

FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
JUNE 28, 2010, 7:00 P.M.

- A. **CALL TO ORDER AND ROLL CALL--The Mayor and all Council members were present except Wilkins**
- B. **APPROVAL OF THE MINUTES**
- [June 14, 2010](#)—Approved as submitted
 - [June 21, 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 \$235,596.88. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (06/29/2010)
 2. Confirm the Mayor's reappointments of Peter Lambros and Paul Filicetti to the Public Art Committee for a term commencing July 1, 2010 and ending June 30, 2014. ([A&F](#))
 3. Suspend the rules to set a public hearing on July 19, 2010 to consider an ordinance rezoning property on the University of Montana campus legally described as SE ¼ SE ¼ of Section 22, Township 13 North, Range 19 West, P.M.M. from R8 (Residential, 8,000 sq. ft. per dwelling unit) to OP-3 (Public Lands and Institutional). ([memo](#))
 4. Set a public hearing on July 12, 2010, to consider the Edward Byrne Memorial Justice Assistance Grant Memorandum of Understanding and application. ([PS&H](#))
 5. Approve the purchase of one 2010 Go-4 Parking Enforcement vehicle from White Bear West of Kent Washington, for \$22,522. ([PW](#))
- F. **COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM**
- G. **SPECIAL PRESENTATIONS**
- [Green Power Missoula Campaign](#)
- 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 approve the preliminary annual appropriations and the capital improvement program for the city of Missoula, Montana as set forth in the preliminary fiscal year 2011 budget and to take public comment on the Missoula Downtown Business Improvement District's annual work plan and budget for fiscal year 2011. **The resolution to approve the preliminary annual appropriations and the capital improvement program for the city of Missoula, Montana as set forth in the preliminary fiscal year 2011 budget was approved with 8 ayes, 3 nays with Haines, Hellegaard and Mitchell voting nay.**

The Missoula Downtown Business Improvement District's annual work plan and budget for fiscal year 2011 was returned back to Budget Committee of the Whole.

- Public hearing on a [resolution](#) to increase municipal court administrative fees and charges for processing citations and complaints from \$16 to \$18 dollars. **Approved with 8 ayes and 3 nays with Haines, Hellegaard, and Mitchell voting nay.**
- Public hearing on an [ordinance](#) to amend Missoula Municipal Code Chapter 15.32 entitled "Building permits," pertaining to fees charged for building, mechanical, plumbing, and electrical permits and inspections requests and re-inspection fees providing for an increase of 3% for all fees charged by the city of Missoula building inspection division. **Approved with 8 ayes and 3 nays with Haines, Hellegaard, and Mitchell voting nay.**
- Public hearing on an [ordinance](#) to amend portions of Missoula Municipal Code Chapters 8.40 entitled "Hazardous Vegetation and Nuisance Weeds", 12.04 entitled "Street Vacation," 12.12 entitled "Sidewalk Construction," 12.24 entitled "Excavations," 12.30 entitled "Fences," 13.06 entitled "Industrial Wastewater," 15.38 entitled "Accessibility Standards," and 15.65 entitled "Grading, Drainage and Erosion Control Permits" pertaining to fees and increasing the fee provisions in each chapters' fee section by 3%. **Approved with 8 ayes and 3 nays with Haines, Hellegaard, and Mitchell voting nay.**
- Public hearing on an [ordinance](#) to amend Title 5, Missoula Municipal Code, entitled "Business Licenses and Regulations" Chapter 5.08 entitled "Licensing Provisions Generally," chapter 8.20 entitled "Junk Dealers," chapter 5.24 entitled "Pawnbrokers," Chapter 5.28 entitled "Secondhand Dealers," Chapter 5.40 entitled "Boiler-room Operations," Chapter 5.52 entitled "Liquor," and Chapter 5.90 entitled "Devices Depicting Sexual Activity" increasing the fee provisions in each chapters' fee section by 3% in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. **Approved with 8 ayes and 3 nays with Haines, Hellegaard, and Mitchell voting nay.**
- Public hearing on a [resolution](#) to increase fees by 3% for services related to the review and processing of land use applications pursuant to city adopted regulations pertaining to zoning subdivision and floodplain services. **Approved with 8 ayes and 3 nays with Haines, Hellegaard, and Mitchell voting nay.**

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

06/14/2010 will be available at a later date

[06/23/2010](#)

- Approve and authorize the Mayor to sign a contract with Red Oak Consulting for Fiscal Year 2011 in the amount of \$19,000. **Approved with 8 ayes and 3 nays with Haines, Hellegaard, and Mitchell voting nay.**

Budget Committee of the Whole

[06/16/2010](#)

[06/23/2010](#)

- Set a public hearing on July 12, 2010 to consider a [resolution](#) declaring it to be the intention of the City Council of the city of Missoula, Montana, to create a special district as authorized by Title 7, Chapter 11, Part 10 MCA, more specifically a city-wide road

district entitled "City of Missoula Road District Number 1" to establish an annual assessment and provide for a method of assessments for the purposes of funding and/or financing costs associated with providing services including but not limited to: (1) maintenance, repair, replacement, upkeep, installation, improvement, operational enhancement, construction, reconstruction, acquisition of right-of-way and/or (2) implementation of measures required to maintain public health and safety or meet legal or regulatory requirements, and/or (3) purchasing, replacing, and/or maintaining equipment, tools or vehicles used to carry out the functions described herein, and/or (4) any other functions and/or labor, supplies and/or materials necessary for management and maintenance of city-owned facilities, lands and equipment under the responsibility and care of the City of Missoula Public Works Department's Street, Engineering, and Vehicle Maintenance Divisions including but not limited to: streets, alleys, driveways, alley approaches, sidewalks, curbs and gutters, medians, boulevards, lighting, parking lots, support facilities, public amenities, storm water facilities, traffic control inclusive of traffic signals, signs, and pavement markings, and other public facilities located in the public right-of-way and/or within public easements; and providing for other matters properly relating thereto. **Approved on a voice vote.**

- Set a public hearing on July 12, 2010 to consider a [resolution](#) declaring it to be the intention of the city council of the city of Missoula, Montana, to create a special district as authorized by Title 7, Chapter 11, Part 10 MCA, more specifically a city-wide park district entitled "City of Missoula Park District Number 1," to establish an annual assessment and provide for a method of assessments for the purposes of funding and/or financing costs associated with providing services including but not limited to: (1) maintenance, repair, replacement, upkeep, installation, improvement, operational enhancement, construction, reconstruction, acquisition of land and/or (2) implementation of measures required to maintain public health and safety or meet legal or regulatory requirements, and/or (3) purchasing, replacing, and/or maintaining equipment, tools or vehicles used to carry out the functions described herein, and/or (4) any other functions, labor, supplies and/or materials necessary for management and maintenance of city-owned facilities, lands and equipment under the responsibility and care of the city of Missoula Parks and Recreation Department including but not limited to: public parks and park areas (as described in the Master Parks and Recreation Plan for the Greater Missoula Area), recreation facilities, trails, open space (as defined in the City of Missoula Urban Area Open Space Plan), urban forest, medians, boulevards, pathways, sidewalks, public easements and other facilities located in the city and/or owned by the city; and providing for other matters properly relating thereto. **Approved on a voice vote.**

Committee of the Whole

[06/21/2010](#)

Plat, Annexation and Zoning Committee

[06/23/2010](#)

- [Resolution](#)—Adopt a resolution to adopt the City Council draft of the City Subdivision Regulations Articles 1 through 9, dated April 30, 2010, as amended by Planning Board and as [amended](#) by City Council. **Approved with 8 ayes, 1 nay with Haines voting nay and 2 abstentions.**

Public Safety and Health Committee

[06/23/2010](#)

Public Works Committee

[06/23/2010](#)

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:

- Approve the following Community Development Block Grant (CDBG) Contracts, as authorized in [Resolution Number 7502](#): [CDBG Contract Number 10-14](#) with HomeWORD in the amount of \$100,000 to conduct site improvements, including sidewalk installation, landscaping, and connection of utilities at the Solstice Housing Project at 1535 Liberty Lane; and [CDBG Contract Number 10-11](#) with Home Resource in the amount of \$79,760 to create a community woodshop, a metal-working shop, a showroom, and office space ([memo](#)).—Regular Agenda (Melissa Gordon)
- Resolution levying annual assessments for Street Maintenance District #1 ([memo](#)).—Regular Agenda (Marty Rehbein)

To Conservation Committee:

- Approve the purchase and installation of a ultra-violet light sanitation system on the pool water circulation line at Currents Water Park ([memo](#)).—Regular Agenda (Eric Seagrave)
- Consider a resolution approving the Conservation Lands Management Plan ([memo](#)).—Regular Agenda (Donna Gaukler)
- Open Space Project Fieldtrip – Deschamps Ranch NW of WYE ([memo](#))—Regular Agenda (Jackie Corday)

To Plat, Annexation and Zoning Committee

- Consider an ordinance rezoning property on the University of Montana campus legally described as SE ¼ SE ¼ of Section 22, Township 13 North, Range 19 West, P.M.M. from R8 (Residential, 8,000 sq. ft. per dwelling unit) to OP-3 (Public Lands and Institutional) ([memo](#)).—Regular Agenda (Tim Worley)
- Consider maintenance amendments to Title 20, Missoula City Zoning Ordinance ([memo](#)).—Regular Agenda (Tom Zavitz)

To Public Safety and Health Committee

- Update on EPA grant to install 34 auxiliary power units in Montana Rail Link train engines ([memo](#)).—Regular Agenda (Dave Strohmaier)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting was adjourned at 8:27 PM

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.