

NOTE: THERE WILL BE AN ADMINISTRATION AND FINANCE COMMITTEE MEETING AT 6:45 PM BEFORE THE COUNCIL MEETING.

FORMAL AGENDA  
MISSOULA CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
140 WEST PINE STREET, MISSOULA, MT  
SEPTEMBER 28, 2009, 7:00 P.M.

- A. CALL TO ORDER AND ROLL CALL**—**The Mayor and all City Council members were present.**
- B. APPROVAL OF THE MINUTES**
  - September 21, 2009 will be available at a later date
- 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 Items 1-3 & 5 unanimously. Item 4 was returned to the Public Works Committee.**

  1. Approve [claims](#) totaling \$ 601,847.61. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (08/29/09)
  2. [Resolution](#)—Adopt a 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. ([A&F](#))
  3. Award the purchase of one (1) 2010 Dodge Dakota crew cab pickup from Ronan Dodge of Ronan, Montana for a total of \$20,732 and return all bid bonds. ([PW](#))
  4. Approve and authorize the Mayor to sign an agreement with the Montana Department of Transportation to receive \$49,742 for a Safe Routes to School project at Paxson School. ([PW](#))
  5. Approve a right-of-way encroachment permit for Garlington, Lohn and Robinson (GLR) building located at 138 West Broadway. ([PW](#))
- F. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM**
- G. SPECIAL PRESENTATIONS**
  - [Diva Day](#)
  - [Relationship Violence Awareness Month](#)
  - [Family Day](#)
  - [Gerald Henderson Doty Day](#)
  - [Fight for Free Speech Day](#)
  - Certificate of Appreciation to Mayor John Engen for outstanding service to the community development field and his efforts regarding affordable and work force housing. Presented by Andrea Davis, homeWORD and Jim Morton, Human Resource Council.
- 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, Chapter 22 entitled Stopping, Standing and Parking for the purpose of allowing back-in angle parking by amending Section 10.22.110. ([memo](#)) ([PW](#)) **Approved unanimously.**

**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**

[09/23/09](#)

- Approve and authorize the Mayor to execute an agreement with Wells Fargo Brokerage Services for the Fiscal Year 2009 Master Equipment Lease. **Approved 10 ayes, 2 nays with Hellegaard and Hendrickson voting nay.**

[09/28/09](#)

- Resolution—Adopt a resolution levying the taxes necessary to support the work plan and budget submitted by the Downtown Business Improvement District for fiscal year 2010.—  
**This item was not taken up.**

**Plat, Annexation and Zoning Committee**

[09/23/09](#)

- Clark Fork Terrace #1
  - [Resolution](#)—Adopt a resolution annexing Tract 2 of certificate of survey number 5850, commonly known as proposed Clark Fork Terrace No. 1 Subdivision, zoning the property RLD-1, and incorporating the area into the city of Missoula boundary. (North half of Section 20, Township 13 North, Range 18 West, P.M.M.) **Approved 9 ayes, 3 nays with Marler, Strohmaier and Wilkins voting nay.**
  - The committee forwards the following to the floor without a recommendation:
    - [Ordinance](#)—Adopt an ordinance to rezone property legally described as Tract 2 of certificate of survey 5850, located in the N ½ of section 20, T13N, R18W, P.M.M., from RLD-1 (residential low density district) to RLD-2 (residential low density district). **A motion to adopt the ordinance passed unanimously.**
    - A request to vary from City Subdivision Regulation Article 3-2(15)(D) to permit 10'wide non-motorized access easements based on the findings of fact in the staff report. **A motion to approve the variance passed on a voice vote.**
    - The Clark Fork Terrace No. 1 subdivision along with the findings of fact and conditions listed in the staff report. **The subdivision was approved unanimously with amendments to: the conditions, the findings of fact, and the conclusions of law.**
    - An [annexation development agreement](#) between RGB Development and the City of Missoula the pertaining to the Clark Fork Terrace #1 project. **Approved unanimously.**

**Public Safety and Health Committee**

[09/23/09](#)

**Public Works Committee**

[09/23/09](#)

- **Consent agenda item #4—This item was returned to the Public Works committee.**

- Confirm the appointment of Ryan Sudbury to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2009 and ending September 15, 2012.

**Approved on a voice vote.**

**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:**

- Amend the FY 2009 budget to appropriate expenditures that were not identified in the original budget ([memo](#)).—Regular Agenda (Brentt Ramharter)

**To Conservation Committee:**

- Purchase of conservation easement from Anderson family with 2006 Open Space Bond funds for the Spooner Creek Ranch ([memo](#)).—Regular Agenda (Jackie Corday)

**To Plat, Annexation and Zoning Committee**

- [Petition 9441](#)—Donald L. Pearson and Alta I. Pearson; 5565 Mullan Road; A tract of land located in the Southeast one-quarter (SE 1/4) of the Northwest one-quarter (NW 1/4) of Section 13, Township 13 N, Range 20 W, P.M.M.; Geocode 219913302020000; Petition for Annexation
- Schedule a public hearing for the revised draft historic preservation ordinance, as recommended by the Missoula Consolidated Planning Board ([memo](#)).—Regular Agenda (Philip Maechling)
- Adopt findings of fact and conclusions of law for Sonata rezoning & subdivision, which was approved by City Council on December 17, 2007 ([memo](#)).—Regular Agenda (Janet Rhoades)

**To Public Works Committee**

- A resolution closing and vacating a portion of a 5' public utility easement in Lot 8 and a public non-motorized access easement over and across the entire common area adjacent to Lot 9, all in Hellgate Meadows, Phases 1 and 2 ([memo](#)).—Regular Agenda (Dan Jordan)
- Consider a right-of-way encroachment permit for parking at 420 Nora Street ([memo](#)).—Regular Agenda (Doug Harby)
- Consider a resolution modifying resolution 7375 to change the date of the fuel reduction plan from January 1, 2011 to July 1, 2011 ([memo](#)).—Regular Agenda (Jack Stucky)

**N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS**

**O. ADJOURNMENT**

**The meeting adjourned at 10:13 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.*