

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, November 2, 2011 9:15 AM – 10:15 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Dave Strohmaier, Pam Walzer, Cynthia Wolken, Bob Jaffe, Jon Wilkins, Lynn Hellegaard, Dick Haines, Ed Childers

Members Not Present: Renee Mitchell

Other Present: Donna Gaukler, Jim Nugent, Paul Bohan

I. ADMINISTRATIVE BUSINESS

1. Approve minutes from [October 19, 2011](#). Minutes approved unanimously.

II. PUBLIC COMMENT

III. CONSENT AGENDA ITEMS

1. Consider an ordinance amending Title 6 Missoula Municipal Code entitled "Animals" repealing Chapters 6.02, 6.04, 6.09, 6.12, 6.16, 6.20 and 6.22, enacting Chapter 6.07 entitled "Animal Ordinance" and renaming Chapter 6.08 entitled "Dogs and Pet Shops" to "Pet Shops, Pet Sales and Boarding Kennels" to generally amend, recodify and update the city's regulations pertaining to animals, increase license fees and increase fines pertaining to violations. ([memo](#))—Regular Agenda (Marty Rehbein) (Referred to committee: 06/27/11)

Donna Gaukler discussed the financial implications of enforcement resulting from the proposed changes to the Animal Control ordinance. She discussed the use of a dedicated Police Officer for ordinance enforcement. She discussed leash law enforcement issues.

Cynthia Wolken asked if park rangers could issue citations.

Donna Gaukler responded that there are not currently any park rangers.

Cynthia Wolken asked if a dedicated enforcement officer would have citation authority.

Donna Gaukler replied that a dedicated enforcement officer would have citation authority

Ed Childers asked if 'backup' referred to other people.

Donna Gaukler replied that 'backup' could be immediate Police Officer backup.

Ed Childers asked if an enforcement officer can directly communicate with law enforcement.

Donna Gaukler replied that they call 911 for Police assistance. She further discussed financial implications.

Dave Strohmaier asked about voice restraint options and supply costs for signage.

Donna Gaukler discussed the voice restraint options, 'mutt mitts', and supply costs for signage.

Pam Walzer asked about the budget item for 'mutt mitt' costs.

Donna Gaukler replied that the current budget for 'mutt mitts' is \$14,000, and proposed changes to the ordinance would result in additional expenses.

Pam Walzer asked about additional ongoing costs.

Donna Gaukler replied that she needs to double-check the numbers due to recent revisions. She discussed the number of 'mutt mitt' stations.

Pam Walzer discussed enforcement staffing and their responsibilities. She feels that a trained Police Officer that works in conjunction with the State FWP would be beneficial to the community.

Donna Gaukler feels that the staffing issue warrants more discussion with involved agencies. She discussed the issues involved when dealing with wildlife versus domesticated pets. She also discussed other public park enforcement issues such as skateboarders, alcohol use, and transients.

Pam Walzer thinks that the City may be able to find a qualified park ranger as a result of layoffs on the Federal and State levels.

Jon Wilkins wondered how this effort would be funded.

Dave Strohmaier discussed the need for a dedicated park ranger or Police Officer, and the budgetary impacts that would result.

Jon Wilkins stated that the need for additional staffing has been there for a long time. He wondered how additional regulations would be enforced when current regulations are not being fully enforced. He expressed concern about the ability to secure adequate funding.

Donna Gaukler agrees with Jon's concern.

Jon Wilkins feels that funding issues need to be addressed prior to implementing the proposed changes.

Bob Jaffe discussed signage for current practice versus the options proposed in the ordinance revisions.

Donna Gaukler discussed the options for leash law changes and the associated signage.

Bob Jaffe further discussed signage and increased enforcement.

Pam Walzer feels that enforcement is crucial to attain compliance with the ordinance. She discussed current enforcement deficiencies. She supports additional funding for enforcement.

Ed Childers discussed the complaint-driven nature of the ordinance. He asked about how complaints are followed up with enforcement actions.

Donna Gaukler replied that targeting enforcement during certain time periods that coincide with heavy trail usage allows for more efficient enforcement. She stated that dog bites are a priority. She encouraged complainants to gather as much information about a violation as possible.

Ed Childers feels that both education and enforcement are instrumental to the successful implementation of the ordinance. He feels that voice restraint is unworkable. He discussed signage and funding.

Donna Gaukler feels that voice restraint requires significant public education.

Dave Strohmaier discussed the issue of voice restraint and voice restraint certification.

Donna Gaukler discussed voice restraint compliance.

Ed Childers asked about the expectations from trail users.

Donna Gaukler feels that the expectations are that dogs remain on leash at the trailhead, can run free beyond the trailhead, but cannot harass other users. She stated that compliance in the North Hills is the lowest. She stated that compliance on Mt. Jumbo and Mt. Sentinel is good.

Lyn Hellegaard recalled discussions with Animal Control regarding additional enforcement personnel. She discussed noncompliance. She feels that public education regarding a complaint-driven system is crucial.

Dave Strohmaier discussed the three options for voice restraint.

Jon Wilkins discussed the financial impact on citizens resulting from the additional costs of enforcement.

Paul Bohan feels that defining a set distance that a dog has to be from other people could be an option.

Bob Jaffe is hesitant to create another Police position for enforcement. He would prefer the redirection of current Police resources instead. He feels that Paul Bohan's suggestion has merit.

Donna Gaukler thinks that defining a set distance may already be addressed in the draft ordinance.

Paul Bohan elaborated on his statement regarding a set distance that a dog has to be from other people.

Bob Jaffe read the draft ordinance's definition of voice restraint in regards to defining a set distance that a dog has to be from other people.

IV. REGULAR AGENDA ITEM

V. HELD AND ON-GOING AGENDA ITEMS

1. Police Department Update – Ongoing in Committee. (Mark Muir)
2. Fire Department Update – Ongoing in Committee (Mike Painter)
3. Health Department Update – Ongoing in Committee. (Ellen Leahy)
4. Eat Smart Coalition information. ([memo](#))—Regular Agenda (Jason Wiener) (Referred to committee: 07/11/11)
5. Pre-Disaster Mitigation Plan update ([memo](#))—Regular Agenda (Pam Walzer) (Referred to committee: 09/12/11) (**REMOVE FROM AGENDA**)
6. Consider Discuss revisiting cell phone restrictions. ([memo](#)) – Regular Agenda (Dave Strohmaier) (Referred to committee: 10/17/11)
7. Discuss air quality issues related to railroad operations in and through Missoula. ([memo](#))—Regular Agenda (Dave Strohmaier) (Referred to committee: 10/24/11)

VI. ADJOURNMENT

The meeting adjourned at 10:15 AM. Submitted by Gregg Schonbachler.