

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
SEPTEMBER 14, 2009, 7:00 P.M.

A. CALL TO ORDER AND ROLL CALL—The Mayor and all Council members were present except Hendrickson.

B. APPROVAL OF THE MINUTES

- August 24, 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 \$ 497,502.15. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (09/01/09)
2. Approve claims totaling \$ 676,632.86. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (09/15/09)
3. Resolution—Adopt a resolution of the Missoula City Council declaring it to be their intention to create a tourism business improvement district consisting of non-contiguous lands with the City of Missoula for the purpose of aiding tourism, promotion and marketing within the district and set a public hearing on October 5, 2009. ([A&F](#))
4. Increase the number on the Greenhouse Gas Energy Conservation Team from six to eight to provide for alternate members on the team and to clarify the appointment process for members. ([Cons](#))
5. Appoint Ross Keogh to the Greenhouse Gas Energy Conservation team, Industry Sector for a term commencing August 1, 2009 and ending July 31, 2012. ([Cons](#))
6. Reappoint Brian Kerns to the Greenhouse Gas Energy Conservation team, Institution Sector for a term commencing August 1, 2009 and ending July 31, 2012. ([Cons](#))
7. Appoint John Freer to the Greenhouse Gas Energy Conservation team, Commercial/Business Sector for a term commencing August 1, 2009 and ending July 31, 2012. ([Cons](#))
8. Appoint Angelique Arachy to the Greenhouse Gas Energy Conservation team, as Alternate 1 for a term commencing August 1, 2009 and ending July 31, 2012. ([Cons](#))
9. Approve and authorize the Mayor to sign a contract with Full Moon Trails, Inc, of Bonner, Montana in the amount of \$14,900 for the Tonkin trail project. ([Cons](#))
10. Resolution—Adopt a resolution of the Missoula City Council approving the Missoula Policy statement for Forest Practices. ([Cons](#))
11. Set a public hearing for October 5, 2009 to consider annexation of property at 5425 Gharrett Street known as Lighthouse Baptist Church. ([PAZ](#))
12. Appoint Ron Johnson to the Knowledge and Interest position on the Design Review Board for a term commencing September 1, 2009 and ending December 31, 2012. ([PAZ](#))
13. Confirm the Mayor's appointment of Tim Harrington and Peter Woods as Police Officers with the Missoula Police Department for the City of Missoula. ([PS&H](#))
14. Approve and authorize the Mayor to enter into a preliminary agreement with the Mountain Water Company in the amount of \$23,200 and \$9,975 for the installation of three fire hydrants in the Frank-to-Fort Area. ([PS&H](#))
15. Confirm the reappointments of Melissa Blunt and Bob Wachtel to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2009 and ending September 15, 2012. ([PW](#))
16. Approve a right-of-way encroachment permit for the Garlington, Lohn, and Robinson (GLR) parking lot located on the 200 block of West Pine Street. ([PW](#))

17. Approve the right-of-way encroachment for Office City, 115 West Broadway. ([PW](#))
18. Set a public hearing for September 28, 2009 to consider an [ordinance](#) amending Missoula Municipal Code Title 10 entitled Vehicles and Traffic, Chapter 22 entitled Stopping, Standing, and Parking for the purpose of +allowing back-in angle parking by amending Section 10.22.110. ([PW](#))

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

G. SPECIAL PRESENTATIONS

- [Habitat for Humanity](#)
- [Montana Food for Montana Kids Day](#)
- [Methuselah's Challenge: Aging in Asia and America](#)

H. PUBLIC HEARINGS—None

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

[08/26/2009](#)

Conservation Committee

[08/26/2009](#)

- Appoint Owen Weber to the Greenhouse Gas Energy Conservation team, as Alternate 2 for a term commencing August 1, 2009 and ending July 31, 2012.—**Approved on a voice vote.**

[09/02/2009](#)

[09/09/2009](#)

Plat, Annexation and Zoning Committee

[08/26/2009](#)

[09/02/2009](#)

[09/09/2009](#)

Public Safety and Health Committee

[08/26/2009](#)

[09/02/2009](#)

[09/09/2009](#)

Public Works Committee

[08/26/2009](#)

[09/09/2009](#)

- Approve and authorize the Mayor to sign a construction contract to award the bid for SID 544- Rattlesnake Neighborhood Sewer Collection System to Safco, Inc. for \$3,630,990.99, contingent upon Department of Environmental Quality approval, and authorize the return of bid bonds. **Approved 10 ayes, 1 abstention with Mitchell abstaining**
- Approve and authorize the Mayor to sign Amendment No. 4 to the City agreement with Morrison-Maierle, Inc. for engineering services on the SID 544 – Rattlesnake Neighborhood Sewer Collection System project. **Approved 10 ayes, 1 abstention with Mitchell abstaining**

Urban Wildlife Subcommittee09/08/2009**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:

- Resolution supporting the placement of a historic marker near the site of the first free speech fight on the corner of Higgins Avenue and West Front Street and supporting placement of a historic monument to the event at a suitable site in Missoula ([memo](#)).—Regular Agenda (Dave Strohmaier)

To Conservation Committee:

- Confirm the reappointments of John Pierce, Barbara Stanley and John Horrell to the Greenough Park Advisory Committee for a term commencing October 1, 2009 and ending September 30, 2013 ([memo](#)).—Regular Agenda (Mayor Engen)
- Consider an ordinance amending Missoula Municipal Code Title 8, entitled "Health and Safety," Chapter 8.28, entitled "Garbage and Rubbish" to provide for special management of garbage in specific areas within the City of Missoula where there is conflict with bears ([memo](#)).—Regular Agenda (Pam Walzer and Urban Wildlife Subcommittee)

To Plat, Annexation and Zoning Committee

- [Petition 9439](#)—Lue and Mary Yang and Tou and Pangcha K. Lee; 1625 and 1525 Cote Lane; Lot 12 of Kona East Phase 1 Geocode #219915305120000; Lot 13 of Kona East Phase 1 Geocode #219915305130000; Petition for Annexation
- Consider a proposal to annex, zone, rezone, subdivide and enter into a development agreement for Clark Fork Terrace Number 1. ([memo](#)).—Regular Agenda (Tim Worley)

To Public Safety and Health Committee

- Remove extraterritorial jurisdiction of the garbage ordinance ([memo](#)).—Regular Agenda (Pam Walzer)
- Consider an ordinance of the Missoula City Council amending Missoula Municipal Code Title 10 entitled Vehicles and Traffic, Chapter 42 entitled Bicycles for the purpose of changing the requirements for complying with traffic control devices and removing conflicting registration requirements by amending Sections 10.42.030 and 10.42.040. ([memo](#)).—Regular Agenda (Pam Walzer)

To Public Works Committee

- Approve an agreement between the City of Missoula and T & T Development, LLP to purchase 62.5 sewer loading units ([memo](#)).—Regular Agenda (Bruce Bender)
- Approve and authorize the Mayor to sign a memorandum of agreement with the Montana Department of Transportation (MDT) to purchase one (1) street flusher truck ([memo](#)).—Regular Agenda (Jack Stucky)
- Review bids for curb and sidewalk improvement project and adopt a resolution to confirm final order of curb and sidewalk improvements in the Stephens/McDonald Ave. Area – Project8-008 ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvements Project 08-008: Stephens/McDonald Ave. Area, award bid to lowest responsible bidder and authorize return of bid bonds ([memo](#)).—Regular Agenda (Doug Harby)

- Review bids for SID-546 Pattee Creek Drive Traffic calming improvement project, award bid to lowest responsible bidder and authorize return of bid bonds ([memo](#)).—Regular Agenda (Doug Harby)
- Purchase of one (1) 2010 Dodge Dakota crew cab pickup from Ronan Dodge of Ronan, Montana for a total of \$20,732 ([memo](#)).—Regular Agenda (Jack Stucky)
- Order right-of-way improvements to 401 and 417 Rollins ([memo](#)).—Regular Agenda (Doug Harby)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

Approved 8:00 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.