

Journal of Proceedings
Missoula City Council Meeting
November 8, 2021, 6:00 pm
ZOOM Webinar

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

Members Absent: Julie Merritt, Bryan von Lossberg

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

1. CALL TO ORDER AND ROLL CALL

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

2. APPROVAL OF THE MINUTES

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Committee Schedule for the week of November 8, 2021

Public Works Committee, November 10, 9:00 - 10:30 a.m.

Public Safety and Health Committee, November 10, 10:45 - 11:05 a.m.

Administration and Finance Committee, November 10, 11:20 a.m. - 12:55 p.m.

Parks and Conservation Committee, November 10, 1:25 - 1:45 p.m.

Land Use and Planning Committee, November 10, 2:00 - 4:00 p.m.

Mayor John Engen Thank you Ms. Rehbein. Are there any changes to the committee schedule this evening? Seeing none, we'll move on to the public comment portion of our agenda.

4. PUBLIC COMMENT

Mayor John Engen This is your opportunity to come in on items not elsewhere on our agenda this evening. And I'm looking for any hands in the attendees' box and it is working, and I have Tyler Steinebach and you should be able to speak.

Tyler Steinebach Good evening, Mr. Mayor and Council members. My name is Tyler Steinebach. I, I live here in Missoula, and I am actually the Executive Director of a drop-in center here in Missoula that works with those that are experiencing homelessness and even health concerns, as well as I serve on as

a co-chair of the board the Western Service Area Authority, which helps the Department of Public Health plan and oversee behavioral health services and grants from the state down. And so, from both perspectives, I just wanted to, I guess let you guys know that we are, I have, we've had some concerns brought to us at our board meetings in public commons regarding the warming shelter policies, as far as who's being kept out of the facility and there's some medical concerns that are not being considered by the current process. And that's the agencies aren't being involved, in like the decision making as far as who's allowed to stay there or not, that would know that information. So, I just wanted to I guess put it out there that I would like to speak with somebody and maybe get it on next month's Council agenda. If you guys wanna get a hold of me, I can definitely get my information to the to get the Mayor or somebody have that they can get it to you guys but I very much plan to follow up with this. It's on our agenda for our service period meeting this Wednesday to recommend to the department that that they take action. It was also brought up today during our meeting with the Behavioral Health Advisory Council with the state and the ombudsman that and they considered it an urgent matter that needs to be taken into consideration immediately. So, we will be meeting with them in the coming days. So, I just hope that we can come to something that's more humane for people living out there on the streets, especially the ones that are well not able to take care of themselves. So, I appreciate the time to comment and have a good night. Yes, thank you.

Mayor John Engen Thank you Mr. Steinebach. I'm in receipt of your email and we'll reach out with staff and, and begin that conversation. We have, we've worked long and hard with our partners at the Pov and hope that our policies and procedures reflect, reflect best practices, but we are more than happy to have a further conversation about that, so we'll make sure that that happens thanks for your comments this evening. Any other public comment this evening? All right, seeing none, we'll move on to our consent agenda which is brief tonight.

5. CONSENT AGENDA

Mayor John Engen That agenda has been approved unanimously in Council committees and we save a little time by considering these items all at once on Monday evenings. Ms. Rehbein will read the list aloud and we'll take comment on items before we vote. Ms. Rehbein.

Marty Rehbein And just before we get started with our great big consent agenda of one item, I just want to note for the record that Ms. West is here.

AYES: (7): Alderperson Anderson, Alderperson Becerra, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Sherrill, and Alderperson West

NAYS: (3): Alderperson Contos, Alderperson Ramos, and Alderperson Vasecka

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

Vote result: Approved (7 to 3)

5.1 Accounts Payable (claims) for checks dated November 9, 2021.

Approve accounts payable in the amount of \$1,229,182.70 for checks dated November 9, 2021.

Vote result: Approved

Mayor John Engen Thank you Ms. Rehbein. Ms. West is indeed here. Questions or comments from Council members? Mr. Ramos.

Alderperson Ramos Thank you Mr. Mayor. I will not be supporting the item before us because of about \$4,500.00 going to the legal bills for Mountain Water.

Mayor John Engen Okay, thank you sir. Any other comment? All right, anyone among our attendees care to comment this evening? Seeing none there, we'll have a roll call vote.

Mayor John Engen And the consent agenda is approved.

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

7. SPECIAL PRESENTATIONS - None.

8. PUBLIC HEARINGS

Mayor John Engen We do have two public hearings. Those hearings, pardon me, are established by State Law and Council rules to hear from the folks we serve on a variety of items in a formal way, and following a staff report on each of these items, Council will invite comment as will I. We are keeping these public hearings open for a week following the staff presentation, in the age of COVID, and Council will take these items up for final consideration at their next regular meeting, generally speaking. Our first public hearing this evening is on Funding Recommendation for Affordable Housing Trust Fund Innovation Funding Round & Tri-Annual Affordable Housing Trust Fund Update, and that's a lot. And our staff report comes from the intrepid Emily Harris-Shears this evening.

Emily Harris-Shears Hi good evening. I'm just sharing the funding recommendation tonight. The update was shared in committee.

Mayor John Engen Oh thank you.

Emily Harris-Shears So sorry you had to do that mouthful.

Mayor John Engen I get paid, it's okay.

Emily Harris-Shears Okay, thank you. I'm going to share a PowerPoint and I don't see it so let me....

Emily Armstrong While Emily's doing that, can I just ask we promote Sam Hilliard from the attendee list to presenter? Thanks so much.

Mayor John Engen You got that Marty?

Marty Rehbein I do, thank you.

Emily Harris-Shears So hi, I'm Emily Harris-Shears. I'm the Affordable Housing Trust Fund Administrator with Community Planning, Development, and Innovation, and today I'm sharing a funding recommendation for the innovation funding round from the Affordable Housing Trust Fund. And I want to put this in full screen. I'm assuming you can see my presentation. Okay, great. So, as background the innovation round was the first funding round administered by the Affordable Housing Trust Fund and the innovation round was open from August 23, 2021, through September 24, 2021. The Affordable Housing Resident Oversight Committee approved the vision and allocated up to \$300,000.00 to be awarded to projects to preserve or increase affordable housing in Missoula. And just to run over some of the other specifics, we are able to make awards to nonprofit and for-profit organizations, to new and in-process projects, and we plan and hope to make awards through grants and loans. And this round was a precursor to the unified application round that will include Community Development Block Grant and Home Investment Partnership Funds, which will be released in the winter of 2022. So, I'd like to just take a moment and clarify some inaccuracies that have been circulating about the application process. Engage Missoula was utilized as a resource to retrieve documents and access information, as well as submit questions but it was not considered the application portal. Materials could be retrieved, and information could be accessed without signing in, and applications were submitted through the City cloud, which is a process that we've used for grant submissions in previous city grant making. A funding workshop was hosted on August 25, 2021, and the application vision, process, timelines, and scoring criteria were reviewed. The scoring criteria was shared as a document with the application materials and all applicants had access to it. It was the first time in our funding rounds that we've included such a detailed scoring rubric, and we plan to do that in the future. And I also provided technical assistance through online meetings, phone calls, and email correspondence for all three projects prior to the close of the round. So, the values of the housing policy centered the innovation round and the application materials and scoring criteria were, were created from this values lens of diversity, innovation, collaboration, and achievability. The innovation round provided us with several opportunities including the opportunity to respond to community need now, to test process with the oversight committee, including setting the reserve balance in preparation for the allocation plan, and to refine the application

approach, as well as test and hone the Affordable Housing Trust Fund policies and procedures. It also allowed us the opportunity to begin building relationships with prospective and new awardees and recipients, which is a great bonus. So, the first round, we received three project proposals and the total funds requested exceeded the available allocation by \$145,250.00. The three projects were different in type and scope. All requests were for grants, and we received applications for construction, consumer housing services, and home ownership acquisition, and housing preservation. All three applications were scored using a consistent rubric that was published with the application materials and an eight-member scoring committee reviewed applications and made recommendations. This is a staff scoring committee that also included Council member Becerra and then representatives from Community Planning, Development, and Innovation. The scoring committee discussed application strengths, reviewed questions and concerns, and they developed three funding scenarios including awarding partial funding and requesting more information from applicants as a way of follow-up before making the decision. All three scenarios included fully funding the United Way's Centralized Housing Solution Fund and the scoring committee voted on the three scenarios, and ultimately did not recommend the remaining two projects because of concerns about project design, feasibility, and impact and outcomes of the requested investment. The scoring committee discussed the importance of being good stewards of public funds while balancing that with the demands and realities of our current housing market. And the scoring committee arrived at the decision to recommend one project for funding and provide feedback and encourage remaining applicants to consider applying again in the unified application round this winter. Applicants not recommended for funding were offered a follow-up debrief with me to review application feedback and opportunities for strengthening submissions for future rounds, and I've had one meeting of that type so far. And the scoring committee elevated one project the United Way's Centralized Housing Solution Fund to recommend for funding. The Centralized Housing Solution Fund, which is an existing community asset is a flexible financial assistance fund used to quickly reconnect households to housing solutions and away from houselessness system in Missoula. The \$26,250.00 grant will support 70 individuals with reconnection to housing, and it's estimated that 95% of people served by the Centralized Housing Solution Fund have incomes at or below 50% of the area median income. The scoring committee elevated this project for funding because they feel that's a proven model that responds to individuals needs and is an evidence-based strategy. It supports diversion which is a key component of the houselessness response system, and it demonstrated readiness to implement quickly. The committee also elevated that this approach is a useful response to COVID-19 and the importance of diverting people from crowded shelters and other places where they

may be staying, which is always of importance but has an additional layer of vitality right now. And the \$23,000.00, excuse me the \$273,250.00 that was not allocated during this award cycle will remain in the balance of the Affordable Housing Trust Fund and will be available for award making in the unified application round, which will open in the winter of 2022. So, the motion for the close of the public hearing next week is up on the slide and I'm happy to answer any questions. And Sam Hilliard from the Missoula Coordinated Entry System which supports the Centralized Housing Solution Fund implementation is also here, if there are specific program questions. Thank you.

Mayor John Engen Thank you very much. And with that, I am happy to open the public hearing. Is anyone interested in commenting on the recommended motion to fund this United Way program? And as I look in our attendees' window, I see no hands raised. With that, are there questions from Council members? And Ms. Sherrill.

Alderperson Sherrill Yeah thanks, thanks Emily and I appreciate all the work on this. I'm very excited that we've got this up and running. This is a great thing for our community, and I recognize that this is just the innovation round so I want to start there I mean we're figuring out how to how to run this and I, I appreciate all the metrics that you are using. I do have a question, you know, I feel like I'm always kind of thinking about being the steward of public funds and when we partner with anyone, I know you know we we're obviously thinking about the factors of the that whether they can deliver that what, what we've asked them to do or what they've asked for funding for so and, and this has nothing to do with the applicants, as they stand that you went over. I'm just thinking about the future and what for, for what are the, the things that we're looking at for the nonprofits, for profits? I mean what are the factors that we're looking at for those organizations to make sure they can deliver on their promise, as we allocate public funds for those organizations?

Emily Harris-Shears Great questions. There are a couple things that come to mind. So, we begin to assess that through the application by asking about the project design, the experience of implementing a project like this, the readiness and timeliness that the, that we measure the readiness and timeliness that the applicant demonstrates through their timeline, their goals, what they expect to accomplish and then also through the budget. And then we also have a monitoring process set in place, that with grantees or awardees, will do monitoring each year of projects in the portfolio. So that we can continue to keep that relationship and know where projects are, and how they're doing in their implementation, and that also comes into their quarterly reports that they'll submit, where we'll have oversight there as well as an opportunity to connect back with them and provide technical assistance and support and

really ensure that if we can support the project, meeting its goals and deliverables that it does as well. So, we have a few touch points throughout the process, to know and to support grantees or awardees.

Alderson Sherrill May I have a followup?

Mayor John Engen Certainly.

Alderson Sherrill Okay, thanks. Thanks Emily. I appreciate that. When, when you say quarterly, you're talking about quarterly reports on the project that we've funded? Is that correct?

Emily Harris-Shears That's right.

Alderson Sherrill Are we looking at, at any of the financials for these organizations? Like, how are we assessing the, how are we making an assessment of their kind of viability and ability to, to continue and, and?

Emily Harris-Shears Yes, so great question again. So, we do have a few ways to do that as well. In the application, we request that organizations that are required to have an audit submit that or organizations that are not submit their 990 in the financial, a recent financial record or ledger and then we also, in the monitoring process, we wrote a policy that says that we can request their most recent audit at any time. We're not requiring them to give it to us annually, but we can request it at any time. So, if we and they have I think it's like 45 or 90 days to get it to us and then we have the, you know because we're, we're collecting financial reports quarterly. We'll also have the opportunity to monitor those and if there are questions or concerns with what's being claimed, we have a follow-up there as well.

Alderson Sherrill Great, thank you. I just think having, having run a non-profit, I think it's really important that that we're looking at all those financial factors moving forward for City funds.

Mayor John Engen All right, seeing no further questions, this item will remain open for public comment through the week and will be considered finally at Council's next meeting.

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

The City Council will hold this public hearing open for a week and will take it up on November 15, 2021, under final consideration.

Mayor John Engen Our second public hearing tonight is on a rezoning Ordinance that amends the Mill Site Special Zoning District. And Ms. Gluckin has our report this evening.

Emily Gluckin Hi there, let me just bring up my presentation. All right, good evening, everyone. My name is Emily Gluckin and I'm an Associate Planner with the Development Services division of

Community Planning, Development, and Innovation. I will be presenting a request from Don MacArthur of MMW Architects on behalf of Mill Site Revitalization Project, LLC, to amend the standards of the Mill Site Special Zoning District. The subject property is located south of the Clark Fork River and north of the Milwaukee Trail between California and Hickory Streets, more broadly between Russell and Orange Streets and it is in the Riverfront Neighborhood, yeah Riverhead Neighborhood, Council and City Council Ward 3. Zooming in a little bit the Mill Site Special Zoning District covers 46.59 acres. The existing and constructed portions of the special district are currently accessed from Wyoming Street. In a few slides, I'll go into a little bit more detail about the subdivision and the requirements of the special district but first I'll take you through some analysis. The Our Missoula 2035 Growth Policy recommends a land use designation of community mixed use, and this is for the majority of the Mill Site, and then a parks and open lands designation for the northern portion of the Mill Site that contains Silver Park. Areas designated as community mixed use are intended or intended to integrate basic employment and services with main transportation corridors. They are characterized by a broad range of functions that include retail, education, financial institutions, professional and personal services, offices, residences, and general service activities. And the zoning districts most closely aligned with this land use designation are C1-4 neighborhood commercial, C2-4 community commercial, and M1R2 limited industrial and residential. And then for the portion that's parks and open space or open lands these areas are intended for larger parks that are typically in public ownership or larger common areas that are intended for use by a group of residents or also larger conservation lands. And the Growth Policy recommends OP1 open space as the relatable zoning district. In addition to the land use designations, staff reviewed the goals outlined in the chapters of the Growth Policy and identified a number of them that relate to this proposal. The economic health chapter encourages the dynamic mix of businesses, housing, and retail in the downtown area that contributes to the economic vitality of Missoula's urban core. The housing chapter encourages the promotion of live-work opportunities through mixed-use developments, and the community design chapter describes the City's focus inward approach to development, which promotes pedestrian oriented mixed-use development which allows a range of residential, retail, artisan and commercial uses to be located in close proximity to each other. The Mill Site special zoning district is also located within the 2019 Missoula Downtown Master Plan boundaries, and this refers to the Mill Site Special Zoning District, as the old sawmill district, as some may be familiar with calling that area. This plan states that a mix of residential and commercial uses are appropriate within the neighborhood, a wide range of housing densities and skills, and ownership and rental opportunities should be encouraged. And further it describes the old sawmill district as the next

tech hub. That can draw in new tech industry and build upon the existing amenities for tech workers that's already in the area. Lastly, it also encourages new mixed-use development on the north side of Wyoming Street, to continue the strengths of the mixed-use developments on the south side of Wyoming Street that currently exists. One more layer of this, the Mill Site Special Zoning District is located within the Southside Riverfront planning area, and this is documented in the Southside Riverfront Area Comprehensive Plan Amendment that was published in 2000 and encourages a mix of residential and commercial uses in the Mill Site area, as well as establishing it as a neighborhood center. In the intent statement of the Mill Site Special Zoning District ordinance states that the intent of the special district is to emulate and build on the Southside Riverfront Area comprehensive Plan Amendment by providing a mixture of land uses including civic, general commercial, office, retail, service and residential in a pedestrian friendly design. Mixed use options that are encouraged by this plan include commercial uses at the street level with residential uses at the second level and above. It also encourages residential uses adjacent to commercial uses. So, following the analysis of these three documents, staff found that the proposed expansion of allowed uses will continue to reflect the goals for mixed-use development in the old sawmill district that were identified in the Growth Policy, Downtown Master Plan, and the Southside Riverfront Area Comprehensive Plan Amendment. And this will be done by, it'll continue to contribute to the economic vitality of the area while continuing to promote a pedestrian-oriented pattern of development in the district. The Mill Site special zoning district is regulated by a zoning ordinance that prescribes specific standards for that district only, and this is shown as the hatched area on the map. The surrounding zoning districts include industrial zoning to the north and east, public lands and institutional zoning to the south and east, and a business commercial and a mix of medium and low-density residential vending districts to the west. And just for a little bit of context, the Mill Site Special Zoning District is surrounded by a mixture of public parks, public trails, community centers, governmental offices, multi-dwelling residential, and single detached residential uses, and it's also bordered to the east by the railroad tracks. So, what you're seeing right now is a final plat for the subdivision. This property was originally subdivided in 2007 to create the Mill Site Subdivision and at this time, it was, the property was rezoned to the Mill Site Special Zoning District. In 2009, 2012, and 2014 City Council approved amendments to the phasing plan for the Mill Site Subdivision and the 2014 phasing plan includes 11 phases with a final deadline of December 31, 2025, for all of the final plats of all phases to be submitted for approval. The phase one, Wyoming North final plat which is what you're seeing on the screen was filed in May 2015, and no other final plats have been filed for the other phases of the subdivision at this time. In 2013, City Council approved amendments to

the original Mill Site Special Zoning District and these amendments included updating the zoning to reference Title 20 standards, among a number of other amendments to the language of the ordinance and this is the current zoning ordinance that's used to govern this district. And the Mill Site Special Zoning District standards are divided into six sub-district sections, which are A, B/C, D, E/F, G, and H/H-1/H-2. The ordinance begins with general development standards that generally apply to projects within this district and these include standards for setbacks, build to lines, architecture, building heights, lighting, loading and unloading, parking, sidewalk cafes, common areas, landscaping, hardscaping and on-premises liquor, wine, or beer sales. And then further, the specific standards for each sub-district provide unique requirements that may supersede the general development standards in some cases. So, tonight specifically we are talking about sub-district B/C, and that's the location of the proposed amendment that we're discussing this evening. It is bordered by sub-districts H to the north, H-1 to the east, and H-2 to the west and then all of these are parks and open space districts. And then it is bordered by subdistrict D to the south across Wyoming, which is a primarily residential district with some commercial uses allowed. The subdistrict B/C is in between Wyoming Street, Moose Creek Trail, and Silver Parkway and the northern sections of Moose Creek Trail and Silver Parkway are associated with future phases of the Mill Site Subdivision and are not yet constructed. This subdistrict is in an area intended for a mixture of commercial and multi-dwelling residential uses, and residential uses are only permitted on the second story and above. Detached houses and two-unit houses are prohibited in this specific district. Subdistrict B/C currently has a restricted use area on the street level along Moose Creek Trail between Wyoming Street and Silver Parkway, and then also along Silver Parkway between Moose Creek Trail and Big Timber Lane in this specific area shown in orange on the screen, where only specific uses are permitted. And these specific uses include restaurants and cafes, restaurants with a cabaret license, taverns, or nightclubs, retail trade and sidewalk cafes. This is a lot of text on the screen, though. The applicant is requesting to remove this restricted use area from the standards of subdistrict B/C, with this proposed amendment. It's essentially striking out item number three that's listed in the ordinance right now. And the removal of this item will also require the renumbering of the following items, after that, that are specific to subdistrict B/C as their list of import items. This table demonstrates the uses that are currently permitted in the remainder of subdistrict B/C outside of that restricted use area, which would be allowed the following, the proposed amendment in the area that currently has that use restriction. You can see highlighted in blue that the use is currently permitted in that restricted use area, it would still be permitted following this change with a wider range of uses also allowed. It is worth noting that any proposed uses in this area will need to comply with off street parking schedule in

Title 20 and the parking requirements for specific uses outlined in the special district along with any other relevant zoning requirements. As part of this review, staff examined this application using the review criteria for rezone requests in Title 20 and found that it complies with this criteria based on the following conclusions. First, in relation to criteria 1A, the rezone request complies with the economic, health, housing, community design, and community mixed use goals of the Growth Policy, as well as the goals for the Downtown Master Plan and the Southside Riverfront Area Comprehensive Plan Amendment. Second in relation to criteria 1B and 1C, staff found that public health and safety from fire and other dangers are insured through the availability of emergency services, law enforcement, and fire protection in the area. For criteria 1D and 1F, the property is an area adequately served by sewer, water, storm water facilities, motorized and non-motorized transportation, infrastructure, parks and schools. For criteria 1E, the proposed amendment would maintain the building setbacks, setback height, and green space requirements of the Mill Site Zoning District and will continue to facilitate the provision of light and air. Fifth, in relation to criteria, 1G and 1H, the proposed amendment will retain the mixed-use pedestrian-friendly pattern of urban growth and character that was intended for this district, for the Mill Site. And in relation to 1I and criteria number 2, staff found that the rezone will provide opportunities to conserve the value of the buildings, as well as address a changing condition by allowing the existence of non-residential uses that can be supported by current market conditions, as well as fluctuations in market conditions over time; thereby, preventing vacancies. And finally, for criteria number 3, staff found that the proposed amendment is in the best interest of the City as a whole because it will continue to promote mixed-use development and economic opportunities in a high-density environment that's in close proximity to downtown Missoula. At this time, staff has received three public comments that raise concerns about the vagueness of the request and an unclear intent for the relaxation of the use or current use restrictions, as well as concern about a change in expected development over the lifespan of this subdivision. Staff received one agency comment from Aaron Wilson of the Transportation Division of Public Works and Mobility. His comment was stating that the change to remove the use restriction on the ground floor is consistent with City goals from its use and walkable neighborhoods; however, his division encourages the acceleration of the installation of the traffic signal at Craig and Orange Street to keep up with expanding development in the district. On Tuesday, October 19, 2021, this was heard before planning board. And planning board voted to recommend approval of the rezone request with 6 ayes, 0 nay, and 1 abstention. Topics that came up as part of the planning board hearing discussion included a clarification of the reasoning of the requested change, clarification of the types of uses that would be allowed following the proposed amendment, and

concern over the potential need for zoning changes as future phases of the subdivision division are filed, as well as the impact that future development have will have on traffic on Wyoming Streets, and this planning board summary is available as part of the record for this project. To conclude, staff recommends the adoption of an ordinance to amend the standards of the Mill Site Special District, to remove the use restrictions on this Moose Creek Trail and Silver Parkway in subdistrict B/C.

Mayor John Engen Thank you for that presentation, Ms. Gluckin. And with that, I will open the public hearing. And anyone among the attendees care to comment this evening? Seeing no hands raised there, are there questions or comments from Council members this evening? Seeing none, once again this item will remain open for public comment until Council considers this finally, this next meeting. We have no additional public hearings this evening.

8.2 Rezoning: Ordinance amending Mill Site Special Zoning District

The City Council will hold this public hearing open for a week and will take it up on November 15, 2021, under final consideration.

9. FINAL CONSIDERATION

Mayor John Engen We do have one item for final consideration. These items were heard in public hearing and Council, this evening, will take final action on the proposal before the body. In this case, we have one item and that is for an application for a cable franchise. We had a presentation last week from Mr. Nugent and that motion will come from Ms. Jones this evening please.

Aldersperson Jones Yes, thank you. I would like to make the recommended motion that we adopt a resolution at the Missoula City Council regarding application of TDS Metrocom LLC for a Cable Franchise and I would like to speak to it, at the right time.

Mayor John Engen Ms. Jones.

Aldersperson Jones Okay thanks. I always get a little confused with public comment. I'll just speak briefly to this. We've had some very extensive presentations from our City Attorney, Jim Nugent. This is the first time in many years I think that we've had an applicant for a cable franchise. My understanding is that our decision space basically hinges on, under federal law, we may not unreasonably refuse to award an additional competitive franchise. So that's why the information presented by City Attorney, Jim Nugent, spoke to the fact that in the application, TDS runs cable franchises in 12 other states, they've got assets they, they basically are positioned to do this. So, in my mind it's, it's, it's reasonable to award it but also, I think it would be good to have some competition here in Missoula for cable franchises. So, I'm in favor of it. Thank you very much.

Mayor John Engen Thank you Ms. Jones. Additional discussion, Ms. Vasecka.

Aldersperson Vasecka Thanks. I also am in favor of this. First of all, I, I don't think that this should go in front of the Council. I should think that competition should be widely welcomed without having to get the City's approval, but because not only does competition drive costs down and increase wages and increase customer service, I think it's a great thing to bring into the City. So, I am absolutely in support of this motion.

Mayor John Engen Further discussion on the motion? Seeing none, anyone in the audience this evening care to comment? Seeing none there, we will have a roll call vote.

9.1 Application of TDS Metrocom LLC for a Cable Franchise

Moved by: Aldersperson Jones

Adopt a resolution of the Missoula City Council regarding application of TDS Metrocom, LLC for a cable franchise.

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

ABSENT: (2): Aldersperson Merritt, and Aldersperson von Lossberg

Vote result: Approved (10 to 0)

Mayor John Engen And the motion is approved.

10. COMMUNICATIONS FROM THE MAYOR

Mayor John Engen I will simply say thanks to all who participated in our municipal election last week. It didn't matter whether you voted for me or the other person. The fact that you voted is a big deal and I am grateful to you. The fact that a majority of you voted for me makes me even more grateful and I am delighted to have the opportunity to continue this service with you. I'd like to congratulate the newly elected and re-elected folks and offer my appreciation to the folks who ran, ran hard and were willing to step up for their community, to do a difficult job. And for the folks who didn't face election, thank you for doing the work.

11. GENERAL COMMENTS OF CITY COUNCIL

Mayor John Engen We'll begin Council comments this evening with Mr. Hess. Jordan.....

Aldersperson Hess I apologize, my internet cut out momentarily. I'll pass, thank you.

Mayor John Engen Thank you. And Ms. Harp.

Aldersperson Harp Thank you. Congratulations on your election Mayor, really very proud that you are going to be leading our, the City again for another four years. I would like to also announce that Habitat for Humanity and the League of Women Voters will be co-sponsoring a panel, on the next steps, on the Affordable Housing Continuum with Jordan Lyons from Missoula County, as well as Emily Harris-Shears from the City, next week November 16, 2021, which is a Tuesday at 6:30 p.m. It will be a ZOOM webinar and an opportunity for folks to learn more about what all of our agencies are working together collaboratively to move the needle forward. Thanks.

Mayor John Engen Thank you. Ms. Jones.

Aldersperson Jones I'll pass, thank you.

Mayor John Engen Mr. Contos.

Aldersperson Contos Yes, thank you. I did a ride along with some police officers last Friday and that was a real eye-opener. We have an amazing police force, and I was just totally impressed at how considerate they are with people that they encounter throughout the evening, and it was very good. Something else too, I wanted to share. A couple of weeks ago, I was listening to the radio, which I don't do very often but it was a John Tesh piece, and he was talking about the results of families who have their children do chores, and one out of four families have their children do chores. That really shocked me, I thought it would have been a four out of a four, or at least three out of four, and then he was talking about the results of these kids who do chores, how well they do later on in life. They typically do better in school. They're better with math. They typically go on to college. They have a better self-concept of themselves. They're calmer; that didn't work for me, but it did say there were calmer people and I thought that is absolutely amazing. So, I just wanted to share that with everybody. I was kind of shocked that the, it was one out of four that have their children do chores. Thank you.

Mayor John Engen Mr. Ramos.

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

Mayor John Engen Ms. Sherrill.

Aldersperson Sherrill Councilor Contos, I have to tell you that I wanted to mute you when you said it was only one out of four. So, hopefully more kids are doing chores because more parents need help. I don't have any other comments. Thank you.

Mayor John Engen Ms. Becerra.

Aldersperson Becerra I was gonna say that the one out of four is my family. Thank you for that John. No further comments. Thanks.

Mayor John Engen Ms. Vasecka.

Aldersperson Vasecka I want to echo all the other ladies before me. I, I was surprised that it was one and four as well. Thank you for sharing that, I appreciate it.

Mayor John Engen What, what do you have that little baby doing right now, Ms. Vasecka?

Aldersperson Vasecka My, my husband is, he's actually screaming at my husband my husband right now.

Mayor John Engen Okay, that's a chore. That works.....

Aldersperson Vasecka That is a chore....

Mayor John Engen Ms. Anderson.

Aldersperson Anderson Thank you so much. I, I'm a full-fledged adult and I still have chores, thanks to my mom. So, oh gosh that funny little antidote, I appreciate that. I also want to echo the sentiments from the Mayor. I just, you know, thank you Missoulians for caring enough about your community and who's going to be steering it through the next four years, to cast your ballots and, and it's a great honor to continue to serve and thank everybody for you know caring about their community and showing up in big and small ways, and the least you can do is vote. So, thanks so much.

Mayor John Engen And Ms. West.

Aldersperson West I can assure you; I've almost entirely given over cleaning the bathrooms to my kids. They both have one and I don't have to do it anymore. I also want to remind people that this is a parent-teacher conferences week for MCPS. So, make sure to go catch up with your teachers and make sure that all your kiddos are doing well this school year. Thanks.

Mayor John Engen Thank you.

12. COMMITTEE REPORTS - None.

12.1 Administration and Finance committee (AF) report

12.2 Committee of the Whole (COW) committee report

12.3 Land Use and Planning (LUP) committee report

12.4 Parks and Conservation (PC) committee report

12.5 Public Safety and Health (PSH) committee report

12.6 Public Works (PW) committee report

12.6.1 Minutes from the November 3, 2021 Meeting

13. NEW BUSINESS - None.

14. ITEMS TO BE REFERRED - None.

14.1 Administration and Finance committee referrals

14.1.1 Reappointment to the Tourism Business Improvement District

- 14.1.2 Amendment to Contract A#8501 for Emergency Winter Shelter Operations
 - 14.1.3 Scott Street Property Update with Ravara - Informational Only
 - 14.1.4 An ordinance to amend Missoula Municipal Code chapter 2.82 entitled
“Establishment of continuous residency requirements within the city limits for
City department heads and supervisory managers.”
 - 14.1.5 Resolution Relating to \$397,000 Storm Water System Revenue Bond (DNRC
Water Pollution Control State Revolving Loan Program), Series 2021A;
Authorizing the Issuance and Fixing the Terms and Conditions Thereof
 - 14.1.6 Renewal of Stop Loss Insurance for the City's Health Insurance Plan with Voya
Financial
- 14.2 Committee of the Whole referrals
- 14.3 Land Use and Planning committee referrals
- 14.4 Parks and Conservation committee referrals
 - 14.4.1 Agreement for Administration of Westside Park Land and Water Conservation
Fund Grant
 - 14.4.2 Transportation Alternatives Pavement Preservation Grant Agreement
- 14.5 Public Safety and Health committee referrals
 - 14.5.1 Confirmation of Police Officers Michael Haderlie, Daniel Kozlowski and Payton
Holmgren.
 - 14.5.2 Purchase of decontamination equipment from Kart Kleen of Missoula,
Montana for \$36,850.00.
- 14.6 Public Works committee referrals
 - 14.6.1 A Resolution of the Missoula City Council increasing the municipal
stormwater, wastewater, and water rates for use of the Missoula City Utility
Systems and amending the Utility Rate Schedule to be effective January 1,
2022.
 - 14.6.2 A Resolution of the Missoula City Council amending the current fees for new
taps into existing Missoula Water system mains, establishing a Staff Assistance
Fee, and amending the Utility Rate Schedule to be effective January 1, 2022.
- 15. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS - None.
 - 15.1 Administratively approved agreement report

16. ADJOURNMENT

ADJOURNMENT

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

The meeting adjourned at 6:53 p.m.

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

John Engen, Mayor