

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
OCTOBER 5, 2009, 7:00 P.M.

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

B. APPROVAL OF THE MINUTES

- September 21, 2009—The minutes were approved as submitted.
- September 28, 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 \$276,795.98. (Detailed Claims) (Chart of Accounts) (A&F) (10/06/09)
2. Set a public hearing October 26, 2009 on a resolution to amend the FY09 budget to appropriate expenditures that were previously approved as projects by the City Council but not formally added to the budget. (A&F)
3. 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. (A&F)
4. 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. (Cons)
5. Set a public hearing on October 26, 2009, on an ordinance amending Missoula Municipal Code Title 20, the Missoula City Zoning Ordinance and establishing Chapter 20.30 entitled "Historic Preservation." (PAZ)
6. Confirm the Mayor's appointment of Ahrend Cornelius, Aslan Summerday, Joseph Waggett, Bradley Davis, Jason Chesbro and Ryan Murer as firefighters for the city of Missoula. (PS&H)
7. Resolution—Adopt a resolution closing and vacating a portion of a 5 foot public utility easement (Lot 8) and public non-motorized access easement (common area adjacent to Lot 9) in Hellgate Meadows, Phase 1 and 2 as recorded in the Missoula County Clerk and Recorder's office, Missoula Montana at Book 25 Plats page 56. (PW)
8. Resolution—Adopt a resolution establishing a goal of ten percent reduction in fuel consumption and energy use by the city of Missoula below 2007 levels by July 1, 2011. (PW)

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

G. SPECIAL PRESENTATIONS

- Fall Family Fest Kaboom Play Day
- Court Appointed Special Advocates Month
- National Arts and Humanities Month
- Montana Association of Planners Award—UFDA Project

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 a [resolution](#) extending the corporate limits of the City of Missoula, Montana, to annex within the boundaries of the city a certain tract of land described as 5425 Gharrett Street next to the Lighthouse Baptist Church, for which the owner has petitioned for annexation (Section 6, T12N, R19W, P.M.M.) The property is currently zoned C-RR3 in the County and upon annexation is proposed to be zoned RR-1 in the City. [\(memo\)](#) [\(PAZ\)](#) [\(Annexation Staff Report\)](#) **Approved unanimously.—Childers was absent for the vote.**
- Public hearing on a [resolution](#) of the Missoula City Council establishing a tourism business improvement district consisting of non-contiguous lands within the City of Missoula for the purpose of aiding tourism, promotion and marketing within the district. [\(Exhibit A\)](#) [\(Exhibit B\)](#) [\(memo\)](#) [\(A&F\)](#) **This item was returned to the [Administration and Finance Committee](#).**

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

[09/30/09](#)

Conservation Committee

[09/30/09](#)

- Set a public hearing on October 26, 2009 to consider a [resolution](#) of the Missoula City Council to expend \$25,000 of 2006 Open Space Bond proceeds towards the purchase of a conservation easement on the 207 acres of Anderson family property known as the Spooner Creek Ranch located in the Upper Miller Creek Valley, in partnership with Missoula County and the Rocky Mountain Elk Foundation. **Approved unanimously.**

Plat, Annexation and Zoning Committee

[09/16/09](#)

- Title 19 Zoning Rewrite: **The following 3 ordinances were approved 10 ayes, 2 nays with Haines and Mitchell voting nay.**
 - [Ordinance](#)—Adopt an ordinance of the Missoula city council repealing Title 19 in its entirety, also known as the existing Missoula City Zoning Ordinance.
 - [Ordinance](#)—Adopt an ordinance of the Missoula municipal code chapter 2.84, Historic Preservation Commission, repealing the chapter in its entirety because it has been incorporated into the newly adopted Title 20, Missoula City Zoning Ordinance.
 - [Ordinance](#)—Adopt an ordinance establishing Title 20, Missoula City Zoning Ordinance as recommended in the staff report and by the Planning Board and as amended by the Committee. (3.24 MB)

[09/30/09](#)

Public Safety and Health Committee

[09/30/09](#)

- [Ordinance](#)—Adopt an ordinance of the Missoula City Council amending Missoula Municipal Code title 9, entitled Public Peace, Morals and Welfare, Chapter 34 entitled “Pedestrian Interference”, Sections 9.34.020, 9.34.030, 9.34.040 and 9.34.050. **Approved as amended 8 ayes, 4 nays with Haines, Hellegaard, Hendrickson and Mitchell voting nay.**

Public Works Committee
09/30/09

L. NEW BUSINESS

- Dave Strohmaier requests to remove the emergency pedestrian interference ordinance from the Public Safety and Health committee agenda.—**Approved unanimously.**

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:

- Approve and authorize the Mayor to sign the agreement with AMEC Geomatrix in amount not to exceed \$48,395 ([memo](#)).—Regular Agenda (Donna Gaukler)
- Approve and authorize the Mayor to sign an agreement to provide Missoula Parks and Recreation with a map to show all Missoula trails, trail connections and most Missoula Parks and open spaces ([memo](#)).—Regular Agenda (Donna Gaukler)

To Plat, Annexation and Zoning Committee

- Approval or denial of the Conall Grove Subdivision plat extension request ([memo](#)).—Regular Agenda (Rebecca Ciccone)
- Approval or denial of the Howard Raser Business Park Subdivision plat extension request ([memo](#)).—Regular Agenda (Rebecca Ciccone)
- Appoint one member as the "Alternate #2" member of the Historic Preservation Commission for the term commencing immediately and ending on December 31, 2012 ([memo](#)).—Regular Agenda (Kelly Elam)

To Public Safety and Health Committee

- Authorize Mayor to sign contract with Solar Plexus LLC in the amount of \$62,575.00 to provide and install a 12.96 kilowatt photovoltaic system at Missoula Fire Station #2 ([memo](#)).—Regular Agenda (Jason Diehl)
- Consider a resolution to approve the amendments to the Missoula City-County Air Pollution Control Program ([memo](#)).—Regular Agenda (Jim Carlson)

To Public Works Committee

- Consider a resolution of intention to create SID 548 - 5th / 6th / Arthur Intersection Improvements ([memo](#)).—Regular Agenda (Gregg Wood)
- Approve a letter agreement for professional services with WGM Group, Inc. in an amount not to exceed \$29,375 for professional services on the proposed SID 548 – 5th / 6th/ Arthur Intersection Improvements project ([memo](#)).—Regular Agenda (Gregg Wood)
- Consider an emergency ordinance and an ordinance of the Missoula City Council adopting Missoula Municipal Code Title 12, new chapter, entitled "Grading and Drainage" ([memo](#)).—Regular Agenda (Doug Harby)
- Consider an ordinance and an emergency ordinance of the Missoula City Council adopting Missoula Municipal Code Title 12, new chapter, entitled "Parking" ([memo](#)).—Regular Agenda (Doug Harby)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 11:43 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.