

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MAY 2, 2011, 7:00 P.M.

- A. CALL TO ORDER AND ROLL CALL**—All Council members except Mr. Wilkins were present. The Mayor was absent.
- B. APPROVAL OF THE MINUTES**
 - April 25, 2011—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 Items 1 (as amended) and items 2-19 unanimously.
 - 1. Approve claims totaling \$ 1,405,746.68. (Detailed Claims) (Chart of Accounts) (A&F) (05/03/11)
 - 2. Resolution—Adopt a resolution relating to \$1,290,000 taxable sewer system revenue bonds, series 2011; authorizing the issuance and fixing the terms and conditions thereof. (A&F)
 - 3. Set a public hearing on May 23, 2011, in order to provide an opportunity for the public to comment on whether the Palace Apartment low-income housing rehabilitation project located at 149 W. Broadway meets a community need. (A&F)
 - 4. Direct the Missoula Redevelopment Agency staff to issue the Fox Site request for proposals for redevelopment of the Fox site located at West Front and Orange Street. (A&F)
 - 5. Resolution—Adopt a resolution relating to Special Improvement District Bonds (Special Improvement District No. 548), Series 2011, in the original aggregate principal amount not to exceed \$1,250,000; authorizing the issuance and calling for the public sale thereof. (A&F)
 - 6. Set a public hearing on May 23, 2011, on an a resolution of the Missoula City Council increasing fees for services related to the review and processing of land use applications pursuant to city adopted regulations pertaining to zoning, subdivision and floodplain services based on the 2010 cost of services study. (BCOW)
 - 7. Set a public hearing on May 23, 2011, on an ordinance amending title 5, Missoula Municipal Code, entitled “Business Licenses and Regulations” Chapter 5.04 entitled “Definitions”, Chapter 5.08 entitled “Licensing Provisions Generally,” Chapter 5.20 entitled “Junk Dealers”, Chapter 5.24 entitled “Pawnbrokers,” Chapter 5.28 entitled “Secondhand Dealers,” Chapter 5.40 entitled “Boiler-room Operations,” Chapter 5.52 entitled “Liquor,” and Chapter 5.90 entitled “Devices Depicting Sexual Activity” adjusting and/or increasing the fee provisions in each chapter’s fee section in accordance with the results of an official 2010 fee study commissioned by the city of Missoula. (BCOW)
 - 8. Set a public hearing on May 23, 2011, on an ordinance amending portions of Missoula Municipal Code Chapter 8.40 entitled “Hazardous Vegetation and Nuisance Weeds”, Chapter 12.04 entitled “Street Vacation”, Chapter 12.12 entitled “Curbs, Sidewalks, and Paving”, Chapter 12.14 entitled “Right-of-Way Occupancy Permit”, Chapter 12.24 entitled “Excavations”, Chapter 12.30 entitled “Fences”, Chapter 13.06 entitled “Industrial Wastewater”, Chapter 15.38 entitled “Accessibility”, Chapter 15.65 entitled “Grading, Drainage, Erosion Control and Storm Water Pollution Prevention Plan (SWPPP)”, pertaining to fees. (BCOW)
 - 9. Set a public hearing on May 23, 2011, on an ordinance amending Title 8, Missoula Municipal Code, entitled “Fire Inspection Fees” section 8.50.010 entitled “Establishment of Fees” and section 8.52.020 entitled “Manufacture in City Prohibited—Permit for Sale or Discharge” increasing the inspections fees and establishing fees for pyrotechnic/fire performance permits

in accordance with the results of an official 2010 fee study commissioned by the city of Missoula. (BCOW)

10. Set a public hearing on May 23, 2011, on an ordinance amending Title 12, Chapter 12.58 entitled "Special Event Permits" establishing section 12.58.035 to establish a fee for holding special events in accordance with the results of an official 2010 fee study commissioned by the city of Missoula. (BCOW)
11. Set a public hearing on May 23, 2011, to consider a resolution to approve the annual appropriations and the Capital Improvement Program for the city of Missoula as set forth in the fiscal year 2012 budget. (BCOW)
12. Confirm the reappointments of Sharee Fraser, Carol Gordon and Marjorie Jacobs to the Cemetery Board for a term commencing May 1, 2011 and ending April 30, 2014. ([Cons](#))
13. Set a joint public hearing with the Board of County Commissioners on May 23, 2011, to consider a [resolution](#) that authorizes contributing towards the purchase of a 35 acre parcel adjacent to Deer Creek Road near Bonner with 2006 Open Space Bond funds. ([Cons](#))
14. Confirm the Health Board's appointment of Dr. Tom Roberts to the City/County Health Board. ([PS&H](#))
15. Award the bid for Project 11-004, Mullan Road-Reserve to Broadway asphalt repairs to Knife River, including the base bid amount of \$137,162.50 and alternate no. 1 amount of \$110,000.00 for a total contract award of \$247,162.50 and authorize return of bid bonds. ([PW](#))
16. Approve and authorize the Mayor to sign amendment no. 1 to the existing City / WGM Group, Inc. agreement in the amount of \$22,700.00 for professional services on the South Missoula sewer project. ([PW](#))
17. Award the bid for Project 09-039, Lower Miller Creek road curb and sidewalk improvements to LS Jensen Construction and Ready Mix for the base bid of \$411,558.85, and authorize return of bid bonds. ([PW](#))
18. Approve and authorize the Mayor to sign amendment no. 1 to amend the City / DJ&A professional services agreement in the amount not to exceed \$26,116.50 for construction engineering services on the Lower Miller Creek road curb and sidewalk project. ([PW](#))
19. [Ordinance](#)—Adopt an ordinance amending Missoula Municipal Code Chapter 13.04.020 entitled "Connection to Public Sanitary Sewer upon Property Transfer-Required" providing exceptions to public sanitary sewer connections upon property transfer. ([PW](#))

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

G. SPECIAL PRESENTATIONS

- [Missoula's Day of Peace](#)
- [National Exercise is Medicine Month](#)
- [Missoula Home Remodeling Month](#)
- [Public Service Recognition Week](#)

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
[04/27/2011](#)

Budget Committee of the Whole
04/27/2011 will be available at a later date

Committee of the Whole
04/27/2011 Joint meeting with BCC

Conservation Committee
04/27/2011

Public Safety and Health Committee
04/27/2011

Public Works Committee
04/21/2011
04/27/2011

- [Resolution](#)—Adopt the resolution to confirm final ordering of curb and sidewalk improvements adjacent to properties in the University Area Ph. III – McLeod to Beckwith, Project 06-047.
- Award the bid for Project 06-047, Curb and Sidewalk Improvements adjacent to properties in the University Area Ph. III – McLeod to Beckwith to CSS Contracting, Inc. for the sum of \$325,139.68 and authorize return of bid bonds.

Wiener made a motion to adopt resolution and award contract to CSS Contracting, Inc.—Approved 8 ayes, 3 nays with Haines, Hellegaard and Mitchell voting nay.

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 Plat, Annexation, and Zoning Committee:

- [Petition 9520](#)—Bell Mont Properties, Inc.; Raymond Bell; Racetrack Industrial Park - Lot 1; Geocode No. 232528203010000; Petition for Annexation
- [Petition 9521](#)—Vieth Land Holding, LLC; Gerald Vieth; 6680 Highway 10 West; A tract of land in the NE 1/4 NW 1/4 of Section 34, Township 14 North, Range 20 West, P.M.M.; Petition for Annexation

To Public Works Committee

- Confirm the appointment of Gregory Ragan to the Bicycle and Pedestrian Advisory Board completing a vacated term starting immediately and ending September 15, 2012. ([memo](#))—Regular Agenda (Mayor Engen)
- Informational presentation on Accela automation permit and asset management systems upgrade. ([memo](#))—Regular Agenda (Dan Jordan)
- Consider revisions to Missoula Municipal Code (MMC) 13.06 Industrial Wastewater, Missoula Municipal Code (MMC) 13.18 Wastewater Haulers, and a resolution revising the sewer use fee structure and increasing sanitary sewer rates. ([memo](#))—Regular Agenda (Sherri Kenyon)
- Consider an ordinance revising provisions of Title 10 of Missoula Municipal Code related to parking. ([memo](#)) – Regular Agenda (Jason Wiener)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 8:03 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.