

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
JUNE 22, 2009, 7:00 P.M.

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

B. APPROVAL OF THE MINUTES

- June 15, 2009—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 \$ 1,132,827.65. ([Detailed Claims](#)) ([Chart of Accounts](#)) ([A&F](#)) (06/26/09)
2. Resolution—Adopt a resolution authorizing the execution and delivery of a master equipment lease-purchase agreement and related documents for the purchase of various items of capital equipment and determining other matters in connection therewith. ([A&F](#))
3. Resolution—Adopt a resolution relating to pooled special sidewalk, curb, gutter and alley approach bonds, series 2009A; authorizing the issuance and calling for the public sale thereof and making certain findings with respect to the pledge of the revolving fund of the City of Missoula to the security therefore and to set a public hearing for July 13th, 2009 on the commitment of the revolving fund.. ([A&F](#))
4. Resolution—Adopt a resolution relating to Special Improvement District No. 541 Bonds; authorizing the issuance and calling for the public sale thereof and making certain findings with the respect to the pledge of the revolving fund of the City of Missoula to the security therefore and to set a public hearing for July 13th, 2009 on the commitment of the revolving fund. ([A&F](#))
5. Approve the extension of the preliminary plat approval period to June 11, 2010 for River Road Meadows (formerly Great Spaces) Subdivision. ([PAZ](#))
6. Resolution—Adopt a resolution of intention to consider adoption of the Missoula Greater Downtown Master Plan as an attachment and an amendment to the Missoula County Growth Policy and set a public hearing for July 27, 2009. ([PAZ](#))
7. [First reading on an ordinance] Set a public hearing for July 6, 2009, on an ordinance to rezone property located at the intersection of Higgins Avenue and South Avenue from R-1 (Residential) to BN (Neighborhood Business). ([memo](#))
8. Approve and authorize the Mayor to sign change order number 1 to Embe Contracting, Inc.'s existing construction contract for West Reserve Phase 3. ([PW](#))
9. Resolution—Adopt the resolution to order curb and sidewalk improvements adjacent to properties in the Stephens and McDonald Avenue area, Project 08-008. ([PW](#))
10. Resolution—Adopt a resolution declaring certain City of Missoula property as surplus and authorizing its disposal. ([PW](#))

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

G. SPECIAL PRESENTATIONS

- Elizabeth Olson Day
- Juvenile Arthritis Month
- MAM Triennial Day

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 a [resolution](#) relating to Special Improvement District No. 545 commonly known as Phillips Street Traffic Calming; declaring it to be the intention of the city council to create the district for the purpose of undertaking certain local improvements and financing the costs thereof and incidental thereto through the issuance of Special Improvement District Revolving Fund. ([memo](#)) ([PW](#)) **Approved 11 ayes, 1 nay with Michell voting nay.**
- Public hearing on an [ordinance](#) repealing Title 19 Zoning Code in its entirety and adopting Title 20 Missoula City Zoning Ordinance and an [ordinance](#) repealing Title 2.84, the Historic Preservation Committee in its entirety. ([memo](#)) ([PAZ](#)) ([Staff Report](#)) **This item was returned to the Plat, Annexation and Zoning Committee for further discussion.**
- Public hearing on a [resolution](#) fixing the annual appropriations for the City of Missoula as set forth in the fiscal year 2010 budget, Capital Improvement Program, Downtown Business Improvement District work plan and budget. ([memo](#)) ([A&F](#))
(Note: The Mayor and City Council welcome citizen comment on the budget as they deliberate throughout the summer. This public hearing will be listed on every council agenda until the budget is passed. To view the latest changes to the memo linked above, you may need to click "refresh" on your browser.) **This public hearing is held open for additional public comment.**

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

[06/17/09](#)

Budget Committee of the Whole

[06/17/09](#)

- [Resolution](#)—Adopt a resolution of the Missoula City Council approving the preliminary annual appropriations and the capital improvement program for the city of Missoula, Montana, as set forth in the preliminary fiscal year 2010 budget.

Committee of the Whole

[06/16/09](#)

Conservation Committee

[06/17/09](#)

Plat, Annexation and Zoning Committee

[06/17/09](#)

Public Works Committee

[06/17/09](#)

- Resolution—(Forwarded to the floor without recommendation) resolution to confirm final ordering of curb and sidewalk improvements adjacent to properties in the Lolo St. – Missoula Ave. to Rattlesnake Dr. area, Project 08-004. **Approved 8 ayes, 4 nays with Haines, Hellegaard, Hendrickson and Mitchell voting nay.**
- (Forwarded to the floor without recommendation) Award the bid for Project 08-004, Curb and Sidewalk Improvements adjacent to properties in the Lolo Street – Missoula Ave. to Rattlesnake Dr. area to AAA Construction for the sum of \$154,249.59 and authorize return of bid bonds. **Approved 8 ayes, 4 nays with Haines, Hellegaard, Hendrickson and Mitchell voting nay.**
- Resolution—Adopt a resolution establishing a special school zone speed limit of 35 miles per hour, lowering to 30 miles per hour between the hours of 7:00 am and 5:00 pm on days when school is in session, on the portion of Reserve Street which is adjacent to and within 400 feet of the property boundary of CS Porter Middle School. **The council approved setting the speed limit at 30 mph from 7 a.m.-5 p.m. when school is in session unanimously.**

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 amending FY 09 action plan and awarding supplemental Community Development Block Grant (CDBG) funds ([memo](#)).—Regular Agenda (Mike Barton)

Conservation Committee:

- Maintenance agreement for county courthouse buildings for FY10 ([memo](#)).—Regular Agenda (Donna Gaukler)
- Discussion of fundraising efforts to restore the Greenough Park Footbridge ([memo](#)).—Regular Agenda (Dave Strohmaier)

To Plat, Annexation and Zoning Committee

- Petition 9428—Peters Properties LLC; 208 Montana Avenue and 210-212 Montana Avenue; Part of Lot 17, All of Lots 18-20 of Block 32 of East Missoula Addition; Geocode #220024117020000; Petition for Annexation
- Denny's Copy Stop rezoning request from R-1 (Residential) to BN (Neighborhood Business). The property is located at the intersection of Higgins Avenue and South Avenue ([memo](#)).—Regular Agenda (Janet Rhoades)

To Public Safety and Health Committee

- Approve and authorize the Mayor to sign towing contract for abandoned vehicles ([memo](#)).—Regular Agenda (Greg Amundsen)
- Approve and authorize the Mayor to sign a towing contract ([memo](#)).—Regular Agenda (Greg Amundsen)

To Public Works Committee

- Resolution to order alley approach improvements project 09-037 Block 73, School Addition between Cowper and Bulwer St ([memo](#)).—Regular Agenda (Doug Harby)
- Change order #7 to Project #07-006 E. Main/Ryman sewer and street construction contract with Patterson Enterprises ([memo](#)).—Regular Agenda (Monte Sipe)
- West Reserve Phase 3 – sewer and water project update ([memo](#)).—Regular Agenda (Gregg Wood)
- Recommendation to award the Dickens Street lift station replacement contract to Patterson Enterprises for \$74,254.90 ([memo](#)).—Regular Agenda (Starr Sullivan)

- Miller Creek road improvements – WGM Group agreement amendment no. 3 ([memo](#)).— Regular Agenda (Monte Sipe)
- Approve and authorize the Mayor to sign a contract with the Montana Department of Transportation for CMAQ 8199 (87) for the Bicycle-Pedestrian Program ([memo](#)).— Regular Agenda (Phil Smith)
- Discussion on new yield to bus legislation. ([memo](#)) – Regular Agenda (Jason Wiener)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 12:32 A.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.