downtown and people lost their collective minds until the dust settled and suddenly you had hundreds of people walking around from shops to shops with multiple parking nearby and ways to get in. There are scooters, there are bike places to lock your bikes up down in this shutdown area, and I just think that this is a really different concept that people in Missoula are not used to seeing and I, I'm really excited by it because I think it's going to really change the flavor in a good way and I think it's also going to allow us as City Council Members to achieve some of our other goals that we have as far as growth and our environmental policies. And you know, on a personal note, when I first moved to Missoula I just having come from a big city overseas, I was so excited to live in a smaller town and go to the Roxy and I, me and a bunch of friends loaded up in my truck and went downtown and I got a parking spot right out front we went into the movie and I came out and my mirror on my driver's side was hanging by wires, and that was a \$450.00 fix and because nobody stopped to, to put a note on my car and say sorry the lane was too narrow and I hit your car because I wasn't sticking out. It's a really narrow spot. I didn't report it so my you know my damage to my car is not part of your report, but I just think that there's a lot of different aspects to this project that the average person in Missoula, perhaps isn't considering because it's not just about moving traffic. It's about accommodating a bunch of different uses and I'm really excited to support this and I'm grateful for the work that you guys have done and the science that you put into making a really good decision. So, thank you.

Mayor Jordan Hess Thank you. Ms. Jones.

Alderpersion Jones Thanks. I've got a few comments and I think we've heard a lot of great comments tonight. I want to say thanks everyone for weighing in and I do enjoy hearing people say they're going to be brief and then they go on and on all right....

[unknown speaker] Sorry....

Alderpersion Jones It's okay. This is our job; it's fine. So, first of all, I do think there has been a ton of comment on this because this is not Russell Street; this

is downtown, and this is the Hip Strip and this is Higgins and Bear Tracks bridge and this is the heart and soul of Missoula. So, I, I get it, there's a lot of engaged people because we love our downtown in Missoula, we come downtown, we use it and if we do this we want to do it right and Russell Street is great but it's, it's just not downtown. So, this is a whole different dynamic and I think it has created a lot of comment and I appreciate people weighing in because this is important, we want to get it right, and for me, it's we....Well let me back up a little bit. When we, my frame of reference is when we made some changes with Fifth and Sixth Street, which is in my Ward and the mandate to staff was, look for years the neighborhood has been saying people are going too fast, it doesn't feel safe, we've got a crash history that is that is troubling at this point, staff what can we do and we mandate to staff to try and figure it out and then they would come back in and check in and we'd talk it through and they'd work on it some more and there's a whole conversation with MDT, that if MDT doesn't like it, it doesn't happen. So, I feel like I am fine with pushing this forward at this point and there could be changes. I don't expect in my mind to want to micromanage it. I know there's if MDT has to bless it and the engineers are always striving for more safety, more efficiency, so how that gets worked out that's fine I know with Fifth and Sixth, after we passed it, I think there were still a few small minor changes that made for a better design. So, that's, I just wanted to address that issue first of all, but with this one we gave staff the direction of look, this is not a safe corridor, and we need we need safer trans, we need safer passage for all different modalities, being as efficient as possible, having as much parking as possible, and making it work for businesses as best as possible. So, that's a tall order and we send them off and they work for a long, long time on it and gather a huge amount of information and have a lot of engagement and I am happy with the design. And I anticipate it could change and be tweaked and finalized, but that to me is the job of the engineers after we've given them direction to go forward, but for me, this whole issue is truly about safety and I have campaigned twice, I've knocked on doors twice all over my Ward and for years, I've heard people say this is really unsafe. This is not a safe area, can't we do it better, and I take that to heart. I do think we have a lot of folks not biking downtown but in fact driving downtown because we don't have a safe, safe feeling corridor. By changing this to better design, I think we're going to open the doors to more folks riding their bikes downtown and this is not a bikes versus car thing. We want cars downtown and we want cars to park downtown, instead of driving around. We want bikes to get downtown safely, and they are then leaving a parking spot for those who choose to live so far away. So, this is, this is, for me this is the impetus on all of it and we'll figure out the best, the best use of the bridge, the best design that works on either end and MDT is going to weigh in on that too and, and that it all comes back to safety for me. And really, I don't, the, the how should I put this.... the mandate for this has been building slowly from both my Ward and residents within my Ward, as well as businesses on the Hip Strip that I communicate on and on about this with and really when....Well, I would back up. There's a lot of young people in my Ward. I have a high school that has anywhere from 1,100 to 1,300 students when it's in session, the University of Montana thousands of students, a full spectrum of ages in my Ward, but we also have a lot of young folks who frankly are far more focused on climate change than some of the others of us, which is great, and they are riding bikes. They're walking and riding bikes all the more; that's going to increase exponentially, I think every year, as we go forward. It's a reality and I think we as a community need to make sure that those young folks are safe, as they are getting back and forth in this area, and I think it was a couple years ago we had a young woman who was on her bike and was dragged underneath a Suburban for half a block on the Hip Strip. And at that point, I had people in businesses, who own businesses on the Hip Strip say, you're right, we got to do something. And so, it

may not have been the best planning sequence with a brand new bridge but sometimes that's the way life unfolds, and I don't ever want to see anybody dragged underneath a Suburban again; we can do better than that. It will mean change, it'll mean shifting, it's going to be a little bit different during rush hour peak times if it takes 51 seconds longer to exit the downtown, that's okay because we're going to have a lot more people walking and biking. So, I want to say thank you to staff. I know you've worked hard on this, and these are hard conversations. I feel confident that we can have a good design that will be improved even more, as you continue your process and it'll be a good change. So, thanks and I'm in support of it.

Mayor Jordan Hess All right, anyone who hasn't spoken yet tonight, want to go? All right, I have Ms. Vasecka and Mr. Nugent. Ms. Vasecka.

Aldersperson Vasecka Thanks and I'll be quick. One of my colleagues mentioned that it is not a road diet, it is a road reconfiguration and I just wanted to respectfully say that yes, this is a road diet because according to the U.S. Department of Transportation Federal Highway Administration a roadway configuration known as a road diet, a classic road diet typically involves converting an existing four-lane undivided roadway segment to a three-lane segment consisting of two through lanes and a center two-way left turn lane. So, I know that the term road diet has brought up a lot of controversy, but I did want to just mention that because I do believe that definitions and words do matter. So, I just wanted to clarify that.

Mayor Jordan Hess Mr. Nugent.

Aldersperson Mike Nugent I have no definitions, but Councilwoman Jordan I think that Marty should get award show music and just play us off..... talking too much. I also would just echo Councilman Anderson's comments, I, I will, will not be one of the people biking but I appreciate the opportunity. I do, I say that acknowledging that my father is on this zoom and has biked down Higgins to work almost every day of my life and we live near each other, so I don't know what my excuse is but I'm going to keep on doing it. Aaron and Ben online, I really appreciate all your, your comments and your, the work that's gone into this and you know, I, I definitely trust the process and I think that you've heard people's concerns, you've heard people's questions, and obviously MDT will have to sign off at the end too and I, I think that that's a lot of different sets of experts. Looking at this, the interesting thing about the process and the bridge planning that a couple of my colleagues have referenced is you know I was in the downtown master plan implementation committee years ago before Bear Tracks Bridge was started and there was a lot of disappointment in that room because MDT had said no. So, I mean like this has been part of the planning conversation for quite a while. It's interesting to me that now MDT is saying yes with the administration change, it just, I would not have expected that, I would have almost expected reverse, so I think that's definitely worth noting. I would, I would maybe consider offering an amendment, but I don't think it would pass and I really I want to, I want to acknowledge that I do value your, your work and your input. I have supported this because of the stretch from the bridge to Sixth Street, I think that will make a huge difference I drive that multiple times every day and that part is narrow. Like I said those, left turn lanes, I think will be a vast improvement and I will, I will be supporting it because of that, although I do hear some of the other concerns and you've heard my questions on the Broadway Higgins intersection in Fifth and all of that. I do also understand where a lot of people coming from who are frustrated by it. I think that we've touched on a lot of the process. I do want to clarify or ask a clarifying question to my colleague, Councilwoman Becerra, in your comments, you mentioned that we are voting on

the grant tonight, but the process will come back, and I think that you might have swapped those two around. I just want to make sure for the record that people understand that we are voting on basically saying this is what we want the city's priority to be, and they do not have to come back if they get funding.

Mayor Jordan Hess Ms. Becerra.

Aldersperson Becerra I said that what we're voting on tonight is directing staff to go ahead and apply for a grant with the alternative that was presented to us and that once a grant is, if we're successful, then we would hear from staff that we were successful, but what we're voting on tonight is saying yes we agree with the preferred alternative and so that in the future, they can go ahead and go after the grant. We're not voting on whether they should apply for the grant tonight.

Aldersperson Mike Nugent Yes, because that's got to come back to Council in a couple weeks, correct?

Aldersperson Becerra Right. We're voting on the preferred alternative so that they can move to the next step, but we're not voting on the next step....

Aldersperson Mike Nugent And I just wanted you to clarify that because based on the kind of questions and what stuff we're having, I don't want anybody to think that there's another opportunity to change the preferred direction...

Aldersperson Becerra I believe we're hearing that in a couple of weeks .....

Aldersperson Mike Nugent For just the grant application?

Aldersperson Becerra Yeah.

Aldersperson Mike Nugent So, I mean, I just wanted to make sure that anybody who's paying attention didn't take a different message from that. You know, I've been on the downtown master plan implementation committee for years and I, I appreciate the work and I, I love all the work that goes into downtown, I'm very proud of, of our downtown. You know, I do understand the perception out there that some people feel like sometimes downtown gets more attention than other parts of our community and whether that's true or not, I think sometimes we need to be aware of that perception and make sure that the other kind of pain points that we've talked about like the, the neighborhood at the end of Scott Street where we're putting so many new houses in, the River Road area, you know out Mullan you know we are giving attention to those two and I believe it was Councilwoman Anderson that I think that said, you know it's this is just the thing we're talking about right now but there are lots of things going on. You know, and so, I think that as we prioritize things moving forward I think some of that's worth discussing because we are going to put a lot of housing in other areas too and while I do think a better road grid downtown that includes you know the front main conversion stuff like that helps downtown, every housing unit we're going to put in downtown, we could put in whether we do this project or not. And so, I think that we just need to acknowledge that it makes it better, but I don't think it's the, the linchpin the same way that the build grant was, and I think that that is worth, worth mentioning, but I really do appreciate all your work. I have actually been impressed with the effort you all have made to get public comment. I know it can be frustrating when you do that and, and for whatever reason people don't hear it and then they find out about it later and then we're kind of having these conversations at the last minute. I, I kind of compare it to running a business with a lot of employees and sending out an email with important information and nobody reads it, we sent it, and I understand that that's frustrating. So, I, I do want to thank you. I want to thank staff for, for all your time and I will be

supporting this, but I do want to say that people should keep giving comments because obviously the engineering process is, is forthcoming, so.

Mayor Jordan Hess Thank you. Ms. Rehbein, we can have a roll call vote on the motion.

Mayor Jordan Hess And the motion passes, thank you Ms. Rehbein. We have no additional items of committee reports and we can go back to our items of final consideration. Without objection, let's take a, a quick recess and be back in order at 8:50 p.m.

Direct staff to move forward with the preferred concept as outlined and continue to engage with the community for the Higgins Avenue Corridor (Brooks to Broadway) Planning Project

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Carlino, Alderperson Farmer, Alderperson Jones, Alderperson Jordan, Alderperson Nugent, Alderperson Sherrill, and Alderperson West

NAYS: (2): Alderperson Contos, and Alderperson Vasecka

ABSENT: (1): Alderperson Savage

**Vote result: Approved (9 to 2)**

## 11. NEW BUSINESS

### 11.1 Legislative Update and Action on Bills

Mayor Jordan Hess We have our standing item of new business during the legislative session and that's a legislative update and action on new bills and Jessica Miller is here with our weekly staff report on legislative activities. Ms. Miller.

Jessica Miller Good evening everybody, Jessica Miller in the Mayor's office. I'll try to be brief but since we were off last week, I do have about two weeks' worth of lobbying to share. The first thing I wanted to do is let everybody know about a property tax position paper that we created here in our office. Again, our legislative tracking information is available under government Missoula in session and then folks can see all the bills that we're tracking down here. We've created our position paper over here, learn about the Montana property tax system, and most of these charts are things that have been presented to Council at some time in the past, not all of them, but some of them should look familiar. So, we wanted to create a document that can be used for many of the various property tax issues that are going through the legislature. There are things like circuit breaker bills, which would reduce folks property taxes based on income levels. There are a couple of bills that are proposing property tax rebates with the budget surplus and of course, we're always looking for overall reform of the property tax system, as President Jones mentioned as well. So, the first one here is just demonstrating a shift in the property tax base over the last 20 years from a more diverse base to largely residential. Twenty years ago, 43% of our property taxes came from residential and now it's 60%. This chart is one from the Montana Budget and Policy Center and it shows Montana taxes as a percentage of income and it shows how regressive our property tax system is, showing that our sales taxes are, they're regressive but because we don't have very many sales taxes in Montana, really our most regressive form of taxes is our property tax system. And then this chart may be one that is new to at least some folks, the interim, the Revenue Interim Committee of the legislature did some research on the property tax, did a property tax study bill, and had a comparison here where they compared local governments throughout the U.S. and Montana local governments, and the rest of the state's property taxes make up about 72 % of revenue for local

governments and in Montana it's 96.5%, so that's a pretty dramatic number and it's a pretty dramatic number. This is one we've that folks I know I'm sure have seen in our budget stuff, just demonstrates our revenue per capita, is in line with our peer cities across the state showing that it's not a Missoula problem; this is a problem that other communities in Montana share. And then, of course, we do talk about local option issues a lot and some of the smaller communities that are permitted to use a resort tax such as Whitefish and West Yellowstone. This data is from the Montana Institute for Tourism and Recreation Research through the University of Montana and they gather data based on spending from out of state visitors. And so, just based on how much people from outside Montana spend in Missoula County, the, the county could get about 3.8 million dollars in revenue with a 3% local option tax just from out of state users. So, this is a position paper that we created to share with our, our legislative delegation over time and, and we'll be using that throughout the session to help try to educate and be lobbying some of those property tax reform bills, and that is available on our website. Okay, so, try to get through these updates a little bit quickly. We have supported as I said multiple property tax bills some of the ones we've testified on were HB, so HB stands for House Bill, SB stands for Senate Bill. So, HB 258 would have given folks a one-time property tax refund with some of that budget surplus this year; that one was tabled in committee. SB 15 was a property tax circuit breaker which again gives folks a rebate on, on property taxes based on their income and that one also died in committee. HB 258 was a one-time refund for occupying a Montana residence; Mayor Hess did testify on that when; it was also tabled in committee. HB 318 housing tax incentives that was another really good bill having, approaching the housing problem from a tax incentive perspective and Mayor Hess provided testimony supporting that one as well, and that one also died in committee. There was HB 267 the safer bill that was for Federal Highway grants; that one actually passed unanimously out of the house and has been transmitted to the Senate, and so that is a good infrastructure bill. So, it's exciting to see that moving forward and exciting to see anything going unanimously during the session, so that was that was a nice surprise to see that one going strong. We have a few more that we are concerned about that are moving forward SB 215 is a, a subdivision and a sewer and water bill that would require our system to allow connection for a new subdivision if, if we have adequate capacity and if the subdivision is within 500 feet of our system. So, it takes our, our growth policy considerations and our floodplain development considerations out of that equation. So, we have been testifying against that one. It did pass out of committee and is still moving forward at this point. SB 206 prohibits local regulation of cell phones and of course, we do have an ordinance that that would affect. It did have a hearing last week and that one did pass out of committee today. So, I think that one will be on the floor for a vote in second hearing tomorrow. House Bill 206 is, is one that would have required that 50% voter turnout and fortunately that one did get tabled in committee. Additional bills, we have House Bill 413. This is one, this is the only bill I've seen so far this session that would address the plastics resolution that was created, that was passed this evening. So, we are tracking House Bill 413 and we are supporting it and that one would repeal the law on preemption of local government on auxiliary containers and would allow us to, to regulate those auxiliary containers including plastics and, and all those things. So, that one's in our bill or in our system, we're tracking it, it does not have a hearing date set yet, but we're supporting that one and it's the only one I've seen the only specific one I've seen that that addresses that resolution at this time. SB 194 is, is another one that would give an income tax credit to landlords who rent their, who, who rent their properties at below the market rate. So, we're supporting that one, it's still in committee. We do, we, we are seeing a lot of creative approaches to the housing problem this year statewide from both sides of the aisle, so I don't know where these are going to go but we're seeing, we're seeing a lot of approaches and, and we've been supportive of those. House Bill 355 is another good infrastructure bill; it's appropriations for local government infrastructure. Staff testified on that today, we should know by next week how the, how the committee vote goes. House Bill 337 would eliminate minimum lot sizes or take it down to I think 2,500 square feet, so

that is obviously not something we want to do at a statewide level. Those are things we want to keep you know a local decision making on and of course we're working with Montana League of Cities and Towns on that bill and lobbying it and that one is still, that one is still alive. I believe it's still in committee. Okay, and then this week, the highest priority hearings that we have coming up is HB 324 and that one actually puts a, an expenditure limitation on local government. The expenditure limitation would be inflation plus population growth. We are working with Montana League of Cities and Towns and other communities to oppose that. That hearing is on Thursday and so there's going to be a pretty unified approach to, to try to take care of that one. House Bill 369 is also Thursday and that would require us to adopt our growth policies by referendum, which would obviously be kind of difficult, so yeah we're opposing that one as well. SB 262 would add to municipalities, powers denied, any additional licensing that that the state already has any kind of license for something, we couldn't have our own license on it, so that would be challenging for us as well. SB 245 is another statewide zoning bill that would involve multi-family and mixed-use, and mixed-use properties in pretty much any zoning district where we allowed offices as, as a primary use and they would be allowed at their maximum density. So, essentially our, our highest density is our central business district in the downtown area where we have lot line buildings that are 120 feet high, those would be allowed pretty much anywhere we have an office building or pretty much anywhere we allow offices as the primary use. So, some of these statewide zoning things are not going to be ideal for us; that hearing is on Wednesday and we'll have, we'll have folks testifying in that hearing as well. And then finally, HB 380 is establishing a grant funding program to support homelessness care providers and that hearing is on Wednesday, and we'll be there testifying in support of that because it would be really great if we could get some state funding for that. And that's my report; I can take any questions.

Mayor Jordan Hess Thanks. Any questions? Seeing none, thanks for the update and for all the good work on that.

**12. COMMUNICATIONS FROM THE MAYOR**

**13. GENERAL COMMENTS OF CITY COUNCIL MEMBERS**

Mayor Jordan Hess We'll begin general comments of Council with Ms. West.

Aldersperson West No comments.

Mayor Jordan Hess Ms. Farmer.

Aldersperson Farmer No comments.

Mayor Jordan Hess Mr. Nugent.

Aldersperson Mike Nugent I always have comments. Just very quickly, this week I was able to attend two different things that that just kind of reinforce how great I think Missoula's community living. The CASA Gala on Friday night; the first one they've held since before COVID and CASA is a phenomenal organization in Missoula that I think people maybe don't realize what it does, but it's tremendous. They are court appointment special advocates for children going through basically the process where the state is has, has taken them away from their parents or otherwise feels like they need some additional support, so that was a tremendous thing. And then, the Fire on Ice event on Saturday night was always, entertaining as always and unfortunately the, the City Fire did lose to the Wildland Firefighters. So, we will hope for better, better luck next year but they, they raised a lot of good money for good causes.

Mayor Jordan Hess Ms. Jordan.

Aldersperson Kristen Jordan I'll pass, thank you.

Mayor Jordan Hess Mr. Contos.

Alderson Contos I'll pass.

Mayor Jordan Hess Mr. Carlino.

Alderson Carlino Pass.

Mayor Jordan Hess Ms. Jones.

Alderson Jones I'll just briefly say that this week we are starting up the Local Government Academy again. We ran this in 2019 and 2020 and it's basically a six week long, two-hour a week, program where different parts of city government are highlighted. We have 30 people attending. We had more than that who applied. We would love to accommodate everyone, but we try and keep the cohort to about 25 to 30, but we go, we were able to get most people in. Anyway, I'm looking forward to it and it will be taped by MCAT and within a week or two after each session, you'll be able to catch those sessions on MCAT if people have interest in that, and we're hoping to do this every year. So, glad to be back at it after the pandemic.

Mayor Jordan Hess Ms. Anderson.

Alderson Anderson I've said enough, I'll pass.

Mayor Jordan Hess Ms. Vasecka.

Alderson Vasecka I apparently, have not said enough. I just wanted to thank, I mean all the public has left in person, but I did want to thank everybody for coming out tonight and even though we don't always grant everything, I love the passion, I love the support or the opposition, I love everyone getting involved in local politics, so please continue to do so. I also was speaking with Mayor Hess last week about a House Bill 37, which I wanted to add to the list of things that the City was keeping track of but I am pleased to announce that it has been passed unanimously through the House. So, it was basically a bill to require a warrant for child protective services to come and take your child, and so among other things, and I've been very happy to see that it passed through the House. Hopefully it'll pass through the Senate and that's, see we can all get along and agree on stuff and I, I guess that's it. All right, thank you.

Mayor Jordan Hess Ms. Sherrill.

Alderson Sherrill Yeah, I would add to Mr. Nugent's list. The art museum auction was on Saturday night. Ma'am had a great showing; it was packed. I think that they did really well and you know getting, getting back, all of us getting back out there was the first time I'd been in a room with that many people for quite a long time, but keep checking on your favorite charities because, I, I, they're, they're back out there. The banquets are happening, and we have a lot of good organizations in this town that need your support.

Mayor Jordan Hess Ms. Becerra.

Alderson Becerra Pass, thank you.

Mayor Jordan Hess Okay, thanks everyone.

#### **14. MISCELLANEOUS COMMUNICATIONS, REPORTS AND ANNOUNCEMENTS**

Mayor Jordan Hess We do, as, as Mr. Larson remarked, we have four items on the administratively approved agreement report: that's available for your reference.

##### **14.1 Administratively approved agreement report**

#### **15. ADJOURNMENT**

We have no further business; we'll be adjourned. Thanks for your service.

The meeting adjourned at 9:33 p.m.

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

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Jordan Hess, Mayor