

# Journal of Proceedings

## Missoula City Council

February 27, 2023, 6:00 pm

Council Chambers (in person) or TEAMS (virtually)

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

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

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

Administration Absent: Marty Rehbein

### 1. CALL TO ORDER AND ROLL CALL

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

### 2. APPROVAL OF THE MINUTES

#### 2.1 Minutes from the February 6, 2023 Meeting

The minutes were approved as submitted.

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

Mayor Jordan Hess Is there any public comment on items not listed on our agenda? Seeing none in the room and none online, we can move on to our schedule of committee meetings. Ms. Rehbein, I'm sorry, Ms. Trimble.

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

Public Works and Mobility Committee, March 1, 10:00 – 11:15 a.m.

Climate, Conservation, and Parks Committee, March 1, 10:45 – 11:10 a.m.

Public Safety, Health and Operations Committee, March, 11:25 a.m. – 12:00 p.m.

Mayor Jordan Hess Thank you Ms. Trimble, are there any changes to the committee schedule? Seeing none, that'll stand as published.

### 5. CONSENT AGENDA

Mayor Jordan Hess We can move on to our consent agenda now. Items on the consent agenda were generally approved unanimously in Council committees and we save time on Monday nights by voting on them as a package. Ms. Trimble will read the items aloud and then we'll, we'll take comment before we vote. Ms. Trimble.

Mayor Jordan Hess Thank you Miss Trimble. Are there any questions on the consent agenda? Seeing none. Any public comment on the consent agenda? Mr. Moore.

Bob Moore Public agenda today?

Mayor Jordan Hess I'm sorry.

Bob Moore [inaudible] Are you having a public section today?

Mayor Jordan Hess We passed that already, but you can go ahead....

Bob Moore I must have, I must have not heard that.

Mayor Jordan Hess Okay. Well you're welcome to provide comment on the consent agenda.

Bob Moore Okay the comment for these consent agendas is under 5.4. I object to spending one million one hundred thousand dollars primarily of tax increment funding.

Mayor Jordan Hess Thank you Mr. Moore.

Bob Moore 100% of all tax funding is a waste. Okay, can I go [inaudible]

Mayor Jordan Hess Go, go ahead.

Bob Moore My name is Bob Moore. last time I made a couple of comments about, about one of the articles mostly written by Mr. Nugent. Project priority we trust, we must be honest with ourselves about what each city project accomplishes. That's a real good, nice statement, I think. The problem is none of the City Council or except maybe a couple of paying and pay any attention to them. I was getting some emergency work spent on my house, the heat went out on Sunday and I was talking to this guy a little bit and he said he was, got to talking about two million dollars for a trail I've missed that one, I'm not sure with it, we got so many trails it's hard to keep up, you could you can understand that, and he was totally opposed to this trail. My opinion, I agree with him, I think we have enough trails in this city got plenty of trails, got more than we need. The ending to that article, we need to understand our growth and create you know housing to meet the moment. We need to live up to the Montana values we preach. Montana values do not preach paying a million one hundred thousand dollars for a piece of junk hotel, motel whatever it is when it was actually being listed was around six or seven hundred thousand dollars, so you paid twice for Sleepy Inn, double what it was being listed for. You don't believe that go get the records of the real estate agent and look at, one million one hundred thousand dollars wasted, double the price. You know, do we have the idea of putting priority on things? The other days three people from this County blamed it on COVID. No, I think it's because some enough people in this town are starting to wake up to y'all just spend money for whoever you, listens to you. A horrible, horrible way to run a business. Here's another article, officer details human trafficking, dozens of manners or allegedly victims of human trafficking in Missoula every year. Maybe if we double the police force instead of buying a Marshall Mountains for 3, 2 million dollars....

Mayor Jordan Hess That's 3 minutes....

Bob Moore Got rid of it a little bit. So, I'm opposed to just about every dime y'all spend, maybe not every time, you got to spend some, and I would like to see your priorities change. Everybody says this house is in a crisis. I had a crisis Sunday; my heat went out. It cost me \$900.00 to get it fixed. I started to call it City Council to see if they were people with but I figured they wouldn't but what you're doing, I'd like to know, it seems to me like if, if every member of the Council looks at the Marshall Mountain, they will come to the conclusion that it doesn't have a darn thing to do with prioritizing and solving the crisis for....

Mayor Jordan Hess Four minutes Mr. Moore.

Bob Moore Okay. Thank you.

Mayor Jordan Hess Thank you. So, on the consent agenda, any Council comment or discussion? Seeing none, we can have a roll call vote.

Claire Trimble And that passes unanimously.

Mayor Jordan Hess And the consent agenda is approved.

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

ABSENT: (1): Alderperson Jones

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

**5.1 Accounts Payable (claims) for checks dated February 21, 2023**

Ratify accounts payable in the amount of \$674,960.60 for checks dated February 21, 2023.

**Vote result: Approved**

**5.2 Reimbursement Resolution Momont #2 Lift Station Project**

Adopt a resolution relating to the financing of proposed sewer system improvements (Momont #2 Lift Station Project); establishing compliance with reimbursement bond regulations under the Internal Revenue Code

**Vote result: Approved**

**5.3 Accounts Payable (claims) for checks dated February 28, 2023**

Approve accounts payable in the amount of \$469,691.02 for checks dated February 28, 2023.

**Vote result: Approved**

**5.4 Resolution supporting the City of Missoula's Rebuilding American Infrastructure with Sustainability and Equity Grant 2023 Application (Higgins Corridor)**

Adopt a resolution to support the intent of and project contained in the 2023 RAISE grant application, and commit to providing \$1,100,000, in local funds as match, consisting primarily of tax increment funding.

**Vote result: Approved**

**5.5 Dedicating Two City Parcels as Public Right-of-Way**

Adopt a resolution to dedicate two City parcels on S. 2nd St. W. and S. California Street as public right-of-way.

**Vote result: Approved**

**5.6 Rattlesnake-Ten Spoon Winery Conservation Easement**

Set a public hearing for March 13, 2023 to consider a resolution to accept a donated conservation easement of the Ten Spoon Vineyard and Winery property of approximately 21.5 acres and a public pedestrian walkway easement as an addition to the city's current open space network, and approve expending up to \$40,000 of 2018 Open Space Bond proceeds to

pay for associated due diligence, legal, transaction and other project-related costs.

**Vote result: Approved**

**5.7 Engineering Employee Association Union Contract 7.1.22-6.30.23**

Approve the final Collective Bargaining Agreement for the new Montana Federation of Public Employees Union – Engineering Employee Association (7/1/2022 – 6/30/2023) one-year contract.

**Vote result: Approved**

**5.8 Reimbursement Resolution Water System Improvements Harlequin Court Project**

Adopt a Resolution Relating to the Financing of Proposed Water System Improvements (Harlequin Court Project); Establishing Compliance With Reimbursement Bond Regulations Under the Internal Revenue Code

**Vote result: Approved**

**5.9 Referral and Staff Report\_Airport Vehicle Repair Public Forum**

Suspend City Council Rule 21 and set a public hearing on March 6, 2023 to hold a public forum on an application from Missoula County Airport Authority for allowing a Motor Vehicle Repair Business in the Aviation Zoning District. Under state and local law, the Council's role is to conduct this public forum and take public comment; it does not have a decision-making role (requires a 2/3 vote of those present and voting).

**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 - March for Meals Month**

Mayor Jordan Hess We do have one special presentation in the form of a proclamation, a joint proclamation with the, with County Commissioners.

WHEREAS, the Meals on Wheels program at Missoula Aging Services is a valuable resource to older adults in Missoula County; and WHEREAS, in the past year in Missoula County more than 90 Meals on Wheels volunteer drivers delivered 125,579 meals to 781 homebound individuals, community lunch sites served 32,622 meals to 768 clients, and 19,800 units of liquid supplement were provided to clients, and 50% more people were served than before the pandemic; and WHEREAS, volunteer drivers for Meals on Wheels are the backbone of this program through their dedication to bring not only hot nutritious meals to clients, but also caring, concern, and attention to their welfare; and WHEREAS, Missoula Aging Services counts on these volunteers and the support of the community to serve the growing number of older residents who need this service in order to remain in their homes; and WHEREAS, we wish to raise awareness and support for Meals on Wheels in Missoula and surrounding areas. Now, therefore, we, the Board of County Commissioners and the Mayor of the city of Missoula to hereby proclaim the month of March 2023 as March for Meals Month in Missoula, Montana.

Mayor Jordan Hess And we invite citizens to thank the caring volunteer drivers, recognize the value of the service to homebound elders and adults with disabilities, and encourage citizens to volunteer as Meals on Wheels drivers so elders may remain in their homes.

**8. FINAL CONSIDERATION**

**9. PUBLIC HEARINGS**

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

The City Council will hold this public hearing open until they take up the item for final consideration on March 6, 2023.

Mayor Jordan Hess We do have two public hearings and we'll take them in the order listed. And the first is the Affordable Housing Trust Fund reserve balance funding recommendation for Bonnie's Place Resident Owned Community and this Ms. Harris-Shears is here with our staff report.

Emily Harris-Shears Hello. Thanks for having me, nice to see you. Just getting my screen going. Okay and you can see me? You can see my screen?

Mayor Jordan Hess Yes, we can.

Emily Harris-Shears Great. Hello, I'm Emily Harris-Shears, she/her pronouns and I work on housing policy work in the Community Planning, Development & Innovation Department. And today I'm coming back, I know we talked about this at committee a few weeks ago, but I'm coming back today for the opening of the public hearing of the use of trust fund reserve balance for an acquisition of a mobile home community in Franklin to the Fort Neighborhood. So, just a reminder that the reserve balance is one funding source overseeing within the Affordable Housing Trust Fund, that's overseen by the Affordable Housing Resident Oversight Committee, which is a 10-member, 12 member of advisory and Oversight Committee that helps provide guidance on the use of the Affordable Housing Trust Fund, as well as our larger housing policy work and I just listed the members here for your information and also wanted to name that we they recently changed the time of their meetings. They're now meeting on the second Tuesday of the month from 6:00 p.m. to 8:00 p.m. and they're meeting every other month, so their next meeting will be in April and we welcome any participation from the community and otherwise. So, the Affordable Housing Resident Oversight Committee sets an annual allocation plan for the Affordable Housing Trust Fund each year, and the Affordable Housing Trust Fund is administered by staff, but in partnership with the advisement of the Oversight Committee and the Affordable Housing Trust Fund administers up to two competitive award cycles each year, the unified application round, which just closed last Wednesday and now we're in the scoring work process and then we hope to be able to do a second round in the summer when, when applicable, and that's really dependent on additional revenue. So, this year, we're anticipating and hoping for the sale of city-owned land. If that comes through in time then we would run a second competitive round for example, and then the Affordable Housing Resident Oversight Committee sets a reserve balance, which is a maximum of 20% of the available balance to basically be held out of that competitive award cycle funding in order to respond to urgent or emergent project needs. And the Oversight Committee is responsible for reviewing applications in partnership with a staff review, and then making a recommendation of whether they think that that funding should be recommended to Council. All of our grant making is done with the values that are named in A Place to Call Home, the City's adopted housing policy and those include diversity in making sure that we have a healthy housing market, that includes options for all Missoulians, innovation, really striving to test and try new things that maybe haven't been tried in our market before but that could bring new solutions and new scale to our responses to housing need, and then collaboration, which really just

speaks to the strong and important partnerships that we have in our community and that we have an understanding and knowledge that without partnership, we will not get very far with our goals outlined in the housing policy work, and then achievability of being simultaneously ambitious and realistic about what we can achieve, which I think the proposal that we have for you today really does exemplify all of these four values. So, in December of 2022, the Affordable Housing Resident Oversight Committee completed their allocation plan, and they rolled over the remaining \$181,000.00 from the 2021 allocation plan to the reserve balance and that was to be available for this year, for emergent and urgent projects throughout the upcoming year. And the reason they chose to do that, rather than reallocated into the, the competitive award cycle was because of the relatively small award that we are using for the unified round, and just wanting to have some balance and make sure that there was funding for both of those activities. So, in the end of December, we received an application from NeighborWorks Montana to acquire a 24-unit manufactured home community in Franklin to the Fort Neighborhood. This is in partnership with the residents who've identified that they would like to go through the process of converting to a resident owned community, which means they will collectively own the land in their mobile home community and you know have more access and stability in their housing. So, as I shared in the memo in the staff report, we, staff feel that there's urgency to secure this funding outside of the competitive application round that's going on now. We won't have applications scored and finalized by the time their closing date comes up on March 21st and so we're going to need to work really quickly on contracting and getting this kind of solidified, if approved. We also feel that it supports acquire, you know, we support acquiring existing manufactured home communities and using reserve balance for this. This is a great example of what the reserve balance is intended to be used for and this supports our goals and strategies that are outlined in A Place to Call Home, which include leveraging existing funding to support housing and also partnering to preserve existing affordable housing, and it also supports the findings and strategies from the consolidated plan that's currently in place. So, we, the Affordable Housing Resident Oversight Committee met on January 31<sup>st</sup> of this year to discuss the application from NeighborWorks Montana and there were eight members in attendance, and they did have quorum. And a summary of what they talked about, they felt it was a strong application that highlighted the need and impact of acquiring properties that could otherwise be at risk for redevelopment. They felt that this met an urgent and unmet community need, their support for the model that stabilizes housing for tenants and prioritizes choice in housing, which they feel a resident owned community does. There was questions about utilizing the full balance of the reserve fund of \$181,550.00, just an acknowledgment that this will deplete it until we receive additional revenue, but as was expressed by Kaia Peterson, the Executive Director of NeighborWorks Montana, the full requests amount is needed in order to stabilize the lot rent increases and close the gap that they have in meeting the sale price. And then also, residents were involved, and they endorsed this project and applying for these funds. So, the Oversight Committee recommended funding the funding request at the full ask of \$181,550.00 to acquire the Twin Tray or Bonnie's Place mobile home community. The motion was made by the chair Riley Jacobsen and seconded by Sam Oliver, and there were eight yes votes and no abstentions or no votes. And there are financial implications for this funding decision, as I mentioned there was, there is \$181,550.00 available in the Reserve balance at this time. If this request is approved by Council and funded the, reserve balance will be depleted until we have new revenue in the fund, and as I spoke to in committee the, the staff perspective as well as some of the conversations surrounding the Oversight Committee is that the funding is intended to be used and intended to be used for projects that would otherwise negatively impact people in our community and their housing stability. And so, our recommendation is to fund this at the full request as it, otherwise will not meet the program state projects need. And then, I just wanted to visualize, in case this is helpful, I'm a visual person. So, in the allocation plan, I know I mentioned this, but there's the competitive award balance. This year we recaptured some funds that didn't get utilized last year that were recommended, so we have

\$747,000 dollars available to award right now during the application, the unified application round that just ended last Wednesday and then the reserve balance, that's the max 20% or the unspent rollover and that is the available \$181,000.00. So, even when, if and when this request is approved and funded, there's still award making going on in the other body of the trust funds work. So, the motion is on your screen, and I know tonight's just the opening of the public hearing, so I'll stop sharing and I can answer any questions.

Mayor Jordan Hess Thank you and with that, we will open the public hearing. Anyone in the room or online wish to comment on this? Mr. Moore.

Bob Moore I'm sorry, but I really couldn't hear that too well. Is this the plan that the former Mayor told me about 14-15 years ago? That he had a 10-year plan to solve the housing project in Missoula? Is this the same thing?

Mayor Jordan Hess So, we don't generally do Q&A. If you have other questions, why don't you get them all out there and then I'll answer them at the end?

Bob Moore That's the only thing...I'm, is there, are you kidding me that it's \$181,000.00 to solve our, is it, are you kidding me that it's a hundred and eighty one thousand dollars to solve our housing problem? I'd like to know what you're doing?

Mayor Jordan Hess Thank you. And I believe the staff presentation went into good detail about what we're doing with that. Any other comment tonight? Seeing none, this public hearing will remain open until next week and, and before then, are there any questions or comments from Council members? Okay, seeing none, we can move on to our second public hearing.

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

The City Council will hold these public hearings open until they take up the item for final consideration on March 6, 2023.

Mayor Jordan Hess And this is a resolution finalizing the Mullan BUILD water and sewer special development fees, and Logan McInnis is here with our staff report.

Aldersperson Vasecka Oh pardon me, Mr. Mayor, I see an attendee with a hand up.

Mayor Jordan Hess I think that's, I think that's our next presenter.

Aldersperson Vasecka Oh, okay, my apologies.

Logan McInnis I apologize, I was I'm having trouble with my technology. So, I, can you hear me now?

Mayor Jordan Hess We can.

Logan McInnis Okay. I apologize and I, I had a PowerPoint and I'm hoping I can pull it up here.

Mayor Jordan Hess You should be able to now.

Logan McInnis Okay, trying to get it up on my Outlook and then I'll share momentarily. Can you let me know if you're seeing my screen?

Mayor Jordan Hess Not yet.

Logan McInnis I'm struggling here, I apologize.

Mayor Jordan Hess Okay, we do see your, your screen now; we don't see the presentation.

Logan McInnis Okay, so what's? I'm not sure, what screen are you seeing?

Mayor Jordan Hess We're seeing an Outlook screen, it looks like.

Logan McInnis Hmm. Well, I don't know how to fix this from my laptop. There's, there's not a lot here. I'm, I'm looking at my presentation, I guess I'm just going to have to kind of explain.....

Mayor Jordan Hess Go ahead and stop sharing your screen and then we can, we can just hear your presentation and maybe get that emailed out by next week?

Logan McInnis Okay. All right, again, apologize. The hearing is for the Mullan BUILD water and sewer special development fees and just, I know a couple on Council haven't, haven't been around, so I'm going to give you a little just a tiny little bit of background. Hopefully everybody's aware of what the Mullan BUILD project is, it's building roads and related infrastructure in the in the Mullan area. So the BUILD Grant did not include any funds to pay for utilities. You know those obviously needed to be installed prior to building streets, so the city agreed to bridge the gap to finance installation of the utilities until a latecomer fee could be collected from a developers. So about a year ago, on April 11<sup>th</sup>, the Council approved preliminary fees and Public Works, we agreed to bring final fees after construction had wrapped up. And so now, utility construction is complete and now the fees have been finalized and you know these fees, there's a total of 10 properties subject to these fees and, and the fees have increased at two of those properties and decreased it at eight. And so, I just, I think that's kind of the action is, is for you to approve these final fees. I was going to talk a little bit about just the two parcels where the fees increased, one is the West End Homes Development. They requested an additional 76 water stubs and 55 sewer stubs, so their water fees go up \$215,000.00, their wastewater fees go up \$244,000.00, for a total fee increase of \$460,000.00. And the second parcel is what we refer to as MJ2 and it's the parcel that's owned by Mullan Land Holdings, LLC, it's at the northeast corner of Mullan and Mary Jane, it's property being developed. They requested an additional sewer main stub and some additional fire, water, fire line stubs. So, their fees went up \$53,000.00 as a result of that request. So, you know, we've, we've conducted outreach, you know, we, you know they all requested that these additional utilities to be installed and so, we provided them preliminary costs. After the work was completed, we've reached out to them, let them know what these fee changes are going to be. We've reached out to the developers, their engineers, so I think everybody's pretty well aware of, of what the changes and fees are. And then, like I said, the other eight, they're, we eliminated a lot of water and sewer services that we had originally planned for and then when it got down to the details, they didn't really know where to put those and so we, we removed a lot of water and sewer stubs from the project. So, you know it's, it's really those two large fee increases and we've communicated well with those two owners. You know once, assuming the Council adopts these fees, we will file legal notices on the properties like we did with the preliminary fees, so that say anybody that's purchasing the property will be well aware of the fees that are owed on the property and they will be collected when they, when they come to connect to water or sewer the first time on that property, the fee will be collected at that time. So, that's really all I had to say. I, again, apologize for not having visuals to, to show you all that. I'm happy to take any questions.

Mayor Jordan Hess Thank you Mr. McGinnis. With that, I will open the public hearing, if anyone wants to make a comment? Seeing none, we will hold this public hearing open, and I'll take questions from Council Members. Ms. Vasecka.

Alderperson Vasecka Yeah, I have it downloaded. Would it be beneficial if I share my screen for the map or just have it as an attachment on the agenda?

Mayor Jordan Hess Let's see if anyone has any questions and we can do it that, we can handle it that way.



Alderperson Vasecka Okay.

Mayor Jordan Hess [inaudible] receives that, a copy of that as well. Okay. Any additional questions? Seeing none, we will, again hold this public hearing open until final action next Monday. And so with that, we have no further public hearings.

## **10. COMMITTEE REPORTS**

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

#### **10.1.1 Minutes from the February 15, 2023 Meeting**

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

#### **10.2.1 Minutes from the February 15, 2023 Meeting**

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

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

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

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

#### **10.6.1 Minutes from the February 15, 2023 Meeting**

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

#### **10.7.1 Minutes from the February 15, 2023 Meeting**

## **11. NEW BUSINESS**

### **11.1 Legislative Update and Action on Bills**

Mayor Jordan Hess We do have our standing new business item, which is our legislative update and actions taken on bills of the Legislature. They are numerous this week and I'll turn it over to Jessica Miller for our weekly update.

Jessica Miller Good evening everybody, Jessica Miller in Mayor's office. As Mayor Hess said, there is a fair amount to go through this evening. So, the deadline to introduce general bills was last Friday the 24<sup>th</sup>. So, general bills are those that don't have any revenue or appropriations or study bills, so basically the, the bulk of the work and so all of those had to be introduced by Friday. The transmittal deadline for those is this coming Friday, March 4, 2023, and transmittal means that it has to go to the other chamber. So, if it started in the house, it has to reach the Senate by then and vice versa. After that the Legislature will take a few days off next week and that is Friday the 4th is also, also our midpoint. So, that's our legislative day 45 of the 90-day session, so they'll take a few days off and resume next Thursday. Tomorrow is going to be the last day of committee hearings. There were a lot of hearings last week and today and a fair number tomorrow and then after that all of the committee work will be just voting items in committee and either sending it out to the floor for a vote or tabling those items in committee. Anything that does not get sent to the floor for a vote and transmitted to the opposite house or transmitted to the other house is going to be dead after Friday. So, this week the, big hearings are we have Senate Bill 374, which is revised local government public document retention. The wonderful Ms. Trimble is handling the meeting today because the wonderful Ms. Rehbein went to Helena to speak in that committee and I hear that that hearing went pretty well this afternoon, so we're hoping that that one that helps us clean up some of our, our records and our document retention and streamlines that process and remove some of the bureaucracy. We're hoping that that one will go through pretty well and we have a couple of staff testifying on some landlord and, and renter bills tomorrow, which is Senate Bill 476 to prohibit housing discrimination based on the source

of income and House Bill 785, which will revise landlord tenant laws to require 60 days' notice to changes for those who have a lease that's longer than month to month, so we've got staff testifying on both of those. I do have some status updates on bills that were held in committee the last time I presented here. One of those is House Bill 465, which revises local government acceptable use of building permit fees, we supported that one that one did pass out of committee, it gives us a broader use of what we can a longer use of what we can use those building fees for, as well as a broader use. House Bill 369 the growth policy referendum that one was tabled. House Bill 413, which would have allowed us to regulate plastics at a local level, that one was tabled as well. House Bill 324, which was the local government expenditure limitation, that one would have been extremely challenging for us, for all municipalities in Montana to overcome and that one was tabled thankfully. House Bill 337 would have decreased our minimum lot sizes in the City; we couldn't have a minimum lot size over 2,500 square feet, that one was tabled. We spoke in support of House Bill 481, which would increase the, the rate of inflation limit for our currently our rate of, sorry we can currently increase our mills at half the rate of inflation for property tax levies. House Bill 481 increases that to the rate of inflation that one did pass out of committee; it has not had a floor vote yet. And Senate Bill 245 revises municipal zoning to allow multi-family and mixed-use development. That is the one I think that I spoke on a couple of weeks ago that would have had, would have allowed multiplexes in our industrial areas and no setbacks anywhere that we allow an office. That one has actually passed the Senate and was transmitted to the House. The other big bill that we've got coming is Senate Bill 382. That is the Montana Land Use Planning Act; that is a comprehensive redo of, of the entire land use and, and planning statewide. So, that's something that our planners and other cities across the state have been involved in throughout the crafting of it; it did pass out of Senate local government today. It really cleans up the Land Use and Planning Bill and provides local communities flexibility with a menu of options that is going to be a lot better than things like Senate Bill 245, which is very restrictive. This is really going to, to open it up, it streams like streamlines a lot of things and yet still allows local communities to choose the things that are, are going to be best to increase housing and, and streamline things in their communities. So, next week, with it being transmittal and with us being at the halfway point, I'll have a little bit more detail for you on where we stand overall, at that halfway point, but that's where we're at today and I can take any questions.

Mayor Jordan Hess Thank you Ms. Miller. Any questions or discussion? Ms. Vasecka.

Alderperson Vasecka Thanks. I just wanted to let the public know that apparently there is a temporary time change, for if you want to do a submit for remote testimony. It was previously you needed to submit the day prior to the public hearing by 5:00 p.m., and now, according to the website it says temporary time change by 10:00 p.m. the day before the hearing. You will be able to submit your written testimony, write a brief message or request a Zoom link to testify in bill hearing. I still would recommend trying to do that before 5:00 p.m. because I just noticed this time change. So, I don't know if it's entirely accurate, but I just want to let the public know that.

Mayor Jordan Hess Thanks for highlighting that; that's a good public announcement. It still concerns me when last week there was a bill scheduled for a hearing the same day it was introduced. So, I'm not sure how you would comply with that rule in that in that scenario, but thanks for highlighting that change. Ms. Becerra.

Alderperson Becerra I'll pass, thanks.

Mayor Jordan Hess Okay thanks. Anyone else tonight? Ms. Sherrill.

Alderperson Sherrill Yeah, I just wanted to. I don't have any questions. I just wanted to thank Jessica for her thorough update every week on this. There are so many bills and it's so hard to track and I personally am glad that introduction is over.

Mayor Jordan Hess Yeah and I want to echo that. Ms. Miller has been working tirelessly on this and has been a real, I think, I think in the next couple weeks, we're going to have a transmittal report that shows the number of bill comments that we have and just a, a bit of a scope of the workload that Jessica and others have been doing. It's a lot of work on top of their already, on top of having a full-time other job and so really a lot of, I mean a really well-developed opinions and, and information coming out of coming out of the City because of that dedicated staff work. Anything else? Okay, seeing none, we can move on.

## **12. COMMUNICATIONS FROM THE MAYOR**

Mayor Jordan Hess I'll just briefly, since the Sleepy Inn was invoked tonight and since deconstruction is starting in earnest I'd like to clear up a few things on the record about that. Deconstruction of that property has begun and that's an effort to salvage building materials and divert construction waste from the landfill. That's something that we do quite regularly now and it's something that's in service of our zero waste goals. That Sleepy Inn property unequivocally saved lives and made the city money, and anything contrary to that is false information. We paid 1.1 million dollars for the building. During that time, we were reimbursed 1.9 million dollars for FEMA, from FEMA, the Federal Emergency Management Agency for our expenses and we, in addition to that, received \$718,046.00 in rent. We are in the, the next week or two listing that property for sale for \$890,000.00. So, the 1.9 million dollars in reimbursements was reimbursing costs but the \$718,000.00 in rent plus the \$890,000.00 in sale, in listing price is over \$500,000.00 in excess of the original purchase price. So, we will make money on that property and that is the plain truth of it. That, as I mentioned, that absolutely saved lives in the pandemic and there were 395 people who stayed at the, at the Sleepy Inn for an average stay length of seven days. Those were people who were homeless, they were also traveling workers who were stranded here after a COVID diagnosis. They were also people who were moving out of their homes to avoid infecting family, maybe to avoid, avoid infecting elderly or immune immunocompromised family, and there were people who were discharged from the hospital who had COVID, and had nowhere else to go. So, the next step of this is this deconstruction and sale process and redevelopment, and that will yield a an opportunity to redevelop the site and increase the tax base and promote City objectives. So, that could be housing, it could be mixed use, it could be commercial, but whatever it does, it'll be in service of the West Broadway Community Master Plan, which will create an, which calls for creating a new neighborhood center in the area, it calls for services that the Westside Neighborhood has asked for, for a long time, local businesses, childcare, other types of services that are that are neighborhood oriented and it calls for redeveloping a relatively blighted area on West Broadway into a more vibrant area. The, the Sleepy Inn, the last year that it was in private ownership paid \$13,011.00 in, in property taxes and we fully anticipate that that will increase many fold, and will be a good investment in our communities future tax base. I also want to congratulate Police Chief Jaeson White on his upcoming retirement. Chief White served 34 years in law enforcement and is wrapping up his career here at the City of Missoula where he spent the last the last three years. I want to wish Chief White well and I want to assure the Council and the public that we will have a robust, transparent recruitment process and the very first step of that is that we're going to be doing some interviews with members of the police department, members of other agencies and community partners that work closely with the police department, and all of you on the City Council about what, what you hope to see in the next Police Chief. After that, we will design a recruitment process and I don't have much to report on that at this time other than that, it'll be inclusive and I will provide an update when we have a draft process for that. So again, I want to congratulate Chief White on his retirement and reassure everyone that I view this appointment as being a very consequential hire and one that will get the full attention it deserves. And with that, we can move on to Council comments from Council members.

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

Mayor Jordan Hess And we'll start with Ms. Vasecka.

Alderson Vasecka I'll pass tonight, thank you.

Mayor Jordan Hess Ms. Becerra.

Alderson Becerra Thank you. I, I too want to echo the Mayor's remarks about the Sleepy Inn. I'm excited about the possibilities with that building going down. It's, it was, there was significant amount of neighborhood input throughout the West Broadway planning process, and I think this is a key component of making some of those, some of that vision a reality. Also, I just want to point out for Mr. Moore's benefit that I think he was referencing the 10-year plan to end homelessness and the item that we heard tonight, Bonnie's Place, that is from our Housing Trust Fund, so it's, it's a different planning document and revenue source. Thank you.

Mayor Jordan Hess Ms. Sherrill.

Alderson Sherrill Yeah, I appreciate your, the Mayor's, comments around the Sleepy Inn. I feel like since I wrote a, I wrote a dissertation on it at the time that we purchased it and kept adding to that over the years, it is different or over the weeks as different people ask different questions. So, I sent that out to a number of constituents and people that had asked about it at the time, so I have tried to give some level of financial update since we bought it. So, I really appreciate that very thorough update on the Sleepy Inn and I also will Echo your, your sentiments toward Chief White.

Mayor Jordan Hess Thank you. Ms. Anderson.

Alderson Anderson Thanks so much. Yes, I thank you for laying out the process. I was the Council representative when we hired Chief White and it was a very robust process and I am certainly sorry to see him go, but do thank him for his decades of service and know that we have an opportunity to fill that seat and look forward to engaging in that process again. I also want to say a thank you to all the community members, to Lieutenant Ben Slater for participating this weekend in Merit Badge University. It's, there was over 200 Scouts from all across Western Montana who came to Missoula this weekend and attended Merit Badge University, which is a one day sort of, a bit of a crazy show where Scouts get multiple merit badges and on many classes and Lieutenant Slater taught crime prevention, and just a lot of community involvement comes together around that because it's all volunteer-led and all of the merit badges were taught by community members in that area of expertise and it's just a great opportunity for these young guy, young gals and guys and gals to get merit badges and come to Missoula and spend some time at the University and it just takes a community to come together to pull that off, and so I want to publicly say thank you and we're very fortunate that we have many people in Missoula who are willing to give their time and to help out the Boy Scouts. So thanks so much for that.

Mayor Jordan Hess Thank you. Ms. Savage.

Alderson Savage I'll pass tonight, thank you.

Mayor Jordan Hess Ms. West.

Alderson West I'll pass.

Mayor Jordan Hess Mr. Carlino.

Alderson Carlino Pass.

Mayor Jordan Hess Mr. Contos.

Alderson Contos Pass.

Mayor Jordan Hess Ms. Jordan.

Alderson Kristen Jordan Pass.

Mayor Jordan Hess Mr. Nugent.

Alderperson Mike Nugent Hi Mr. Mayor. First of all, I really appreciate you on, on the record kind of correcting inaccurate information. I think that the more of that we do on this floor, the better and I, I commend you for doing that. Two quick things, the Downtown Association held their Winter Brew Fest this weekend and it was great to see so many people out and about. It was kind of like a heat wave because it was like 40 degrees, so you know in true Missoula fashion, Caras Park was packed and it was just great to see people enjoying, enjoying themselves. I also had the opportunity this weekend to attend an event with a lot of our police officers and the topic about first responder mental health came up and I really, I appreciated the message and, and I, more than anything I appreciate the officer who shared his story sharing that out loud in a room full of his colleagues. And I think it's important for First Responders and for everybody know that it's okay to ask for help and it's, it's good to talk about these things. So, I just commend them for doing that. Thanks.

Mayor Jordan Hess Thank you. Ms. Farmer.

Alderperson Farmer Yeah, I just wanted to say really quickly thank you to all the staff that's been helping with the Government Citizens Academy. I think last week was the Fire Department and the Police Department, and it's just really interesting for the community to be able to see how hard those folks work and, and I know a lot of people come in on the evening and help out, so I just want to say thanks to that. And for the public that's interested, there's still three sessions left, and they're all recorded, so you, if you aren't in the academy, you can watch it on MCAT.

Mayor Jordan Hess Thank you.

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

**14.1 Administratively approved agreement report**

**15. ADJOURNMENT**

Mayor Jordan Hess And with no further business, we will be adjourned.

The meeting adjourned at 6:53 p.m.

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

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Jordan Hess, Mayor