

City of Missoula
Moose Can Gully and South 39th Joint Neighborhood Council Leadership Team Meeting
September 23, 2019 6:00 PM
Hal Fraser Conference Room, 140 W Pine Street, Missoula

MCG Present: Janet Van Dyke, Carol Garlington, Betsy Weber, John Nugent

MCG Absent: None (Jennifer Stephens has resigned from the MCG Team)

South 39th Present: Jeff Stevens, Paul Kilzer, Dave Bell

South 39th Absent: Ruth Burke, David Touchette, Rosemary Hubbard

City Staff Present: Karen Gasvoda, Office of Neighborhoods Program Assistant

Call to Order: The meeting was called to order at 6:01 PM by Jeff Stevens, South 39th Neighborhood Council Leadership Team Chair.

1. Approval of July 22, 2019 meeting minutes Paul Kilzer moved to accept the minutes with minor formatting changes. Second by Carol Garlington; minutes approved with formatting changes.
2. Neighborhood Council – Purpose, Definitions, Authority, Duties, Leadership Team, Meetings Boundaries, Responsibilities of the City, Implementation. [Missoula Municipal Code Chapter 1.18](#) - Paul Kilzer
Paul asked to revisit Municipal Code language to clarify our role in effectively advocating for neighborhood concerns. The group recalled being told by Jesse Ramos, Ward 5, at the June 26 Joint Neighborhood General Meeting that the best way to have neighborhood concerns heard is to appear as a group at a City Council meeting. John Nugent noted that neighborhood councils in other cities do more advising rather than simply reporting. [Missoula Municipal Code Chapter 1.18](#) was viewed by the group with the following excerpts noted:
 - **1.18.030 Authority**
A) "Each Neighborhood Council and the Community Forum may advise the City government on neighborhood and citywide issues."
 - **1.18.040 Duties**
A) "Each Neighborhood Council and the Community Forum shall advise the City government on neighborhood and citywide issues. Each Neighborhood Council or the Community Forum shall determine the issues on which advice will be given. Those members of a Neighborhood Council or the Community Forum who disagree with advice to be given to the City government shall have a reasonable opportunity to produce a minority report. If such a minority report is produced, it shall accompany the advice submitted to the City government."
B) "The Community Forum shall be a venue for Neighborhood Councils to share skills and information. The Community Forum shall be a place for neighborhoods to discuss neighborhood issues with multi-district or citywide implications, and shall be a place where neighborhoods may seek community-wide support for projects and goals. The Community Forum shall observe the operation of the Neighborhood Councils system

and make recommendations for changes to Neighborhood Councils, City officials, and the City Council.”

Discussion followed regarding how to have more impact when communicating neighborhood concerns. Neighbors currently participate on project planning committees. Other actions that can be effective are sending letters or petitions. **Members agreed that our Leadership Teams need to take a formal stance on issues and be more assertive bringing these to Community Forum, requesting specific action as applicable.**

3. Cold Springs School Property –Paul Kilzer

As a homeowner who lives near Cold Springs School and as a member of the South 39th Street Neighborhood Council Leadership Team, Paul Kilzer gave the following report:

“Cold Springs Elementary School on Briggs Street has been vacant since November 2018, when the newly constructed Jeannette Rankin Elementary School opened. Missoulian articles on this topic include: [Teachers Prepare for first day at Jeannette Rankin Elementary School](#) – November 1, 2018 [School district looks to lease Cold Springs property for day care](#) – September 1, 2019

“At the Missoula County Public Schools Board of Trustees Meeting on September 10, 2019, Pat McHugh, MCPS Executive Director of Business and Operations provided background information and a draft of a proposed lease agreement, which he discussed. The lease agreement between MCPS (“Lessor”) and Missoula Early Learning Center, Corp. (“Lessee”) has a 10-year term commencing 10/1/2019 with provisions for renewal. The agreement provides for use of the southwest portion of the school and the gymnasium (~38,302 square feet; 75% of the school’s usable space) and playground areas. The Missoula Early Learning Center (MELC) anticipates investing \$800,000 to \$1 million in improvements. After a 60-day due diligence period with rent of \$1,000 per month, the monthly rent will be \$9,575 (~\$3 per square foot per year), with terms for annual increases and late charges. MELC will also be responsible for utilities, maintenance, landscaping and snow plowing, and security system maintenance. MELC is required to maintain property insurance, Workers’ Compensation Insurance, and Commercial General Liability Insurance. The lease agreement defines acceptable uses of the property (licensed child care facility; other uses must be approved in writing by MCPS; public use of the playground areas A and B except for area A when it is being used for child care related activities; use as an official polling place for government elections); and it defines prohibited uses. The agreement also has requirements for assignment and subleasing.

“During the MCPS meeting Public Comment period, one South 39th Street Neighborhood resident who has lived adjacent to Cold Springs Elementary school for ~25 years lamented problems with this vacant property (e.g. drug abuse prompting calls to Missoula Police Department) and voiced enthusiastic support for the proposed Cold Springs School property lease to Missoula Early Learning Center as a child care facility. No opposition to the proposed lease was voiced at the September 10 meeting. It is anticipated that the lease agreement will be presented to the MCPS Board for approval at the September 24, 2019 meeting.”

Joint Leadership Team members voiced appreciation for Paul Kilzer’s report of plan details. There was no further discussion. **No action; information item**

4. Hillview Crossing Update – Jeff Stevens

Jeff Stevens, who sits on the Land Use and Planning Committee, reported new events occurring with the proposed development on Hillview Way. Developers have threatened legal action over delays in project approval. The current delay involves a request by the planning committee for updated reports on soil stability and drainage which the developers have refused to provide. Developers have requested project approval in advance of detail resolution, saying if standards are not met they will not go forward. Mayor Engen has acted to force action by the City Council without the updated reports.

Leadership Team members discussed unresolved issues and were disturbed about the pressure to allow potentially substandard development.

Some of the ongoing issues:

- Developer will not agree to wider streets; 28 foot wide streets are planned. Jeff noted that Wapakiya currently has 30 foot wide streets that can be blocked when wide vehicles are parked.
- An east end switchback trail proposed as not been reviewed for feasibility, due to either a disconnect with Parks & Recreation or a lack of follow-through.
- John Nugent attended the last Land Use and Planning Committee. There, Development Services reported a study of “similar areas” in the city but failed to note issues at The Village at Elk Hills, uphill and near the proposed Hillview Crossing. As President of The Village at Elk Hills HOA, John hears complaints from residents about parking, single exit to Hillview Way and narrow streets, all concerns about Hillview Crossing.
- Residents will be responsible for maintenance of streets, drainage issues, soil stability and other aspects of the new development. Group noted that if the homeowners fail or are unable to address issues the city will be responsible.

Carol moved that Jeff Stevens draft a letter to the Land Use and Planning Committee and city leaders. The letter will communicate our ongoing concerns about the proposals and process to approve Hillside Crossing development. Optimal planning is to be recommended.

Motion was seconded and approved, with Paul Kilzer abstaining.

5. Neighborhood Priorities – Carol Garlington

Carol discussed responses received from the on-line Neighborhood Priorities Questionnaire. Response rate was not high but the survey is still open on-line. Group agreed that we have definitely received more detail about areas of concern. It is hoped that this questionnaire can be used in the future and as a model for other neighborhoods.

Carol proposed that respondents receive email thanks for their submissions, information about what was learned by the questionnaire and about work occurring in the area of their concerns. John Nugent noted that in other cities, Code Compliance was obliged to provide such feedback about complaints.

Members agreed to meet October 28, 6 PM for the following purposes:

- Review questionnaires received through Sept 30, 2019, keeping on-line questionnaire open
- Summarize priorities (by neighborhood) reported on questionnaires
- Update current lists of our respective Neighborhood Priorities.

- **Formulate language and create process to reply to questionnaire respondents about their specific concerns. Language to be approved by Office of Neighborhoods.**
- **Karen Gasvoda will provide FAQs recently created by the University Neighborhood (similar effort) for reference.**

6. Large Grant Application - Paul Kilzer

Paul reported that at least seven Missoula Neighborhoods have listed urban deer among their priorities (see [City-wide neighborhood priorities](#)), and he cited two Missoulian articles:

[Urban Deer: Cute but a growing nuisance in Missoula](#) - Missoulian May 19, 2014, Keila Szpaller

[Missoula City Council sets sights on urban deer](#) - Missoulian September 6, 2017, Peter Friesen

The [Farviews/Pattee Canyon December 4, 2018 Neighborhood Council General Meeting minutes](#)

provide additional perspective on urban deer in Missoula.

Ruth Burke has contacted Scott Wittenburg (University of MT), Gwen Jones (City Council) and Bryan von Lossberg (City Council) to inquire about joint efforts by the City of Missoula and University of Montana Scientists to study the urban deer issue. Mr. von Lossberg is trying to arrange a meeting.

Recalling our 7/22/2019 Joint NC Leadership Team meeting, where the possibility of a grant request to study problems/options related to urban deer was suggested, Paul mentioned the Neighborhood Project Funds (NPF) and the 9/16/2019 NPF grant pre-application workshop, which he attended. The possibility of an NPF grant request was discussed, with a goal of collaboration between the City of Missoula and University of Montana wildlife biology scientists in studying urban deer. It was acknowledged that such a study, while informative, may fail to yield actionable results.

Paul Kilzer moved that a Neighborhood Project Funds grant application be drafted, if feasible (prior to the 10/29/2019 deadline), to pursue a scientific study of urban deer in Missoula, and that we seek collaboration with other neighborhoods with similar concerns (e.g. Farviews/Pattee Canyon...). And, he asked that others on our Leadership Teams who are interested, join in writing this grant application. Second by John Nugent, followed by unanimous approval.

7. Community Forum Update – Carol Garlington

Carol reported that two Community Forum meetings have occurred since our last meeting.

- July meeting – Four reports were given by neighborhood groups about their grant projects describing design and process. Projects included 44 Ranch playground, Bancroft Trail, Van Buren Mural, Sawmill Housing. In addition, smaller grant proposals were presented.
- August 22, 2019 meeting—Guy Baker gave a report on Sex/Human Trafficking in Montana, interrelated with issues of runaways, guns and weapons.

8. Office of Neighborhoods Report – Karen Gasvoda

Karen reported that large grant (to \$6000) applications deadline is October 29, 2019.

She noted that public forums are ongoing for City Council candidates.

9. Public Comment on Non-agenda Items (No comments offered)

10. Announcements - none

11. Adjourn 7:40 PM by Jeff Stevens.

Minutes by Betsy Weber, Secretary