

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

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

B. APPROVAL OF THE MINUTES

- March 16, 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 \$239,217.44. (Detailed Claims) (Chart of Accounts) (A&F) (03/24/09)
2. Confirm the reappointment of Daniel Kemmis to the Missoula Redevelopment Agency Board for a term commencing May 1, 2009 and ending April 30, 2013. (A&F)
3. Appoint Julie Osborn to fill the Conservation sector vacancy on the Greenhouse Gas & Energy Conservation Team for the term starting immediately through July 31, 2010. (Cons)
4. Appoint Joshua Pollarine as the Downtown representative, Roger Bergheier as the Professional representative, and Ken Duce as the Eastside representative to the Historic Preservation Commission for the term commencing immediately through December 31, 2011. (PAZ)
5. Confirm the Mayor's reappointment of Robert Quade to the Police Commission for a term commencing May 1, 2009 and ending April 30, 2012. (PS&H)
6. Confirm the Mayor's appointment of Devin Erickson as a Police Officer for the City of Missoula. (PS&H)
7. Approve and authorize the Mayor to sign amendment No. 2 of the agreement for engineering services to WGM Group, Inc., for Miller Creek road improvements in the amount of \$28,951. (PW)
8. Approve and authorize the Mayor to sign amendment No. 2 of the agreement for consultant services to DJ&A, P.C., for Miller Creek road improvements right-of-way & land services in the amount of \$18,623.25. (PW)
9. Resolution—Adopt the resolution of intention to close and vacate certain portions of Miller Creek Road and Lower Miller Creek Road generally located between Briggs and the "Wye" and to set a public hearing for April 13, 2009. (PW)

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

G. SPECIAL PRESENTATIONS

- Arbor Day
- Autism Awareness Month/World Autism Awareness Day
- Brownfield Revolving Loan Fund

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](#) to amend Title 5, enacting Chapter 84 entitled Government Channel Cable Advisory Commission to change the name of the Government Channel Cable Advisory Commission to the Missoula Civic Television Advisory Commission. ([A&F](#)) ([memo](#)) **Approved unanimously.**
- Public hearing on a [regular](#) and an [emergency](#) ordinance to amend Title 1, Chapter 1.16 Missoula Municipal Code entitled "Election Wards" Section 1.16.020 to update the precincts located in each ward. ([Version 1 Map](#)) ([Version 2 Map](#)) ([memo](#)) ([03/04/09 COW Minutes](#)) ([03/18/09 COW Minutes](#)) **Approved Version 2 unanimously.**

I. COMMUNICATIONS FROM THE MAYOR

- [Mayor's 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

[03/18/09](#)

Committee of the Whole

03/16/09 meeting was cancelled.

[03/18/09](#)

- [Resolution](#)—Adopt a resolution of the Missoula city council calling for an equitable distribution of federal and state transportation revenue, both as a part of the proposed federal economic stimulus package and as a part of ongoing transportation investment in Montana. **Approved 7 ayes, 4 nays with Hellegaard, Hendrickson, Haines and Mitchell voting nay.**

Conservation Committee

[03/18/09](#)

[03/18/09 Joint Meeting with Public Safety and Health](#)

Plat, Annexation and Zoning Committee

[03/18/09](#)

Public Safety and Health Committee

[03/18/09](#)

- Set a public hearing on April 13, 2009 , on an [ordinance](#) amending Title 10 entitled "Vehicles and Traffic" Chapter 10.20 entitled "Operation of Vehicles" by adopting and establishing new sections 10.20.300, 10.20.310 and 10.20.320 generally prohibiting the use of hand-held mobile telephones and other electronic communication devices while simultaneously operating a motor vehicle or a bicycle. **Motion to schedule a public hearing was approved on a voice vote. The draft ordinance was amended to exempt 2 way radios.**

[03/18/09 Joint Meeting with Conservation](#)

Public Works Committee

[03/18/09](#)

Urban Wildlife Subcommittee

[03/06/09](#)

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:

- Review the FY 2010-14 CIP projects in committee ([memo](#)).—Regular Agenda (Brent Ramharter)
- Missoula Housing Authority's intention to sell twenty public housing units (19 houses and one duplex) as a single party purchase ([memo](#)).—Regular Agenda (Renee Mitchell)

To Committee of the Whole:

- Luncheon with Missoula Downtown Association ([memo](#)).— Regular Agenda (Ed Childers)

To Conservation Committee:

- Set a public hearing to consider adopting a resolution that authorizes the purchase of a 59 acre parcel with 2006 Open Space Bond funds ([memo](#)).—Regular Agenda (Jackie Corday)
- Informational update regarding the city green team ([memo](#)).—Regular Agenda (Jackie Corday)

To Public Safety and Health Committee

- Authorize the Mayor to sign contract with Mountain Water for the installation of fire hydrants in the Franklin-to-Fort area at locations previously identified by the fire department ([memo](#)).—Regular Agenda (Jason Diehl)

To Public Works Committee

- Approve an encroachment permit for 218 East Front Street for a glass and steel awning overhanging the sidewalk ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvement project and pass a resolution to confirm the order for curb and sidewalk improvements in the Johnson St. – 3rd to 11th and Grant St. – 8th to 10th area - Project 07-042 ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvement project, award bid to lowest responsible bidder and authorize return of bid bonds for Project 07-042: Johnson St. – 3rd to 11th and Grant St. – 8th to 10th area ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvement project and pass a resolution to confirm the order for curb and sidewalk improvements for Johnson St. – 14th to North Ave. Area - Project 07-044 ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvement project, award bid to lowest responsible bidder and authorize return of bid bonds for Project 07-044: Johnson St – 14th to North Ave. area ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvement project and pass a resolution to confirm the order for curb and sidewalk improvements for project in the 14th St. – Johnson to Eaton Area - Project 07-045 ([memo](#)).—Regular Agenda (Doug Harby)
- Review bids for curb and sidewalk improvement project, award bid to lowest bidder and authorize return of bid bonds for Project 07-045: 14th St. – Johnson to Eaton Area ([memo](#)).—Regular Agenda (Doug Harby)
- Review proposed curb and sidewalk improvement project and pass a resolution to order the improvements which also directs that notice be given to all affected property owners for Project 08-004, Lolo Street from Missoula Avenue to Rattlesnake Drive ([memo](#)).—Regular Agenda (Doug Harby)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

Adjourned 8:14 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.