

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
DECEMBER 14, 2009, 7:00 P.M.

A. CALL TO ORDER AND ROLL CALL--**All council members and the Mayor were present.**

B. APPROVAL OF THE MINUTES

- [December 7, 2009](#)—**The minutes were approved unanimously.**

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 \$ 442,303.63. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (12/15/09)
2. [Resolution](#)—Adopt a resolution of the Missoula City Council amending the Brownfields Revolving Loan Agreement and authorize the Mayor to sign the fourth amendment to the loan agreement and the restated tax increment urban renewal note, series 2006, increasing the loan amount from \$1,125,000 to \$1,525,000. (A&F)
3. Approve the 2010 City Council schedule and direct the City Clerk to publish the meeting schedule in the legal notices and on the City web site in accordance with City Council rules. (A&F)
4. Set a public hearing on January 4, 2010, to consider a [resolution](#) revising Parks and Recreation fee schedules for programs, facilities and concessionaires. ([Cons](#))
5. Grant an encroachment easement to Sarah Perry at 505 Whitaker Drive for \$3,465 as shown in Exhibit A with the money designated to be spent on improving Whitaker Park. ([Cons](#))
6. Appoint Jim McDonald and Steve Adler as professional members of the Historic Preservation Commission for a term commencing January 1, 2010 and ending December 31, 2012. ([PAZ](#))
7. Appoint Kate Likvan to the graphic artist position, Dennis Lippert to the practicing architect position, and Sheena Comer-Winterer to the at large position for the Design Review Board for the term commencing January 1, 2010 and ending December 31, 2012. ([PAZ](#))
8. Award the purchase of one 2010 WA320-6 Wheel Loader to Modern Machinery of Missoula, MT for a total of \$117,200 and return all bid bonds. (PW)
9. Approve the purchase of one (1) 2010 Ford Fusion hybrid from Bison Ford of Great falls, Montana for \$25,621.81. (PW)
10. Approve the purchase of five (5) 2009 and/or 2010 Dodge Charger Patrol Cars from Ronan Auto Body of Ronan, Montana for \$24,961 each; a total of \$124,805 for all five cars. (PW)
11. Approve a right-of-way encroachment permit for a well for 350 Ryman Street. (PW)
12. Set a public hearing for January 11, 2010, to consider an [ordinance](#) amending Missoula Municipal Code Title 12, entitled 'Streets, Sidewalks, and Paving', Chapter 12.12 entitled 'Curbs, Sidewalks, and Paving', amending sections 12.12.130 and 12.12.340 MMC for the purpose of changing eligibility criteria and finance terms. (PW)
13. [Resolution](#)—Adopt a resolution to amending City Council resolution #7463 that vacated certain portions of Miller Creek road and Lower Miller Creek road amending the reversionary language and replacing pages 3 and 5 of exhibit A with corrected versions. (PW)

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

- Bike Ped Advisory Board

G. SPECIAL PRESENTATIONS--None

H. PUBLIC HEARINGS--None

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

[12/09/09](#)

Conservation Committee

[12/09/09](#)

Plat, Annexation and Zoning Committee

[12/09/09](#)

- Appoint Bill Nerison to the Knowledge and Interest position for the Design Review Board for the term commencing January 1, 2010 and ending December 31, 2012. **Approved 5 ayes, 3 nays, 4 abstentions with Hellegaard, Haines, and Wilkins voting nay and Hendrickson, Jaffe, Mitchell and Strohmaier abstaining.**

Public Safety and Health Committee

[12/09/09](#)

Public Works Committee

12/09/09 will be available at a later date

L. NEW BUSINESS

- Request by Ed Childers to cancel the December 28, 2009, City Council meeting and direct the City Clerk to issue a press release and post notice of the cancellation on the city's website **Approved unanimously.**
- Request by Jason Wiener to reconsider the Council's vote on December 7, 2009, against extending the emergency interim zoning of The Gables.— **Motion failed, 7 ayes, 5 nays, with Haines, Hellegaard, Hendrickson, Mitchell and Wilkins voting nay .**

If the motion to reconsider is approved, the City Council will consider the following item:

An [ordinance](#) to extend the emergency interim zoning ordinance applying RT10 (Residential 10, a two unit/Townhouse) zoning to an unzoned 12.04 acre property encompassing the preliminary plat-approved subdivision. The property is known as "The Gables Subdivision" and is located west of Hiberta Street and north of South 3rd St. W, and is legally described as Parcels 1, 2, 3 and 4 of Dinsmore's Orchard Homes Addition No. 4, Tracts 7, 11, and 12, T13N, R19W, P.M.M. ([Memo](#)) ([PAZ](#))

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:

- Confirm the appointment of Michael O'Herron to the Missoula Urban Transportation Board for a term commencing January 1, 2010 and ending December 31, 2013 ([memo](#)).—Regular Agenda (Mayor Engen)
- Authorization to submit an application to the Big Sky Trust Fund for \$367,500 to defray relocation costs associated with business and employment expansion ([memo](#)).—Regular Agenda (Mike Barton)

To Committee of the Whole:

- Presentation of the Missoula County Emergency Operation Plan ([memo](#)).—Regular Agenda (Bruce Bender)

To Conservation Committee:

- Discussion on Parks and Recreation department update on projects ([memo](#)).—Regular Agenda (Donna Gaukler)
- Approve and authorize a professional services contract, including design through construction administration, for Project #PR11-09MT, Milwaukee Railroad Path- Missoula Russell to Reserve CTEP #STPE8199(66) ([memo](#)).—Regular Agenda (Dave Shaw)

To Public Works Committee

- Approve the agreement for engineering services for SID 548 – 5th / 6th / Arthur Intersection safety improvements ([memo](#)).—Regular Agenda (Gregg Wood)
- Right of way encroachment permit for 434 North Higgins (Liquid Assets) ([memo](#)).—Regular Agenda (Doug Harby)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 7:50 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.