

Downtown Business Improvement District of Missoula
Board of Trustees Meeting
Tuesday, Dec. 20, 2016 at the DMP Office

Present: Ellen Buchanan, Dan Cederberg, Kirk Bodlovic, Carma Gilligan

Absent: Scott Stearns

Staff: Linda McCarthy, Robert Giblin, Will Greenway

Guests: Ed Gydas, Shelagh Moore

ACTION ITEMS

APPROVAL OF MINUTES: Gilligan moved to approve the minutes, Cederberg seconded the motion, which passed unanimously.

NON-ACTION ITEMS

DEDICATED DOWNTOWN POLICE OFFICER (DDPO): Following round-the-table introductions, Officer More reported that she has been patrolling Downtown, meeting business owners, leaving her contact information, and patrolling hot spots such as the Florence building, the Missoula Public Library and the Mountain Line Transfer Center. While there has not been a recent dispatch to Missoula Fresh Market, ALPS has hired private security to staff the Florence building early in the morning until 10 am. Cederberg suggested Officer More should meet with David Bell, as well as Craig Holtet and Ron Ramsbacher. Activity from the weekends and Friday nights is busy, but Officer More isn't seeing a lot of activity this time of year, although there was some garbage near Charlie B's last weekend that has already been addressed. More will work mostly days and will look to work 9 am-7 pm next month to cover the transition of employees towards the end of the day. She will typically work Tuesday through Friday. Gydas reported that Officer More will have the ability to adjust her schedule as needed, as long as she informs Gydas. More prefers to be contacted via email. Gydas reminded the group that all requests for police should be directed to 911. Cederberg shared with the group what work was done this year with Animal Control and the police chief in the area of dog licensing and proof of rabies vaccinations. The opportunity to impound dogs, where necessary, may be helpful during the summer season. More wants to ensure quality communications, so good details up front are helpful. Officer More will work with the CSS patrol. Please report anything that is new or different. Officer More will email her schedule to Linda McCarthy on a regular basis. When Officer More is gone, the department will assign an alternate to the Downtown patrol.

Cederberg reported he learned recently that the Salvation Army has a travel and treatment program with a budget, and he suggested city police connect with leadership there to learn more and to provide the referrals when appropriate. Their treatment program is located in Denver and Seattle. Joshua and Noreen Hamilton are the Captains at the Salvation Army. Officer More reported that the Homeless Outreach Team has been out and about in Downtown.

Gydas suggested if there was interest among the Downtown business owners, there may be an opportunity to engage with training for bomb threats, identifying suspicious devices, and potentially response to an active shooter. The Bomb Team is happy to do training for the public.

Folks in crisis with mental illness can cause chaos. More suggested good observation, record-keeping and to call 911. Officer More will seek backup when needed. Safety is vitally important to a vibrant Downtown, and you never know what you will experience with those who have mental illness.

UPDATE ON LAWSUITS: Cederberg gave an update on the lawsuit brought forth by Midnite Development. Mediation last month led to a settlement of the suit, which is to remain confidential. The insurance carrier for the BID paid into settlement. The nuisance value contribution from the BID is in the \$5,000-\$15,000 range, and four other parties likely paid into the settlement. The plaintiff wanted confidentiality. This lawsuit is done with one exception: there is the potential for one defendant to go after another. What has been proposed is a mutual release among the parties, agreeing we won't sue each other. Cederberg read the Mutual Release to the board. Gilligan wondered if the other defendants were also planning to sign the document. Buchanan noted the other parties were in agreement. It's possible the BID insurance rates may be impacted, but Cederberg felt the contribution was small and hopefully wouldn't. Giblin noted the BID is paying about \$3,900 per year for general liability. Cederberg moved to approve the mutual release of the other defendant in the Midnite Development lawsuit and authorize Tim France to sign the agreement on behalf of the BID. Beaton seconded the motion, which passed unanimously.

Briefs and motions are being filed in the Missoula Mercantile lawsuit. Judge Deschamps wanted to rule by the end of November, but it has not happened yet. There is an expectation that Preserve Historic Missoula will appeal to the Montana Supreme Court if necessary. At that point, they may be required to post a bond. There are definitive damages on this judgement, as well as the previously mentioned suit. The prosecuting attorney has tried to withdraw from the case, but the judge won't allow it. It doesn't appear the suit will be settled before the end of the year.

RATEPAYER COMMUNICATIONS: France suggested we remove the phone number from the cover letter going out with the calendars.

The meeting adjourned at 4:05 pm.