

**FORMAL AGENDA**  
**MISSOULA CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**140 WEST PINE STREET, MISSOULA, MT**  
**JULY 27, 2009, 7:00 P.M.**

- A. CALL TO ORDER AND ROLL CALL**—**The Mayor and all City Council members were present.**
- B. APPROVAL OF THE MINUTES**
  - July 20, 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.) Items 1-3 were approved unanimously. Item 4 was discussed later in the meeting and returned to committee.*
  - 1. Approve claims totaling \$ 743,336.74. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (07/28/09)
  - 2. Set a public hearing on August 24, 2009 on a resolution establishing a separate fee category for application fees relating to building graphics/mural design review in order to reduce the fees charged for these types of projects to \$100.00. ([A&F](#))
  - 3. Resolution—Adopt a resolution relating to \$750,000 Special Improvement District No. 541 bonds (Pineview Park); fixing the form and details and providing the execution and delivery thereof and security therefore. ([A&F](#))
  - 4. Resolution—Adopt a resolution of the Missoula City Council approving the Missoula policy statement for forest practices and wood utilization 2009. ([Cons](#))
- 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 a resolution to adopt the Missoula Greater Downtown Master Plan as an attachment and an amendment to the Missoula County Growth Policy. ([memo](#)) ([PAZ](#))  
**The public hearing was closed, and this item was returned to the Plat, Annexation and Zoning Committee.**
  - Public hearing on an emergency ordinance and an ordinance amending Missoula Municipal Code Title 9, entitled Public Peace, Morals and Welfare, Chapter 34 entitled Pedestrian Interference, Sections 9.34.020, 9.34.030, 9.34.040 and 9.34.050. ([memo](#)) ([Updated Memo](#)) ([PS&H](#))  
**The public hearing was closed, and this item was returned to the Public Safety and Health Committee.**

- Public hearing on an [emergency ordinance](#) and an [ordinance](#) adopting Missoula Municipal Code Title 9, Chapter 36 entitled Solicitation and Aggressive Solicitation as Acts of Disorderly Conduct, Sections 9.36.010, 9.36.020, 9.36.030, 9.36.040, 9.36.050, 9.36.060, 9.36.070, 9.36.080 and 9.36.090. ([memo](#)) ([Updated Memo](#)) ([PS&H](#)) **The public hearing was closed, and this item was returned to the Public Safety and Health Committee.**
- 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 will be held open until the budget is approved.**

**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**

[07/13/09](#)

[07/22/09](#)

**Committee of the Whole**

[07/20/09](#)

**Conservation Committee**

[07/22/09](#)

**Consent Agenda Item #4—This item was returned to the Conservation Committee.**

**Plat, Annexation and Zoning Committee**

[07/22/09 Morning Minutes](#)

[07/22/09 Afternoon Minutes](#)

- [Deny](#)[Confirm](#) the Mayor's reappointment of Lee Clemmensen to the City Board of Adjustment for a term commencing immediately and ending June 30, 2012. **Approved 8 ayes, 4 nays with Childers, Jaffe, Marler, and Rye voting nay.**
- [Deny](#)[Confirm](#) the Mayor's reappointment of Joe Easton to the City Board of Adjustment for a term commencing immediately and ending June 30, 2012. **Approved 10 ayes and 2 abstentions with Hellegaard and Mitchell abstaining.**
- [Deny](#)[Confirm](#) the Mayor's reappointment of Jeff Rolston-Clemmer to the City Board of Adjustment for a term commencing immediately and ending June 30, 2012. **Approved 12 ayes.**

**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 levying a special assessment and tax upon property for annual weed assessments to reimburse the city for hazardous vegetation and nuisance weed cut orders performed in 2008 in the total amount of \$1,905.00 pursuant to section 7-22-4101 Montana Code Annotated and section 8.40.040 Missoula Municipal Code. ([memo](#)) – Regular Agenda (Marty Rehbein)
- Resolution levying annual assessments for street lighting districts. ([memo](#)) – Regular Agenda (Marty Rehbein)

**To Conservation Committee:**

- Approve and authorize the Mayor to sign a contract with Brugh Landscaping, LLC. for White Pine Park Landscape & Irrigation ([memo](#)).—Regular Agenda (Dave Shaw)

**To Public Safety and Health Committee**

- Discuss measures to prohibit bicycle riding on sidewalks in downtown Missoula ([memo](#)).—Regular Agenda (Dave Strohmaier)
- Award the bid for Project 09-036, Missoula Police Department meeting room remodel ([memo](#)).—Regular Agenda (Monte Sipe)

**To Public Works Committee**

- Adopt a resolution modifying portions of Resolution 7411 for the community drain field exceptions to sewer contract requirements ([memo](#)).—Regular Agenda (Steve King)

**N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS**

**O. ADJOURNMENT**

**The meeting adjourned at 11:28 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.*