

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
JUNE 11, 2012, 7:00 P.M.

- A. CALL TO ORDER AND ROLL CALL**—The Mayor and all Council members were present, **except Haines, Strohmaier and Wolken.**
- B. APPROVAL OF THE MINUTES**
 - [June 4, 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.) **Items 1-5 and 7 were approved unanimously. Item 6 was considered later during the meeting and was approved unanimously.**
 1. Approve [claims](#) totaling \$ 942,830.78. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (06/12/12)
 2. Set a public hearing on June 25, 2012, concerning the City of Missoula Police Department applying for and accepting a grant award in the amount of \$57,701 from the Edward Byrne Memorial Justice Assistance Grant (JAG IX). \$17,701 of this grant will be pass-through to Missoula County. ([PS&H](#))
 3. [Resolution](#)—Adopt a resolution clarifying resolution number 3217, adopted by City Council on June 4, 1973, closing and vacating a portion of West Beckwith Avenue in South Missoula Addition to the City of Missoula and that the vacated portion revert to Lot 8, Block 78, Knowles Addition No. 2. ([PW](#))
 4. [Resolution](#)—Adopt a resolution to order curb and sidewalk improvements adjacent to properties in the Spruce Street and Woody Street area and direct that notice be given to all affected property owners. ([PW](#))
 5. Approve and authorize the Mayor to sign amendment No. 7 to the engineering services agreement for the West Reserve interceptor project with HDR Engineering, Inc., for the Russell Street sewer evaluation in an amount not to exceed \$19,243.70.
 6. Approve and authorize the Mayor to sign the memorandum of understanding between the City of Missoula and Missoula County related to temporary management of the city bicycle and pedestrian program. ([PW](#))
 7. Set a public hearing on June 25, 2012 to consider an [ordinance](#) amending Chapter 8.40 of the Missoula Municipal Code entitled “Hazardous Vegetation” for the purpose of clarifying the process for delivery of violation notices and to change information about the billing process for consistency with current procedures. ([PW](#))
- F. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM**
- 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 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.

The public hearings listed above will be held open until the city’s final budget is adopted.
 Final budget adoption is tentatively set for June 18, 2012.

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
[06/06/12](#)

Budget Committee of the Whole
[06/06/12](#)

Plat, Annexation and Zoning Committee
[06/06/12](#)

- Approve the Summit Hotel Addition Minor Subdivision with conditions including condition for sidewalk connectivity to N. Reserve Street as per findings of fact and conclusions of law as stated in the staff report. **The subdivision and two variance requests were approved unanimously.**

Public Safety and Health Committee

06/06/12

Public Works Committee
[06/06/12](#)

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:

- Establish special district to support the Urban Forest Program. ([memo](#))—Regular Agenda (Bob Jaffe)
- A resolution relating to pooled special sidewalk, curb, gutter and alley approach bonds, Series 2012; ratifying the sale thereof and confirming certain matters thereto; confirming the pledge of the revolving fund; creating special sidewalk, curb, gutter and alley approach sinking fund and prescribing covenants of the city for the security of the holders of the bonds. ([memo](#))—Regular Agenda (Brentt Ramharter)

To Plat, Annexation and Zoning Committee:

- [Petition 9566](#)—Wye Property LLC; 9550 Cartage Road; Tract 1 of Certificate of Survey No. 2910 in the SE 1/4 of 21-14-20 Geocode Number 232521401090000; Petition for Annexation
- [Petition 9567](#)—JTL Group, LLC; 4815 Mullan Road; A tract of land located in the southeast quarter of the northeast quarter (SE 1/4, NE 1/4) and the northeast quarter of the Southeast quarter (NE 1/4, SE 1/4) of Section 13, Township 13 North, Range 20 West, P.M.M.; Petition for Annexation
- [Petition 9568](#)—Bernard L. III and Carrie M. Olson; 6572 Stewart Lane; Fough Addition - Lot 1; Geocode 232534201020000; Petition for Annexation
- [Petition 9569](#)—Gregg Baker; 312 Minnesota Avenue; Lots 16 and 17 in Block 20 of East Missoula Addition, less and excepting therefrom that portion thereof lying within the right-of-way of State Highway No. 10; Geocode No. 220024129010000 and 220024129030000; Petition for Annexation

To Public Safety and Health Committee:

- Approve and authorize the Mayor to sign a contract with Pro-Towing for three years starting July 1, 2012 continuing through June 30, 2015. ([memo](#))—Regular Agenda (Annie Norby)

To Public Works Committee:

- Proposed right of way improvements on California Street discussion. ([memo](#))—Regular Agenda (Doug Harby)
- Exemption to sewer service zoning requirements on Lots 9-12, Block 48, of East Missoula Addition. ([memo](#))—Regular Agenda (Jessica Miller)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 7:48 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.