

# Journal of Proceedings

## Missoula City Council

February 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 Absent: 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

President Jones Next on our agenda's public comment on items not on the agenda. So, if anyone wants to provide public comment on items not on the agenda, please come up to the podium up here and state your name, and we ask that you keep it to less, to 3 minutes or less.

Margaret Caraway My name is Margaret Caraway and I've, I, I go to this library down here in the Federal Building and I was talking to them the last time I was there, last Monday asking if we were going to still have a post office in that building once the city and county moved in and they did not know and so I'm hoping that you're going to have a post office in that building. And I guess, I wondered do you know yet whether or not you will have?

President Jones So, we don't tend to do question and answer with this, but they're, I don't think there are any definite plans at this point.

Margaret Caraway No plans at this time...

President Jones Right.

Margaret Caraway What would it take to influence them? Do you need petitions and meetings and posters and parades?

President Jones If you want to reach out to me after the meeting or email me and we could have a further discussion...

Margaret Caraway Thank you.

President Jones Sure, thank you for coming down. Anyone else for public comment on items not on the agenda?

[unannounced speaker] Acting Mayor and Council members, can you hear?

President Jones Yes.

[unannounced speaker] I'm here tonight to make a comment about Marshall Mountain. It seems that the Missoula City and the county officials have already reached an agreement or a decision that make wherever cast a shadow over the proposal to develop Marshall Mountain into a

mountain bike playground and is my understanding the taxpayers of Missoula are currently paying rent for the area to be held for the use of an esoteric few, in the future. No one has yet determined the overall cost for development of a master plan for the special park in Missoula's backyard. It won't be cheap and as we already know from experience when funds available from grants, open space bonds, gifts, etc. are not available then the taxpayers will be shouldered with supplying the park with its desired playground equipment. The initial price only to purchase the property is \$1,925,000.00. Once upon a time, Marshall Mountain was a ski park, a lot of people in Missoula are familiar with that and its use was paid for by the people who shared a passion for skiing, who like to go up there, and didn't mind spending money to pay for their lift tickets and though the area was rented out and used by others as a venue for other special occasions like summer camps, reunions, and other activities, never did the owners seek funds from non-users to fund their dreams. They went to the banker for loans for maintenance, improvements, and expansion and we users helped them repay those loans by purchasing season passes and tickets. That's the American way and the Montana way, at least it used to be. It's unfortunate that the winter snowfall cannot support keeping the area open as a ski business. That's likely why the most recent owner and operator chose to sell. If you'd have purchased this area about 12 years ago, you could have got it for a million dollars. Then another American tradition was followed whereby a deal was reached and signed between the seller and a buyer with the help of a realtor. The buyer had a job lined up in Missoula, sold his property in another state, and with his wife was packed and ready to embark on their Montana adventure until, until those who love mountain biking and have been using the area free of charge decided it should be preserved for them. The buyer and the realtor then squashed on the deal, as the developer offered to hold and rent the land to the city and local government. Representatives couldn't pass up another opportunity to acquire and develop, but for those who want to make it their park. That is the shame that will forever shadow the way that the sale of this property was mishandled. It's rather sleazy in my book. My late husband was involved in a deal where he was purchasing something, and somebody decided at the last minute to sell it to somebody else and it's really not the way we do things here. But we in Montana are fortunate to live and work in an area whose backgrounds provide so much in the way of a recreational and sporting activities. Folks who love biking have miles and acres of trails to ride almost everywhere right outside their back doors. Is that not enough or is it preferred that those of us whose increase in property taxes far exceed any future income increases? I'm talking about myself and a lot of the people I know because incomes do not keep up with the cost of living. Should we continue to fund others recreational pursuits? By all means have fun and stay healthy with recreational pursuits but please show some respect for those of us who managed to survive within our means and know the difference between wants and needs. Our elected officials will not be serving the majority of citizens and taxpayers by purchasing land and developing an area that will be used by fewer than 5% of the, I don't know what our what our population is now. Is it 90,000/100,000, it's, it's, but fewer than 5% of these almost 100,000 individuals who will be asked to fund a specialty park. And I'm bringing this up now because I know it's coming down the road and why one of the big questions I have is, how can the City actually go outside five miles and bring land in and do this legally? I can't see how it's legal, but I'm sure if there's somebody that can pull strings, they'll find a way. I hope, I, I hope my cynicism is wrong and that if there, if somebody wants to purchase that land and use it for a bike park then do like the hockey players, do build your own, you'll have people come and support you and you'll have people to pay to use it. Thank you.

President Jones Could we have your name for the record please?

[unannounced speaker] I'm sorry....

President Jones Your name, we need your name for the record.

[unannounced speaker] Oh yean, I'm Renee Mitchell, I live in Ward 5 and I gotta thank my word five Councilman for his support.

President Jones Thank you.

[unannounced speaker] Where are the others?

President Jones Thank you. We've got some Councilors remote actually. Okay, anyone else in the room that wants to provide public comment on items not on the agenda? Come on up. Good evening.

Bob Moore Hello, my name is Bob Moore. That sounded like a very intelligent lady to me. I really appreciate you all listening to her a little bit. A while back an article in the paper, I guess was trying to justify the reasons the trail through the [inaudible] didn't pass these. Three individuals, Juanita, Dave, and Josh wrote this article back in December 11. It's got a headline finding solutions to tax systems and basically, they said we got good citizens here and they would do it if it wasn't for the virus [inaudible]. That's the only reason they got problems, the virus. It ain't really true, the problem they got is this City Council or about all the members of the City Council and the Mayor. So, I want to suggest to these three individuals and the world that perhaps there's enough citizens in Missoula that is woke up enough to understand what the Mayor and the City Council is doing, and creating their tax problem. I don't know who the other lady is, but apparently, there's two people on the City Council that respects these spending habits and needs of what somebody really needs. So, whoever these three people are their explanation of trying to convince [inaudible] things didn't pass is a sad joke. Then I read this article by Mike Nugent, fixing Missoula's housing problem. I was specially request that he actually really look at the system. I remember talking to our Mayor, our ex-Mayor unfortunately and he had this plan a while back in, 10 years, he was going to solve the housing problem. It don't look solved to me; it don't look solved to me at all and I think everybody on the City Council is admitting that it doesn't at all. Mr. Nugent and he's got a list of things that, it was I guess it would solve the problem. One of them is project priority; we must be honest with ourselves about what each city project accomplishes. I would request that he prepare for the population of how he sees it's going to get fixed.

President Jones Mr. Moore, we're pushing 5 minutes here so, if you could wrap it up. We ask people to stay to 3 minutes.

Bob Moore And I just wonder if you took all these projects in the past, given 10 million dollars for a shopping center, three million dollars for a bank, three million dollars for another bank, three million dollars for yeah and good Lord forbid that we had to have that Sleepy Inn. I wonder how many of those projects will help but he would have on his list to solve the housing problem here in Missoula? And I make that a request and hopefully the other guy running for Mayor can see what he thinks about those, to see if those things and there's many, many more is going to help solve the housing problems.... Thank you.

President Jones Thank you for your comments. Anyone else in the chambers that wants to make a comment on items not on the agenda? Come on up.

David Everingham Hi, my name is David Everingham. I want to thank everybody for being on the Council; I really appreciate it. Tonight's topic is lions, chickens, and bears. These are all quotes out of the newspaper and the internet. I'm not very good at computers but I happen to look up some interesting facts. Fish, Wildlife, and Parks quote fatal old vandal bear attack caused by a food conditioned bear. In the early morning hours of July 6, 2021, the bear wandered into a [inaudible] and raided a chicken coop then dragged 64-year-old Leah Davis Loken from her tent and fatally mauled her. This unfortunate incident appears to have been a predatory attack by a food habituated or food-conditioned bear. I've lived in the upper rattlesnakes 66 years adjacent to open space. We have grizzly bears, black bears, coyotes, wolves, mountain lions, deer, skunks, raccoons, hawks, owls, eagles to name a few of our wildlife. The deer population has exploded in the past 15 years and needs to be dealt with. In turn, mountain lions are numerous in the Missoula area. Four to five cat kills in our neighborhood happen every year in people's yards. On Duncan Drive, a new Missoula resident from out of state had their dog eaten by a mountain lion to their surprise, no big surprise. Black bears and grizzly bear population is up. Once a deer is killed by car, cat, or natural causes, the bears and coyotes move in to clean up the mess. People in the rattlesnake and other urban interface areas are not allowed to have bear attractants outside. This includes garbage, barbecues, bird feeders, chickens, coops with eggs in the nest,

coyotes, foxes and bears love chicken eggs, and small to medium-sized animals like dogs, cats, goats, pigs, sheep, chickens, and human babies or people are all large predator prey. To have any livestock in someone's backyard is a huge mistake in the city limits. Animals become food conditioned and aggressive when supplied food in the urban interface. We closed Mount Jumbo five months a year, so we have wild elk on it. If we condition them to people, they will be in our backyards with large predators. The deer in our neighborhood live on our lawns and shrubs. They are food conditioned and aggressive toward humans we need to call them, that's a quote from the paper. October 3, 2022, Jamie Jonkel and Chris Servheen, both bear experts, urged local officials to get serious about addressing the urban attractants that will lure bears. They were quoted saying Missoula has bears and we're having bears all the time. The situation is a great aggravated by more and more by people moving to Missoula and most of the people don't know anything about living with bears at all or living with wildlife in general. October 22, 2022 a unanimous vote city and county jointly adopted bear smart resolution, a bear smart resolution setting the stage to begin implementing bear smart policies. My City Councilwoman Heidi West lives on Turner Street on the north side of Missoula. She is the architect, this is quoted out of the Missoulain, she is the architect of the ordinance to allow 4-H and FFA students to keep sheep, goats, poultry and poultry and properties less than one acre in size and inside the city limits. This means anybody can keep farm animals in the city limits; we need to be inclusive. The north side is not urban interface with wilderness like other areas in Missoula, although large predatory animals can wander in from the north hills where a grizzly bear, sow, and 3 cubs were tracked going through last summer. January 23, 2023, City Council unanimously voted on Heidi West's ordinance to allow 4-H and FFA students to keep goats, sheep, and poultry on properties less than one acre in size inside the city limits. I'm extremely puzzled by the fact that our City Council would vote in a bear smart policy then three months later vote to allow livestock and poultry in the city limits. I guess most people in Missoula don't realize Missoula is surrounded by some of the largest designated Wilderness in the world and a small population of grizzly bears and wolverines. Our towns and highways blocked migration paths of these magnificent animals and stop genealogical biodiversity.

President Jones So, we're over time, if you wanted to wrap it up.....

David Everingham Extinction is the imminent, is imminent. If we don't act now just look at California's Golden Bear and San Gabriel Puma, they're gone. If a mama bear and a cub are hungry, if they're hungry, they are going to look for food. If they smell chickens and wander into a yard to raid the chicken coop and the teenager 4-H er tries to interfere, they could be fatally mauled. They go to sheep [inaudible] mountain lions, they could easily kill a person instead of a livestock. The new ordinance allowing livestock in Missoula needs to be voted out. Thank you.

President Jones Thank you Mr. Everingham. Anyone else in chambers that wants to provide public comment on any item not on the agenda? Okay, seeing none, we've got at least one person online. Please raise your hand if you want to speak remotely. All right, Mr. Larson, 3 minutes. You should be able to speak now Mr. Larson. Claire, can you unmute Mr. Larson? I don't want to cut him off by.....

Claire Trimble Yeah.

President Jones All right, you're able to speak now Mr. Larson. Go ahead.

Matt Larson Yes, I was, I was asking that the City Council possibly consider creating a, a city parking sticker for city residents and those that live and work inside of the city. It could be based on the weight of the vehicle and the size of the vehicle, and it would allow for people to, it would allow for the City to collect taxes and parking easily from people traveling through the city that are not citizens. We could, we could implement it pretty easily. It's, it's implemented in a lot of other municipalities, and it could be subsidized for people that can't afford parking and are commuting in from outside because of the housing crisis and many other reasons. I think, I think it might be useful to collect more taxes since it seems the city has a problem with funding all of its endeavors and seems to always need more taxes and it would be a lot simpler for those involved that live in the city to park with this sticker instead of having to feed the meter every, every time. They could

just park as, as they want on the on the street and everybody else would have to feed the meter. I don't know, it seems logical to me but, I, I was just asking the City Council consider something like that? And thank you for allowing me to speak.

President Jones Thank you for your comments. Okay, seeing no other hands raised, we'll go on with the agenda. So, Claire, if you could go through the committee agendas, the committee agenda for this week. I don't think we have any other changes in terms of appointments or changes, but if you could go through the agenda. Thank you.

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

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

Budget and Finance Committee, February 15, 11:30 – 11:45 a.m.

Climate, Conservation, and Parks Committee, February 15, 12:00 – 12:30 p.m.

Public Safety, Health and Operations Committee, February 1:30 – 3:10 p.m.

Claire Trimble At this time, we do not have any committee meetings for February 22, 2023, and if that changes, they will be posted on the City website.

President Jones Great, thank you very much.

**5. CONSENT AGENDA**

President Jones Next on our agenda is item number five, the consent agenda. Items on the consent agenda were approved in City Council committees to be placed on the consent agenda to save time at Council meetings by voting on them as a package. The City Clerk will read of the list aloud so citizens watching on MCAT will know what is on the consent agenda and will invite community comment on these items before we vote. Claire, if you could go through the consent agenda please.

President Jones Okay did we have any public comment on the consent agenda? If so, please come up to the podium or if you're remote, raise your hand. Mr. Larson, you should be able to speak now, for comment on the consent agenda.

Matt Larson Yes, Matt Larson, Ward 3. The first item is the, the claims; there's a non-department computer cluster purchase for around \$250,000.00. I was just wondering what, what department was getting \$250,000.00 worth of computers from Dell marketing or Dell computers, just....That just seems a little sloppy to me; you can't just put \$250,000.00 charges into the claims and just say non-departmental. If, if they're computers, they're going somewhere and if they're going to the IT department, put it down as IT. The other thing in the claims was, there's \$149,000.00 claim for snow blowers and I'm just wondering what we're doing in February purchasing a bunch of snow blowers for a hundred and forty some odd thousand dollars, just, just wondering if anybody can shed any light on that. I know often I speak into the void here, but just, yeah just wondering and then the wondering about the special improvement districts and, and the relation to the sidewalks and how, how that's going to work and how, how that is going to be fair towards all the property owners that have been paying towards the special improvement districts for all the sidewalks prior to this and wondering what the Council thinks about all that? Just, just a few things that that kind of glare, glare out to me, but you're far wiser than I am, so please shed some light.

President Jones Thank you for your comments. Anybody else that wanted to raise their hand for public comment? I'm not seeing any, did any Council members want to separate the question? Sir, if you want to come up and provide public comment, you need to do that. You can't, can't say it from back there, it doesn't go on the record otherwise, but that's fine come on up and state your name again. Thank you. Okay, any Councilors that wanted to separate the question? Seeing none, we will have a roll call vote.

Claire Trimble And that is unanimous, in favor.

President Jones Thank you.

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 February 14, 2023**

Approve accounts payable in the amount of \$1,054,073.66 for checks dated February 14, 2023.

**Vote result: Approved**

**5.2 Affordable Housing Trust Fund Reserve Balance Funding Recommendation for Bonnie's Place Resident Owned Community**

Set a public hearing for Monday, February 27, 2023, to consider the funding recommendation made by the Affordable Housing Resident Oversight Committee to fund NeighborWorks Montana to facilitate the acquisition of a manufactured home community in the Franklin to the Fort neighborhood.

**Vote result: Approved**

**5.3 Contract for Montana Rail Link (MRL) Triangle Remediation and Delisting**

Approve and authorize the Mayor to sign and execute a contract with WGM Group, Inc. for the remediation and delisting of the MRL Triangle, a city-owned property, at a cost not to exceed \$200,000.

**Vote result: Approved**

**5.4 Northside Pedestrian Bridge Engineering Change Order #2**

Approve and authorize the mayor to sign Change Order Number Two (2) with HDR Engineers for the Northside Pedestrian Bridge Rehabilitation Engineering and Design to increase the contract value in the amount of \$107,108.92 and authorize the Mayor to sign

**Vote result: Approved**

**5.5 Interlocal Agreement Extension - Green Tariff**

Approve and authorize the Mayor to sign this interlocal agreement extension with the City of Bozeman and Missoula County to continue working toward our shared 100% clean electricity goals for the next 6 months with no fiscal impact.

**Vote result: Approved**

**5.6 Ward Boundaries**

[First reading and preliminary adoption] Set a public hearing for March 6, 2023, and preliminary adopt an ordinance amending Title 1, Chapter 1.16 entitled "Election Wards" revising and updating Ward boundaries based on new population statistics.

**Vote result: Approved**

**5.7 A Resolution to Order the 2022 curb and sidewalk associated improvements adjacent to miscellaneous parcels**

Approve the resolution ordering in sidewalk, curb, gutter, and alley approach improvements without the creation of a special improvement district for improvements adjacent to miscellaneous parcels in the City for the 2022 project year, as established in exhibit A.

**Vote result: Approved**

**5.8 Bid Award to Gold Peak Excavating for the N 2nd water main replacement**

Award the bid for the N 2<sup>nd</sup> water main replacement to Gold Peak Excavating at a cost not to exceed \$988,928.01 and authorize the return of bid bonds.

**Vote result: Approved**

**5.9 Bid Award to RLC Enterprises for the Mount-Park water main replacement**

Award the bid to RLC Enterprises for the Mount-Park water main replacement at a cost not to exceed \$552,162.31 and authorize the return of bid bonds.

**Vote result: Approved**

**5.10 Bid Award to Three Rivers Landworks for the Central-Sussex water main project**

Award the bid for the Central-Sussex water main replacement project to Three Rivers Landworks at a cost not to exceed \$1,389,693.39 and authorize the return of bid bonds.

**Vote result: Approved**

**5.11 Appointments to the Design Review Board**

Appoint Scott Osteen and Kyle Druyvestein to serve as voting members on the Design Review Board with terms beginning immediately and ending on January 31, 2026.

**Vote result: Approved**

**5.12 Development Agreement regarding Parkland Dedication for the West End Homes Subdivision**

Authorize the Mayor to execute the development agreement between West End Farms Land Holdings, LLC, the City of Missoula, and Dougherty Ranch, LLC stating the parkland dedication requirements have been satisfied for Tract F-1 of C.O.S. 6889, located in the Southeast Quarter of Section 12, Township 13 North, Range 19 West, P.M.M. and that the future owner of Tract F-1 shall construct a bifurcating road separating Tract F-1 from the West End Homes Parkland.

**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 Proclamation - Murdered and Missing Indigenous People Awareness Day**

President Jones We do have two special presentations and proclamations and I will read those. The first one is proclamation regarding Murdered and Missing Indigenous People Awareness Day.

WHEREAS, the City of Missoula joins with Canada to spur awareness in Montana, the great plains region, and the United States for murdered and missing indigenous people; and WHEREAS, there's not a comprehensive estimate of indigenous people who are missing and murdered in the United States, but many factors contribute to this crisis such as fear, stigma, legal barriers, racism, sexism and the devastating levels of violence in the United States; and WHEREAS, nearly half of all Native American women in the United States have been raped, beaten, or stalked by an intimate partner, one in three will be raped in her lifetime. A native woman is more likely to die by homicide than by illness. Intentional homicide has been the third leading cause of death for Native females aged 10 to 24 and on some reservations, women are murdered at a rate 10 times higher than the national average; and WHEREAS, for more than 20 years, there have been awareness raising efforts in Canada on Valentine's Day and Murdered and Missing Indigenous People Awareness Day seeks to build support by increasing awareness in the United States; and WHEREAS, indigenous people authored this proclamation starting with Ruth Plenty Sweetgrass-She Kills beginning in 2016 to bring greater awareness to MMIP in the Missoula valley and beyond. Now therefore I, Jordan Hess, Mayor of Missoula, Montana, do hereby proclaim Tuesday, February 14, 2023 as Murdered and Missing Indigenous People Awareness Day.

President Jones And it is signed by Mayor Hess. Was there anyone here specifically to speak on behalf of this proclamation? I'll double check online. I'm not seeing anyone, so I will go to the next proclamation which is for American Heart Month.

### **7.2 Proclamation - American Heart Month**

WHEREAS, cardiovascular disease affects men, women, and children of every age and race in the United States. From 2019 to 2020, deaths from heart disease increased by 4.8% and the largest increase in heart disease deaths since 2012 and stroke deaths increased in the same period by 6%, cardiovascular disease continues to be the leading cause of death in the United States; and WHEREAS, between 2018 and 2019, cardiovascular disease accounted for \$407,300,000.00 in healthcare expenditures and lost productivity and if not addressed, will account for 1.1 trillion in healthcare expenditures and lost productivity annually by 2035; and WHEREAS, individuals in the United States have made great progress in reducing the death rate for cardiovascular disease, but this progress has been more modest with respect to the death rate for cardiovascular disease in women and minorities; and WHEREAS, cardiovascular diseases are the number one killer of women in the United States, killing more women than all forms of cancer combined and cardiovascular disease is the leading cause of maternal death in the United States or more simply put, heart disease is the number one killer of new moms; and WHEREAS, for most women life is measured by ages, stages, and seasons from adolescence to adulthood, into the workforce for some, motherhood for others, and for many women both as the milestones of a woman's life changes, so do her unique risks for developing cardiovascular disease. Now, therefore, I, Mayor Jordan Hess, in recognition of the importance of the ongoing fight against heart disease and stroke do hereby proclaim February 2023 to be American Heart Month.

President Jones And that is also signed by Mayor Hess. And did I have anyone here to speak to this? Come on up and state your name please.

Claire Trimble Can you turn on the mic please?



Liz Albers No worries. Should I start over? Good evening Council members. My name is Liz Albers and I'm the state government relations director for the American Heart Association here in Montana. The American Heart Association's mission is to be a relentless force for a world of longer, healthier lives, and I would like to thank Missoula for its leadership on today's proclamation designating February as American Heart Month in Missoula. Cardiovascular disease and the leading cause of death in the United States, claiming the lives of over 650,000 individuals each year. American Heart Month helps us raise awareness of the risks of heart disease, remember those who have passed away, and promote life-saving measures to reduce the risks of heart disease. Our organization looks forward to continued work with the community and this Council to ensure everyone has the opportunity for a full, healthy life, free from cardiovascular disease. Thank you.

President Jones Thank you Ms. Albers. I know that Ms. Anderson wanted to speak to this. Ms. Anderson.

Alderperson Anderson Thanks so much Madam chair and fellow Council members, and thank you Ms. Albers for coming and speaking and I, I'm the one who submitted this proclamation and then reached out and asked for my Council members to wear red, which is the color kind of bringing awareness to this. As the proclamation and as Ms. Albers stated, this is the number one cause, the number one killer of women and, and it affects women young and old. And I think every one of us has an individual story and mine is that when I was 21, my college roommate was diagnosed with heart disease and she was a young, vibrant, 21 year old. It was days after her birthday and through the advances of modern medicine and luck and a lot of prayer, she is still with us 20 years later, which is a medical miracle. And so, this is something that affects everyone's lives, mine in particular, and so I just thank you all for taking a little bit of time to raise awareness to this, for bringing out your red for February, and thanks Mr. Contos, and just bringing awareness to this and, and all of us doing steps we can to all live long, happy, healthy lives because we have lots to give to this community. So, thanks so much.

President Jones Great, thank you Ms. Anderson. Okay, seeing no other, no other commenters on that, those proclamations, were going to go forward with our agenda.

## **8. FINAL CONSIDERATION**

### **8.1 Missoula Redevelopment Agency Fiscal Year 2022 Year-End Budget Amendments**

President Jones The next item is final consideration, and we have four items under final consideration. The first one is the year-end budget amendments for Missoula Redevelopment Agency. And first, do we have any additional information from staff? I believe that Jil Dunn is here on behalf of MRA to address this item. Jil, did you have any additional information?

Jil Dunn I do not.

President Jones Okay, so any questions from Council on this item? Okay, seeing no raised hands, we need a motion and since this is in Budget and Finance and I am running the meeting, I will go to my Vice President, Ms. Anderson would you please make the motion?

Alderperson Anderson Okay, okay, we're asking me to do multitask well on remote here. Okay, so here we go, so the final consideration recommended motion is to Adopt a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2022 budget that amends the total Missoula Redevelopment Agency, otherwise known as MRA, budget including decreasing revenues and transfers in by \$312,193.00 and decreasing expenditures and transfers out by \$1,342,961.00 in order to recognize final audited beginning fund balances as of July 1, 2021, appropriate revenue based on final property valuations and mill levies, anticipated grants and bond proceeds, administrative and projected related revenue and expenditures during the

fiscal year and incorporate on-going construction projects and bond issues with related debt services that were carried forward from fiscal year 2021.

President Jones Thank you for that motion; that is in order. Any public comment on the motion? If so, please come up and state your name. I'll check, I don't see any raised hands. Any Council comments on this item? I'll check, seeing none, we will take a roll call vote.

Claire Trimble And that passes unanimously.

President Jones Thank you.

**Moved by:** Alderperson Anderson

Adopt a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2022 budget that amends the total Missoula Redevelopment Agency (MRA) budget including decreasing revenues and transfers in by \$312,193 and decreasing expenditures and transfers out by \$1,342,961 in order to recognize final audited beginning fund balances as of July 1, 2021, appropriate revenue based on final property valuations and mill levies, anticipated grants and bond proceeds, administrative and project related revenue and expenditures during the fiscal year and incorporate on-going construction projects and bond issues with related debt service that were carried forward from fiscal year 2021.

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)**

**8.2 Resolution for 4th Quarter and final FY 2022 budget amendments. This resolution amends the fiscal year 2022 budget to recognize revenues, and appropriate expenditures and budget transfers not identified in the original budget.**

President Jones The next item is 8.2, Resolution for 4<sup>th</sup> Quarter and final fiscal year 2022 budget amendments. So, I'm not seeing Leigh Griffing, but is Eric or Dale? Are you here to, is there any additional information on this item that staff was going to present?

Dale Bickell For the record, Dale Bickell. No there isn't any other new information, thank you.

President Jones Okay, thank you. Any questions from Council on this matter? All right, I'm not seeing any questions, so we will again go to Ms. Anderson for a motion.

Alderperson Anderson This mercifully much shorter. So, I move to make a recommended motion that we adopt a resolution amending the annual appropriations for the City of Missoula Montana as set forth in the fiscal year 2022 budget and capital improvement program.

President Jones Thank you. Any public comment on this item? Seeing none, any Council comment? Seeing none, we will have a roll call vote.

Claire Trimble This is a roll call vote for item 8.2. And that item passes unanimously.

President Jones Thank you Claire.

**Moved by:** Alderperson Anderson

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

AYES: (12): Alderperson Anderson, Alderperson Becerra, 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)**

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

President Jones The next item is 8.3, a resolution for 1<sup>st</sup> Quarter and fiscal year 2023 budget amendments. And Mr. Bickell is there any additional information from staff to present on this item?

Dale Bickell Dale Bickell, Chief Administrative Officer. There is no new information. Thank you.

President Jones Okay. Any questions from Council? Seeing none, okay, seeing none, we will go to Ms. Anderson for a motion.

Alderperson Anderson Okay. Here we are items 8.3, recommended motion, adopt a resolution amending the annual appropriations for the City of Missoula Montana as set forth in the fiscal year 2023 budget and capital improvement program.

President Jones Thank you. Any public comment on that motion? The motion is in order. Seeing no public comment, any comments from Council? Seeing none, we will have a roll call vote.

Claire Trimble This is a roll call vote on item 8.3. That item passes unanimously as well.

President Jones Great, thank you.

**Moved by:** Alderperson Anderson

Adopt a resolution amending the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2023 budget and capital improvement program.

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)**

**8.4 Tourist Home Fee Update**

President Jones And the last item for final consideration tonight is 8.4, tourist home fee update and we are looking at setting business license fees. Ms. James, do you have any updated information to provide us? Okay, any questions from Council on this item? Mr. Carlino.

Alderperson Carlino Yeah, just two questions. I'm wondering what the new proposed fee increase, is that planning on covering the costs of the Granicus study and is it planning, and then the second part is, is it going to cover the costs of all associated, associated staff time with anything that has to do with short-term rental monitoring, permitting, etc.?

Claire Trimble Can you make sure her mic is on please?

Montana James Yeah, thank you for the question. The new fee does not cover the Granicus study, that was approved in a for one-time funds in the last fiscal year, but it does cover staff time and the ongoing software costs.

President Jones Ms. Savage.

Alderson Savage I was wondering if you could tell me how many short-term rental applications you got last year?

Montana James Sure. So, it varies a little bit year to year, but last year for new registrations, I believe we got 42 and then in renewals we were at 92.

Alderson Savage Thank you.

President Jones Any other questions? Ms. Becerra and then Ms. Vasecka.

Alderson Becerra Yeah, Montana, could you go over when the Granicus contract expires and then with the new proposed fee, would we be able to cover Granicus costs in the future? Should we get the same number of applications in.

Montana James Yeah. So, the Granicus software was funded over the last two fiscal years with one-time general fund costs, and it expires this year at the end of October, and should we get the same number of renewals and registrations and I think there's a buffer as well, so if we get fewer we'll be able to cover the software costs for continuing that service.

President Jones Ms. Vasecka.

Alderson Vasecka Thanks. I've had a couple of constituents ask me, for this specific increase for the business license for I guess the specific reason and business licenses in general, I guess Daniel kind of went on this, but what services does it provide, specifically for the consumer?

Montana James Sure. So, the, the, fee, as its proposed would cover all staff time involved in the, the review of compliance with the ordinance. So, for the consumer, the, the fee covers ensuring that any tourist home that operates in Missoula, per the ordinance, is up to building code, it has you know a healthy HVAC, and all of those life safety measures, and that it complies with the ordinance, as has been adopted by Council, and signed by the Mayor, and that, that our team is able to respond to compliance requests, complaints from residents about tourist homes that they think are not registered, or that are creating a nuisance, that kind of thing.

Alderson Vasecka Okay, thank you. And then, I don't know if you're the right person to ask this, but for all the other business licenses for all the other every single business that has to get a business license, I've had a couple of constituents so I'm kind of complaining that they don't feel like they're getting the proper amount of services that they're paying for with the license. So, can you kind of just touch on in general what that fee pays for?

Montana James I'll do my best.

Alderson Vasecka Okay.

Montana James I can follow up as well. I've worked specifically on, on this tourist home fee, but I can follow with our team that does business licensing, but typically the fee covers similar staff time to review and make sure that businesses are in compliance with city codes and ordinances.

Alderson Vasecka Okay, I'm all finished. Thank you.

President Jones All right, next I have Mr. Contos.

Alderson Contos Yes, thank you. Do you have the current fee charged now and what the increase will be?

Montana James Yes and I think it should be in the attachments as well. Right now, the, the first time fee for a tourist home is \$60.00 and then a renewal is \$31.00, and the proposal is to increase the first time to more adequately cover our costs to that \$555.00 number and then renewals, I believe, are at \$206.00.

Alderson Contos Thank you.

President Jones Mr. Nugent.

Alderson Mike Nugent Thank you. I know there are a few bills that the state legislature that are looking at definitions and things like that. To your knowledge, are there any bills that would, would limit a city's ability to charge a fee for this service?

Montana James To my knowledge, no, none of, none have been drafted or produced that would limit fees.

Alderson Mike Nugent Perfect, thank you.

President Jones Okay, I've got Jessica Miller, did you have information to add to this line of questioning?

Jessica Miller Jessica Miller in the Mayor's office. I was just going to say, off the top of my head, I can't speak to bill numbers, but I believe I have seen some about short-term rentals. And I could pull a list of those, if that is of interest to Council? I could produce that and, and send it on, if people would like?

President Jones Thanks Jessica and I've leaning in on a lot of the legislatures bills also and regarding short-term rentals. I believe there are several bills and they're quite contradictory. So, we'll see what happens in the next couple of months. Okay, Mr. Contos, your hand, did you have anything else, or your hand was just still up? Okay. All right. Ms. Savage.

Alderson Savage Thank you. I was wondering if you could tell us how many complaints you had last year for short-term rentals, that I guess they got called in or I'm not entirely sure how it works, but I'm just curious about the number of complaints?

Montana James Yeah, thanks for the question. I do not have that number off the top of my head, but I, I think they have been pretty limited year over year. I want to say under, under 25 or 30, but I can pull that and get back to you. I know typically the types of complaints that we get are around parking issues, noise issues, that kind of along that line.

Alderson Savage Thank you.

President Jones Okay thanks. Okay, Jessica, your hand is still up, did you have something else to add or? Yeah, okay. Ms. Anderson. Stacie Anderson.

Alderson Anderson Sorry, I'm trying to get to the unmute button, apologies for that. Ms. James, my question is in regards to a quick timeline refresher on kind of this newer issue of, of tourist homes, could you remind us when the resolution of adoption by the Council, that sort of started to kind of regulate these and when we started assessing the fees were?

Montana James Yeah.

Alderson Anderson To the best of your knowledge.....

Montana James I believe the, the first iteration of the ordinance went into effect in 2016 and that set the initial fees, and we've not updated those fees on an annual basis like we have done with other licensing fees. Does that answer your question?

Alderson Anderson It does, thank you so much.

President Jones And I have a few questions, Ms. James. So, the initial fee was set very low back in 2016 and we have not raised it and now, now that we know that these are a thing and they're not going away and they provide various levels of services within the community, as well as resources for residents, but they're also in neighborhoods as a commercial enterprise. So, looking at the fee to do a, you've got a couple of numbers I think it's 500 and over \$500.00 for a new registration and over \$200.00 for a renewal? First of all, the biggest chunk of that new registration is for the inspections and then also a chunk going to compliance, correct?

Montana James That's correct.

President Jones Okay, so with the chunk that's going to compliance, what that means is when someone calls in one that's not registered, our Code Compliance Officers have to go spend a bunch of time figuring out where it is and how to communicate with people and, and doing all of the follow-up code compliance work, right?

Montana James That's right.

President Jones And so that costs time and money, we have to pay that person a salary, so this is going to go towards helping with that budget of covering that time of our employee doing that?

Montana James That's right and for the dashboard software, as well, which has been immensely helpful for that team and, and being able to respond.

President Jones Right. And so for the last few years, as we've had increasing rentals and we've had compliance that we've had to do on this and all of this, it has cost the city money, but the short-term rentals have been paying \$60.00 or so, so how have we made up the difference of that cost?

Montana James Sure yeah, the, the difference in that cost comes from our general fund budget.

President Jones Paid by everyone in Missoula, right?

Montana James Correct.

President Jones Okay, so now, we're just getting to the point where short-term rental fees will just cover their own costs?

Montana James That's right.

President Jones Okay. Okay, any other questions from anyone? Ms. Vasecka.

Alderson Vasecka At the beginning of this conversation, a couple of months ago, I, I, it was asked what the fine or penalty is for not registering, can you remind all of the folks, I guess and me, of what, what that punishment is?

Montana James Sure, yeah, So, it's a little bit complicated and I can also follow up by email, with, with more information, but essentially our, our code team would reach out and get in contact with the property owner, share information about the ordinance and the registration requirements, and there are several layers of that outreach, just making sure that they understand the requirements, the, the need to register, and I, to my knowledge, we haven't ever gone beyond that.

Alderperson Vasecka Okay, I'm all finished. Thank you.

President Jones Okay, any other questions, Council? Let me double check. All right, I am not seeing any other questions. Ms. West, I'd like to go to you for a motion, this is in your committee.

Alderperson West The motion is to adopt a resolution for the Missoula City Council amending exhibit A, the Business Licensing fee schedule and Resolution 8615 to revise fees for Tourist Home registration.

President Jones Thank you. Let me call for public comment, that motion is in order. And anyone wanting to speak to it, just come on up, and please state your name and try and keep it to 3 minutes.

Liam Seymour It, for sure, will be under 3 minutes but thank you. Good evening everyone, name is Liam Seymour and I'm a resident of Ward 3 here in Missoula. I'm here tonight to strongly support this fee adjustment and to urge you to pass this measure. There has not been, as Ms. Jones said, any adjustment of registration fees for this type of business in over six years and so it seems that this sort of measure is more than overdue. Personally, I would absolutely love to see this registration fee possibly be even higher and that some of that money go into programs like the Affordable Housing Trust Fund or toward homelessness services, but that's not going to happen tonight. As City staff has already said, this increase is just to cover the staff and administration costs of filing an oversight for these short-term rentals and the difference that was up until now coming out of general taxpayer funds. As you can all see, Gwen Jones, as usual is multiple steps ahead of me and has covered all of this. This is not an adjustment of housing policy; this is just making sure that the city can pay its bills and pay its staff for what they do. Now after this first step tonight, I would urge the Council, the Mayor, and the City at large to continue looking into ways to adopt, to adapt to the growing number of short-term rental units in the city and to build policies and procedures now. There are any number of low or no cost policies with high impacts that can have a positive effect in the community when it comes to these issues. For example, requiring short-term rental listings to have the registration number in the listing makes it so much easier for City staff to track who has actually registered their unit and who may need to be reminded to go through that kind of process. Recently, the City spent tens of thousands of dollars to get a snapshot of a single day of short-term rental listings. As you all know, a good chunk of that showed that a lot of those units on the market were not registered with the city or with the health department like they should be. Requiring things like the registration number to be in the listing imposes no additional costs for the City or for the business owner. It saves City staff hours of oversight and looking into which of those units on the market are registered and helps ensure that the people running the tourist homes are registering with all the appropriate spaces. So, in short, I'm hopeful that you all will pass this measure tonight to adjust a fee that hasn't been touched in six years, so that this registration process can cover its own costs without burning taxpayers. And again, once you've done that, I urge the City to start looking into other programs and policies that have real bang for their buck impact in housing in this community. There's plenty of good stuff to be done and there's plenty of good people ready to get to work. So, thank you all for your time.

President Jones Thank you for your comments. Anyone else in Chambers that wants to provide public comment on this item? Okay seeing none, we do have someone online. Ms. Merritt, you should be able to speak now.

Ms. Merritt Excellent, thank you. Madam Council President and members of the Council, I want to thank you all for the time that you've spent discussing this issue of licensing fees for tourist homes or short-term rentals. I support the proposed fees and I hope that you will pass this proposal tonight. It's important to recognize that the folks who are operating these short-term rentals for significant parts of the year are operating

businesses. Up until now, the majority of them have been flying under the radar, operating out of compliance with city ordinance, and not even paying the very small registration fee that has been in place over the past several years. It's simply unfair to other businesses who do consistently comply with the law and pay their business licensing fees, that this one type of business is allowed to operate with such impunity. Not to mention the fact that if they're not registering with the city and not receiving approval from the health department, we don't know that the, the units that are being rented out are safe for people to be staying in. So, it's important that these fees be appropriately set so that they cover the costs of staff time and that the business operators register as per the city code and it's time to level the playing field for businesses across the board, so that all types of businesses are treated the same. Again, I want to thank you all very much for spending the time on this and as the previous commenter said, I hope that there's more to come on this topic, but I think that this is a very important first step. Thanks for your time.

President Jones Thank you Ms. Merritt. All right, I'm not seeing any other public comment, so we will go to Council comment and Ms. Sherrill, I have you queued up first.

Alderpersion Sherill Oh, I, I see that Daniel was first, but I'm happy to make my comments. Sorry.

President Jones You know, I don't understand how it rearranges itself, but Mr. Carlino, go ahead.

Alderpersion Carlino Happy to go first for a second or last, but yeah I support the fee increase today. You know, so far, Missoula taxpayers have been subsidizing just the staff time and permitting costs etc., etc., for the short-term rentals while the short-term rental owners are taking what would have been a home for Missoulian off the market to, to make a higher profit and, and have a short-term rental instead. And I do think that this should cover the Granicus study as well and my hope is that we don't keep seeing such a rise in short-term rentals in Missoula to do such a thing, so I have an amendment. I moved to amend the business licensing fee schedule for the tourist home renewal rate back to \$450.00 and can I speak to that amendment?

President Jones All right, just so that I'm clear on the amendment is for a renewal it would go to, state it again, how much?

Alderpersion Carlino \$450.00, what staff originally recommended.

President Jones So, you only want to look at a renewal, not at the first time registration?

Alderpersion Carlino Correct.

President Jones Okay, so that amendment is in order, and I will take public comment on the amendment first and then we'll go to Council comment. Any public comment on this? All right seeing, let me just double check....Seeing no public comment, you can go ahead and speak to that Mr. Carlino.

Alderpersion Carlino Thanks. Yeah, well with the current fee, currently Missoula taxpayers are having to cover the associated cost of short-term rentals and I think it would be more appropriate for the short-term rental owners to help cover the associated costs and with the proposed fee increase, there's a likely chance it sounds like that that won't cover the Granicus cost unless we see short more and more short-term rentals coming online. And I believe increasing the renewal rate up to \$450.00 would be enough funds to help ensure that we can cover the Granicus costs along with other associated costs that go along with short-term rental tracking and permits and monitoring.

President Jones All right. Thank you for the comment. So, if your hand is raised, I'm going to assume it's to comment on the amendment. Otherwise, I would ask that you



take it down so and we'll just have to re-raise hands then. Oh the hands are falling like flies now....Okay, all right, Mr. Nugent to comment on the amendment.

Alderson Mike Nugent Thank you. I guess I have a question for staff quickly on the amendment. In the presentation attached to the agenda item, regarding, let's see its slide, recommended fee structure from this month, under first time resident registration item nine is average cost to monitor and ensure compliance and then under tourist home renewal item four is the same thing. Is Granicus part of the monitoring and compliance?

Montana James Thank you. That's correct. So, the, the ongoing software costs are factored into that line that you referenced on both the first time and the renewal and, and in my, my prior comments, the study, the landscape study that provided a more in-depth look of that snapshot one day that was more of a one-time contract that was covered prior with new funding through the budget. Did that answer your question?

Alderson Mike Nugent Yes. A follow-up or actually a question for the.....

President Jones Go ahead.

Alderson Mike Nugent For Mr. Carlino. Do you have a specific place you would like the extra collected fees to go? Because based on staff recommendations, it seems like they're outlining the costs and what's, what's covered...

Alderson Carlino Well, this is, yeah, this is all variable on however many short-term rentals are registered. This is all estimates on whether or not it would actually cover all the costs and if, in my opinion, I think if there is extra that wouldn't that after covering the staff time and the permits and the Granicus study, etc., first I would hope that there's not more and more short-term rentals to cover those costs coming online but after that, I think it would be appropriate for any surplus funds, if there is some, to go towards the Affordable Housing Trust Fund, but as currently written, there is also a chance that this doesn't cover all the costs if, if we don't have the same number of short-term rentals renewing each year and more coming online. So, I think this amendment ensures that we are very, much more likely to cover all the, to cover all the costs and then also if we do have surplus, I think Affordable Housing Trust Fund would be an appropriate spot. Otherwise, into whatever staff would recommend as well.

President Jones So, I think that is a different topic that has not been noticed and is not part of this discussion. Right now, we're just talking about business licensing fees and there's a myriad of issues as to the legality of that, so I think we are simply focused on our business licensing fees for short-term rentals right now. Mr. Nugent did you have a follow-up?

Alderson Mike Nugent I'm trying to illustrate that we are asking to raise a fee without assigning any costs to it. So, that's the rationale for the question.

President Jones Ms. Anderson.

Alderson Anderson Thanks so much. I apologize, I had to plug my computer in while Mr. Nugent was asking his question, so I can see him on my camera and I'm hoping if I'm about to ask the exact same question of staff that he can like signal to shut up. Okay, so my question. I guess I'm confused about where the Granicus study. Sorry, Ms. James, to continue to come back to this. So, my understanding from your presentation was that we are currently, we have the Granicus software access through October of 2023, this year and we paid for it up to this point in time with one-time funding dollars, but it did sound like the answer to your question during your presentation that if this fee with the current new registration and renewals are, our somewhat current status of numbers that it should cover all of the staff time, as well as the renewal of the Granicus software, so because I think that I agree with what Mr. Carlino was trying to do to make sure that we are covering staff time and the software, but I guess I was confused on whether or not we

were achieving that with the \$200.00, I don't know the exact number, I think it's 206 or 60 amount for renewals. So, if you could just for those of us who need it in a very elementary way, explain that I'd appreciate it,

Montana James Yeah, so, at the end of last year the first proposal that we brought was a different methodology for assessing the fee based on averaging the new registration and renewals at the \$450.00 each and then through further work with Council, at the end of the year, we updated that to more directly tie each separate process to the fee required to, to reimburse the city for those actions. So, as, as you mentioned, the, the renewal fee and the first time registration fee, factors in our assumptions and projections for what we would need to cover those staff costs and the software, the ongoing software costs.

Alderperson Anderson A follow-up Madam President?

President Jones Go ahead.

Alderperson Anderson So, I really appreciate that explanation and, and for my understanding, from the presentation, the reasoning for the first time fee being slightly higher is because it does take more staff time for that initial sort of compliance check to make sure that you know as all the things that one would hope are you know the windows are you are able to meet egress standards and they've got smoke detectors and all those things and once that initial sort of checklist has been completed that the renewal process isn't as onerous and that why a little bit of a less fee, the differentiation between the two fees makes a bit more sense.

Montana James That's right. Yeah, the, the biggest difference is in the first time fee to the renewal is that ordinance and zoning compliance review, and then the inspections that are involved first time. And at renewal, as, as long as all of the information is the same and we've seen that that's already been done, that that additional work is not required each year.

Alderperson Anderson Thank you so much. I'm done Madam President.

President Jones Okay, thank you. Ms. West.

Alderperson West I think I had a question to the legality of taking a fee and putting it towards the housing trust fund. I'm not sure if ease can be used that way, but since it's slightly off topic, maybe I'll just put it out there and talk to legal after.

President Jones Okay, we'll keep going forward so that we get through this tonight. Ms. Vasecka.

Alderperson Vasecka I think Mr. Nugent did ask the question. I, I guess since for the recommended fee structure, they have specific numbers to the specific activity of what that fee would go to. So, I guess I'm just uncomfortable with having extra just to put towards that and I also am concerned about the legality of it. And yes, I guess my question was already asked.

President Jones Okay, I'll just chime in before we vote on this. So, having spent a lot of time discussing with staff how to go about short-term rentals, we've got six to seven years' worth of information at this point and we've been tracking it in Missoula and although we've got three to four hundred, which is, is definitely a, a several hundred houses, it is not in the category of having a huge impact on our housing stock such as a Whitefish or a Bozeman where they've got thousands. So, we, we've got a base of information, we're tracking it, we want to continue to track it and to really take it to the next level of pinning down an even more specific number, my understanding would be hiring another FTE for the city to proactively enforce and frankly, there's a lot of other areas I'd rather go in than hiring someone to hunt down short-term rentals in Missoula is just kind of a, it's like a puppy dog chasing its tail. I think we have other things to focus

on, so I appreciate the amendment but I am not in favor of it and think at this point, we just need to keep tabs on it but we've got other things to work on with our housing crisis and I'm very comfortable with the proposal, as is from staff because it's well justified and rational and common sense, but I don't want to go beyond it at this point. So, we have had comments from everyone. Mr. Carlino, we only talk once, unless you want to clarify something that someone had addressed, but otherwise, we're not having more comments. Go ahead.

Alderson Carlino Yeah, just to clarify. You know, the \$450.00 came from you know three nights average stay, it's a pretty industry standard for setting these fees and that's how I came up with the \$450.00. As staff also explained, when we first heard this proposal and I also want to clarify that also to for us to break even and ensure that Missoula taxpayers are not paying for all these associated fees of short-term rentals, we're assuming that the same amount or relative same amount of short-term rentals will be renewing or coming online, which is something that I'm I really hope doesn't happen. I hope that we have more homes for Missoulian's not more and more short-term rentals to help pay for these costs.

President Jones All right, thank you. Seeing no other hands raised, we will have a roll call vote on the amendment, Claire.

Claire Trimble And please correct me if this title is not sufficient, a roll call vote to amend the business licensing fee schedule to increase the renewal fee to \$450.00.

President Jones Yes, that's correct.

President Jones Thank you. That amendment does not pass; we're back to our main motion and I know there were some folks who had their hands raised that wanted to speak to this, so if you want to raise your hand again. Ms. Sherrill.

Alderson Sherrill Thanks. You know, I'm going to be supporting this. I, I think that it makes sense that our general fund is not covering expensive, business expenses, so I appreciate the work that staff's done on it. I've talked to many other communities that are tourist communities that have had major, major issues with this. I know that we're not there but I would say that I, I'm very interested in making sure that we're keeping tabs on this, so we don't get to the point that we're at a crisis and we're trying to back pedal to you know to fill in what we haven't done on the on the front side. So, one of the things that, that, I don't want to get too off topic here, but I'm, I'm concerned with compliance. I think that there is a big number of people that aren't registering. I think some of that is just people not recognizing what they need to do and I hope that they will start seeing some of the press around this and hopefully become, getting compliance, but this, I, I think Ms. Jones articulated all the reasons that in her questions that this seems like it makes sense. So, I, I, I think this is good. I appreciate staff's time and it's, \$60.00 is not, not even close to enough of to cover the expenses that everyone else is having to cover for it. So, I'm happy to support it.

President Jones All right, thank you. I've got a list of hands, Mr. Contos.

Alderson Contos Being a carpet cleaner, I have access to lots of realtors, lots of property management people, and owners of them. This issue right now of wanting to track short-term rentals, first of all the market is really not there right now. I think you've already said something that there's not that many here in town. Actually we are pre-COVID, as far as short-term rentals right now, that market is kind of drying up. I think a lot of people are realizing there's lots of money in it that they think there is, there are a lot of costs to it, and some of the property management companies I've talked to or at least one of them was telling me there's a kind of decline on this. I think the other thing that I kind of have a hard time with is just the increase. I mean having a rental property myself, if I'd been sleeping at the wheel for five or six years and have left the rent alone, there's

no way I could just bring it up to market value. First of all, that's just not fair and I think that's not going to help people want to be compliant to joining this. So, I think there really is quite a few issues here but I won't be in support of this.

President Jones Thank you. Ms. Wes.

Alderson West I just put my hand up.....

President Jones My names keep re-shifting around, so it's another computer mystery. In fact, I'm gonna cancel out Ms. West. I believe we had Mr. Nugent next and then we'll have.....

Alderson Mike Nugent No concern about the order.... I, you know, I've heard, we've received a lot of comments on this, we've received a lot of mail on it, and a lot of the, the concerns would, would kind of paint this is very unreasonable but in comparison to other business licensing and professional licensing at the state level, the, the annual fees are not out of line at all. And first-time registration fees, you know the presentation that outlines all the staff expenses, the, the single largest staff expense is \$220.96 to cover the building inspectors time to go do an inspection, and it seems to me that if we are inviting people into the community whether they're tourists or whether they're here for medical reasons or other reasons and they are staying at a VRBO, as a community we should want to make sure that where our guests are staying is safe and a reasonable place to live. So, to me, it seems very in line that we would want to take some of these steps and kind of kind of pay attention to this. I also think that some of the other things we do when, when people first register a VRBO such as notifying the neighbors in residentially zoned areas of this are also fair because we are allowing people to operate a business where our zoning says you don't operate a business such as this. And again, I don't actually think that I think most people would say the VRBO's in the area don't have too negative an impact, but I think we still want the neighbors to be able to know. I do also recognize that many people who are running VRBO's in Missoula are, are helping earn extra income so they can cover rising costs of living. Several people who have written to us have mentioned that as, as a rationale and I think that it's important in this conversation that we don't do a one-size-fits-all and when we talk about who's running these, but with that, I will just say that I will be supporting this.

President Jones Thank you. Ms. Vasecka.

Alderson Vasecka Thank you. I have a couple of things, I guess reasons why I will not be in support of this today. It was mentioned that this fee increase will ensure that it's safe for people to be staying in. There are already inspections for when you buy a house, sell a house, build a house. There are already inspections for that and frankly, if you go into a house and you and it doesn't look safe to stay then you don't stay there for the night. I think that this can that problem can be I guess be addressed by the by reviews on your VRBO website or on your Airbnb website, and I think that the private market will be able to fix that problem. The second one is it was mentioned that these short-term rentals will take a possible rental like a year-long lease or a six year or six month lease or however long, it'll take that off the market for those type of rentals. However, I, I disagree because a lot of folks that have a secondary homes like they want to stay up at the cabin for the summer or they're going to, I don't know tour the world and they're going to be gone for a couple of months. They, if they want to make extra income to have a short-term rental then they can do that, but they can't tie up their, their home if they, if they want to have a year lease or six month lease or something like that. So, I think that instead of oh while I can understand the reasoning behind why you would think that I don't think that it would work that way because I think that instead of just having a short-term rental that I just they just wouldn't do anything like that at all. So, I, I don't think that this yeah I don't think that it would clear up the market for those rental locations and then also I don't think that that is really any of the government's business or your neighbor's business what you are doing with your own property. If you want to rent it out

for a couple of nights for extra income, that's, that's your property you should be able to do that you're already held hostage with property taxes you never actually do own your property because you have to pay rent with property taxes. So, I think that this is just another, I can understand the staff time and the reasoning behind having a fee even though I disagree with it I do understand that but I just I don't think that I think that this is going to deter the short-term rentals. I think that a lot of people are not going to be in compliance with it and I, I just I think it's unconstitutional really to, to I guess dictate what you can and cannot do with your own property. So, I'm absolutely not going to be in support of this.

President Jones Ms. Savage.

Alderson Savage Thank you so much and I, I just want to take a second to apologize for not being on camera tonight, I am currently staying in an Airbnb and the Wi-Fi isn't as great as it could be, so. I have several things to say about this. I'm going to be in support of this but I would also like to say that I am heavily in support of streamlining the process by which owners register their short-term rentals in Missoula. I know from experience that the process, it has some communication gaps and that it is also a six to eight month wait currently for someone to get their short-term rental registered, that is largely due to the health department inspection. That wait has been common since this was enacted in 2016 and so, I think that to me it's not fair to ask people to pay this much money. Going back to Ms. Vasecka's point about what do people get what is the consumer getting for their money, without having a swift process that we can get through and have our short-term rentals registered. For the record, I own a short-term rental in Missoula, I've been very open about that. I also would like to say that these are sometimes, they are small businesses and their family-run businesses and for every person that stays in my Airbnb, they are going to a movie at the Roxy, they are going out to eat at the Top Hat, they are funding other small businesses in Missoula, and I think often that gets overlooked. I'd also like to say that I don't think it's always for sort of what feels like greed that people run Airbnb's. My family started running an Airbnb because we wanted to stay in Missoula, we wanted to keep our house, we make Missoula wages, we work full-time my husband and I both and the Airbnb's frankly are second jobs to us. They're a ton of work if you want to do them right and I think that often that gets overlooked in this conversation and I just want to make sure that that gets called out in this process. And the last thing I want to say is that I do think that we have to be careful of getting into a circular process. The data shows we have 1.5% Airbnb's in our rental market, we have somewhere between like 300 and 600 total. We don't know the extent to which people are renting those and in terms of like, are people still living in their houses are they renting them out part-time, that is all in this data collection that we are all committed or that at least I am committed to. I certainly want to make sure that we're monitoring the trends and making sure that we are doing what the consultants we hired told us to do, which is to continue to monitor. I also agree with the public commenter that I think that there are many low and no cost ways to go about doing some of this work, the registration number on the Airbnb site is one of them for sure and I hope that we can continue to embrace ways to do that. I do think that when we look right now, we don't have a problem is what everything has said to me and I don't want to get into a position where we are, as Ms. Jones said, as well, like, like I would not be in support of funding a compliance officer because I feel like if we're going to create an FTE somewhere in the city we have so many other places that have clear need and I don't think that we have clear need here. Thank you.

President Jones Thank you, Ms. Savage. Ms. Anderson. We can't hear you; I think you're muted.

Alderson Anderson Thank you madam president. I will be supporting this for a lot of the reasons that were laid out in the staff report. I do not believe that the Missoula's general fund, which is funded by our taxpayers should be subsidizing staff work to do

compliance for what you know I do agree what our small business is and this is a bit of a gray area because they are off operating in residential areas where in some places because of the nature of that business, you know, it, you're staying in someone's home that if they were operating a small any other small business they wouldn't be allowed to do so in that particular neighborhood. I think we've heard quite a bit about the fact that people feel like this is an outrageous fee increase because they're looking at the simple math from the percent of what it was to what is being raised to now but I think that what Ms. James brought up was the fact that you know in 2016 when we first adopted this ordinance, this is a pretty new field, it wasn't, we didn't kind of know exactly what this was all going to entail and as we've learned more or and we figured out kind of hopefully how to do it well with improvements needed as Ms. Savage pointed out, the staff time that is needed and wanting to make sure that we are compensating for that so the other's not subsidizing that. And I do think it is important, to respectfully disagree with what of my fellow Councilwoman said in regards to regulating and making sure that this is safe, if you stay in a hotel they go through periodic checks by the fire marshal to make sure that their sprinklers are working, that their fire or smoke alarms are working, any, you all know that I have a father who would let off the smoke alarm in the middle of the night so that we would know where to go. I also anytime I stay in a hotel I can tell you exactly how many door frames it is till the exit, so that if I'm crawling along on the floor to get out I can know exactly how many get to. And so, I would hope that if I'm staying in an Airbnb yes it is somebody's house and they had it inspected when it was bought or sold but they're not looking to make sure that you know you can safely get outside a window in a bedroom that may not have been listed as a bedroom, but they're using it as a bedroom and there's a lot of gray area there. So, basic level safety compliance I don't think is too much to ask and I think that you know we do want the citizens, as Mr. Nugent said, folks who come here, if it's family or you know our family coming to stay or tourists coming to say that they are as safe as they can be in this kind of newish area. So, I do think that the reason it is a reasonable increase to really capture what it takes to accurately, accurately run this licensing program and that I appreciate the differentiation between the one time and the renewal and the fact the reason for the different costs. So, I will be in support of this, and you know as we continue this industry and we learn more, necessary revisions will be needed, but this is I do agree a little too long in coming but glad that we finally got to this point and I feel like we're at a good place to cover and to be equitable for those folks who are running this business in their homes.

President Jones All right, Ms. West and then Mr. Carlino.

Alderpersion West All right, thank you. I am also going to support this new fee increase. I do think that there are communication challenges and process challenges and also some education gaps that we need to address alongside with this fee increase. And I just want to remind people that the Granicus data looked at whole house rentals, but it didn't discriminate between homes that were also primary residences or owner-occupied homes, and those do exist out there, as well. So, if it's an owner-occupied home and you want to go travel the world for three months, you can you know rent your home as a vacation rental without it actually meeting the tourist home definition because it's still a primary residence. So, there are some you know details and idiosyncrasies that come along with this that are, that I think are challenging to create policy around and also to enforce and to understand. So, yeah that's it.

President Jones Mr. Carlino.

Alderpersion Carlino Thanks. Yeah, I'm happy to vote for in favor of this fee increase. I do want to point out that this is kind of the, the bare minimum. I mean this is going to you know make it to where no longer taxpayers are covering almost all this cost and, and almost all of it will be now covered by the short-term rental owners to monitor and, and do permits and regulate. So, I think this is a good, good thing for the Missoula taxpayers, but I, I, I, Ward 3 is hit the hardest with short-term rentals, with over 3% of Ward 3 having

short-term rentals as their compared according to the study that the city did. And I think now is the time to of course increase the, the fees to, to no longer subsidize this with taxpayer money but now is the time to also regulate short-term rentals. I, I propose that we no longer allow these in residentially zone districts, these are businesses, and they're taking away homes from Missoulian's and I hope that we can get some support amongst Council members amongst Council members to actually regulate these in the future, but for the bare minimum today, I'm definitely in support of increasing the fees.

President Jones Ms. Farmer.

Alderpersion Farmer Yeah, I just wanted to say thank you for to the staff for bringing these new fees forward. I think when we first saw this in committee with the \$400.00, initially and then a renewal was \$400.00, it was a little bit confusing to me how that fee worked and this this new fee makes a lot more sense to me because the, the bulk of the work is the initial registration and so, this, this fee to me does make sense and I do support it, and I, I look at it more as not a way to discourage people from having rentals, but just simply a compliance, that we just want to bring them into compliance and we want them to be safe for folks that are going to be staying in it. So, I do support it.

President Jones Thank. Ms. Becerra.

Alderpersion Becerra Thank you. I, I too want to thank staff for answering all of my questions even until 5:00 p.m. today. It, I do want to say that I will be in support of it. In part because this is not about bringing in profit, it's rather a fee that will cover the cost to ensure that short-term rentals are meeting our regulations. It is not to discourage this business but rather ensure that they are meeting our regulations. It is not to dictate what people can and cannot do with their property. It's rather putting a fee to ensure that they're meeting our regulations. I do support it because I do think that we need to ensure that we have data collected in order to determine, at a later point, whether we need to create some policies around short-term rentals, should they become an issue for our community. And my hope is that with this increase in fee that we can expect an expedited, a more robust regulation process, and administration process. So, I will be looking forward to an update from our staff to see how this fee is, is helping achieve all of those goals. So, for all those reasons, I will be supporting it.

President Jones Ms. Vasecka, your hand is up again and you've spoken to this once before. Did you have a clarification of a factual issue?

Alderpersion Vasecka I just wanted to point out, because emails do get lost over the weekend, that late Friday night the Missoula Organization of Realtors did send out an email saying that they do oppose this. So, I just wanted that to be on the record.

President Jones And I did see that. I assume if people are reading their email, they thought. All right, thank you. I think that's all we have for comment; I will weigh in on this item. We set up the very first ordinance in 2016 because there was no regulation. They were not, short-term rentals were not allowed in residential neighborhoods, but frankly we had a significant amount in residential neighborhoods, and it was clear that this was a new product created by our new internet economy, and we needed to adapt accordingly. So, that's why we did set up the new ordinance to try and start tracking where in fact these were and as it was kind of a new frontier, it was a soft start with a very low fee to try and get a handle on what was going on. So, I am, first of all, just fine raising it to the actual cost of the registration. To me, that's frankly a non-issue, but I did want to address a couple of things. The longer I spend on short-term rentals, the more I realize this is an issue in which there are many, many shades of gray and on one hand, they can provide a service here in Missoula and I think of all the times I've taken my family somewhere and we've stayed in short-term rentals, and folks come here, family members come here. I know tons of people who have family come to visit and they stay in a short-term rental and yes, everyone is pumping money into the economy but on the flip side then it can be

also taking away from our housing stocks. So, we're always trying to balance that and then when it's someone who lives locally here and they own one and they're having one in order to stay in Montana, that's a great thing and then when we have out-of-state folks who come in and invest in them and run them, that can be aggravating. So, it's, it's, there's no easy way to put this into a clear black or white box; it is very much a shades of gray and that's why it's hard to figure out a clear way forward, but the good news is that Missoula is not in the category of a tier one tourist economy where we have a huge amount of tourist homes and that's what we're hoping to not get into that category and continue to monitor this, but the fact that we've had seven plus six to seven plus years frankly longer than that, and we're in the range of three to four hundred, in my mind means we do have a population but it's not in a tier one tourist state or tourist city, so, that's, that's good. The other thing I wanted to address was there's been a lot of discussion of the tourist home operator should really get their money's worth out of the business fee they're paying, and I wanted to address that because I think it's a little bit more complicated than it the focus in my mind is not exclusively on the short-term rental operator, to me it's a much bigger issue. Yes, it should be a safe environment and I understand that via the that based on the platforms, people rate the short-term rentals so there is a built-in safety net there if it's not safe it's not clean there are issues but nonetheless I think we should be having inspections. Hotels and motels are held at very high standards and this is in the same category, but there is a big issue with the fact, I don't want people to underestimate the magnitude of the issue that this is a business being operated in a residential neighborhood and folks need to recognize that. If we want to ban that from happening in Missoula, I can guarantee you that we will have for those who don't follow rules, we will have underground short-term rentals in our residential neighborhoods, and it quickly turns into a game of whack-a-mole. So, that's why we made the decision, the policy decision back in 2016, it was more important to legalize this and pull it into the sunshine so that we could all be on the same page and make it work for everyone. And making it work for everyone means that short-term rental operator notifies all of their neighbors and those neighbors have the contact information, if there's a big party going on at three morning. That's the way you make it work in a neighborhood more or less and then there also is value in by tracking our registrations we are going to keep a finger on the pulse of what's going on in Missoula. So, when I hear short-term rental operators say, I want to get all of the value out of this business license, it's a little bit bigger than that and I just wanted to articulate that on the record tonight that it's, this is for the short-term operators, it's for the neighborhood, it's for the community, so there's a lot of different values there. So, I am in favor of it, I think it's reasonable and we will always be having this conversation in the future, as we track this issue and if we need to adjust it accordingly, we'll figure it out then but I think although this is a big step up, we need to get this registration into real time and have it have it cover its cost. So, I'm in favor of it and we will now have a roll call vote.

President Jones And that motion passes.

**Moved by:** Alderperson West

Adopt a resolution for the Missoula City Council amending Exhibit A, the Business Licensing fee schedule in Resolution 8615, to revise fees for Tourist Home registration.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Carlino, Alderperson Farmer, Alderperson Jones, Alderperson Jordan, Alderperson Nugent, Alderperson Savage, Alderperson Sherrill, and Alderperson West

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

**Vote result: Approved (10 to 2)**



**Amendment:**

**Moved by:** Alderperson Carlino

AYES: (2): Alderperson Carlino, and Alderperson Jordan

NAYS: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Contos, Alderperson Farmer, Alderperson Jones, Alderperson Nugent, Alderperson Savage, Alderperson Sherrill, Alderperson Vasecka, and Alderperson West

**Vote result: Failed (2 to 10)**

**9. PUBLIC HEARINGS**

**10. COMMITTEE REPORTS**

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

**10.1.1 Minutes from the February 8, 2023 Meeting**

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

**10.2.1 Minutes from the February 8, 2023 Meeting**

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

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

**10.4.1 Minutes from the February 8, 2023 Meeting**

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

**10.5.1 Minutes from the February 8, 2023 Meeting**

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

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

**10.7.1 Minutes from the February 8, 2023 Meeting**

**11. NEW BUSINESS**

**11.1 Legislative Update and Action on Bills**

President Jones We do have our weekly legislative update and Jessica Miller, if you're still with us, we would love to hear from you on your update. There you go.

Jessica Miller Hey, everybody, Jessica Miller with the Mayor's office. I have a fairly short update this week. We don't have many updates on the items that went to committee last week. House Bill 324 was in local government, that is the one that would limit local government, government expenditures to inflation plus population growth and that hearing was last Thursday in local government committee, it was kind of a long hearing. We're continuing to lobby that bill but that bill and the other bills that we testified on in committee last week remain in committee and awaiting executive action. So, I will update folks with those in two weeks when we have our next City Council meeting. Our major hearings this week are, there was a bill this morning for House Bill 429, which would require notification of mobile home park sale with a right to purchase. So, it would allow mobile home park folks the, the option to purchase their park, if the, if the park is of a certain size it really would open up the door for some affordable housing programs and so, we did have staff testify in favor of that this morning. House Bill 413 would be repeal the law that preempts local government regulating auxiliary containers. So, essentially the plastics ban; that one has a hearing tomorrow and Council President Jones is going

to be testifying for the City on that one. And then Wednesday morning, there are three bills in senate taxation that are, there's two more that would revise the threshold for voter approved items, one is for Senate Bill 291 would require, would revise the threshold for approval for bond elections and Senate Bill 292 would revise the threshold for approval of a mill levy election and so, it would require a specific approval level at a specific voter turnout level. We would have to have 40% voter turnout and then 60% of the voters would have to approve it and if only 30% of the voters turned out, it was, there's, there's a lot of math in there but it's not a one vote one person sort of a thing. So, we, of course, will be testifying against those in committee on Wednesday and Senate Bill 251 is in that same committee meeting and it would sunset or improve existing voter approved property tax levies, and I think the only one that the city has that would be affected by that is our conservation lands maintenance levy at the moment. And so, those are the, the biggest bills that we have in hearings this week. An update on Senate Bill 206, which is the one that would prevent cities from regulating cell phones, that one did pass third reading in the Senate so it has passed the Senate and it will be transmitted to the House. And we are still waiting to hear for from the, the records bill that the City has initiated that's one of our highest priorities; it has not been introduced yet but it should be introduced this week and hopefully we'll have a hearing late this week or early next week and the number currently on it is, it's still in draft and so it's LC 2337, and we're just awaiting a hearing date on that and that's the extent of my update, and I'm happy to take any questions.

President Jones Thank you Jessica. Any questions? Mr. Carlino.

Alderperson Carlino Yeah, I was wondering if we could get a little clarification on Senate Bill 245, the one about, where's the title revised municipal zoning to allow multi-family and mixed use development? I guess, I mean, I understand the local control but you know the vast majority of zoned areas in town are only allowed for single-family homes, which are not affordable nowadays and unattainable for most, most Missoulians trying to buy a home. And I'm just trying to understand our City's reasoning on why we're going to oppose re-legalizing multi-family housing, and I'm wondering if there's just like more, more information that you could share or try to share the reasoning behind this?

Jessica Miller Sure. So, the, the difficulties with that particular bill in the way it's written is not just not just that it allows multi-family zoning, it, it basically rezones the entire city to our, our most dense areas without regard to... So, so the only considerations are, are water and sewer available? And not, is the transportation infrastructure adequate? Is, the, the area appropriate for that level of density? So, our most dense areas downtown with our, with our least restricted or, so our most dense area of town with the least number of restrictions is our downtown area, our central business district and there we allow buildings to be 120 feet tall, built up to the property line, no setbacks, no parking requirements. So, that is our most densely zoned area and under Senate Bill 245, our, our most densely zoned area would be allowed anywhere that we would allow an officer or retail use, and so with that 120 foot height, building up to the property line, and no parking requirements, obviously that's not appropriate throughout the entire city, especially when you start talking about things like complete streets, bike paths, access to transit, all of those sorts of items and in addition to that, it would also allow multi-family housing in our manufactured or in our industrial areas including our M2, which is the, the highly chemical volatile things where we allow our most highly processed chemical areas. And so, it's, it, it's a bill with good intentions, but the practicality of it really would make it very difficult in a place like Missoula because really the only reasons we could deny it would be as if it didn't have adequate sewer or water, without all of the other considerations that we try to put in when we are considering whether or not density is appropriate in certain areas of our community.

President Jones Thanks Jessica and I would add, I this bill is kind of like taking a meat cleaver to a cupcake. It's, it's, whereas there are some other, other land use bills that are far more holistic in their approach that we are supporting that address this issue, but are

much more holistic and will work better in the long run. So, there's a, there's a ton of land use bills right now. And Dale, did you want to add anything to that? Or we summarized it sufficiently? Okay, any other questions? All right seeing none, thank you Jessica, appreciate you tracking 4,000 bills, not an easy task.

**12. COMMUNICATIONS FROM THE MAYOR**

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

President Jones We'll go to general comments of Council members, and we'll start with Ms. Becerra.

Aldersperson Becerra Thank you. I, every year when we read a proclamation for murder and missing indigenous people, I, I just have to say the numbers the statistics are just heartbreaking and I, I do hope that our state legislature can allocate the proper amount of funding to help in all the ways that are needed, so that those numbers those statistics can finally go down. Yeah, it's, it's, it's a shame that we continue to have to raise awareness for something that we shouldn't have to. So, thanks.

President Jones Thank you. Ms. Sherrill.

Aldersperson Sherrill I just want to thank Ms. Becerra for her comments. That's it.

President Jones Ms. Vasecka.

Aldersperson Vasecka Yeah, I wanted to follow up on Ms. Becerra's comments as well. On Wednesday, this Wednesday at 1:30 p.m. during the Public Safety, Health and Operations Committee, we are having a very tough, but needed conversation about human trafficking. So, it, I would put out a warning that beer discretion probably would be advised but it is, it's something that's happening in our world and it's happening in Missoula and it'll be a very informational item. So, I hope that people can at least listen in on that and then also we don't have Council this next Monday because it is President's Day and as I always like having little facts about why we have days off all day. Although the holiday is most often referred to as President's Day, the observed federal holiday is officially called Washington's birthday and in a sense calling the holiday President's Day helps us to reflect on not just the first president, but also the founding of our nation, its values, and what Washington calls in his fair will address the, the beloved Constitution and Union as received from the founders. Additionally, Abraham Lincoln's birthday is in February on the 12<sup>th</sup> so yesterday so by calling the holiday President's Day we can include other remarkable presidents in our celebrations as well. Although the federal holiday is held on the third Monday of February, George Washington's birthday is observed on February 22<sup>nd</sup> and to complicate matters, Washington was actually born on February 11, 1731. And this is actually kind of interesting, so George Washington was originally born when the Julian calendar was in use and during Washington's lifetime, people in Great Britain and America switched the official calendar system from the Julian to the Gregorian calendar, and as a result of this calendar reform people born before 1752 were told to add 11 days to their birth dates. So, those born between January 1st and March 25<sup>th</sup>, as Washington was, also had to add one year to be in sync with a new calendar. So, by the time Washington became president in 1789, he celebrated his birthday on February 22<sup>nd</sup> enlisted his years of birth as 1732. So, basically he had three birthdays and I thought that was kind of interesting just changing from the from the old calendar to the new calendar. So, just a little fun fact about why you have Monday off.

President Jones Thank you Ms. Vasecka. Ms. Anderson.

Aldersperson Anderson I'll pass, thanks so much. Actually no I lied, I want to quickly, I'm sorry. I, I, very quickly, thank you to my Council members. I apologize for not being there I had to run up to take care of my mom, but for joining me in raring red it also is the color for the commemorative color for murdered and missing indigenous people as well as heart awareness. And so, it was

appropriate that those, both of those proclamations were read tonight and that we all wore a lot of a little red. So, thank you all for doing that, appreciate it.

President Jones Ms. Savage.

Aldersperson Savage I'll pass tonight, thanks.

President Jones Ms. West.

Aldersperson West My kids are glad the meeting went as long as it did because they have been allowed to watch television and eat ice cream. So nothing else.

President Jones Mr. Carlino.

Aldersperson Carlino Pass.

President Jones Mr. Contos.

Aldersperson Contos I'll pass.

President Jones Ms. Jordan.

Aldersperson Kristen Jordan I'll pass, thanks.

President Jones Mr. Nugent.

Aldersperson Mike Nugent Quickly. I was going to make a point of clarification at the end of the tourist home conversation but talk about home inspections and disclosures and things like that was thrown around and I just want to state for anybody who's paying attention that there is no requirement in the State of Montana for someone to have a home inspected upon transfer so assuming that it was done and that it was done thoroughly because there are no standards attached to it, it would be a bad idea and I would also point out that the State of Montana is one of three states in the country that does not require a seller to, in writing, disclose the problems on a property and if you want to talk about that look up look up HB 296 and come talk to me.

President Jones Okay. Ms. Farmer.

Aldersperson Farmer I can pass.

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

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

#### **15. ADJOURNMENT**

President Jones We will stand adjourned. Thank you for your merit. Thank you for your service.

The meeting adjourned at 8:01 p.m.

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

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Jordan Hess, Mayor