

Journal of Proceedings

Missoula City Council

March 13, 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, Jennifer Savage, Amber Sherrill, Sandra Vasecka, Heidi West

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

3. PUBLIC COMMENT - NON-AGENDA ITEMS

Mayor Jordan Hess Is there any public comment on items not listed on our agenda? And seeing none in the room, I do have one online. Mr. Larson.

Matt Larson Yes, this is Matt Larson, Ward 3. Thanks for allowing me to speak. I would just like to remind the City Council when appointing a new chief of police, whenever that does happen after this interim chief of police. I think the community would do well with having somebody who has experience with like mental health stuff, as well as you know maybe not just like special teams, as was the case with the last one. You know, we need like a well-rounded chief of police, I would think, for our community here. As we saw like some incident today or yesterday with like I believe a mental health crisis and a police officer. You know, maybe we you know can see more of the, the crisis unit being deployed here and hopefully avoid any, any of these types of like violent incidences with police and you know maybe not militarize our police force as much as we've seen in the past with purchasing of riot gear and gas masks and a bunch of stuff that really isn't needed for Missoula's police force given the history of Missoula and having no riots here. And, you know, I think it comes up frequently on our budgets and on our, our claims like it is tonight. The, the, there's twenty thousand dollars of gun sites that are going to be purchased for the special teams tonight, and I just don't really know why that's happening. I just wonder what kind of sites were on the guns before and you know although I do think it's important that those guys don't miss, I just, I just wonder what, what we're doing here when we're purchasing ten thousand dollars' worth of ammo at a time and twenty thousand dollars' worth of gun sites and you know sixty thousand dollars' worth of sticks to beat people with and not any money is really going towards you know crisis, crisis teams, and stuff like that that can really be used. Whereas this other stuff is just kind of in case, in case something really bad happens like a riot, which there's been no history of. So, I think we should all keep that in mind when we're appointing a new police chief after this interim police chief, you know happens. So, thank you for allowing me to speak.

Mayor Jordan Hess Thank you sir. Anyone else tonight in the room or online? Seeing none, we will next move on to our schedule of committee meetings. Ms. Rehbein.

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

Public Works and Mobility Committee, March 15, 10:00 – 11:15 a.m.

Public Safety, Health and Operations Committee, March 15, 11:30 a.m. – 12:00 p.m.

Mayor Jordan Hess Thank you Ms. Rehbein. Are there any changes to the schedule? Okay that'll stand as presented and we can move on next to our consent agenda.

5. **CONSENT AGENDA**

Mayor Jordan Hess Items on the consent agenda were generally approved unanimously in City Council committees and we take them up as a package on Monday nights to save a little time. Ms. Rehbein will read the list aloud and then we'll invite comments before we vote. Ms. Rehbein.

Mayor Jordan Hess Thank you Ms. Rehbein. Is there any public comment on the consent agenda? Mr. Moore.

Bob Moore My name is Bob Moore. I think we all know that our streets are in poor shape. I don't think there would be any disagreement with that. Why, I'm not sure exactly. However, I do notice here in the number 5.4 purchase agreements with the lowest bidders. I don't know that that is the reason our streets are so bad, but I think the appropriate people should determine that this lowest bidder is the best way to keep our streets in a lot better shape. Thank you.

Mayor Jordan Hess Thank you sir. Anyone else tonight? Anyone online? Mr. Larson.

Matt Larson Yes, Matt Larson, Ward 3. Thanks for allowing me to speak again. Yeah, page three of the claims again, just the, the \$23,000.090 for 20 gun sites for the special teams, I was just wondering what that's about. Wondering why that's needed? That's just one of the other things that comes up frequently on clients is why we're over, over militarizing our police force and little, small town Missoula. The other thing is 5.6, if you read the contract in 5.6, it basically allows anyone from, it basically allows a sweet deal for people to retire via Mountain Water, Mountain Water Executives to retire and I, I was just, I was just wanting the Mayor to kind of explain a little bit of how, how this might directly affect his retirement, as well, just, just if he wants to. And, and just kind of disclose what's, what's going on with this whole agreement because it's not really written in plain English, it's kind of written in legalese, but it seems pretty in-depth as far as a pretty sweet retirement deal for those that have worked at a Mountain Water, and just, just wondering what, what all that's about because I know there's a few people on City Council that have some, some differing ideas about Mountain water. So, just wondering if they want to weigh in on this? So, thanks bye.

Marty Rehbein Point of order. The virtual audience cannot hear.

Mayor Jordan Hess Oh, I apologize, I, my mic was off. I said I was just going to disclose that item 5.4 or 5.6 the 401A contracts is a portion of our retirement plan that's administered through human resources and in my case, my position is eligible and my, my day-to-day compensation is being reduced by, I believe, about 3.9%, and the balance is going into this retirement plan. So, there's no net change and that was something that was heard in committee a few weeks, last week I believe. Any Council discussion on any of these items on the consent agenda? Seeing none, Ms. Rehbein we can have a roll call vote.

AYES: (12): Alderperson Anderson, Alderperson Becerra, Alderperson Carlino, Alderperson Contos, Alderperson Farmer, Alderperson Jones, Alderperson Jordan, Alderperson Nugent, Alderperson Savage, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

Vote result: Approved (12 to 0)

5.1 **Accounts Payable (claims) for checks dated March 14, 2023**

Approve accounts payable in the amount of \$733,666.87 for checks dated March 14, 2023.

Vote result: Approved

5.2 Wastewater Digester Cleaning

Approve and authorize the Mayor to sign a Professional Service Agreement with Morrison-Maierle for engineering assistance with digester cleaning not to exceed \$33,400.00.

Vote result: Approved

5.3 Appointments to the Cemetery board

Confirm the Mayor's reappointments of Paul Filicetti, Kim Seeberger and Julia McCarthy-McLavery to the Cemetery board with terms beginning May 1, 2023 and expiring on April 30, 2026.

Vote result: Approved

5.4 Award Street Maintenance and Construction Material Contracts for 2023

Award the bids for Street Division construction and maintenance materials as follows and authorizes the Mayor to sign purchase agreements with the lowest bidders: 1. Award the bid for 500 tons of emulsified asphalt CRS-2P polymer modified to Idaho Asphalt Supply Inc. of Hauser, ID, at \$754.00/ton for a total of \$377,000.00 and authorize the return of bid bonds. 2. Award the bid for 2,000 tons of hot mix asphalt (grade "B") to Knife River of Missoula, MT, at \$64.00/ton for a total of \$128,000.00 and authorize the return of bid bonds. 3. Award the bid for 4,000 tons 3/8" seal coat aggregate to Western Excavating of Missoula, MT, at \$30.75/ton for a total of \$123,000.00 and authorize the return of bid bonds. 4. Award the bid for 3,000 tons of hot mix asphalt (driveway grade 3/8") to Knife River of Missoula, MT, at \$67.00/ton for a total of \$201,000.00 and authorize the return of bid bonds. 5. Award the bid for 1,500 tons of drain aggregate (sump rock) to Western Excavating of Missoula, MT, at \$30.00/ton for a total of \$45,000.00 and authorize the return of bid bonds. 6. Award the bid for 5,000 tons of 1/2" winter traction aggregate to Knife River of Missoula, MT, at \$18.00/ton for a total of \$90,000.00 and authorize the return of bid bonds.

Vote result: Approved

5.5 Allegiance Services Agreement

Approve and authorize the mayor to sign the renewal contract for Allegiance Services Agreement

Vote result: Approved

5.6 401A Contract Renewal

Approve and authorize the Mayor to sign the revised and renewed agreement for the Executive Management retirement plan.

Vote result: Approved

5.7 Referral and Staff Report - Rezone of Deer Creek Road Tract 2 of COS 5850 from R20 Residential to R40 Residential

[First reading and preliminary adoption] Set a public hearing on March 27th, 2023 and preliminarily adopt an ordinance rezoning the subject property located one parcel east of 984 Deer Creek Road, legally described as Tract 2 of C.O.S. 5850 in Section 20, Township 13 North, Range 18 West, P.M.M, from R20 Residential to R40 Residential, and refer this item to the Land Use and Planning Committee for presentation on March 29th, 2023.

Vote result: Approved

5.8 Referral and Staff Report - Hellgate Village West TED Conditional Use

Set a public hearing on March 27, 2023, on a conditional use request for the Hellgate Village Townhouse Exemption Development (TED) located west of Mary Jane Boulevard and east of Flynn Lane and refer this item to the Land Use and Planning committee for discussion on March 29, 2023.

Vote result: Approved

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

7. SPECIAL PRESENTATIONS AND PROCLAMATIONS

7.1 Girl Scouts

Mayor Jordan Hess We do have two special presentations and we have a very important group of guests here tonight, future leaders here in the City of Missoula. We have a number of Girl Scouts who are here for their, their learning about civics badge and I understand that some of you want to talk to us a little bit about Missoula and why Missoula is special to you, and I, I'd welcome you and your group leaders to come on up, and thanks for coming tonight it's so good to see future leaders here in the audience.

Lianna Waller Hi Mayor Hess, members of the Council thank you so much for having us. My name is Lianna Waller and I'm a local girl scout troop leader. I have with me tonight my co-leaders and some of our Girl Scouts from our troop and you're right this year, every year, we try to work towards a theme. This year, our theme happens to be our civics badge and so the girls are working on a number of different things, but because we carry different levels of Girl Scouts, so each one is a little different, but they're all learning and experiencing how decisions get made and how those decisions affect us. For us, it's really important that our Girl Scouts feel and see representation at the table of where these decisions get made and so this opportunity is so special to us because you guys are here making a lot of decisions that affect all of us who live in the City of Missoula. Councilwoman Becerra was so grateful to come and speak to our troop and invite all of our girls, and she gave them a special task to come and share either something they love about Missoula or something they would like to see improved or both. And so, I'll ask of my Girl Scouts who feel comfortable sharing if they'd like to come up and speak to the Council. Azzy are you ready? So, if you can say your name and then tell them what you would like.

Azalea My name is Azalea, but I go by Azzy and why oh and I....

Lianna Waller Yeah we're good, I'm right here....

Azalea My name is Azalea, but I go by Azzy and why I love Missoula is because of all my friends and family live here. And what I think we need to change is that there's not that much stuff to do indoors in the winter, but there's like, but there's lots of stuff to do out in the summer. So, I think we need to add more stuff to do for the children in the wintertime like an arcade or a laser tag arena.

Mayor Jordan Hess Those are great ideas. Thank you.

[mumbled/inaudible speaking]

Lianna Waller Do any of my other Girl Scouts want to come? It looks so formal, so this is a very different setting. You should see them at a troop meeting. [laughs] Well, thank you so much. We appreciate this and this is a wonderful experience. We're hoping too that our girls will get a chance to go to the state capitol in June and get to see what it looks like there, where decisions get made for our state. And so, we're really proud of this group of girls, they work really hard and it's also cookie season so be prepared. You might see us outside of the grocery stores, we're happy to provide you with all your cookie needs. So, thank you guys so much.

Mayor Jordan Hess Thank you all so much for coming down and thanks for thanks for learning about civics and thanks for coming down tonight and come back anytime. We have another special....Ms. Jordan.

Aldersperson Kristen Jordan Thank you. I just wanted to thank the Girl Scouts for coming down as well and it is hard when you get up here and you see your picture on a big screen and you see your words going across the bottom of it and you hear an echo. So, I really applaud you all for coming and it's hard to get up and speak in front of people, so thank you for doing that.

Mayor Jordan Hess Yeah absolutely. Ms. Vasecka.

Aldersperson Vasecka Yeah, I wanted to say thank you girls for coming down. I was a girl scout too and I never got to go to a City Council meeting, and I wish I would have. So, I hope to see you guys up here one day and yeah thanks again, and I'll be hitting up some of those thin mints.

Mayor Jordan Hess Ms. Savage.

Aldersperson Savage I just quickly wanted to say thank you as well and to let you all know that I have eaten my four boxes, my requisite four boxes of Girl Scout cookies already, so I've done my part, but I'm happy to keep doing my part, if there are still cookies for sale so....

Mayor Jordan Hess All right, anyone else? Okay, well, thanks again. We really appreciate you coming down.

Mayor Jordan Hess We have another special presentation in the form of a proclamation.

7.2 Proclamation - World Down Syndrome Day

WHEREAS, March 21st, the date of World Down Syndrome Day was selected to signify three copies of the 21st chromosome, which is the cause of down syndrome; and WHEREAS, March 21st is a global day for celebration and awareness of Down syndrome and its purpose is to educate the world on what Down syndrome is and how individuals with Down syndrome need to be valued in their communities; and WHEREAS, the slogan of this year's day is with us, not for us. Now, therefore, I, Jordan Hess, Mayor of the City of Missoula in the State of Montana hereby recognize the 21st day of March 2023 as World Down Syndrome Day in Missoula, Montana.

Mayor Jordan Hess And grateful for the opportunity to spread some awareness about that.

8. FINAL CONSIDERATION

8.1 Ward Boundaries

Mayor Jordan Hess We have one item of final consideration tonight and that is our Ward boundary discussion that was started last week, and I'd start with any additional information from, from staff on this item.

Matt Hendrickson There's no new information to report on. There was one more comment on Engage Missoula on March 8, 2023, which I forwarded to you before the Committee of the Whole meeting on the same day as well.

Mayor Jordan Hess Okay. Thank you Mr. Hendrickson. Any additional public comment on this item? We had a public hearing that commenced last week. Any additional public comment? Seeing none in the room or online, I will close the public hearing. Any questions from Council? Ms. Jones, I had to entertain a motion.

Aldersperson Jones Great. I make the motion that we adopt an ordinance of the Missoula City Council amending Chapter 1.16 Missoula Municipal Code, Section 1.16.010 entitled "Division of city into wards" revising and updating ward boundaries based on new population statistics. And I'd like to speak to it when appropriate.

Mayor Jordan Hess Ms. Jones.

Aldersperson Jones Okay. So, we've had this public hearing open, and we spent a chunk of time again on this in committee last week. I wanted to say first of all thank you to staff, I know that this is a big project that takes a lot of analysis and work, so thank you first of all for doing that. And I think as we saw from the two examples of maps last week, it takes a lot of analysis to try and work with the mandates that are given, as to how to approach the redistricting and then it also takes some common sense because you can have some pretty weird configurations if you just follow it literally, but I wanted to appreciate the intentionality, as Mark you created the maps and tried to make it work as best as possible for all Wards. At the same time recognizing that frankly we are growing in Ward 6 and need to, I'm sorry in Ward 2 and Ward 6 is going to be moving north and we have a general shift going now, so, I appreciate all of that. Also, we had some public comment, which I also appreciate but I did just want to note, we have some pretty narrow sideboards that we're operating on with these types of topics that come in front of us and with redistricting, and so I'm happy to support this. It's a change, I think everybody's experiencing some change since this is based on the census data, we now have more holistic change and we're going in a certain direction. So, two years from now, we're going to be once again revisiting this but for now this is great and happy to support it. Thank you.

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

Aldersperson Kristen Jones Thank you. I, again echoing my colleague, Mr. Hendrickson I know this was not an easy project to undertake. Being a representative of Ward 6 which saw a lot of changes and also having received quite a few comments from my constituents about how Ward 6 has been piecemealed out to even out the other Wards, I will be voting no on this tonight. And I would like to plant a seed in colleagues heads that we start working on this in 18 months rather than in two years' time. I recognize that we have a lot of sideboards that we have to work within that are state mandated and I know that it was not an easy job, but I also represent Ward 6, and Ward 6 is kind of tired of not getting the services it needs or and also being piecemealed out for various projects and I'm here to represent my Ward today, and I'm going to vote no despite all the hard work you did Mr. Hendrickson and, and all of the other information that's come out of this process. I really want to work on this sooner so we can be a little, we can have more time to think creatively in the future. Thank you.

Mayor Jordan Hess Thank you Ms. Jordan. Mr. Carlino then Ms. Vasecka.

Aldersperson Carlino Yeah, I'm glad that we all talked in committee about doing this sooner next time since we do this every two years but since the public hearing was just

opened last Monday and I asked if there was any, how long it would take to have any changes to the map and the answer was that it would take up until today, which is also the deadline to get this map finalized before the elections filing for office opens up. So, I think typically when the public comments on things, they kind of expect that there's an opportunity to be able to change that thing that they're commenting on, but since this was opened up as a public hearing last Monday and if we wanted to redraw the map at all, it would have not come out until today, which is also the deadline. There was really, it was kind of a facade that there was even a chance for a public comment to be incorporated here. So, for that reason, I also can't support the map change at this time, and I look forward to doing it sooner in the future, but I did appreciate the folks from Franklin to the Fort who reached out with their concerns about this, and I really look forward to representing the part of the Franklin to the Fort neighborhood in Ward 3. I think it's a neighborhood that could definitely use more representation and more resources and infrastructure and you know I've knocked every door in Ward 3 at least two or three times, and I will definitely commit to knocking on all the Franklin to the Fort that's part of Ward 3 now, sometime this year to introduce myself and hear from everybody in the neighborhood.

Mayor Jordan Hess Thank you. Ms. Vasecka.

Aldersperson Vasecka Thank you. I just want to echo what my colleagues, Ms. Jordan and Mr. Carlino said. Mr. Carlino you are going to gain wonderful people with the Franklin of the Fort, but I'm going to be joining them with the no vote on this one. I do really appreciate all of the wonderful work that was put into this. I know it could not have been easy and I know took a lot of work, but I, I do agree with my colleagues that we are being piecemealed out and it, it was a bit of a facade to have the public hearing but not really accept any changes to, to it. So, I understand that we do need to do this quickly and that's why I was, why we had to move it so quickly because of the filing opening on April 20th, but we do, we did need to start this earlier, and I hope next year or I guess in two years, we should start this earlier.

Mayor Jordan Hess Thank you. Ms. Sherrill and then Ms. Anderson.

Aldersperson Sherrill Thanks. As I said on Wednesday, I think it's really strange that we are the ones that are actually approving our own Wards because I think it invites gerrymandering. In general, I'm not saying anyone here is doing that. I don't think we are; I think we're representing our Wards, but and I'm very sad to lose the people that I'm losing because they some of them are my pretty close neighbors because as I said I live on the edge of my Ward. So, I have one friend that's going to be very unhappy with this change, I think, but I do think it's a strange system but it's a system that we are we are dealt but it makes me very hesitant to try to change it in any direction because I would certainly like to keep my friend in my Ward because I know she will always vote for me, that doesn't seem right though. I also think that any neighborhood that has, you know I thought a lot about the conversation that we had a Monday or two Mondays or whatever it was a go and at first I was like that's right we want to keep neighborhoods together and then I started thinking that having four representatives, I mean I have more, Ward 4 has six neighborhood councils that we represent. We have the most of anyone, we're keeping the most. I'm, I'm happy about that, it's a lot of work but I also think that all of those neighborhoods have four representatives instead of two and I think that's a benefit to them. So, I'm happy to support it, I don't love the system because I don't love the fact that we even really have a say in this to be quite honest but that's what we're stuck with, so I'm voting for it tonight. Thanks.

Mayor Jordan Hess Thank you. Ms. Anderson.

Aldersperson Anderson Thanks so much Mr. Mayor, and I also will be supporting the maps. I do take a little bit of pause on the fact that it was a facade given the fact that this

is the process we undertake for a lot of things, and we heard it in committees several weeks ago. This is also something that we do every single two years, so it was something I was tracking on knowing that it was coming up and it was in committee and so I think that there was plenty of opportunities to provide feedback, if feedback was necessary, but to Ms. Sherrill's point, it, you know, we could all have dug in and been like okay well I want to keep my friend and things like that. That is not how it should be done, and we need to rely on staff in the sideboards they have, and basically this is an approval process. It's similar to what happens with the legislature, the redistricting commission, which is an independent commission draws the line and legislature doesn't get an opportunity to be like oh gosh no I really want these people over here, and so, I think that this is a fair way to do it. I also think that you know yes I represent Ward 5, but the votes I take have an effect on everybody who lives here in Missoula, and I take that into consideration upon my votes and so I just don't solely look at it from like well what's best for Ward 5 may not be best for Ward 6, and you know piecemeal it out like that. You know, Ward 5 votes for me, but I represent everyone who lives here in Missoula because my votes affect everyone in Missoula. So, the notion that somehow a neighborhood is getting better services or not better services because of who they represent, I think is you know disingenuous and not really accurate and we all, you know, we all see all the emails, we are engaged in the community, and there are plenty of opportunities for people inside and outside the Wards to have influence on the decisions that we make around this table. So, I will be in support of this. Thank you Mark for the hard work, this is no easy task, it's an imperfect process but it is the one that we have and it's the one that has been on the books for quite some time. Thank you.

Mayor Jordan Hess Thank you. Ms. West.

Alderson West So, I'm also going to support these new Ward boundaries and just want to repeat a couple things I said during our committee discussion and one is that our neighborhood Councils were set up for a specific purpose and serve a specific purpose within our community, and have their own advisory role, whereas, Ward boundaries obviously get us, you know get City Council representatives elected and they are both important and don't I think necessarily inform each other. The last thing I want to say is that I, I've been on Council seven years now and this was a process that I was really looking forward to, in part, because every other Ward boundary adjustment that's been made so far has been based primarily on building permits and we have the decennial census to draw information from at this point, which means some bigger changes, but I think the map that is suggested to us makes sense and it really does a great job at both taking the information we learned from the census and building permits, but also looking at where we predict growth to happen so that hopefully in the future maybe some of these changes won't be as major and people won't flip-flop as much between, along those Ward boundaries. So, thank you for all the hard work on this and I will support it.

Mayor Jordan Hess Thank you Ms. West. Anyone else? Seeing none, we've already closed the public hearing, but I will go to public comment one more time. Mr. Larson.

Matt Larson Thank you. Yeah, I don't see why we should get any public comments at all if, if there's no chance for us to change our own Ward boundaries. I, I support everyone who's not supporting this initiative tonight because it, it is ridiculous to allow us to, to speak just into the void and then just not, not recognize any of our changes or any of our concerns, but you know I guess it's the system and it's imperfect, but you know, do, do, do what you're gonna do and vote how you're going to vote but I guess we're all paying attention and we can, we can vote you know and keep track and vote, vote how we're going to vote next time on, on who's going to represent us because I think it's, it's not a fair representation of the public when you know we, we have concerns with these Ward boundaries and no chance to change them. And yeah, it's just kind of, it's, it's part and parcel for like what goes on consistently with the, the community's concerns here and the

lack of acknowledgment from people on the City Council. So, kudos to everyone who is not supporting this tonight.

Mayor Jordan Hess Thank you. Anyone else tonight? Seeing none, we can have a roll call vote. Ms. Rehbein.

Moved by: Alderperson Jones

[Second and final reading] Adopt an ordinance of the Missoula City Council amending Chapter 1.16 Missoula Municipal Code, Section 1.16.010 entitled "Division of city into wards" revising and updating ward boundaries based on new population statistics.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Farmer, Alderperson Jones, Alderperson Nugent, Alderperson Savage, Alderperson Sherrill, and Alderperson West

NAYS: (3): Alderperson Carlino, Alderperson Jordan, and Alderperson Vasecka

Vote result: Approved (9 to 3)

9. PUBLIC HEARINGS

9.1 Rattlesnake-Ten Spoon Winery Conservation Easement

The City Council will hold this public hearing open until they take up the item for final consideration on March 27, 2023.

Mayor Jordan Hess We do have one public hearing, and this is the Rattlesnake-Ten Spoon Winery conservation easement. We have Donna Gaukler and Zac Covington here with our staff report.

Zac Covington Hey, good to meet everybody and see everybody. You might stand up so you can see me.... wait for a second. I'm Zac Covington. I'm the new open space program manager for

Mayor Jordan Hess We could, and I think it's off now...

Zac Covington Not yet, yet.....Do you hear me? Is this better? Okay.

Marty Rehbein Now we can hear you.

Zac Covington Okay, thanks. I'm gonna ask, Marty's gonna help me advance through my slides here and I apologize I couldn't get my presentation to pull up, that sounds a little better. Thanks Marty. In attendance tonight, we have Erik Anderson who's our current Open Space Advisory Committee chair and Andy Sponseller and Connie Poten. I don't think Connie is here, but Andy's here tonight, the landowners...

Mayor Jordan Hess That's fine yeah, if you want to do that....

Zac Covington All right, sorry about that. We've also got Elizabeth Erickson here with Worden Than who is our contract and legal services on the project, and we've also got Donna Gaukler, Director of Parks and Recreation. Next slide. I think I've presented a lot of this to some of you and in past meetings and so I'm going to kind of go a little bit quickly, so I don't repeat myself too much and I realize we'll have time for questions at the end, but if, if you want me to go back to a slide, please let me know. The project location is in Rattlesnake Valley, as you may know right on Rattlesnake Drive. The property owners or Connie Poten and Andy Sponseller, 21.5 acres, and it's a current winery and vineyard. It's a, the project is a conservation easement that the property owners would like to donate 100% of the value of to the City and this, this project and part of this resolution that you're considering is for up to forty thousand dollars in non-

personnel legal and due diligent consulting costs for the project and none of this funding, I just want to be clear that none of the funding is going to the landowners, it's just going to reimburse staff, staffing efforts, and legal services, so. Next slid. On February 9th, the Open Space Advisory Committee unanimously voted to approve the motion that you see before you, provided an example of the letter from the chair in support of the project and as a recommendation to the Council that this project meets the open space goals in, in the 2018 open space bond and other, other city and county and state documents and plans. Next slide please. Another recent presentations include Parks and Recreation Board and Climate, Conservation and Parks Committee, both in February. Next. I just really quickly wanted to show how this project furthers the objectives of public policies and programs, the 2018 interlocal agreement of the open space bond, it's, it's included as an easement, a conservation easement. It's, it's adjacent to several cornerstones in the 2019 Missoula urban area open space plan. Next slide. You can see in the first column there, 2019 Missoula urban area open space plan, it takes a lot of boxes here and I just wanted to kind of give you an overview so that you, you understand what we look at as staff and as Open Space Advisory Committee, as, as that committee is taking a look at these projects. It checks the boxes of agricultural, land protection, historic and scenic land protection, corridors, greenways, trails, recreational, aesthetic, economic health. Next slide. This is a map of the cornerstones in the 2019 Missoula urban area open space plan and the little purple leaf there that you can see is where the project is located, North Hills and Mount Jumbo cornerstones. Next slide. The, the conservation easement is for, as you know, a Ten-Spoon Vineyard/Winery. There's eight acres of working vineyards. There's a commercial winery, beautiful area. You've probably been up there and driven by. There's beautiful views and vistas, beehives on the east side of the property maybe something that I, I didn't know that you may not know that. There's, there's some good educational resources there for, for honey production. There's a lot of education that goes on at the vineyard itself. There's a community gathering space for educational activities, community events, weddings and celebrations. There's a lot of wildlife that frequents the area and moves through the site, being in proximity to Mount Jumbo and, and closer to, to Rattlesnake Creek, kind of that in between corridor. Next slide. I wanted to put this slide in, in response to some of the questions from Climate, Conservation and Parks Committee meeting, just about conservation easements. There is a voluntary legal agreement between the landowner and a land and a land trust or organization such as a city that limits the use of the land in order to protect conservation values, offers flexibility, but provides a permanent guarantee that the land will not be developed. It does not need to require public access, but some do. They qualify as tax deductible charitable donations for the landowner and the amount of the donation is the difference between the land's value with the easement and the value without the easement. Next slide please. Also in response to Climate, Conservation and Parks meeting questions, we, we did a little bit of mapping of our currently held city conservation easements and there's six easements currently, Garden City Harvest, Stahl, O'Keefe and Apple Grove HOA, Hough, and Green Bow, and I'm going to say Jess, maybe someone can correct me....Guest or jest, maybe no one knows, but in the purple there on the map, you can see where those are located. They're fairly spread out among the community. Next slide. We were also asked about long-term costs to the city for conservation easements. It's very low cost. I put two to five hours annually, it's probably more like one to two hours annually just for monitoring of the site and the easement, just to make sure that the conservation easement is staying compliant year after year and there's also a self-monitoring tool that can be sent to the landowners that they can fill out the, the monitoring information for themselves. Next slide. The Ten Spoon conservation easement largely is a rural agricultural easement that's, that's the main purpose, but there there's a lot of other values as we've already discussed scenic views, a wildlife corridor, outdoor recreation, and water and watershed protection. Next slide. This is a simple map of the building envelope that's, that's proposed in a draft form for the easement. You can kind of see the, the red outline there on the north, I should say top left corner and I won't get into a lot of details, but essentially allows up to four 11 work

structures, sheds, barn, parking, solar, winery building, provisions, etc. Next slide. One thing that's really unique about this conservation easement is that the landowners are wanting to donate a walkway, pedestrian walkway easement across the property. That's not common with agricultural easements so this is very unique, very generous of the landowners to do so. Generally, that, that connection would be between the Lincoln neighborhood and Rattlesnake Drive, excuse me and location to be determined, but that's, that's a very unique feature of this conservation easement. Next slide please. We were also asked to look at adjacent land uses and current zoning, that's part of our process, but we had some good questions about that last time or in the CCP meeting. The property is currently un-zoned and surrounding zoning is mostly R20 and planned unit development. I think there's some R40 in there too. Current surrounding lots range from 1/3 to 1/5 of an acre and future zoning and densities for un-zoned areas in the city, as we're learning and as I'm learning being fairly new to the city, talking to the Community Planning, Development, and Innovation are those un-zoned areas. The zonings determined by a combination of growth policy and adjacent development. Next slide. As I mentioned, this is an agricultural conservation easement largely and in the kind of darker tan color, you can see that those are all soils that indicate farmland of local importance, and it covers the entire Rattlesnake Valley. And I'll just mention that there's really not a lot of large tracts of land left in that area with significant farmland soils of local importance or other types of soils. Next slide. Just wanted to quickly mention the vegetation and wildlife communities on site, largely non-native species, but there's been a lot of work done on the site to, to improve some of that, some of the vegetation types soil stability. There are a lot of ground nesting birds and things that utilize some of the vegetation on the site. There's some native species including big leaf sage, American vetch, some junipers, and Ponderosa pines. Next slide. There's a lot of wildlife that crosses the property and I think that's just generally, make their home in the rattlesnake area, and I won't read through all those, but it's, it's pretty impressive, a lot of ground nesting birds, the birds that actually nest in the grapevine, seasonal birds, and a lot of you know predators, bobcats, bears, coyotes, and there's also of course deer, sandhill cranes, and others. Next slide. I'm not going to read through this, but I've included it in your presentation, so you can read up on the history a little bit, if you're interested. I wanted to highlight that in 1991 Connie Poten and, and other landowners bought the field there, really largely to conserve those fields and now currently, the landowners are to the point on this particular parcel where they want to protect and, and provide a gift of sorts to the community long term. Next slide. Really quickly, I wanted to show you these photos. This is looking south over the vineyard. Next slide. And some of the community areas, gathering areas around, around the winery. Next slide. Kind of a cool aerial oblique shot of the rattlesnake area and the site in purple there, outlined in purple. You can see how it kind of connects to some of those natural corridors to the right and left or to the east and west, the left side being Rattlesnake Creek, the right side being Mount Jumbo. Next slide. So, in summary, the property owners are utilizing private property rights to leave a legacy to their community. The conservation easement is donated, none of the \$40,000.00 that's going, that would, that's proposed or that we're asking would go for legal and due diligence costs, none of that money is going to the landowners. Conservation easement is one of the City's very few AG land set-asides and, and preservation areas. They include soils of local importance and it's and it's unique, especially as Missoula grows, the more urban and suburban areas they're losing farmland. This is, this will be an interesting conversation moving forward and I think this is a great project, in that sense that it, that it protects agricultural land and kind of a suburban urban area. This is a unique project and that it includes an east-west pedestrian pathway, walkway that connects the neighborhoods up there. It supports growth policy in that it provides a respite for the more densely developed areas of the community and public access across property. The, the conservation easement and access easement support agricultural, scenic recreational, and wildlife corridor conservation values per state code and local ordinances. And I think what we're asking the Council to consider tonight and over the next, over the public hearing period really is

three things. First, that \$40,000.00 or up to forty thousand dollars be approved for the use of due diligence and legal costs for this project. The second would be that the city would accept the, the donated conservation easement, and then the third would be that the City would accept the pedestrian walkway access easement, as well. So, next slide please. So, I've asked Erik Anderson our current Open Space Advisory Committee chair to share a couple of thoughts from an Open Space Advisory Committee standpoint and then I've asked Andy Sponseller if he would take a couple of minutes as one of the landowners of Ten Spoon to, to share a couple thoughts as well and then we'll have time for questions after that.

Mayor Jordan Hess Thank you Mr. Covington. Mr. Anderson.

Erik Anderson Hello Council members. My name is Erik Anderson, I'm the current chair of the Open Space Advisory Committee or OSAC, as we're called. About halfway through my, my third three year term, so I've been there a little while and you know I've voted on quite a few of these projects, mostly really good projects because staff does a great job vetting them. This one is, is quite a unique project; I haven't seen one quite like this. It ticks quite a lot of boxes for open space values and the committee was generally very excited about it. We kind of dug right in and got straight into a lot of the details, mostly revolving around the conservation easement language. We have a lot of technical people on our committee and so we had a lot of questions like how's this going to affect grazing or how is it going to be restricted? How are fences going to be restricted? You know, how is wildlife going to be able to move through the corridor? And questions like that and I think actually the, the landowners and their counsel took a lot of that into consideration and tried to address a lot of it, so that's, that's definitely appreciated. So, yea, this ticks a lot of boxes. You know, it's, it's a great wildlife corridor within a heavy recreational use area. It protects scenic values in an urban area and most importantly though and I think this is what tipped the scales for, for several people on our committee is that it provides this great strategic public pedestrian corridor between two existing neighborhoods, which is super appealing, especially for the, the price paid for this project. The bond, bond this, this, we really felt like on the committee that this is a good use of bond money, and you know the, the, we're really just trying to usher this thing through the process, that's the way we see it. You know, with the expenditures, in comparison to past expenditures, this is a pretty small ask. So, in summary, the committee voted unanimously in favor, and we really think that it's a good use of bond funds and a good deal for the community. Thanks a lot.

Mayor Jordan Hess Thank you Mr. Anderson. Mr. Sponseller. Good to see you Andy.

Andy Sponseller Mr. Mayor, members of the Council, for the record, my name is Andy Sponseller. It's been a long time since I've been here. I think the last time I was here was when I was chair of the MPL and Martha was our staff person and some of you I know, some of you, I haven't had a chance to meet but the first thing I'd do is thank you for your service. I know how difficult this job can be and I've spent a few nights at two o'clock in the morning at public hearings over some fairly contentious items like Fort Missoula. I grew up in a family in Ohio, a republican family, and my parents were involved in our community. My dad was a plumbing contractor, and my mom was a schoolteacher and involved in republican politics on a community level. They participated in their community, and they contributed to their community. And Connie's family has a similar record of community participation, as well and that's the way we grew up and that's the way we feel about this town. So, we've been working on that farm up there for 25 years and it's become a community gathering place and has an extraordinary wildlife population. We put a lot of our resources, all of our resources into this place and it is an extraordinary agricultural installation as urban Montana goes, probably as any Montana place goes. We have a complete irrigation system, we have eight acres of vineyard, we have native grassland. It's, it's a pretty unusual place. One of the things that I feel strongly about is that agriculture, wildlands, wildlife habitat generally takes a back seat to

development, almost every day, almost every day and I've witnessed it. Housing crisis come and go, they're cyclical. One thing that gets less every year is land that's available for people to recreate on and people to grow things on and for animals to use. There's almost no good place for animals to go anymore. You think all the mountains out there, there's all that room for animals. Well what's true about the climate situation that we're in is that the upper elevations really are difficult for wildlife now. Food Supplies are scarce at the upper elevations, and they're being pushed off the flatland everywhere and out of the river bottoms because people find them attractive. So, what does that leave for wildlife? What does that leave for the farmers? It doesn't leave very much. Now back when I was a welding contractor, I worked out in Frenchtown for the Sear family fixing their irrigation pipes out in the fields and I was down in a ditch welding irrigation pipe that was in six feet of topsoil. Believe it or not, there's that much topsoil in the Missoula Valley and I was standing in topsoil at six feet, so it went down further. And they know what they're doing with that now, they're building houses on it and some of the finest according to John Pierce our local botanist that Missoula Valley in places has the best agricultural ground in the state and we're building houses on it. Now there's going to be a day with climate change and water Supplies where this place is going to be look, wondering why we didn't do a better job of setting agricultural land aside. It's hard to see it right now, but it's going to happen, and it looks like California got a little bit of reprieve this year with the rain rivers, but they'll be right back in drought in a year or two. And the general, we have to look at the overall general trends and with so many of these things like people moving here, the, the environment, how much rain we get. You gotta look at the long term and the long term says that we should be planning to grow things here in the Missoula Valley. So, we think our, our property is an asset to the community. It's well equipped to grow food and we think that that's pretty darn important considering what we're facing in the future. So, I'll, I'd tell you one other little aside, I was, I was up in the canyon above the house two summers ago and there's a grizzly bear, I had an up close and personal with, with a sow grizzly bear and three yearlings and I couldn't believe my knees weren't shaking more, but that animal, stood seven feet tall on her hind legs and she looked desperate, and she had three yearlings with her. They're come, they're getting pushed down out of the high country because they don't have enough food. They're getting pushed up out of the valley or put in a trap trailer and hauled someplace else so they can go through the whole cycle again. When are we going to take some responsibility for our impact on the creatures? And I mean, we pride ourselves on being a mountain state, a wildlife state, and we're making very few places for them to live. I mean, are the national parks and some of our wildlands just going to be zoos? I, I think that when we moved here, we kind of made an unwritten contract that we were going to fit into the place and the animals have a right to live here too. That's, that, that's all I can say, and we've made a commitment to our place to service a lot of different things that Montanans care about. I hope you'll share that with us and support the project. Thanks.

Mayor Jordan Hess Thank you Mr. Sponseller. And with that, I'll open the public hearing. If anyone wants to comment, come on up.

Jim Parker Thank you Mayor Hess and Council members, nice to see you all. My name is Jim Parker and I live at 3700 Rattlesnake Drive and I'm here tonight to support the request for the conservation easement for Ten Spoon Vineyard and Winery off Rattlesnake Drive. You've heard a lot of wonderful information and I'll try to summarize my points and why I'm supporting this. I, I've lived in the Rattlesnake Valley for most of the 34 years I've lived in Missoula and have often visited the winery and vineyard and even more frequently recreated near and around that land parcel. And as you've heard, it's quite a unique piece of land, both for Missoula and especially up in the Rattlesnake Valley. It's a large parcel, it's underdeveloped for humans, easily and generously inhabited by wildlife, a lot of critters and it's flat and it borders right on the urban wildlands interface zone. You know, I also see the agricultural use of the vineyard as have Andy and others have spoken of, so close to neighborhoods and houses this is a value that we

rarely see anymore and it's an attribute both for us as humans and more importantly for wildlife. I currently live pretty close to the land, a short walk away and regularly at night, hear coyotes in the field howling, calling to friends, whatever they like to do. And you know, you get to view both wildlife, as we've seen that long list and you can think bears, deer, lots of small critters and such a variety of birds throughout the year, and they're not there just because it's cool place to be, they're there because it's a refuge and it's a safe place to be. It's clearly wildlife habitat and a corridor for those animals and as proposed for us humans too, linking both of us to even greater stretchers of open space lands nearby and around it. And again, as Andy was saying, most of the flat land in the valley and greater Missoula is grabbed by humans for their primary enjoyment alone, and wildlife and access often if not always is lost. This is a rare jewel, a rare opportunity to save these values for both humans and wildlife, and I hope you all see the importance to keep it this way in perpetuity with the season. As the campaign manager for the 1995 open space bond and ensuing years spent on the city open space committee, these land types and connectors to other trails, open spaces, wildlife corridors for both human access and animal refuge and corridors was and is a primary objective. And beyond all these attributes, both neighbors and the greater community equally share in numerous events, the winery and vineyard hold each year including community grape harvests. Nowhere else around here get, you get to do that, good wine, good food, a gathering place and often music going through the valley by our local performers in the evenings of summer. Of course, tourists like to come up there and see these values too, which they don't get to interface with so close to an urban area such as Missoula. So, there'll be much we lose in Missoula in the years ahead, but you know let's keep this parcel off that list of loss and enhance it for the benefit of humans and wildlife at the same time. Thanks so much.

Mayor Jordan Hess Thank you Mr. Parker. Anyone else tonight? Come on up.

Edward Monnig Thank you Mr. Mayor and Council persons. My name is Edward Monnig, I am a resident of the City of Missoula. I thank you for this opportunity to comment on his proposed conservation easements of the Ten Spoon winery property. I'd like to just take a few seconds to thank Andy and Connie, your generosity just incredible. I get too emotional about this. I pulled this old book off my bookshelf, Sand County Almanac and it has an incredible essay on the land ethics and Andy and Connie...

Mayor Jordan Hess Mr. Monnig.....I just want to get you on the mic.

Edward Monnig Sorry...

Mayor Jordan Hess We're grateful for your comments, but direct them to the microphone please.

Edward Monnig Yeah, sorry about that.

Mayor Jordan Hess No problem.

Edward Monnig I, when I read that essay again today, it just occurred to me that Andy and Connie just exemplify the highest order of that land ethic, so thank you. I watched some of the give and take of different Council people on the value of this easement. I find it a little ironic that we have to argue property rights to allow these property owners to refrain from exploiting their own property. It just doesn't make sense to me, so with these lands possess incredible ecological attributes and even those of us who don't live in close proximity to this property will benefit from their generosity. So, sorry for being emotional, but thank you.

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

Anja Heister Good evening Mayor Hess and Council members. My name is Anja Heister. I'm originally from Germany, so that's where my accent is from. I don't want you to be

distracted by the important message I have. So, yeah, my name is Anja Heister, I've been in Missoula for 23 years now and first of all, I want to thank you for the for considering the conservation easement at Ten Spoon Vineyard and Winery. I hope that you will vote in favor of it. Having lived in Missoula and been part of our wonderful community for the past 23 years, I truly value our open spaces. I'm from Frankfurt, all I saw throughout my life are buildings, cement, streets, cars....The unobstructed view of the surrounding mountains and even Lolo Peak in the distance or in the far distance is only one of the many reasons that make Ten Spoons so exquisite. I have taken visitors, family members, lots of them and friends, also lots of them to Ten Spoon many times throughout the years and everyone comments on how extraordinarily beautiful the area is. Ten Spoon provides many opportunities for entertainment, especially in the summer and it is a valued destination for families and other social gatherings. The community grape harvest in October is so special to me that I have never missed it, since 2012. While I realized there is a need for affordable housing in the Missoula Community, there is also, there needs to be a balance between our new growth and protecting open spaces. And open spaces are not only needed for our own human, mental, physical, and, and emotional health but also for the wild animals who are using the Ten Spoon acreage as much needed corridor to travel from one mountain range to another, either in search of food, habitat or mates. We've heard about this all evening. So Connie Poten and Andy Sponseller are giving us an incredibly generous gift and please support them and vote in favor of the Ten Spoon conservation easement. Thank you very much.

Mayor Jordan Hess Thank you. Anyone else?

Beth Judy I'm Beth Judy and I'm speaking as an individual and a lower Rattlesnake resident in support of the conservation easement at Ten Spoon. I hope the City will accept and hold a conservation easement on that whole property. COVID, supply chain difficulties, and the Ukraine Russia War have made me a believer in the wisdom and foresight of local food systems. We need more of that and having prime AG land up the rattlesnake would be a huge boost. Keeping that land undeveloped and open has other important values too. I'm glad to live in a dense place, the lower Rattlesnake similar to a lot of Missoula neighborhoods, but I'm also glad whenever I can go up the canyon and see that wide open agricultural land. It reminds us of the original nature of the Rattlesnake and the Missoula Valley so our heritage the view is stunning, but it also reminds me why I live here and what is special about Missoula. It literally allows me to expand and breathe. It's also a potential place of safety in a fire for neighbors to gather and for a fire camp. In my opinion and experience, protecting the Ten Spoon land is a wise investment that future generations will thank us for. In addition to reasons of local food, open space, heritage and public safety, it's good for wildlife, trail connectivity, and water health. To me, that's a lot of bang for our bucks. Please support this opportunity to protect this land forever.

Mayor Jordan Hess Thank you Ms. Judy. Anyone else?

Larry Gard My name is Larry Gard and I'm speaking just on behalf of myself as a resident of Missoula for about 35 years. And I am in support of the easement, and I think that what occurs to me is that people that are leaving other places to come here, there's something that's appealing to them here. It's not congestion, it's not the high cost of living, and those are the things that we'd be inviting if we use that land unwisely, and I think keeping it in perpetuity as an agricultural land is, is a wise decision and more long sided than just building a lot of housing. Thank you.

Mayor Jordan Hess Thank you. Anyone else tonight? Anyone online? Come on up.

[unannounced public speaker] Hello, I'm sorry, I thought the meeting was starting at seven. I am here in support of the generous gift of Connie and Andy in, in offering up this piece of Missoula to our community, in posterity and perpetuity. And I am at the right time in the hearing? Okay, okay. So, anyway, we, we began the open space bond

process in 1980 so we've been at it a long time because we've realized the special quality of this valley. We are not Bozeman, we are not Bozeman, we are not Helena. We are a very privileged valley to live at 3, 200 feet which means we have a strong agricultural base, and we also have a beautiful environment to live in, we have beautiful seasons, so, we wanted to protect it. And from what I understand, public open space is that this is the ideal reason why we have put aside this money all these years and it has been very, very successful. What Connie and Andy have built up is pretty unique, a winery in Montana. That's not something that is done overnight and it's not something that's not with without hard work and many of us, as we've spoken tonight, are very, very appreciative of that land, especially when we consider the historic nature of that. I don't know how many of you remembered the potato farms. I don't know how many of you remember the orchards that were up there, but this was one of the breadbasket areas of Missoula, and simply for that reason alone, I think we need to protect it. The other thing is, and I forgot my map, but I have been watching Missoula grow for all my lifetime and what I don't want it to become is anywhere USA. What I'm afraid of is that we're tearing down our history, we're tearing down our neighborhoods, and what will we have left? We will have left that the area is untouched and I'm just going to make one more point. My belief is instead of destroying West Side, Lower Rattlesnake, Hip Strip neighborhood, Slam Street, these neighborhoods with infill, I mean I don't I'm not against infill, but we're already dense. You have to understand we're the densest neighborhoods in Missoula, so, but what I'd like us to do is replicate our beautiful, walkable, sustainable, drivable, intense commercial, mixed use, and replicate it. And I would suggest we start looking at the Brook Street Corridor because when you have changed everything around us what we will have left is anywhere USA. So, I looked at, I've been looking at a little bit of maps for density and for land use. This is 21 Acres; I don't know what in heaven's name you think you're going to put on 21 Acres up the Rattlesnake in a corridor that's very difficult to get in and out of. So, my suggest, so we have 21 Acres there, but I found in looking, doing some research that Southgate Mall occupies 68 acres. So, my suggestion to you is to not look at our historic neighborhoods to look at the Brook Street corridor and the surrounding areas where we have acres and acres of asphalt, and we have many underutilized one-story buildings and that is where I think we need to rebuild a hip strip and rebuild a Lower Rattlesnake with all its diversities and all of its mixed use environment. So, that's what I'm suggesting, and I thank you so much for saving our beautiful, one little spot of the Rattlesnake for, for our Missoulians. Thank you.

Mayor Jordan Hess Thank you Ms. [inaudible]. Anyone else tonight? Welcome, we are just wrapping up public comment on the Ten Spoon item. If, if you two are here for that, you're welcome to, to come up. Okay. One last call for public comment on Ten Spoon. Okay, seeing none, and one last call for online comment. Seeing none online, this is anticlimactic because we don't take action now after all of your comments. We are going to hold this item until March 27th when Council will take final action. At this time, we can do questions from Council, if anyone has, if anyone has questions? But again, the public hearing will remain open until next week. Ms. Becerra.

Alderpersion Becerra Thank you. I, I just want to thank everyone who came to provide public comment and to the property owners for this generous gift that you're proposing the City takes as a conservation easement. One question that I do have is in the documents that are attached to the agenda, in the financial section, the funding narrative, it talks about the city using 1.3% of the total donated value. It also talks about costing the city forty thousand dollars. Is that the same, are we talking about the same number? Or is the 1.3% an additional expense to the city?

[unannounced speaker] That's the same number.

Alderpersion Becerra Great, thank you.

[unannounced speaker] Yeah, it's just comparing that forty thousand to the estimated value of the conservation easement.

Mayor Jordan Hess Okay thanks. I, I lost track of a few hands, but I have Ms. Sherrill and then Mr. Carlino and then Ms. Jones.

Aldersperson Sherrill Okay thanks and I'm going to fight my urge to pontificate on this item until next time, so I won't do that, but I will say, I mean, we talk a lot about food systems, obviously. We have the food policy advisory board that we, we just recently put into, approved or whatever and you know food systems with climate mitigation and is really important and our ability to grow food in the valley, we have to have soil that to do that right? So, I'm wondering with the food policy advisory board, if they have given any feedback on that? And then I have one other question.

Mayor Jordan Hess Sure.

unannounced speaker] Great questions. We have not talked to that board at all during this but that's a great idea. I think we should definitely talk with them.

Aldersperson Sherrill Thanks, and if they said they're looking....Oh, did someone raise their hands?

Donna Gaukler This is Donna Gaukler, Director of Parks and Recreation. We did receive a letter of support from the food policy board. We have spoken with CFAC, super supportive and so, the focus on agriculture for Park staff has been huge because it's so difficult to set aside AG lands, especially AG lands with soils of local importance that are already irrigated.

Mayor Jordan Hess Thank you. You want a follow-up?

Aldersperson Sherrill May I have a follow-up? Yeah.. And I forgot to just say thanks, I want to first thank Andy and Connie, and really thank everyone for coming out. It's, it's nice to hear everyone's passion about this issue and I have spent most of my life in conservation, and it's just nice when you're sitting on City Council and you get to kind of hear, hear all your people come again. So, I, I, you know, I guess, I don't have any question that I don't think.... I was going to ask about CFAC and that is the Community Food and Agriculture Coalition, just in case people don't know. I knew that they had weighed in. I'm glad to know that the food policy advisory board weighed in as well. I'm sorry if I missed that. I don't, I don't, I guess I don't have any other, other questions, most of them are comments and I'll save those for, for the 27th.

Mayor Jordan Hess Okay, thank you. Mr. Carlino and then Ms. Jones.

Aldersperson Carlino I've got three questions, if I can run through them?

Mayor Jordan Hess Go right ahead.

Aldersperson Carlino For the first, I was wondering, will this ever be shut down for private events or we're all events be public? And if so, could we estimate what the cost of hosting an event there might be?

Mayor Jordan Hess And maybe if I could, if I could if I could start Mr. [inaudible]

unannounced speaker] Is this appropriate?

Mayor Jordan Hess Well you're welcome to answer the question, but I think this is, this is not an acquisition, so we don't control the, the nature of the use other than the agricultural restriction. So, the city doesn't have a, a role in dictating what events could or couldn't be held here, it's, it's really just about the agricultural.

Alderson Carlino Great. And then my other question was, I was wondering if the pedestrian path through there, is plans to, is planned to be open 24/ 7? Or if, if there, if it would ever be closed for some reason?

Mayor Jordan Hess Mr. Sponseller, you're welcome....

Andy Sponseller Well, I don't know if I understand the question. Is it a public house?

Alderson Carlino So, the pedestrian path that's proposed to have public access through there, will that be open 24/7? The path?

Andy Sponseller Well, actually we have some housing that's provided in the easement in terms of future, and some of the housing is for employees and one housing unit would actually be available for the public to use, as....

Mayor Jordan Hess I think the, more about the, the pathway that's proposed that connects the, the

[inaudible speaking]

Alderson Carlino Sorry, I was just asking about the pathway, the pedestrian path, we have some path.....

[unknown speaker] No, the pathway would be subject to the same regulations as the pathways anywhere in the city. And those are generally from 6:00 a.m. in the morning until 10:00 p.m. at night. And of course, they would be available during those times. I think for security reasons and correct me if I'm wrong, Donna, you, you could address that issue quickly. But for security reasons, 10:00 p.m. to 6:00 a.m. is a good time to close those pathways for public security...

Mayor Jordan Hess Thank you.

[unannounced speaker] Is there anything else? I mean I'm happy to answer questions.....

Mayor Jordan Hess Okay. Thank you. Next, I have Ms. Jones and then Ms. Anderson.

Alderson Jones Thank. Zac, could you talk a little bit about? I understand that there's kind of a carve out for some workforce housing to go in and I think it's workforce for the AG lands, could you just flush that out? So, I have a better picture of what that amounts to and what that's going to look like actually in the future?

Zac Covington Yeah, yeah. Thanks for saying potentially because I think this is, yeah conservation easement is currently in draft form and so it is a potential, but, but currently as, as proposed, I believe there's up to four residential work-live units proposed total, completely on, on that site. So, within that building envelope and that includes the existing residential structures and so, that, that could be for, some of it would be for workforce housing for the site, but others would be for, for potentially owners and workers, seasonal workers, whatever, what may have. So, so, I, I'm not really sure there's a lot of specifics on that yet but that's what's been proposed so far.

Alderson Jones Follow-up?

Mayor Jordan Hess Follow-up.

Alderson Jones So, it sounds like just in general potentially four more houses?

Zac Covington Four including the existing residence.

Alderson Jones Okay.

Zac Covington and winery structures. Currently, I think there's residential in the winery building and so, I think yeah including those two buildings, there would be four total.

Alderson Jones Okay, thanks. And one more.

Mayor Jordan Hess Sure.

Alderson Jones And maybe Mr. Sponseller this is for you, I'm not sure or Zach? Currently, it is a venue with events that are held. Is that venue function somehow in the conservation easement or is that 50 years from now, will there be a venue? Or maybe, maybe not, depending on who is there? I'm just trying to figure out how it works because I do love the venue. It is beautiful and it's a wonderful thing, I'm just not quite sure how this works legally in terms of in perpetuity.

Mayor Jordan Hess Mr. Sponseller.

Andy Sponseller The way the conservation easements set up, is to protect the open space values and the agricultural values and the wildlife values. The thing that's interesting about this project is that, as the valley, and I'm going to expand here for a second. I'll get back to you the answer to your question. It's going to be more complex in the future. There's a lot of compete, competition for the available dirt that's in the valley and there's gonna be more and more properties that have some acreage that already have something going on and in our case, it's agriculture and the venue, and the venue helps to support the agriculture. I suspect, to answer your question, that, that the venue will continue to support the agriculture, that's not uncommon across the United States. There's actually some rather large agricultural installations across the nation including grain farms, livestock farms, you name it, that are actually doing Agro tourism to help support their operations. It's a tough way, it's a tough row to hoe, to excuse the pun, but yes, we plan on keeping the venue going. I suspect that people will keep the venue going in the future because it helps to support the operation. And one thing that I would mention is that we've had this discussion with the city over time and I've been on the business end of, of constructing ordinance, and I know how important it is for ordinances to regulate what goes on in the community, and the, the venue will abide by, say for instance, the noise ordinance. Last summer, we did a rather extensive study of our property with noise meters and what we found out was that in many places on the field, there was more ambient noise coming from the intersection at Rattlesnake Drive and, and Lincoln Road than there was from our music on the property. It's a pretty amazing, the ambient white noise that's generated in the city is rather high. So, we know what our responsibility is to respond to say for instance the noise ordinance and other ordinances, and we will be required to do that, and we will be happy to comply. So, thank you.

Mayor Jordan Hess Thank you. Ms. Savage. I'm sorry Ms. Anderson and then Ms. Savage.

Alderson Anderson I'm happy to be confused. Thanks so much. My question is in regards to you know there we don't see a lot of these types of easements coming through and being held and requested that the City held them. So, pardon, some of maybe potentially rudimentary questions, but going forward I you know I've we've heard a lot of comments about protecting this land from an agricultural standpoint and as the needs of our community change going forward, what's the decision-making structure if at some point in time, grapes no longer become you know we are in a situation where we need to grow a different type of food, who is you know the, what's the decision-making structure on kind of the Agricultural use of that land?

Andy Sponseller I'm going to actually ask Elizabeth Erickson, so she's the one that's helping to draft the actual document to kind of talk about the legal guidance there. Okay?

Mayor Jordan Hess Ms. Erickson.

Elizabeth Erickson Good evening Council, it's a pleasure to be here. A couple of comments about the easement itself, generally. So, conservation easements are what are called negative easements and so they restrict activities that can take place on the property, they don't affirmatively mandate activities that must take place and so they restrict activities for the purposes of protecting the conservation values. This particular easement allows for commercial activities, this is in response to your prior question, moving forward, but those activities are at the discretion of the landowner, whether the landowner wants to require or carry those out. In terms of the agricultural production, as part of the easement, it doesn't mandate any particular type of production. So, it could be anything that would grow as long as it's protecting the additional conservation values that include open space, certain wildlife habitat qualities, some of the grassland habitat, things like that...

Alderson Anderson Great. Thanks so much.

Elizabeth Erickson Yes.

Mayor Jordan Hess Thank you. Ms. Savage.

Alderson Savage I'm curious about the, the adjacent parcels, the one to the north and the one to the south. It seems to me like when I'm looking at, I'm looking at your presentation right now and the sort of overview picture. I'm wondering, I know that they're owned by different people, but are they also considered this type of agricultural land and were they considered in this process at all?

Donna Gaukler We've spoken to both property owners, but I don't want to project what I, what they may or may not choose to do. I don't think that would be appropriate at this time. If they come to us or go to a land trust or choose to develop that, those questions are all up in the air and we can't necessarily make that promise, either way.

Mayor Jordan Hess Ms. Savage.

Alderson Savage But, it wasn't a part of this conversation?

Donna Gaukler We had very early conversations with all three landowners, and Andy and Connie decided to go forward.

Mayor Jordan Hess Ms. West and then Mr. Nugent.

Alderson West I'm, I'm not sure if you can answer my question right now, but my question is about this property currently being un-zoned and the proposal for additional live-work units. And I know, under our standard zoning districts, it can be challenging to create live-work units. So, I, I think my question is around what the work that can happen in those units is? Because usually in our zoning, base zoning, there is you know you can have certain types of home businesses, but others aren't allowed depending on where you are in town and so I, I was just wondering, how that is decided? Like what the work part of the work units can be in an un-zoned parcel?

[unannounced speaker] Yeah good question and I just need to preface this by saying that I'm not qualified to answer that, but, but I think generally, we've definitely discussed that whatever landowners are there, including current landowners would just have to comply with local zoning and ordinances, however they're written. So, any proposals there for additional structures would be following city code and ordinances. I know that's kind of a general cop-out answer, but, but that's the best I can probably do with that. Is that okay? Is that a good answer?

Alderson West Yeah and I think I would like, I mean we have time, so maybe in the interim, since there, there is no zoning so that applies this, I would like some clarity around how that decision is made of what the work unit can be?

[unannounced speaker] [unannounced speaker] Yeah....

Alderson West Process....in the future.

[unannounced speaker] Great question. And I think we, that is a good point and we have been talking with Community Planning Development and Innovation and we'll continue to do that and I, and we'll, we'll have a conversation with them I think as this easement is being drafted. I think that's a, a great idea to have some further conversations with them. So, good point. Thank you.

Mayor Jordan Hess Mr. Nugent.

Alderson Mike Nugent Thank you Mr. Mayor. I am I'm going to stick to not commenting even though I will point out that some of my colleagues were great at comments and other questions. So with that, I just have a couple questions and I'm honestly not sure who's going to answer them, and it might be Ms. Sherrill actually...But during the last open space bond campaign, am I correct, I seem to remember when, when people were out kind of pitching local businesses/ organizations to support it that there was an increased emphasis on protecting AG land? Is that an accurate recollection of the process, Ms. Sherrill.

Alderson Sherrill I'm waiting to be called on here...I will answer that since I ran the 2018 open space bond, and I was that was part of my pontificating that I was trying not to do. So, thank you for allowing me to pontificate a little more. I will save the rest of it for the 27th, but absolutely, the importance of protecting agricultural lands and the important AG soils was a big part of that. So, you know, generally the county has done more of that work just because they have the ability to do more of that work because they don't have houses and concrete everywhere like we do in the city, but absolutely that that was a big part of, of the bond. It's written in the bond language. It polled very well when we, we polled it for the bond and I believe it, it was in the pro survey as well, but that's something Donna could speak to more, but yes, is the answer.

Alderson Mike Nugent So, it fits the intent?

[inaudible speaking]

Alderson Sherrill Yes, it fits the intent.

Alderson Mike Nugent I have one other question Mr. Mayor. And this might be a question for Donna, but you might have to find me an answer. We've heard a little bit of conversation about, conservation versus housing and I think that you know that's a, that's a serious part of the conversation every time we, we have something that comes before us, but I also know that sometimes it gets lost in this conversation how tremendously successful this community has been over the last few decades on protecting open space. So, I was wondering if you could just, for the record, or share with us before the end of this hearing, give a ballpark on how many acres have been conserved in Missoula County thanks to the open space bonds?

Donna Gaukler For that, Zac has provided a map. The first bond was in 1980 and then 1995 and then 2006 and in 2018, and we have an extraordinary community that chooses to tax itself to protect open spaces, agricultural lands, riparian resources, mountain/hill sides and every day that we do work in Parks, we have to recognize that by creating a great community we do cause values to go up. There was a day in my job here where I would tell you about a new park project increasing the value of the homes nearby. Today, I can tell you that every time we come forward with a park project, the first thing we're asking ourselves are we causing gentrification? Are we continuing a lifestyle that Missoulians value? And I think that's, that's what we weigh here, and I think one of the things that Andy mentioned is, it's important to remember not only what our needs are today because they're critically important but to remember what it what we might need 50

years from now. And I guess when Parks is looking whether it's hillsides, riparian areas, agricultural lands, we're trying to help the community find that balance and, and many of you have heard me say I believe that we can provide great places that are highly dense with great access and great food sources and clean air and clean water, and if anybody can do that Missoulians can do that. So, we'll get you those acres, but we weigh these decisions very, very carefully. We go, we look through a lens of equity, what is fair, what is equitable. How does that apply? We look through a lens of housing and we look through a lens of climate and in this case, climate does come in very, very important.

Aldersperson Mike Nugent Okay, I just, I just wanted somebody to have a chance to brag about our successes.

Mayor Jordan Hess You know, an interesting statistic of those acreages are being compiled would be how many of those are agricultural because I imagine it's a pretty small slice of them. Ms. West.

Aldersperson West So, just so all my colleagues know the Missoula Food Policy Advisory Board emailed their letter of support on Thursday the 9th and it went to all Council and it's probably my fault if I didn't get it to all the right people so, but it is there and we'll get it attached to the public record so it's available.

Mayor Jordan Hess Okay. Any additional questions tonight? Seeing none, we will continue this public hearing. Again, this will be a little anticlimactic tonight with no action tonight. I want to thank all the public for coming out to speak tonight and I want to thank Ms. Poten and Mr. Sponseller for the generous donation that's in the works here and for allowing us to have the opportunity to consider this. We'll look forward to taking it back up in two weeks and we'll continue to take comments over the next two weeks. So, thank you for being here tonight and we will move on to our next item.

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 March 8, 2023 Meeting

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

10.4.1 Appointment to the Missoula Redevelopment Agency Board

Mayor Jordan Hess We have one item under committee reports and that is to confirm a reappointment to the Missoula Redevelopment Agency Board, and this comes out of Housing, Redevelopment, and Community Programs. Ms. West.

Aldersperson West So, the motion tonight is to confirm the Mayor's reappointment of Melanie Brock to the Missoula Redevelopment Agency B board for a term beginning May 1, 2023 and expiring on April 30, 2027.

Mayor Jordan Hess Thanks. The motion is in order. Is there any public comment on this motion? Seeing none, Council discussion? And Ms. Sherrill.

Aldersperson Sherrill I, I just wanted to say that I have known Mel Brock for a long time. She's an engaged community volunteer and I think that this is a fabulous appointment. She is articulate, she is smart, she is thoughtful, and she is well informed. So, I am happily going to support appointing her.

Mayor Jordan Hess Thank you. Any additional discussion? Ms. Jones.

Aldersperson Jones I also want to support Mel Brock in her reappointment. She's an incredibly hard worker, she's very smart, she shows up and frankly, we need more people like her volunteering and contributing their time to make the city a great place. So, when people are agreeable to doing that, I think we should support them and I'm happy to support her.

Mayor Jordan Hess I apologize, I've been looking around the room for hands up. Ms. Jordan.

Aldersperson Kristen Jordan Thank you. I don't know Ms. Brock personally, but professionally, I know that she does an amazing job in whatever project she is on. On a different note, I find the process of the City Council's involvement with MRA functions not good enough and I would rather have proposals come to us for approval for money spent rather than supporting Mayoral appointees to the board. For example, the MRA is about to spend \$711,000.00 on infrastructure stuff for a bank. They're going to approve this next week probably and that's a lot of sidewalks in Franklin to the Fort, even though we don't have a URD there. It's a lot of money; it's going to a bank. I would like to see these types of budget decisions come before City Council. If we're going to approve board members then I think that we should do what we do for all budgets and have them come to us to ask for approval to spend money as well. So, in lieu, of being frustrated with the lack of transparency on MRA functions, I will not be voting in support of this tonight.

Mayor Jordan Hess Anyone else? Mr. Carlino.

Aldersperson Carlino Yeah, I can't support any reappointments to the Missouri Redevelopment Agency at this point in time, mostly because this applicant has voted towards, to give millions of dollars towards redevelopments for hotels and banks in Missoula, over, well over a million for the Marriott Hotel redevelopment, well over a million for the Stockman Bank redevelopment, over six hundred thousand dollars for the Wren Hotel redevelopment. And then this week, this applicant will vote for another seven hundred thousand dollars towards redeveloping another bank. I simply do not support any taxpayer funds going towards redeveloping banks and hotels when people in our community are struggling to get by and this money could be used for better redevelopments in that URD, rather than giving it towards redeveloping a corporate bank who has tens, hundreds of millions of dollars.

Mayor Jordan Hess Ms. Anderson.

Aldersperson Anderson Thanks so much Mr. Mayor. I'm happy to support the reappointment of Ms. Brock to this board. I think my fellow colleagues have spoken about her personal work ethic and engagement in our community, also very involved in the Midtown Master Redevelopment Plan, which I think is going to be a critical component of how we can bring mixed use to the central part of our downtown. I, first of all, I object to on the record saying that you know exactly how someone's going to vote in a future board meeting when you actually don't. Second, I think that you know there still continues to be a real critical lack of understanding around TIF funding and it's not that these, we are seeking out to support banks or hotels. It is that each URD has a plan that is listed and says these are the types of things you support. If you're the international, as Bryan von Lossberg would say, I know that you're frustrated, but please keep some level of decorum, while I'm speaking, I do the same for you. That Mr. von Lossberg used to like to say, if it's the international headquarters of puppies and bunnies, they are eligible for the same level of reimbursements for things such as infrastructure, build outs for curbs [inaudible] and sidewalks, deconstruction versus demolition. It is not necessarily that we are you know giving handouts

and just cutting checks because we like them and they are, you know, whatever reason. They, each URD has a plan, anyone is eligible to apply for the funding as laid out in the plan, and these entities then create increment that goes back into the URD that goes into things like sidewalks, housing. You know, there would be no money for the Casa Loma project that is going to create substantial, over a hundred affordable housing units if there wasn't increment going into that financing district. The increment comes from things like banks because they pay higher property taxes and these in these particular projects don't. There is not a single affordable housing project in this town that doesn't have tax, if it's in an URD that doesn't have tax increment financing. There's no way to generate tax increment financing without increment going in. So, just to set the record straight of what it is and why these things are supported. It is not that we have a fondness for funding banks and hotel; it is that they are, in a URD, they're applied for the funds, they are approved of the funds based on the plan and the URD, and it goes, it is all a cyclical cycle to create money for the projects that benefit the folks in our community who need it most.

Mayor Jordan Hess Ms. West.

Aldersperson West Thank you. I'm also going to support this appointment to the MRA board. I, I think, I, I also disagree with a few statements about the general overall MRA function. I would say that all of the plans that govern each individual district are created through a public process, with public engagement and that the things that are paid for with MRA funds are, are the same across projects regardless if they're for-profit or non-profit driven projects. It, this, I wish we'd get away from labeling things as for 1st Security Bank/whatever the address is because the things that are being paid for in this particular case are, I believe deconstruction, utility bearing and public right-of-way infrastructure, which are all things we've decided we want as a community, which is also off the subject of the appointment of Ms. Brock to this board and I think she has valuable experience and a valuable voice and is, would be a good asset to this board, as they make important decisions like whether or not we would like to fund deconstruction of buildings in our community. So yeah, that's all.

Mayor Jordan Hess Mr. Carlino then Ms. Jordan.

Aldersperson Carlino Thanks. Yeah, I guess, guess I want to point out that the tax increment can be generated whether or not we give \$700,000.00 to a bank, just the bank building there would still increase the tax increment and the URD. And I think, overall, TIF is a great tool for building infrastructure and things, but I think it's been quite abused with the redevelopments of banks and hotels. So, I won't continue to vote for reappointments of people who have shown a pattern of voting for giving redevelopment money towards banks and hotels, and I think overall TIF is a really good tool for the community that I think it, I, I think it can be well used to create sidewalks, to create public infrastructure, and put money towards affordable housings, and things like that, but I just don't think it should be used to, to give money towards redevelopments for banks and hotels. I guess, I'll just leave it at that.

Mayor Jordan Hess Ms. Jordan.

Aldersperson Kristen Jordan Thank you. I just want to make one final comment that it is critical that we not call our colleagues ignorant for disagreeing on certain functions. So, I would greatly appreciate it if, when we disagree on things, it's not based from other people thinking that we don't know what we're talking about. I appreciate your time. Thank you.

Mayor Jordan Hess Ms. Jones.

Alderson Jones I just want to comment that in order to have the money to do the contributions to helping facilitate affordable housing, to anything that contributes to the common good, and I think of things like the Partnership Health Center located in the food bank, all of that has to originally come from priming the pump when MRA collaborates with the private sector and creates that increment. It doesn't come from nowhere; it comes from that collaboration and that collaboration is with private businesses, be they hotels, be they banks, be they whatever type of business, it's the private sector that is spurring on that growth in the sector that's ultimately going to create the increment that can, in the long run, go towards the things that are going to truly make a difference in people's lives . So, this notion of cutting that off and just spending everything on the end goal without, with not paying attention to the interim process of how we get those funds initially, I think really mischaracterizes the entire process. So, again, I'm happy to support Ms. Brock in her reappointment.

Mayor Jordan Hess And Ms. Anderson.

Alderson Anderson Thanks so much Mr. Mayor. For the record, the word ignorant did not come out of my mouth. Secondly, we have policies in the city, one of them being a zero waste by 50 goal, a key component of that is funding deconstruction versus demolition. A private company does not, is not anywhere legally required to deconstruct. It is more costly, it takes more time, and if you're in the development business time and money are the key factors and so the fact that you know if you want to call yourself somebody who's worried about climate change or a conservationist, but yet you're not for funding deconstruction versus demolition, those are somewhat you know in contrast to each other. It is because of these types of things, it is a larger community commitment that less materials go into our landfill, that businesses are eligible, be they banks or the international headquarters of puppies and bunnies, that they are eligible for being reimbursed for the cost incurred for making sure that less goes into our landfill. It is not just cutting a check because we think they're nice or we like to stay in their hotels. It is all put out in the plan for the URD, and these are the types of businesses, banks and hotels, that are doing lots of reconstruction/deconstruction in our community and I think it is important that those materials when able do not end up in our landfill because all of this is interconnected. That is all, thank you so much.

Mayor Jordan Hess thank you Ms. Anderson. I don't know about this puppies and bunnies business. We have had discussion, we can.... I'm just going to say the Council retains legislative and policy oversight over the City including the MRA, as the Council's purview to address those through referrals and resolutions and ordinances and I ask for your support of the appointment given the process that we have to date on the books. Ms. Brock has served with distinction, she's served in the Downtown Association, the Midtown Association, the Mountain Line board, and a number of other functions. And she's thoughtful, she's intelligent, she's a critical thinker, and she's a good person to work with. And with that, we'll have a roll call vote Ms. Rehbein.

Moved by: Alderson West

Confirm the Mayor's reappointment of Melanie Brock to the Missoula Redevelopment Agency board for a term beginning May 1, 2023 and expiring on April 30, 2027.

AYES: (9): Alderson Anderson, Alderson Becerra, Alderson Contos, Alderson Farmer, Alderson Jones, Alderson Nugent, Alderson Savage, Alderson Sherrill, and Alderson West

NAYS: (3): Alderperson Carlino, Alderperson Jordan, and Alderperson Vasecka

Vote result: Approved (9 to 3)

10.5 Land Use and Planning (LUP) committee report

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

10.6.1 Minutes from the March 8, 2023 Meeting

10.7 Public Works and Mobility (PWM) committee report

10.7.1 Minutes from the March 8, 2023 Meeting

11. NEW BUSINESS

11.1 Legislative Update and Action on Bills

Mayor Jordan Hess We do have our standing item of new business. We gave Jessica Miller the night off, as it was a light week at the legislature with, with transmittal and grateful for her work in tracking and wrangling all of this and grateful to our delegation for their work in, in advocating for our community. I'm happy to have any discussion around any legislative priorities that are emergent, or Mr. Bickell and I can attempt to answer any questions that Jessica would be better qualified to answer. Seeing none, I'll pass tonight on comments, communications from the Mayor.

12. COMMUNICATIONS FROM THE MAYOR

None

13. GENERAL COMMENTS OF CITY COUNCIL MEMBERS

Mayor Jordan Hess We can start Council comments tonight with Ms. West.

Alderperson West That surprised me. Okay, so, I would like to invite anyone in the public or any of my colleagues to a discussion tomorrow night from 5:00 to 7:00 p.m. meat processing at Round Table in the theme of local agriculture, which has been dominating a lot of our evening tonight. I think it's a really good group of people that are going to be at this event all along the spectrum of meat processing, whether that's a producer or a utilizer of our food network or just people who are kind of on the margins of the meat processing industry. So, it's tomorrow from 5:00 to 7:00 p.m. in the Sophie Moise room across the street in the county building.

Mayor Jordan Hess Mr. Carlino.

Alderperson Carlino Yeah, I guess the only thing I'd say is just like for the sake of building public trust, I hope that, I just want to point out that texting or emailing or having any communication outside of the City Council forwarding public meetings is a violation of Montana open meeting laws and I just encourage us all to keep all of our conversations public during the public meetings so that way we can follow the law and help build public trust.

Mayor Jordan Hess Mr. Contos.

Alderperson Contos I'll pass, thank you.

Mayor Jordan Hess Ms. Jordan.

Alderperson Kristen Jordan Pass, thank you.

Mayor Jordan Hess Mr. Nugent.

Alderperson Mike Nugent Thanks Mr. Mayor. I just quickly want to say we skipped over speaking on your second proclamation National Down Syndrome Day, but I wanted to thank you on behalf

of my mother who asked you to do that, and she was thrilled that you did so. My mother is one of ten and her youngest brother Stevie who has passed away, but had Down syndrome and has left a huge impact on her life, that's why she went into special education, and I've gone to the Buddy Walk every year in town, but I just, I want to say thank you for taking the time to do that.

Mayor Jordan Hess And thank you for filling in on that, I appreciate, I appreciate the comments. Ms. Farmer.

Alderpersion Farmer I'll pass.

Mayor Jordan Hess Ms. Becerra.

Alderpersion Becerra Thank you. I just want to thank the Girl Scout who were here. I had the pleasure of meeting them a couple of weeks ago and I was very happy that they took my offer to come to City Council. I also wanted to say that next week, we're not meeting because it's spring break for many kiddos here in the community. I'm not planning to leave town and I was trying to think of what to do to keep my kids entertained, and I started making a list of all the things that I could do and it's pretty long and I feel like it's, it's because we live in a community that has a lot of, offers a lot of things for us parents to do with our kids, a lot of some of them are more challenging for sure, but you know I feel like we can we can get them busy enough to not go insane. And I just want to point out that this this city does a lot to provide opportunities for our young Missoulians. So with that, that's all I have.

Mayor Jordan Hess Thank you. Ms. Sherrill.

Alderpersion Sherrill Yeah thanks. I appreciate you, Mr. Nugent, bringing up your proclamation. My niece has Down syndrome and my daughter recently wrote her college admissions essay about not what she has done in helping her, but how she has brought so much to her life and how she has changed her perspective and, and how good that has been for us and our family. And so, I just, I appreciate that and I, I wanted to add that in, something that is, is a big part of our life. Also, something that I voted on recently, much against my, my better judgment was for a water main replacement that is on my street and that is happening right in front of my house right now. So, I have, we don't always vote in our own best interest up here, but I, it got me thinking about the water company and the acquisition of the water company, and so, I want to just take a moment tonight, even though they will be digging my street up again tomorrow morning, just to celebrate the acquisition of the water company and I want to celebrate it specifically because on a climate related lens. The water utility and our wastewater accounted for 58% of our greenhouse gas emissions as a city in 2019 and a majority of those were from energy that was lost through leaky infrastructure. So, it is really good that they're replacing that, we currently have a 1,200 panel solar array that will live at the wastewater, will, will be at the wastewater treatment plant and we'll be live at the end of this month with other solar panels planned for well sites around the city. So, this is going to be a really a game changer as far as our emissions as a city. Another thing within our watershed owning the water company, it has allowed us to remove and restore the Lower Rattlesnake intake dam which in turn restored the riparian area and the wetlands below that to their natural state. So, I've just been in a number of meetings recently and we, we keep coming back to that and so, I think it's something that, it's important. I know you all want to go home so I'll, I'll try to wrap this up, but I think it, it is important that when we make these big decisions and you know there's, there's a lot of naysayers at the time and there's a lot of people celebrating at the time, but when we look back whether we're talking about acquisition of the water company, whether we're talking about acquisition of the Sleepy Inn that we look back at those decisions. I mean we think we know how they're going to play out, but this is really playing out well for us and it's and I, I think that it's good just to remember that.

Mayor Jordan Hess Ms. Vasecka.

Alderpersion Vasecka Thank you. I would like that list Mirtha; I'm always wondering what to do with my kiddo in the winter. I just wanted to say everybody have a safe spring break, travel safely

if you do travel, have fun. I'll spare you all a history lesson on St Patty's Day, but I have a safe St Patty's Day this week as well.

Mayor Jordan Hess Ms. Anderson.

Aldersperson Anderson I'll pass.

Mayor Jordan Hess Ms. Jones.

Aldersperson Jones Yes, I wanted to give a huge shout out first of all to the Loyola boys basketball team who won state, or I want to say it's the A-league, first time ever for that school so very exciting. Secondly, I want to give a huge shout out first of all to the Hellgate girls basketball team, they took fourth place in state and the boys basketball team from Hellgate took first place at state, which is a huge accomplishment. So, lots of good basketball in our garden city, we're doing well and way to go teams.

Mayor Jordan Hess And Ms. Savage.

Aldersperson Savage I'll pass.

Mayor Jordan Hess All right, we have no additional...

Aldersperson Mike Nugent If we're going to recognize state champions, the Missoula combined varsity hockey team won the state title this weekend as well. So, I didn't know we were going down that route, but Amber and I both looked at each other and like God we should have said that.

14. MISCELLANEOUS COMMUNICATIONS, REPORTS AND ANNOUNCEMENTS

14.1 Administratively approved agreement report

15. ADJOURNMENT

Mayor Jordan Hess We have no additional items on our agenda tonight, so we'll be adjourned.

The meeting adjourned at 8:07 p.m.

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

Jordan Hess, Mayor