

**FORMAL AGENDA  
MISSOULA CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
140 WEST PINE STREET, MISSOULA, MT  
APRIL 26, 2010, 7:00 P.M.**

**A. CALL TO ORDER AND ROLL CALL—The Mayor and all council members were present except Houseman and Strohmaier.**

**B. APPROVAL OF THE MINUTES**

- [April 12, 2010](#)—Approved as corrected
- [April 19, 2010](#)—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 \$ 230,822.56. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (04/27/2010)
2. Approve and authorize the Mayor to extend the City's audit contract with Andersen Zurmuehlen for two years, FY10 and FY11. ([A&F](#))
3. [Resolution](#)—Adopt a resolution of the City of Missoula, Missoula County, Montana, authorizing the sale, issuance and delivery of not to exceed \$1,200,000 of the City's limited tax general fund obligation refunding bonds, series 2010A; to provide money to refund a portion of the City's outstanding general fund obligation bonds, series 2001A; providing for the designation, date, terms, maturities, form, payment and redemption provisions of the bonds; designating a fiscal agent; pledging the City's general credit for the payment of the bonds; creating and adopting certain funds and accounts and providing for deposits therein; covenanting to comply with certain federal tax and securities laws; designating the bonds as qualified tax-exempt obligations; authorizing the Mayor and the Finance Director/Treasurer to execute a bond purchase contract; ratifying certain actions in connection with the preliminary official statement; and providing for other matters properly relating thereto. ([A&F](#))
4. [Resolution](#)—Adopt a resolution of intention to vacate the alley in Block 7 of the Manitoba Addition, with the additional condition that an easement for maintenance be granted, and set a city council public hearing for Monday, May 10, 2010. ([PW](#))
5. Approve and authorize the Mayor to sign an agreement for engineering services to WGM Group, Inc., for redesign of the Miller Creek Road Project storm drain system to accept drainage from Upper Miller Creek Road in the amount not to exceed \$7,500. ([PW](#))
6. Authorize the Mayor to sign appendix C of the agreement with the Montana Department of Transportation for special state projects in FY11. ([PW](#))

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

**G. SPECIAL PRESENTATIONS**

- [Law Day / Missoula Law Week](#)
- [Victoria Valentine ~ Missoula Youth Volunteer Day](#)
- [Lulu Winchell – Missoula Volunteer 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 an [ordinance](#) repealing Chapter 15.08 “Uniform Fire Code” and amending Chapter 15.04 of Missoula Municipal Code renaming the chapter from “Uniform Codes Adopted” to “Fire and Building Technical Codes” and renaming section 15.04.010 from “International Codes Adopted” to “Building Technical Codes Adopted” and creating section 15.04.016 entitled “Fire Codes Adopted” to adopt the 2009 International Fire Code and provide for its administration and enforcement. ([Memo](#)) ([PS&H](#)) **Approved unanimously as amended.**

**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**

[04/21/2010](#)

**Committee of the Whole**

[04/19/2010](#)

**Public Works Committee**

[04/21/2010](#)

**L. NEW BUSINESS**

- Request by Dick Haines to reconsider an [ordinance](#) of the Missoula City Council, amending Missoula Municipal Code Title 9 Public Peace, Morals and Welfare to add chapter 9.64 entitled “Illegal Discrimination” generally prohibiting discriminatory practices in the areas of employment, public accommodations and housing on the basis of race, color, national origin, ancestry, religion, creed, sex, age, marital or familial status, physical or mental disability, sexual orientation, gender identity or gender expression; and amending section 2.94.030 entitled “Percent for Art Program Established”, section 5.82.080 entitled “Nondiscrimination,” section 9.12.010 entitled “Housing Discrimination Declared Unlawful” and section 12.58.100 entitled “Exceptions.” ([Revised Ordinance by Dick Haines](#))—**Motion to reconsider failed 3 ayes, 7 nays with Haines, Hellegaard and Mitchell voting aye.**

**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:**

- Amend resolution 7502 awarding Home Investment Partnership (HOME) funds to reallocate funds ([memo](#)).—Regular Agenda (Nancy Harte)
- A resolution authorizing the use of tax exempt financing for improvements to be made at Sussex School ([memo](#)).—Regular Agenda (Brentt Ramharter)

**To Budget Committee of the Whole:**

- Update on the quarterly budget report ([memo](#)).—Regular Agenda (Lyn Hellegaard)

**To Conservation Committee:**

- Confirm the appointment of John O'Connor, Norma Nickerson and Susan Ridgeway to the Parks and Recreation Board for a term commencing May 1, 2010 and ending April 30, 2013 ([memo](#)).—Regular Agenda (Mayor Engen)
- Appoint one member to the position of a Builders Sector representative to the Greenhouse Gas & Energy Conservation Team for the term starting immediately, and ending on July 31, 2011 ([memo](#)).—Regular Agenda (Kelly Elam)
- Update on Montana House Bill 645 funds for Playground Installations Project and Greenough Park Bridge ([memo](#)).—Regular Agenda (Donna Gaukler)

**To Plat, Annexation and Zoning Committee:**

- Consider a request for a phasing plan amendment for Flynn Ranch Subdivision ([memo](#)).—Regular Agenda (Janet Rhoades)
- Consider a request to adjust the filed plat for Grove Street Addition Minor Subdivision ([memo](#)).—Regular Agenda (Tim Worley)

**To Public Safety and Health Committee:**

- Authorize the Mayor to sign contract with Mountain Water for the installation of a fire hydrant in the Franklin-to-Fort area ([memo](#)).—Regular Agenda (Jason Diehl)

**To Public Works Committee:**

- Resolution to restore vacated Inez Street at South 2<sup>nd</sup> Street to the public trust and public use, and vacate a public access easement that was a condition of the vacation ([memo](#)).—Regular Agenda (Carla Krause)

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

**O. ADJOURNMENT**

**The meeting adjourned at 7:49 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.*