

DRAFT - Journal of Proceedings

Missoula City Council

December 9, 2024, 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, Bob Campbell, Daniel Carlino, Sierra Farmer, Gwen Jones, Kristen Jordan, Eric Melson, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka

Administration Present: Mayor Andrea Davis

Administration Absent: Ryan Sudbury, City Attorney, Claire Trimble

1. CALL TO ORDER AND ROLL CALL

The meeting of the Missoula City Council was called to order by Mayor Andrea Davis at 6:01 PM.

2. APPROVAL OF THE MINUTES

2.1 Minutes from December 2, 2024

The minutes were approved as submitted.

3. ANNOUNCE CHANGES TO COMMITTEE MEETING AGENDAS AND COMMITTEE MEMBERSHIP APPROVALS

3.1 Committee Schedule for December 11, 2024

No changes to the Committee schedule.

4. SPECIAL PRESENTATIONS AND PROCLAMATIONS

4.1 Neighborhood Council Updates

4.2 Proclamation - Blackfoot Communications Day

Mayor Davis reads Proclamation declaring December 12th Blackfoot Communications Day.

5. PUBLIC HEARINGS

5.1 Missoula Loft Homes Subdivision Phases 1-3

Alex Bramlette, Senior Planner for CPDI, provides Phased Development Review for Missoula Loft Homes on Mary Jane Boulevard. She presents maps of Phases I, II, and III of the plan and outlines the timeline for the development. She advises no new information negatively impacting the plan has been determined.

No questions from City Council.

Councilor Nugent makes the recommended motion.

A member of the public advises he received a letter as his property borders the planned development and would like information on how to find out information about planned

buildings. Mayor Davis requests he provide his information and staff will reach out to him with resources about the development.

No council comment.

Motion passes unanimously.

Moved by: Alderperson Nugent

Approve the Phased Development of Missoula Loft Homes on Mary Jane Boulevard Subdivision Phases 1-3 of, located North of O'Leary Street and east of Mary Jane Boulevard on Tract 2 of Certificate of Survey No. 6817 based on the findings of fact and conclusions of law in the staff report, subject to the conditions of approval.

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

Vote result: Approved (12 to 0)

5.2 Our Missoula 2045 Land Use Plan

Mayor Davis speaks to the time invested in updating the Land Use Plan by staff. She also discusses the mandates on growth policies within the state of Montana and the history of Missoula's growth policy in recent years. She comments that the Land Use Plan is intended to reflect the dynamics of Missoula, including landscapes, people, neighborhoods, and public spaces. She commends staff for their work alongside community partners.

Benjamin Brewer, Planning Supervisor of CPDI, presents the Our Missoula 2045 Land Use Plan. He introduces colleagues Emily Gluckin and Madson Matthias and commends the work staff has invested in preparing this project. Benjamin details the contents of the presentation, the goals of the Growth Policy Update, and the phases of the project, including current steps. He discusses legislative updates and their impact on planning processes.

Emily Gluckin, Senior Planner with CPDI, provides a summary of community engagement thus far for the Land Use Plan. She details the general outreach statistics thus far, including efforts to include under-represented communities within Missoula. She gives a timeline of the engagement process, beginning in 2022, and explains each phase of engagement. Emily details the public review draft updates, including types of public comments and their impact on revisions of the plan. She advises that community engagement will continue in the future regarding code reform and that more information will be available in the future.

Madson Matthias, Associate Planner with CPDI, presents on the key components of the Land Use Plan. She details the parameters of the study area, the organization of the plan, and the goals for the Land Use Plan. She defines place types as detailed in the plan, including the types of both residential and commercial places, and she explains how place types were determined and how they influence future development. She elaborates on the impact of environmental and infrastructural constraints influenced the plan and explains graphics detailing constraint patterns. Madson defines street types and details how transportation infrastructure is considered to support the Land Use Plan. She details the implementation of the Land Use Plan in compliance with planning regulations.

Benjamin Brewer presents on a summary of staff's participation in the process, including staff recommended changes based on comments from the Planning Board and public.

He offers adoption considerations for the 2045 Land Use Plan and statistics on the accomplishments of the plan.

Councilor Nugent outlines the public process moving forward until anticipated adoption of the Land Use Plan. He advises the council will take public comment tonight, but the item will be referred back to Committee for a working session on potential amendments.

Mayor Davis acknowledges the time and work of staff on this process.

Councilor Campbell asks about ingress and egress issues in the Rattlesnake area and how this plan would mesh with those discussions. Benjamin Brewer answers that staff is trying to balance the concerns of environmental hazards with the guidance of the Office of Emergency Management. He advises the draft was created with a balance between growth and safety in mind. Eran Pehan, Director of CPDI, speaks to specific concerns about evacuation and safety in the Rattlesnake and advises that place types were adjusted in accordance with these concerns. She notes that zoning designations will provide more information on how much of a capacity change would occur, as the department continues to work with the Office of Emergency Management and Missoula Fire.

Councilor Carlino inquires as to why some neighborhoods do not contain mixed-use designations in the draft and if there is room to have them for all neighborhoods. Benjamin Brewer answers that the plan intends to allow for commercial use opportunities in all neighborhoods and that there is anticipation that these opportunities would include mixed-use buildings. Councilor Carlino asks about the designations of neighborhoods and the concern of perpetuating class or racial segregation in these designations. Eran Pehan speaks to a specific designation change in the Rattlesnake as well as the constraints in other neighborhoods that contributed to designation decision, including block patterns and environmental factors. Councilor Carlino asks about the designation of private lands as "civic" and how that would impact development. Benjamin Brewer answers that the civic place type includes both private and public ownership and that this place type is contextual and would apply to a variety of anticipated uses.

Councilor Melson commends staff for their work on the Land Use Plan. He asks about the descriptions on the Built Form page of the document, page 67, expanding that the language in these descriptions may create ambiguity for potential builders. Benjamin Brewer shares a page of the plan and elaborates on how zoning impact residential developments. See recording for details. Eran Pehan elaborates on the relationship between place types and zoning regulations.

Councilor Jordan asks for further clarification on the Lewis and Clark neighborhood designation and the decisions made leading to this categorization. Eran Pehan explains the relationship between block patterns and the place type designations, including the costly impact of developing areas without existing infrastructure. Councilor Jordan asks about how development may impact equality in Missoula. Eran expands on the potential changes for limited urban residential neighborhoods. Councilor Jordan asks about parcel sizes. Benjamin Brewer directs attention to the introduction on page 62 defining parcel sizes in the plan. He expands that some place type descriptions are intended to be aspirational and a reference point for future development of standards of code.

Lizzie speaks on behalf of Common Good Missoula. She commends the staff for their work on the Land Use Plan and details her support due to the prioritization of environmental protection, commitment to work with local indigenous peoples, and a dedication to address housing in Missoula. She also voices her support of proposed amendments regarding greenways.

Chris Young-Greer, speaking for Common Good Missoula, congratulates staff for their work and expresses her personal support for the plan due to the ability for Missoulians to

contribute to their community in the future. She acknowledges the impact of the plan on the aging population of Missoula. She also voices her support for proposed amendments.

Baron Pepper again congratulates staff for their work and community outreach. He voices concern over compatibility language preventing the implementation of housing and expresses interest in how that language will develop in the code.

Dave Harmon expresses that the Land Use Plan addresses housing and climate appropriately. He advises that the group he works with, 350 Montana looks forward to working together on the clean goals for the city.

Russell [unintelligible] is present with Common Good Missoula. He thanks staff for their work and expresses his personal support of the plan, detailing his experience in finding a home in Missoula. He also voices support for proposed amendments.

Kristen Newman comments on parking and discusses the equitability of parking for both disabled and elderly people.

Theresa Martinozki speaks on behalf of Common Good Missoula, thanking staff for their efforts on this plan. She speaks to her personal support of the plan due to the sense of community involved in the foresight of the plan. She expresses hope that active action will continue in developing housing for fixed income Missoulians as well. She also expresses support for proposed amendments.

Adam Cook expresses his opinion on the strategy of fire mitigation and the impact on affordability within the Rattlesnake valley. He also advocates for developing more ambitious definitions for limited urban place types. He speaks to entertaining residential use development in industrial areas where it is not prohibited by safety issues.

Karl Spitzmacher speaks to the monetary investments to maintain a large development plan. He inquires about where the funds will come from.

John Wilberton speaks to legalizing housing by working towards compact development and the benefits of doing so, including open space conservation, climate change awareness, and the welcoming nature of neighborhoods. He also discusses the concerns of the compatibility language and language that may preclude future discussions about parking.

Carrie Schreiber speaks to the call for 5 to 8 story buildings and the impact on views, water table capacity, and parking. She also appreciates support for neighborhood greenways.

Brett [unintelligible] expresses his excitement for future development as well as personal experience watching people unable to maintain housing in Missoula.

Jenna Richter expresses commendations for staff and excitement for future engagement, including making the plan's language more digestible and accessible in future engagement opportunities. She discusses statistics for future growth and how increases in house prices impact houselessness rates. She encourages prioritizing connected communities in addition to housing supply.

Dr. Alan Noonan speaks as a member of Common Good Missoula, expressing gratitude for public outreach. He expresses his personal support regarding a future for accessibility for his daughter. He also expresses support for the proposed amendments previously addressed.

Jim Sayer discusses his personal experience with his children's future in Missoula housing. He addresses parking requirements in the plan, discussing the impact of changing parking requirements in other U.S. cities.

Lisa Davey with Common Good Missoula also thanks staff for their work on outreach. She also expresses support for the proposed amendments. She expresses support for current parking requirements detailed in the plan, discussing zoning requirements in other cities and how that differs from Missoula.

Jocelyn Brown speaks to her concerns that areas of the plan may have room for manipulation in the future, including discrepancies for outer neighborhoods in Missoula. She discusses how developing certain areas for exclusively housing may impact residents' ability to work and live in the same neighborhoods.

JW Troll speaks to his support of the Land Use Plan due to its consideration of the scale of current issues that need prioritized in Missoula. He also discusses parking and how mandated parking could impact the cost to the community.

Carissa Trujillo thanks staff for their efforts. She expresses the value of creating a safe and welcoming community.

A public commenter discusses his experience as a homeowner and his desire to bring more neighbors into parcels with limitations.

Matts Larson speaks to the ambitious nature of the plan and details his concerns with the plan, including infill development, potential for overburdening infrastructure, and the cost of expanding into outlying areas. He also expresses that funding mechanisms do not feel clearly detailed. He expresses concerns about affordability of future housing as well as environmental protections for Missoula's lands.

Stephanie expresses gratitude for the inclusion of East Missoula's meeting on Tuesday. She expresses a concern about mixed-use designations in East Missoula, including a desire for more than just housing in the neighborhood.

Heather McMillan thanks staff for their work. She expresses that growth is inevitable, but that we have control over how that growth happens. She discusses the relationship between building codes and neighborhood densities and the potential to address the needs of Missoula.

Max Wolf discusses the Old Post Hospital in Fort Missoula and the designation of the property in zoning. He discusses how a rezoning to mixed-use would allow redevelopment to meet the neighborhood's needs.

Danny echoes previous comments in support of plan, including that this gives control over inevitable future growth to Missoulians. He also discusses parking regulations and potential changes to those listed on page 58 of the plan.

Mayor Davis thanks the public for their participation and encourages the continuation of the communication.

Councilor Campbell asks about the amendment suggested for the neighborhood greenway section. Benjamin Brewer speaks to the omission of certain language from page 101, so as not to preclude certain places. Lisa Davey speaks to the concern that language may have been limiting to ways neighborhood greenways were developed in various areas. See recording for details.

Councilor Jordan asks about how zoning types impact landowners. Eran Pehan expands on how place types impact development and that future expansion in code will take more context into consideration.

Councilor Nugent makes the recommended motion and moves to return to committee without objection. No objection.

Item will return to committee on December 11.

- 6. **NEW BUSINESS**
- 7. **PUBLIC COMMENTS FOR ITEMS ON THE AGENDA**
- 8. **CONSENT AGENDA**

No comment on consent agenda.

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

Vote result: Approved (12 to 0)

8.1 Accounts Payable (claims) for checks dated December 10, 2024

Approve accounts payable (claims) for checks dated December 10, 2024, in the amount of \$1,381,565.51.

Vote result: Approved

8.2 Reappointments to the Impact Fee Advisory Committee

Confirm the Mayor's reappointment of John Freer to the Impact Fee Advisory Committee as a regular member for a new term beginning December 1, 2024 and expiring November 30, 2028.

Vote result: Approved

Confirm the Mayor's reappointment of Hank Trotter to the Impact Fee Advisory Committee as a regular member for a new term beginning December 1, 2024 and expiring November 30, 2028.

Vote result: Approved

Confirm the Mayor's reappointment of Nick Kaufman to the Impact Fee Advisory Committee as a Development Community Representative for a new term beginning December 1, 2024 and expiring November 30, 2028.

Vote result: Approved

8.3 Reappointment to the Missoula Civic Television Advisory Committee

Reappoint Jennipha-Lauren Nielsen to the Missoula Civic Television Advisory Committee as a regular member for a term beginning January 1, 2025 and ending December 31, 2028.

Vote result: Approved

8.4 Agreement with Arts Missoula for Citywide Arts Support

Approve the Memorandum of Agreement with Arts Missoula for Support of Citywide Arts and Culture programs and efforts and authorize the Mayor to Sign

Vote result: Approved

8.5 Open Space/Parklands Donation West End Farms

Approve the donation Agreement and accept the gift of 16.14 acres of open space/parklands from developer of the West End Farms Subdivision and authorize the Mayor to sign.

Vote result: Approved

8.6 Bid Award to Western Municipal Construction for the RAS Valve replacement project

Approve and authorize the Mayor award the bid for the RAS valve replacement project to Western Municipal Construction at a cost not to exceed \$1,126,800.

Vote result: Approved

9. REGULAR BUSINESS

9.1 Committee Reports

9.1.1 Budget and Finance (BF) committee report

9.1.1.1 Minutes from December 4, 2024

9.1.2 Climate, Conservation and Parks (CCP) committee report

9.1.2.1 Minutes from December 4, 2024

9.1.3 Committee of the Whole (COW) committee report

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

9.1.5 Land Use and Planning (LUP) committee report

9.1.5.1 Minutes from December 4, 2024

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

9.1.7 Public Works and Mobility (PWM) committee report

9.1.7.1 Minutes from December 4, 2024

9.1.7.2 Right-of-way improvements Project 22-028: Eaton Street Phase II – South 13th Street West to West Sussex Avenue

Mayor Davis speaks to a recommendation to pause the Eaton Street development. She talks about upcoming rewrites of development codes that would impact this item.

Councilor Becerra explains the do not pass motion.

Councilor Jordan comments that she would like to see development of a single sidewalk for all streets before a focus on both sides in other neighborhoods.

The do not pass recommendation does not pass; the item is authorized to move forward.

Discussion is held regarding the do not pass vote, votes may have changed in error.

Mayor Davis reads Rule #19. Councilor Sherrill requests to take a motion to reconsider. See video for further detail.

Motion to reconsider passes. Recommended Do Not Pass returns to the floor.

Councilor Becerra makes the recommended Do Not Pass motion.

Councilor Nugent comments on the flexibility of council in rectifying the error.

Councilor Anderson comments that she will not change her vote. She is empathetic to the neighbors but requests steps to continue to be made in developing infrastructure for the community.

Councilor Jordan reiterates that she would like to emphasize creating infrastructure with singular sidewalks before developing two sides of a street. She also comments that the passing of the ordinance was good.

Councilor Jones comments on the payment options and the necessity of future conversation.

Councilor Vasecka clarifies that the public hearing motion passed, not the ordinance change itself.

The Do Not Pass motion passes.

Moved by: Alderperson Becerra

Recommend Do Not Pass: Approve and authorize the Mayor to sign the Resolution to order right-of-way improvements Project 22-028: Eaton St Phase II- S 13th St W to W Sussex Ave

AYES: (5): Alderperson Carlino, Alderperson Jordan, Alderperson Nugent, Alderperson Savage, and Alderperson Vasecka

NAYS: (7): Alderperson Anderson, Alderperson Becerra, Alderperson Campbell, Alderperson Farmer, Alderperson Jones, Alderperson Melson, and Alderperson Sherrill

Vote result: Failed (5 to 7)

Moved by: Alderperson Sherrill

Motion to reconsider the vote on the original Do Not Pass motion.

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

Vote result: Approved (12 to 0)

Moved by: Alderperson Becerra

Motion reconsidering the original Do Not Pass motion.

AYES: (7): Alderperson Campbell, Alderperson Carlino, Alderperson Jordan, Alderperson Melson, Alderperson Nugent, Alderperson Savage, and Alderperson Vasecka

NAYS: (5): Alderperson Anderson, Alderperson Becerra, Alderperson Farmer, Alderperson Jones, and Alderperson Sherrill

Vote result: Approved (7 to 5)

9.1.7.3 Ordinances amending Missoula Municipal Code Titles 3 and 12, for multiple code amendments related to the Public Works & Mobility Department

Mayor Davis speaks to how passing this ordinance would impact two projects that are not yet bonded and how doing so would benefit Missoulians.

Councilor Becerra makes the recommended motion.

Councilor Carlino comments that the last item deserved further discussion for affected citizens. He speaks to the impact of charging individual homeowners to develop sidewalks.

Councilor Vasecka also requests to hear from those who changed their vote on the previous item.

Councilor Sherrill also wants to further discuss changed votes on the previous item, as it may be a difficult situation for affected citizens.

Councilors return to previous item, 9.1.g.b. See recording for further detail.

Councilor Becerra advises the motion for this item remains on the floor. Vote taken prior to returning to item 9.1.g.b.

Moved by: Alderperson Becerra

Set a public hearing on January 6, 2025, and preliminarily approve ordinances amending Missoula Municipal Code Title 3 entitled "Revenue and Finance," Title 12 entitled "Streets, Sidewalks and Public Places," to update the sidewalk deferral program eligibility requirements to be effective on February 5, 2025.

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

Vote result: Approved (12 to 0)

9.2 Informational Reports

10. PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comment.

11. COMMUNICATIONS FROM THE MAYOR

Mayor Davis acknowledges the holiday season and reminds citizens to take care of one another. She thanks the Downtown Missoula Partnership for the success of the Holidays on Higgins last weekend. She also thanks Missoula Fire for their contribution of the ladder truck for the event.

12. GENERAL COMMENTS OF CITY COUNCIL MEMBERS

Councilor Melson provides a quick apology for the error in vote.

Councilor Campbell seconds the apology for the vote error.

13. ADJOURNMENT

The meeting adjourned at 9:32 p.m.

Claire Trimble, CMC, Legislative Service
Director/City Clerk

Andrea Davis, Mayor

DRAFT