

**NOTE:** THERE WILL BE AN ADMINISTRATION AND FINANCE COMMITTEE MEETING AT 6:45 PM PRIOR TO THE CITY COUNCIL MEETING.

**FORMAL AGENDA**  
**MISSOULA CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**140 WEST PINE STREET, MISSOULA, MT**  
**AUGUST 22, 2011, 7:00 P.M.**

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

**B. APPROVAL OF THE MINUTES**

- [August 8, 2011—approved as amended.](#)
- [August 15, 2011—approved as amended.](#)

**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 \$ 2,307,308.73. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (08/23/11)
2. [Resolution](#)—Adopt a resolution authorizing the Mayor to sign an agreement and utilize \$18,500 of grant funds allocated through Northwestern Energy E+ Business Partners program to enhance energy efficiencies in the Currents Aquatic Center Natatorium. ([Cons](#))
3. Approve the final plat for Pleasant View Homes No. 4, Phase III Subdivision. ([memo](#))
4. Conditionally approve the proposed Phasing Plan as shown in Attachment C for Rattlesnake 1A Subdivision, subject to amendments in the subdivision conditions of approval to specify phasing, as shown in Attachment D and in accordance with Article 4-070.2(A-C) of the Missoula City Subdivision Regulations. ([PAZ](#))
5. Approve the purchase of two (2) 2012 Freightliner M2112 dump trucks, from I-State Truck Center, Missoula for a total of \$229,296.00 for both trucks. ([PW](#))
6. Approve the purchase of two (2) 2012 Dodge Charger patrol cars from Ronan Dodge, Ronan for \$27,930.00 each; a total of \$55,860.00 for both cars. ([PW](#))
7. Approve the purchase of one (1) Asphalt Recycling Machine from Pavement Technologies, Inc. of Albany, New York for a total of \$188,829 and return bid bonds. ([PW](#))
8. [Resolution](#)—Adopt the resolution to order curb and sidewalk improvements adjacent to properties on S. 6<sup>th</sup> St. /Schilling St. between Kemp and S. 7<sup>th</sup> St., Project 10-035. ([PW](#))

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

- Announcement about the Russell Street Environmental Impact Statement – Steve King, Public Works

**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 an [ordinance](#) amending Title 20, the Missoula City Zoning ordinance, Chapter 20.75 entitled "Signs" Sections 20.75.030 "Prohibited Signs and Sign Characteristics," 20.75.040 "Signs Allowed Without a Sign Permit," 20.75.060 "Signs in Non-Residential Districts", 20.75.070 "Regulations of specific types of signs," 20.75.080 "Signs for Businesses that Lack Street Frontage," 20.75.100 "Special Signs" Review by the Design Review Board, and 20.75.170 "Measurement Rules" and amending Chapter 20.100 "Terminology" to correct errors and inconsistencies with terminology, definitions, and permitting procedures within this Title 20 Chapter. ([Proposed ordinance revisions](#)) ([Memo](#)) ([PAZ](#)) **Approved 10 ayes, 1 abstention with Ms. Hellegaard abstaining.**
- Public hearing on a conditional use for property located at the 1100 block of East Broadway. The property is currently zoned C2-4 (Community Commercial) and the request is to construct a new mini-storage facility at this location. ([Memo](#)) ([Staff Memo](#)) ([PAZ](#)) **Approved unanimously.**
- Public hearing on a [resolution](#) levying and assessing a special assessment and tax on the lots, pieces and parcels of land situated within special lighting districts of the City of Missoula, to defray the cost of street lighting in special lighting districts during the fiscal year 2012 in accordance with sections 7-12-4301 through 4354, Montana Code Annotated. ([Memo](#)) ([A&F](#)) **Approved unanimously.**
- Public hearing on a [resolution](#) levying and assessing the lots and parcels within the City of Missoula Park District Number 1 for the cost associated with the providing certain maintenance, purchasing and improvement services in fiscal year 2012 for City-owned facilities, land and equipment under the responsibility and care of the City of Missoula Parks and Recreation Department; providing for a method of assessments; and providing for other matters properly relating thereto ([Memo](#)) ([A&F](#)) **Approved 7 ayes, 4 nays with Haines, Hellegaard, Mitchell and Wilkins voting nay.**
- Public hearing on a [resolution](#) levying and assessing the lots and parcels within the City of Missoula Road District Number 1 for the cost associated with providing certain maintenance purchasing and improvement services in fiscal year 2012 for City-owned facilities, land and equipment under the responsibility and care of the City of Missoula Public Works Department's Street, Engineering, and Vehicle Maintenance Divisions providing for a method of assessments; and providing for other matters properly relating thereto. ([Memo](#)) ([A&F](#)) **Approved 7 ayes, 4 nays with Haines, Hellegaard, Mitchell and Wilkins voting nay.**
- Public hearing on a [resolution](#) levying assessments on property situated with Special Improvement District Number 548 (Arthur/Maurice Traffic Improvement Project) of the City of Missoula, Montana, in the total amount of \$1,250,000.00 excluding debt service, to defray the cost of making the improvements in the said special improvement district to [resolution number 7493](#) creating said district. ([Memo](#)) ([A&F](#)) **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.)*

- Resolution—Adopt a resolution levying taxes for municipal and administrative purposes for the fiscal year 2012 for the City of Missoula.—**Approved 8 ayes, 3 nays with Haines, Hellegaard and Mitchell voting nay.**

08/22/2011

- Resolution—Adopt a resolution levying taxes on the lots, pieces and parcels of land located in the downtown business improvement district of the city of Missoula for FY 12 in accordance with 7-12-1132 MCA—**Approved 10 ayes, 1 nay with Haines voting nay.**

#### **Committee of the Whole**

08/17/2011

- Resolution—Adopt a resolution to place a referendum on the November 8, 2011 ballot for approval or disapproval by the voters of the City of Missoula. This referendum is a non-binding statement of policy by the citizens of Missoula on the United States Supreme Court decision *Citizens United vs. the Federal Election Commission* finding that corporations are human beings under the first amendment. The intent of the referendum is to influence the Montana state legislature and United States Congress to amend the United States Constitution to explicitly state that corporations are not human beings.—  
**Approved 9 ayes, 1 nay, 1 abstention with Haines voting nay and Mitchell abstaining.**

#### **Conservation Committee**

08/17/2011

#### **Pedestrian Connection Subcommittee**

08/17/2011

#### **Plat, Annexation and Zoning Committee**

08/17/2011

#### **Public Safety and Health Committee**

08/17/2011

#### **Public Works Committee**

08/17/2011

### **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:**

- Approve Home Investment Partnerships program (HOME) award agreement H-11-01 with the District XI Human Resource Council in the amount of \$199,100.00 for assistance to at least six (6) low- and moderate-income first-time homebuyers in the form of down payment assistance, closing costs, and homebuyer education per Resolution Number 7591. (memo)—Regular Agenda (Nancy Harte)

#### **To Conservation Committee:**

- Approve and authorize the Mayor to sign amendments 3A and 3B to the agreement with WGM Group in a total amount not-to-exceed \$14,213 for professional services, including construction administration and additional design, for Project #PR11-09MT, Milwaukee Railroad Path- Missoula Russell to Reserve CTEP #STPE8199(66). (memo)—Regular Agenda (Dave Shaw)

- Award and authorize the Mayor to sign a contract for design, procurement and installation of park pavilion and concrete pad in Maloney Ranch Park Project 11- 08MRP. ([memo](#))—Regular Agenda (Alan White)
- Approve and authorize the Mayor to sign an amendment to the agreement with Territorial Landworks, Inc. (TLI) in an amount not to exceed \$16,544.72 for professional services, including engineering and surveying, for Project #PR 08-02 GCT, Grant Creek Trail, CTEP #STPE 8199(105). ([memo](#))—Regular Agenda (Dave Shaw)

**To Plat, Annexation and Zoning Committee**

- Discuss clarifications to the regulations for non-conforming uses and structures in Title 20, Missoula City Zoning Ordinance, especially pertaining to 20.80.040 Nonconforming Uses, 20.110.050 C3 Exceptions to Side Setbacks, and 20.80.030 Nonconforming Structures. ([memo](#))—Regular Agenda (Tom Zavitz)
- An ordinance amending the Missoula City Zoning Ordinance, Title 20 as recommended by the Missoula Consolidated Planning Board and shown in Title 20 maintenance amendments – 2011. ([memo](#))—Regular Agenda (Jen Gress)
- Confirm the reappointment of John Horrell to the City Board of Adjustment as first alternate for a term commencing immediately and ending June 30, 2014. ([memo](#))—Regular Agenda (Mayor Engen)

**To Public Safety and Health Committee**

- Authorize Mayor to sign award document for COPS Technology Grant in the amount of \$750,000 to be used for upgrades of network and department security, video and mobile data computers for patrol cars and point-to-point network bridges in various areas throughout Missoula. ([memo](#))—Regular Agenda (Mark Muir)

**To Public Works Committee**

- Confirm the reappointments of Wes Delano and Jerry Wolf to the Bicycle and Pedestrian Advisory Board for a term commencing September 16, 2011 and ending September 15, 2014. ([memo](#))—Regular Agenda (Mayor Engen)
- Confirm the appointment of John Roemer to the Missoula Parking Commission to complete a vacated term beginning September 1 and ending April 30, 2013. ([memo](#))—Regular Agenda (Mayor Engen)

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

**O. ADJOURNMENT**

**The meeting adjourned at 9:23 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.*