

NOTE: THERE WILL BE A PAZ COMMITTEE MEETING AT 6:00 PM BEFORE THE COUNCIL

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
FEBRUARY 23, 2009, 7:00 P.M.

A. CALL TO ORDER AND ROLL CALL—**All Council members and the Mayor were present.**

B. APPROVAL OF THE MINUTES

- February 9, 2009—**approved as submitted.**

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 \$ 392,667.75. (Detailed Claims) (Chart of Accounts) (A&F) (02/17/09)
2. Approve claims totaling \$ 262,750.89. (Detailed Claims) (Chart of Accounts) (A&F) (02/24/09)
3. Approve the purchase of one (1) new Ford Crown Victoria patrol car from Bison Ford of Great Falls, Montana for \$25,545.58 under the cooperative purchasing agreement with the State of Montana. (PW)

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.)

- **Annexation, Zoning, Rezoning and Subdivision –Chickasaw Place**

Public hearing on a resolution to annex and zone property known as Chickasaw Place located along South Seventh Street West, approximately 1/4 miles west of Tower Street. The property is currently zoned C-RR1 (Residential) in the County and upon annexation, is proposed to be zoned RLD-2 (Residential, 2 du/acre) in the City. The City Council will consider an ordinance rezoning the property from RLD-2 (Residential, 2 du/acre) to RLD-4 (Residential, 4 du/acre). The City Council will also consider a proposed 9.36 acre subdivision creating 30 single dwelling lots, for a residential density of 3.2 dwelling units per acre. The property is legally described as Lots 53 & 54 of Dinsmore's Orchard Homes Addition No. 5, located in the Southeast 1/4 of Section 24 of T13N, R19W, P.M.M. (PAZ) (memo) (Annexation Report & Development Agreement) **This item was returned to the Plat, Annexation and Zoning Committee.**

- Public hearing on a resolution declaring certain city-owner conservation lands and park spaces as "Designated Voice Restraint Areas" for dogs and authorize the parks department to intermittently post lands as "Dogs Not Allowed Areas" for human safety or

resource and wildlife protection. ([PS&H](#)) ([Memo](#)) ([Updated Memo 02/20/09](#)) ([Resolution A](#)) ([Resolution B](#)) **Resolution B was approved 7 ayes, 5 nays with Hendrickson, Jaffe, Strohmaier, Walzer and Wiener voting nay.**

I. COMMUNICATIONS FROM THE MAYOR

- [Legislative Report](#)

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

[02/11/09](#)

[02/18/09](#)

Committee of the Whole

[02/11/09](#)

[02/18/09](#)

Plat, Annexation and Zoning Committee

[02/11/09](#)

- Refer the Consolidated Public Review Draft of the Missoula City Zoning Ordinance submitted by Duncan Associates to the Missoula Consolidated Planning Board for its review and recommendation. **—Approved 7 ayes, 5 nays with Haines, Hendrickson, Hellegaard, Mitchell and Wilkins voting nay.**

[02/18/09](#)

02/23/09 will be available at a later date

Public Safety and Health Committee

[02/11/09](#)

[02/18/09](#)

Public Works Committee

[02/11/09](#)

[02/18/09](#)

- Direct staff to complete negotiations to acquire necessary City right-of-way easement as originally anticipated establishing the necessary City easement and fee title land to construct current project on Miller Creek Road. **-- Approved 10 ayes, 2 abstention with Jaffe and Wilkins abstaining.**

Urban Wildlife Subcommittee

[01/23/09](#)

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 Administration and Finance Committee:

- Annual report on the Government Channel Cable Advisory Commission ([memo](#)).—Regular Agenda (Ginny Merriam)

- Amend Missoula Municipal Code 5.84 to change the name of the Government Channel Cable Advisory Commission to the Missoula Civic Television Advisory Commission ([memo](#)).—Regular Agenda (Jason Wiener)
- Amend city council rules to include a new rule clarifying the status of a tabled motion ([memo](#)).—Regular Agenda (Dick Haines)

To Conservation Committee:

- A policy statement for enhanced forest practices ([memo](#)).—Regular Agenda (Marilyn Marler and Ben Schmidt)

To Plat, Annexation and Zoning Committee

- [Petition 9410](#)—Grizzly Real Estate Holdings, LLC: Robert and Tina Jacobs; 7186 Interstate Place, Butler Creek Development park Lot 2; Geocode 232526301120000; Petition for Annexation

To Public Safety and Health Committee

- Discussion of bicycle lane safety and maintenance ([memo](#)).—Regular Agenda (Dave Strohmaier)

To Public Works Committee

- Approve contract to Morrison Maierle Inc. for the design and construction management for the Dickens Street lift station and the pre-design for the East Broadway lift Station for a total of \$63,700.00. ([memo](#))—Regular Agenda (Starr Sullivan)
- Review and approve contract amendment 11 to Morrison Maierle Inc. for the odor characterization study for \$74,400. ([memo](#))—Regular Agenda (Starr Sullivan)
- Approve and authorize the Mayor to sign contractual agreements with vendors submitting lowest bids for provision of construction materials used during annual street division maintenance/construction work ([memo](#)).—Regular Agenda (Brian Hensel)
- Discuss CS Porter school crossing issue and develop approaches to remediate ([memo](#)).—Regular Agenda (Ed Childers)
- [Petition 9411](#)—James and Heidi Gonzales, 4705 Miller Creek Road; Roy and Mary Ann Gray, 4725 Miller Creek Road; Tony and Lauren Gray, 4775 Miller Creek Road; George and Frances Reynolds, 4865 Lower Miller Creek Road; Joseph and Nancy Tredik, 4875 Lower Miller Creek Road; A tract of land located in the East half of Section 1, Township 12 North, Range 20 West, Principal Meridian Montana; More particularly described by tract 4-A of Certificate of Survey No. 4508 and tracts 1 and 2 of Certificate of Survey No. 4295; Petition for Vacating Public Right of Way
- Waive the right-of-way vacation fee for residents' petition to vacate a portion of Lower Miller Creek ([memo](#)).—Regular Agenda (Dick Haines)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 11:37 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.