

NOTE: THERE WILL BE A PUBLIC WORKS MEETING AT 6:45 PM PRIOR TO THE CITY COUNCIL MEETING.

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
AUGUST 3, 2009, 7:00 P.M.

A. CALL TO ORDER AND ROLL CALL—**The Mayor, Dave Strohmaier, Dick Haines, & and Marilyn Marler were absent. All other council members were present.**

B. APPROVAL OF THE MINUTES

July 27, 2009 —the minutes were approved as corrected.

C. SCHEDULE OF COMMITTEE MEETINGS

D. PUBLIC COMMENTS

E. CONSENT AGENDA

(Items on the consent agenda were approved in City Council committees by a unanimous vote. We save time at Council meetings by voting on these items as a package. The City Clerk will read the list aloud, so citizens watching on MCAT will know what is on the consent agenda. We'll invite community comment on these items before we vote.)

Approved unanimously.

1. Approve claims totaling \$ 1,009,688.65. (Detailed Claims) (Chart of Accounts) (A&F) (08/04/09)
2. Resolution—Adopt a resolution levying a special assessment and tax upon property for annual weed assessments to reimburse the city for hazardous vegetation and nuisance weed cut orders performed in 2008 in the total amount of \$1905.00 pursuant to section 7-22-4101 Montana Code Annotated and section 8.40.040 Missoula Municipal Code. (A&F)
3. Approve and authorize the Mayor to sign a contract with Brugh Landscaping, LLC. for construction of city project #PR09-06-WP, White Pine Park landscape and irrigation in the amount of \$53,650.28 and authorize the return of bid bonds. (Cons)
4. Award the bid for Project 09-036, Missoula Police Department meeting room remodel to Sirius Construction, for the base bid amount of \$54,009 and 5% contingency of \$2,700, bid alternate #3 for a deduct amount of (\$3,040), bid alternate #4 in the amount of \$606 for the total contract award of \$54,275 and authorize return of bid bonds. (PS&H)

F. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM

G. SPECIAL PRESENTATIONS

H. PUBLIC HEARINGS

(State law and City Council rules set guidelines for inviting community comment in a formal way on certain issues. Following a staff report on each item, the City Council and the Mayor invite community comment. The City Council normally votes on the same night as the public hearing unless one Council member requests that it be returned to a City Council committee for further consideration.)

- Public hearing on an ordinance amending Missoula Municipal Code Title 10 entitled "Vehicles And Traffic" by amending Chapter 156 entitled "Traffic Control Devices" by adopting a new section, Section 10.4615.130 entitled "Vehicles to Yield to Urban Transportation System Buses Utilizing a Flashing Yield Sign on Back of Bus". (memo) (PW) **This public hearing is held open until next week.**

- Public hearing on a [resolution](#) levying annual assessments for Street Maintenance District #1 which is generally located in the downtown area. ([memo](#)) ([A&F](#)) **Approved unanimously.**
- Public hearing on a [resolution](#) levying a special assessment and tax on the lots, pieces and parcels of land situated within Russell Park West Park Maintenance District #428 and Willowood Park Maintenance District #523 of the City of Missoula, Montana, for the purpose of defraying the cost of park maintenance in these districts during the fiscal year 2010. ([memo](#)) ([A&F](#)) **Approved unanimously.**
- Public hearing on a resolution fixing the annual appropriations for the City of Missoula as set forth in the fiscal year 2010 budget, Capital Improvement Program, Downtown Business Improvement District work plan and budget. ([memo](#)) ([A&F](#)) **This public hearing will be held open until the budget is approved.**

(Note: The Mayor and City Council welcome citizen comment on the budget as they deliberate throughout the summer. This public hearing will be listed on every council agenda until the budget is passed. To view the latest changes to the memo linked above, you may need to click "refresh" on your browser.)

I. COMMUNICATIONS FROM THE MAYOR

J. GENERAL COMMENTS OF CITY COUNCIL MEMBERS

K. COMMITTEE REPORTS

(Items listed under Committee Reports were not approved unanimously in City Council committees. The chairperson of the standing City Council committee will make a motion reflecting the committee's actions. We invite community comment on each item.)

Administration and Finance Committee

[07/29/09](#)

- Set a public hearing August 24, 2009 on a [resolution](#) of the Missoula City Council levying and assessing a special assessment and tax on the lots, pieces and parcels of land situated within special lighting districts of the city of Missoula, Montana, to defray the cost of street lighting in special lighting districts during the fiscal year 2010 in accordance with sections 7-12-4301 through 4354, Montana Code Annotated. **Approved unanimously.**

Committee of the Whole

[07/29/09 Joint meeting with BCC](#)

Conservation Committee

[07/29/09](#)

Plat, Annexation and Zoning Committee

[07/29/09 Morning](#)

[07/29/09 Afternoon](#)

Public Safety and Health Committee

[07/29/09](#)

Public Works Committee

[07/29/09](#)

- [Resolution](#)—Adopt a resolution revising resolutions 4100, 4128, 4526, 4578, 5422, 6570, 6755 and 7411 amending the city's policy for review and approval of requests for sewer service to property outside the corporate limits with council granted exceptions under specific circumstances on a case-by-case basis. **Approved unanimously.**

08/03/09

- Grant a temporary exception to the requirement for executing sewer service contracts by individual property owners as allowed under Section 1(F)(8)(b) of a resolution revising

resolution 7411 amending the city's policy for review and approval of requests for sewer service to property outside the corporate limits with council granted exceptions under specific circumstances on a case-by-case basis for the Williams addition and the five (5) additional parcels connected to the Williams addition sewer system. **Approved unanimously.**

L. NEW BUSINESS

M. ITEMS TO BE REFERRED

(Items listed here have been proposed by Council members, staff, or the Mayor for consideration in City Council committees. Committee chairs are responsible for scheduling consideration of these items in their respective committee meetings. These items are listed on our agenda for information only. They will not be considered at this meeting. For further information about any item, contact the person listed in parenthesis.)

To Conservation Committee:

- Appoint one member to the Missoula Conservation District Urban Supervisors for the term July 19, 2009 through July 18, 2012 ([memo](#)).—Regular Agenda (Kelly Elam)
- Resolution authorizing the Mayor to sign for and utilize \$380,000 of Montana House Bill 645 Grant Funds for City Project No. 2009-045a “Playground Installations.” ([memo](#)).—Regular Agenda (Donna Gaukler)
- Resolution authorizing the Mayor to sign for and utilize \$20,000 of Montana House Bill 645 Grant Funds for City Project No. 2009-045b “Greenough Park Bridge Installation and Bank Stabilization” ([memo](#)).—Regular Agenda (Donna Gaukler)
- Resolution authorizing the Mayor to sign for and utilize \$190,000 of Montana House Bill Grant Funds for City Project No. 2009-043 “Brooks Street Curb and Sidewalk Upgrades” ([memo](#)).—Regular Agenda (Doug Harby)
- Resolution authorizing the Mayor to sign for and utilize \$237,000 of Montana House Bill 645 Grant Funds for City Project No. 2009-044 “Curb Ramp Upgrades” ([memo](#)).—Regular Agenda (Doug Harby)
- Resolution authorizing the Mayor to sign for and utilize \$240,000 of Montana House Bill 645 Grant Funds for City Project No. 2009-042 “North Higgins Paving” ([memo](#)).—Regular Agenda (Doug Harby)
- **Grant a public sanitary sewer easement for SID 544 – Rattlesnake Sewer Project in Hamilton Park. ([memo](#))** – Regular Agenda (Jason Wiener)

To Plat, Annexation and Zoning Committee

- Review Bernadine Gantert's membership on the Historic Preservation Commission to appoint her from the "at large" position to the "Northside/Westside neighborhood representative" for a term commencing immediately and ending December 31, 2011 ([memo](#)).—Regular Agenda (Kelly Elam)

To Public Safety and Health Committee

- Presentation on drug disposal event ([memo](#)).—Regular Agenda (Renee Mitchell)

To Public Works Committee

- Authorize the Mayor to sign a contract with HDR, Inc. for engineering design and construction services for the Reserve Street sewer main replacement project for an amount not to exceed \$36,000 ([memo](#)).—Regular Agenda (Kevin Slovarp)
- Review bids for SID-545 Philips Street traffic calming improvement project, award bid to lowest responsible bidder and authorize return of bid bonds ([memo](#)).—Regular Agenda (Monte Sipe)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 8:01 p.m.

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. Please call 552-6080 or write to Martha Rehbein, 435 Ryman Street, Missoula, Montana 59802, to make your request known.