

**FORMAL AGENDA
ABBREVIATED MEETING
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MAY 21, 2012, 7:00 P.M.**

- A. CALL TO ORDER AND ROLL CALL**—The Mayor and all City Council members were present except Taft and Copple.
- B. APPROVAL OF THE MINUTES**
 - [May 14, 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 \$ 266,835.50. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (05/22/2012)
 2. Confirm the Mayor's re-appointment Joan Jonkel to the Public Art Committee for a one year term commencing July 1, 2012 and ending June 30, 2013. ([A&F](#))
 3. Approve and authorize the Mayor to sign the Community Development Block Grant award agreements with the following agencies as authorized by City Council Resolution 7673: [YWCA](#) , [Missoula Food Bank](#) , [Garden City Harvest](#) , [WORD](#) , [Homewood](#) , [Poverello Center](#) , [Parks and Recreation Department](#) , [Western Montana Clinic](#) and [RAMP](#). ([A&F](#))
 4. Approve the amended Magenta Meadow subdivision phasing plan, subject to the conditions of approval as amended, and the recommended phasing timeline as amended to 2016 and 2018. ([PAZ](#))
 5. Confirm the Mayor's appointment of Debra Parker to the City Board of Adjustment completing a vacated term ending June 30, 2012, and filling a three-year term ending June 30, 2015. ([PAZ](#))
 6. [Resolution](#)—Adopt a resolution declaring certain City of Missoula property as surplus and authorize its disposal. ([PW](#))
 7. Approve the purchase of one 2012 Ford Taurus from Bison Motors of Great Falls, Montana, in the amount of \$21,704.35 for a replacement vehicle for the police department. ([PW](#))
 8. Award the bid for City Project 10-020, University of Montana/CTEP Crosswalk Improvements, to L.S. Jensen, including alternate No. 1, and a total contract sum of \$224,866.85, contingent upon concurrence of the award by the Montana Department of Transportation, and authorize the return of bid bonds. ([PW](#))
 9. Approve and authorize the Mayor to sign an agreement with the Montana Department of Transportation for \$39,791 for Congestion Mitigation and Air Quality (CMAQ) funds for the Bicycle Pedestrian Program in FY2013. ([PW](#))
- F. 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.)

The following hearings will be held open:

- 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.

G. COMMUNICATIONS FROM THE MAYOR

H. GENERAL COMMENTS OF CITY COUNCIL MEMBERS

I. 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
[05/16/2012](#)

Committee of the Whole
 05/16/2012 will be available at a later date

Conservation Committee
[05/16/2012](#)

- [Resolution](#)—Adopt a resolution of the Missoula City Council to request that the U.S. Army Corps of Engineers prepare a comprehensive Programmatic Environmental Impact Statement (PEIS) on the cumulative impacts of new coal export terminals in Washington and Oregon and hold public hearings in Missoula, Montana and other communities that will be significantly impacted from coal that will be transported by train from the Powder River Basin in Montana and Wyoming to terminals along the Pacific Coast. Approved as

amended 6 ayes, 3 nays (Haines, Childers, Hertz), 1 abstention (O'Herron), 2 absent.

Economic Development Subcommittee
[05/16/2012](#)

Plat, Annexation and Zoning Committee
[05/16/2012](#)

Public Works Committee
[05/16/2012](#)

J. 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-12-01 with the District XI Human Resource Council (HRC) in the amount of \$323,700.00 for assistance to at least ten (10) low- and moderate-income first-time homebuyers in the form of down payment assistance, closing costs, and homebuyer education per Resolution Number 7672. ([memo](#))–Regular Agenda (Nancy Harte)
- Reappointment of Collin Bangs as a regular board member for a term starting June 26, 2012 and ending June 25, 2017 and David Warren as a resident commissioner for a term starting June 26, 2012 and ending June 25, 2014. ([memo](#))–Informational Only (Mayor Engen)
- A resolution modifying resolution number 7643, relating to \$1,555,000 Civic Stadium revenue bonds. ([memo](#))–Regular Agenda (Ellen Buchanan)

To Conservation Committee:

- Update on Parks Maintenance Operations. ([memo](#))–Regular Agenda (Bob Worthen)

To Plat, Annexation and Zoning Committee

- An ordinance amending Title 20, City Zoning Ordinance, as recommended by the Missoula Consolidated Planning Board, and shown in Proposed Amendments to Nonconformities 20.80 and Measurements and Exceptions 20.110 of the Missoula City Zoning Code Attachment A. ([memo](#))–Regular Agenda (Tom Zavitz)
- Ordinance amending Title 20 to clarify notification procedures for zoning amendments. ([memo](#))–Regular Agenda (Laval Means)
- Urban Fringe Development Area (UFDA) yearbook update. ([memo](#))–Regular Agenda (Casey Wilson)

To Public Safety and Health Committee

- Approve and authorize the Mayor to sign the award documents for FY12 Edward Byrne Memorial Justice Assistance Grant (JAG VIII) to be used for the purchase of equipment and supplies for the City of Missoula. ([memo](#))–Regular Agenda (Mark Muir)

To Public Works Committee

- Confirm the appointment of Katherine Fielding to the Bicycle and Pedestrian Advisory Board, completing a vacated term ending September 15, 2013. ([memo](#))–Regular Agenda (Mayor Engen)
- Confirm the re-appointments of Clayton Anderson and Carl Posewitz to the Building Code Board of Appeals for a term commencing July 1, 2012 and ending June 30, 2015. ([memo](#))–Regular Agenda (Mayor Engen)
- Approve amendment number 1 of the agreement for engineering services to WGM Group, Inc., for California Street Improvements. ([memo](#))–Regular Agenda (Monte Sipe)
- Bid award for curb and sidewalk improvements -Project 11-012: East Broadway Phase II. ([memo](#))–Regular Agenda (Monte Sipe)

- Resolution to confirm final order of curb and sidewalk improvements in the East Broadway Phase II area - project 11-012. ([memo](#))–Regular Agenda (Monte Sipe)
- Resolution to order curb and sidewalk improvement project 10-033, in the Spruce St. and Woody St. area. ([memo](#))–Regular Agenda (Monte Sipe)
- A resolution regarding local option motor fuel excise tax. ([memo](#))–Regular Agenda (Steve King)

K. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

L. ADJOURNMENT

The meeting adjourned at 8:36 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.