

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MAY 7, 2012, 7:00 P.M.

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

B. APPROVAL OF THE MINUTES

- [April 23, 2012](#)—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 \$692,569.82. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (05/01/12)
2. Approve [claims](#) totaling \$721,503.41. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (05/08/12)
3. Authorize the Mayor to sign an extension of the City's present auditing contract with Andersen ZurMuehlen in the amount of \$155,300 for two more years for fiscal years 2012 and 2013. ([A&F](#))
4. Confirm the Mayor's re-appointment of Karl Englund to the Missoula Redevelopment Agency Board for a term commencing May 1, 2012 and ending April 30, 2016. ([A&F](#))
5. [Resolution](#)—Adopt a resolution of the Missoula City Council amending resolution [6160 6138](#) changing the official name of the “Missoula People’s Market” to the “Missoula Saturday Market” and amending the market boundaries to include the north side of Pine Street from Higgins Avenue generally to the middle of the block as shown on exhibit A. ([A&F](#))
6. Approve and authorize the Mayor to sign a contract with Missoula Correctional Services in the amount of \$172,935.00 for the period of one year commencing June 1, 2012 and ending June 30, 2013 to provide a misdemeanor probation program in Missoula Municipal Court. ([A&F](#))
7. Approve and authorize the Mayor to sign an agreement with Northwest Forest Works, LLC. for contracted thinning across 40 acres of conservation lands located in the Marshall Canyon Drainage in the amount of \$12,828. ([Cons](#))
8. Approve and authorize the Mayor to sign a purchase agreement for 170 trees with Schichtel’s Nursery, in the amount of \$15,500 for the annual purchase of trees for spring planting. ([Cons](#))
9. Approve the request to amend the phasing plan to extend Wratislaw Addition Phase 1 final plat submittal deadline to April 23, 2014 and Phase 2 final plat submittal deadline to April 23, 2016, as shown in the amended phasing plan dated March 2012 subject to the amended conditions of approval attached to the [memo from the Office of Planning and Grants dated May 2, 2012](#). ([PAZ](#))

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

G. SPECIAL PRESENTATIONS

- [Senior Corps Week](#)
- [Better Hearing Month](#)
- [Water Safety Month](#)
- [National Nurses Week](#)

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.)

All the following public hearings will be held open until the City Council finalizes its consideration of the fiscal year 2013 budget.

- Public hearing on an [ordinance](#) amending portions of Missoula Municipal Code increasing fees by four percent (4%) in 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 12.16 entitled "Sidewalk Maintenance", Chapter 12.24 entitled "Excavations", Chapter 12.30 entitled "Fences", Chapter 13.07 entitled "Wastewater Pretreatment Regulations", Chapter 15.38 entitled "Accessibility Standards", Chapter 15.65 entitled "Grading, Drainage, Erosion Control and Storm Water Pollution Prevention Plan (SWPPP.)" ([memo](#)) ([BCOW](#))
- Public hearing on an [ordinance](#) amending title 5, Missoula Municipal Code, entitled "Business Licenses and Regulations" 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," amending each chapter's section pertaining to fees to increase the fees by four percent (4%) in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. ([memo](#)) ([BCOW](#))
- Public hearing on an [ordinance](#) amending Chapter 8.50 Missoula Municipal Code, entitled "Fire Inspection Fees" section 8.50.010 entitled "Establishment of Fees" and Chapter 8.52 entitled "Fireworks", Section 8.52.020 Entitled "Manufacture in City Prohibited—Permit For Sale or Discharge" increasing the fees by four percent (4%) in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. ([memo](#)) ([BCOW](#))
- Public hearing on a [resolution](#) increasing [fees](#) for the Missoula City Cemetery. ([memo](#)) ([BCOW](#))
- Public hearing on a [resolution](#) increasing fees for services related to the review and processing land use applications pursuant to City adopted regulations pertaining to zoning, subdivision and floodplain services based on the 2010 cost of services study. ([memo](#)) ([BCOW](#))
- Public hearing on an [ordinance](#) amending Chapter 12.58 Missoula Municipal Code Section 12.58.035 entitled "Special Event Permit-Fee" to increase the fee for holding special events by four percent (4%) in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. ([memo](#)) ([BCOW](#))
- Public hearing on a [resolution](#) fixing the annual appropriations and the capital improvement program for the City of Missoula as set forth in the fiscal year 2013 budget. ([memo](#)) ([Revised resolution 05/04/2012](#)) ([BCOW](#))
 - The Tourism Business Improvement District [work plan and budget](#) for fiscal year 2013.
 - The Business Improvement District [work plan and budget](#) for fiscal year 2013.
 - The Park District Number 1 [work plan and budget](#) for fiscal year 2013.
 - The Road District Number 1 [work plan and budget](#) for fiscal year 2013.

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[04/25/12](#)[05/02/12](#)**Budget Committee of the Whole**[04/25/12](#)[05/02/12](#)**Committee of the Whole**[04/25/12](#)**Conservation Committee**[04/25/12](#)[05/02/12](#)**Plat, Annexation and Zoning Committee**[05/02/12](#)**Public Safety and Health Committee**[04/25/12](#)**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:

- Resolution declaring the official intent of the City of Missoula, Montana to reimburse certain original expenditures related to sidewalk, curb, and gutter improvements from the proceeds of tax exempt bonds to be issued by the City of Missoula, Montana after the payment of such original expenditures. ([memo](#))—Regular Agenda (Brent Ramharter)
- Resolution declaring the official intent of the City of Missoula, Montana to reimburse certain original expenditures related to the purchase of capital equipment from the proceeds of tax-exempt bonds to be issued by the city after the payment of such original expenditures. ([memo](#))—Regular Agenda (Brent Ramharter)

To Conservation Committee:

- Resolution declaring certain miscellaneous wood waste and nursery plants to be surplus property for sale or disposal. ([memo](#))—Regular Agenda(David Selvage)

To Plat, Annexation and Zoning Committee

- Consider a request to amend the Magenta Meadow Subdivision phasing plan. ([memo](#))—Regular Agenda (Tim Worley)

To Public Works Committee

- Approve the memorandum of agreement with the Montana Department of Transportation (MDT) for the acquisition of one new Johnson vacuum street sweeper and authorize the payment of the CMAQ local match funds of \$32,039 to the Montana Department of Transportation. ([memo](#)) – Regular Agenda (Jack Stucky)
- Review the proposed curb and sidewalk improvement project adjacent to properties on S. 6th Street – Russell to Orange area, Project 10-036, and adopt a resolution to order the improvements which also directs that notice be given to all affected property owners. ([memo](#)) – Regular Agenda (Monte Sipe)
- Review bids for the curb and sidewalk improvement project adjacent to properties in the S. 6th St./Schilling St. area between Kemp and S. 7th St., and pass a resolution to confirm

- the order for curb and sidewalk improvements, Project 10-035. ([memo](#)) – Regular Agenda (Monte Sipe)
- Review bids for the curb and sidewalk improvement project adjacent to properties in the S. 6th St./Schilling St. area between Kemp and S. 7th St., award bid to the lowest responsible bidder, and authorize return of bid bonds for Project 10-035. ([memo](#)) – Regular Agenda (Monte Sipe)
- Approve a right-of-way encroachment for the new Missoula Recovery Center building to be constructed by the Garden City CHDO/Western Montana Mental Health Center, located at 1201 Wyoming. ([memo](#)) – Regular Agenda (Doug Harby)
- Approve the Territorial-Landworks, Inc., Engineering Services Agreement for the Van Buren – Vine to Elm, Curb and Sidewalk Project 10-025. ([memo](#)) – Regular Agenda (Monte Sipe)
- Amendment No. 2 to the existing engineering services agreement between the City and WGM Group, Inc. on the Special Improvement District (SID) 548 – 5th / 6th / Arthur / Maurice Intersection, Safety and Circulation Improvement Project. ([memo](#))—Regular Agenda (Gregg Wood)
- Approve a resolution declaring certain City of Missoula property as surplus and authorize its disposal. ([memo](#)) – Regular Agenda (Jack Stucky)
- Approve the purchase of one 2012 Ford Taurus from Bison Motors of Great Falls, Montana, for \$21,704.35. ([memo](#)) – Regular Agenda (Jack Stucky)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 8:09 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.