

NOTE: THERE WILL BE A COMMITTEE OF THE WHOLE MEETING IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
AUGUST 17, 2009, 7:00 P.M.**

- A. CALL TO ORDER AND ROLL CALL—The Mayor and all Council members were present, except for Jaffe**
- B. APPROVAL OF THE MINUTES**
- August 10, 2009—will be available next week
- 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 \$1,203,090.47. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (07/28/09)
 2. Approve and authorize the Mayor to sign a professional services agreement with Nicole Noonan, CPA, for FY09 audit preparation assistance for the maximum amount of \$32,500. ([A&F](#))
 3. **Resolution**--Adopt a resolution to levy a special assessment and tax upon all property situated within the pooled sidewalk, curb, gutter and alley approach bond series 2009A of the City of Missoula, Montana in the total amount of \$645,000 excluding debt service, to defray the cost of installing sidewalks, curbs, gutters and alley approaches pursuant to Resolution number 7445 awarding the sale of bonds. ([A&F](#))
 4. Transfer Bernadine Gantert's membership on the Historic Preservation Commission from the "at large" position to the "Northside/Westside neighborhood representative" for a term commencing immediately and ending December 31, 2011. ([PAZ](#))
 5. Approve the proposed plat adjustment for Flynn Ranch Subdivision in accordance with Article 4-7(4)(A) of the Missoula City Subdivision Regulations subject to amended Condition No. 19 as well as approve the floodplain administrator-recommended amendment to condition No. 32. ([PAZ](#))
 6. Approve the acceptance of a grant award for the COPS (Community Oriented Policing Services) Hiring Recovery Program (CHRP) award for \$1,092,230. ([PS&H](#))
 7. Approve and authorize the Mayor to sign appendix C (addendum 1) with the Montana Department of Transportation for the city of Missoula street maintenance division to perform large scale paving projects on state routes in the amount of \$41,787. ([PW](#))
 8. **Resolution**--Adopt a resolution to close and vacate certain portions of Miller Creek Road and Lower Miller Creek Road amended per staff recommendations and conditioned on the filing of slope easements as shown on Exhibit A of the resolution, adjusting the northernmost parcel to move the edge of the right-of-way vacation westward. ([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.)

- Public hearing on a [resolution](#) fixing the appropriations for the fiscal year 2010 budget, Capital Improvement Program, and Downtown Business Improvement District work plan and budget. ([Final spreadsheet](#)) ([Updated memo](#)) ([BCOW](#)) **This item was returned to the [Budget Committee of the Whole](#).**

G. COMMUNICATIONS FROM THE MAYOR

- [Firefighter/MDA Day](#)

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

[August 12, 2009](#)

Conservation Committee

[August 12, 2009](#)

Plat, Annexation and Zoning Committee

[August 12, 2009](#)

Public Safety and Health Committee

[August 12, 2009](#)

- Adopt an [ordinance](#) establishing 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. **—Approved 7 ayes, 4 nays with Marler, Rye, Walzer, and Wiener voting nay.**
- Deny an [emergency ordinance](#) establishing 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. (Affirmative vote of 2/3 of members elected is required to pass this ordinance) **Approved 8 ayes, 3 nays with Marler, Rye, and Wiener voting nay.**

Public Works

[August 12, 2009](#)

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:

- Award contract for professional services for a Section 457 deferred compensation consultant. ([memo](#)) – regular agenda (Brentt Ramharter)

To Conservation Committee:

- Consider Greenhouse Gas and Energy Conservation Plan amendments including, but not limited to, the following provisions: to increase the number of members on the team from six to eight, to provide for alternate members on the team, and to clarify the appointment process for members. ([memo](#)) (Marty Rehbein)

- Resolution approving change order number 1 for White Pine Park. ([memo](#)) – regular agenda (Alan White)
- Resolution approving change order number 2 for Pineview Park. ([memo](#)) – regular agenda (Alan White)
- Resolution approving change order number 3 for Pineview Park ([memo](#)) – regular agenda (Alan White)

To Public Safety and Health Committee

- Approve and authorize the Mayor to sign a contract for services with Emergency Response Training Institute (ERTI) in the amount of \$34,981.20 which is being funded by a grant to provide a Hazardous Materials Technician certification course @ Missoula Fire Department. ([memo](#)) – regular agenda (Mike Painter)

To Plat, Annexation and Zoning Committee

- Remove Clark Fork Terrace No. 1 annexation, zoning, rezoning and subdivision from the table, suspend the council rules, and set a public hearing on September 21, 2009, for the Clark Fork Terrace No. 1. ([memo](#)) – regular agenda (Tim Worley)
- Consider granting a request for a 6-month extension for the execution of the annexation development agreement for Chickasaw Place Subdivision ([memo](#)).— Regular Agenda (Carla Krause)

To Public Works Committee

- [Resolution](#) of support for a Transportation Investment Generating Economic Recovery (TIGER) Grant Application for new trails, sidewalks, street improvements, and grade separated trail structures throughout the community totaling over \$19 million. If approved. ([memo](#)) – regular agenda (Steve King)

K. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

L. ADJOURNMENT

The meeting adjourned 9:03 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.