

**FORMAL AGENDA**  
**MISSOULA CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**140 WEST PINE STREET, MISSOULA, MT**  
**NOVEMBER 9, 2009, 7:00 P.M.**

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

**B. APPROVAL OF THE MINUTES**

- November 2, 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.) Items 1 and 2 were approved unanimously. Item 3 was removed from the consent agenda and considered later in the meeting under Item K.*

1. Approve claims totaling \$806,695.47. (Detailed Claims) (Chart of Accounts) (A&F) (11/10/09)
2. Resolution—Adopt a resolution revising fees for services related to the review and processing of land use applications pursuant to the City adopted regulations pertaining to zoning fees, subdivision and floodplain services, more specifically revising zoning fees pursuant to adoption of Title 20 Missoula City Zoning Ordinance. (A&F)
3. Confirm the Mayor's appointment of Troy Ault and Jeff Brandt as Fire Captains for the City of Missoula. (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 a resolution to support new Missoula City-County Air Pollution Control Program rules. (memo) (PS&H) **Approved unanimously.**
- Public hearing on a resolution relating to Special Improvement District No. 548 (Arthur and Maurice Avenues Traffic Improvement Project); creating the district for the purpose of undertaking certain local improvements and financing the costs thereof and incidental thereto through the issuance of special improvement district bonds secured by the City's special improvement district revolving fund. (memo) (PW) **This item was considered later in the meeting under Item K. Committee reports.**
- Public hearing on an ordinance amending Title 8, Chapter 8.28, Missoula Municipal Code title 8, entitled "Garbage and Rubbish" amending Section 8.28.020 entitled jurisdiction to remove extraterritorial powers. (memo) (PS&H) (11/9/09 draft--proposed amendments) **This item was returned to 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**

11/04/09 unavailable at this time

- Resolution—Adopt a resolution of the Missoula City Council revising resolution No. 6193 the sewer use fee structure and increasing sanitary sewer rate for the use of the Missoula City sanitary sewer system. (Presentation at A&F 11/4/09) **--Approved 7 ayes, 5 nays with Haines, Hendrickson, Hellegaard, Mitchell and Wilkins voting nay.**

**Plat, Annexation and Zoning Committee**

11/04/09

**Public Safety and Health Committee**

11/04/09

**The following two items were removed from the Council's consideration on a voice vote:**

- **Consent agenda Item #3**
- Confirm the Mayor's appointment of Brad Roe as Fire Captain for the City of Missoula.

**Public Works Committee**

11/04/09

- Approve and authorize the Mayor to sign the memorandum of understanding with The University of Montana and Montana Department of Transportation on the proposed SID 548 – 5th / 6th/ Arthur Intersection Safety Improvements project. **Approved unanimously.**
- Approve and authorize the Mayor to sign the memorandum of understanding with The University of Montana on the proposed SID 548 – 5th / 6th/ Arthur Intersection Safety Improvements project. **Approved 11 ayes, 1 abstention with Mitchell abstaining.**
- Resolution—Adopt a resolution relating to Special Improvement District No. 548 (Arthur and Maurice Avenues Traffic Improvement Project); creating the district for the purpose of undertaking certain local improvements and financing the costs thereof and incidental there to through the issuance of special improvement district bonds secured by the City's special improvement district revolving fund. **Approved 11 ayes, 1 abstention with Mitchell abstaining.**

10/19/09

- Approve and authorize the Mayor to sign the 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 – 5<sup>th</sup> / 6<sup>th</sup>/ Arthur Intersection Improvements project. **Approved unanimously.**

**L. NEW BUSINESS**

- Request by Ed Childers to cancel the November 16, 2009, City Council meeting and direct the City Clerk to issue a press release and post notice of the cancellation on the city's website. **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 Administration and Finance Committee:**

- Approve final SID 544 bond resolution setting the form and details for the \$2,028,090 sewer system SID revenue bonds to be financed through the State DNRC Revolving Loan Program ([memo](#)).—Regular Agenda (Brentt Ramharter)
- Approve final bond resolution setting the form and details for the \$1,350,012 sewer system revenue bonds to be financed through the State DNRC Revolving Loan Program ([memo](#)).—Regular Agenda (Brentt Ramharter)

**To Conservation Committee:**

- Approve a 30 foot wide water easement at Pleasant View Park #7 on Flynn Lane ([memo](#)).—Regular Agenda (Donna Gaukler)

**To Plat, Annexation and Zoning Committee**

- Conduct interviews and appoint members to the Design Review Board for the term commencing January 1, 2010 and ending December 31, 2012 ([memo](#)).—Regular Agenda (Kelly Elam)
- Conduct interviews and appoint two professional positions to the Historic Preservation Commission for the term commencing January 1, 2010 and ending December 31, 2012 ([memo](#)).—Regular Agenda (Kelly Elam)

**To Public Safety and Health Committee**

- Conduct interviews and appoint one member to the Health Board for the term commencing January 1, 2010 and ending December 31, 2012 ([memo](#)).—Regular Agenda (Kelly Elam)

**To Public Works Committee**

- Approve the amended agreement between the City of Missoula, Maloney Properties, LLC, and Lloyd A. Twite Family Partnership related to Miller Creek Road Improvements ([memo](#)).—Regular Agenda (Monte Sipe)
- Purchase one front end loader for the Street Division ([memo](#)).—Regular Agenda (Jack Stucky)
- Update on projects funded by ARRA (American Recovery and Reinvestment Act) and HB 645 ([memo](#)).—Regular Agenda (Steve King)
- Approve the agreement between the City of Missoula and Lloyd A. Twite Family Partnership related to sanitary sewer extension and upsizing for the South Missoula Area ([memo](#)).—Regular Agenda (Monte Sipe)
- Purchase of one backhoe for Cemetery department ([memo](#)).—Regular Agenda (Jack Stucky)
- Approve and authorize the Mayor to sign an agreement with Lloyd A. Twite Family Partnership for Miller Creek sanitary sewer system improvements ([memo](#)).—Regular Agenda (Steve King)

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

**O. ADJOURNMENT**

**The meeting adjourned 9:00 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.*