

FORMAL AGENDA  
MISSOULA CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS  
140 WEST PINE STREET, MISSOULA, MT  
JULY 12, 2010, 7:00 P.M.

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

B. APPROVAL OF THE MINUTES

- [June 28, 2010](#)—**Approved as corrected**

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, 2, 6, and 7 were approved unanimously. Items 3, 4, and 5 will be considered under [Item K. Committee Reports](#)**

1. Approve [claims](#) totaling \$ 482,431.71. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (07/06/10)
2. Approve [claims](#) totaling \$ 1,295,491.86. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (07/13/10)
3. [No quorum present] Approve and authorize the Mayor to sign a contract with Northwestern Energy for \$250,000 to conduct the home energy audit portion of the Green Blocks Pilot Project. ([A&F](#))
4. [No quorum present] Approve and authorize the Mayor to sign the Community Development Block Grant (CDBG) contracts with HomeWORD in the amount of \$100,000 ([Contract Number 10-14](#)) to conduct site improvements, including sidewalk installation, landscaping , and connection of utilities at the Solstice Housing Project at 1535 Liberty Lane; and with Home Resource in the amount of \$79,760 ([Contract Number 10-11](#)) to create a community woodshop, a metal-working shop, a showroom and office space; as authorized in the City Council [Resolution Number 7502](#). ([A&F](#))
5. [No quorum present] Set a public hearing for August 2, 2010 on a [resolution](#) levying annual assessments for Street Maintenance District #1 which is generally located the downtown area. ([A&F](#))
6. Set a public hearing on July 26, 2010, to consider a [resolution](#) to adopt the Missoula [Conservation Lands Management Plan](#) establishing the goals and guiding principles for the management of the City of Missoula's open space lands. ([Cons](#))
7. Set a public hearing on August 2, 2010 to consider an [ordinance](#) to amend Title 20, Missoula City zoning ordinance to incorporate maintenance revisions. ([PAZ](#))

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

G. SPECIAL PRESENTATIONS

- [ADA 20<sup>th</sup> Anniversary Celebration 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 the Edward Byrne Memorial Justice Assistance Grant Memorandum of Understanding and application (JAG). ([memo](#)) ([PS&H](#)) **No action required by City Council**
- Public hearing on an [ordinance](#) amending section 2.36.010 and repealing section 2.36.040 of Missoula Municipal Code pertaining to the Bureau of Fire Prevention to revise references to the fire code enforced by the bureau to provide consistency with Chapter 15.08. ([memo](#)) ([PS&H](#)) **Approved unanimously**
- Public hearing on 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. ([memo](#)) ([revised Road District Resolution of Intent 06/30/2010](#)) ([BCOW](#)) **This item was returned to Budget Committee of the Whole**
- Public hearing on 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. ([memo](#)) ([revised Park District Resolution of Intent 06/30/2010](#)) ([BCOW](#)) **This item was returned to Budget Committee of the Whole**
- Public hearing a resolution fixing the annual appropriations for the City of Missoula, Montana as set forth in the fiscal year 2011 budget, Capital Improvement Program, Downtown Business Improvement District work plan and budget in the amount of (TBD) ([memo](#)) **This item was held open** (*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.*)

## 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**

[07/07/2010](#)

**Consent agenda items #3, #4, and #5 were considered below:**

- [No quorum present] Approve and authorize the Mayor to sign a contract with Northwestern Energy for \$250,000 to conduct the home energy audit portion of the Green Blocks Pilot Project. ([A&F](#)) **Approved 9 ayes and 2 nays with Haines and Hellegaard voting nay.**
- [No quorum present] Approve and authorize the Mayor to sign the Community Development Block Grant (CDBG) contracts with HomeWORD in the amount of \$100,000 ([Contract Number 10-14](#)) to conduct site improvements, including sidewalk installation, landscaping, and connection of utilities at the Solstice Housing Project at 1535 Liberty Lane; and with Home Resource in the amount of \$79,760 ([Contract Number 10-11](#)) to create a community woodshop, a metal-working shop, a showroom and office space; as authorized in the City Council [Resolution Number 7502](#). ([A&F](#)) **Approved 10 ayes and 1 nay with Mitchell voting nay.**
- [No quorum present] Set a public hearing for August 2, 2010 on a [resolution](#) levying annual assessments for Street Maintenance District #1 which is generally located the downtown area. ([A&F](#)) **Approved on a voice vote.**

**Budget Committee of the Whole**

[07/07/2010](#)

- [No quorum present] Set a public hearing on August 2, 2010, on an [ordinance](#) amending Chapter 12.44 Missoula Municipal Code entitled "Cemeteries" repealing section 12.44.070 entitled "Reserve Funds." removing the requirements relating to the deposit of certain cemetery revenue into reserve funds. **This item was returned to Budget Committee of the Whole**
- [No quorum present] Set a public hearing on August 2, 2010 on an [ordinance](#) amending Missoula Municipal Code Chapter 1.20.010 entitled "General Penalty" amending section 1.20.010 entitled "Designated" and section 1.20.020 entitled "Fine payment" to establish a minimum fine of \$30.00 for violations of city ordinances unless specifically provided for elsewhere in Missoula Municipal Code. **Approved on a voice vote.**
- [No quorum present] Approve the Missoula Downtown Business Improvement District's annual work plan and budget for fiscal year 2011. (Note: This item was not on the Committee Schedule Agenda and there was no suspension of rules to take up the item in committee. Staff recommends this item be held in committee until the appropriate public process has been done.) **This item was returned to Budget Committee of the Whole**

**Conservation Committee**

[06/30/2010](#)

- Approve the purchase and installation of an Engineered Treatment Systems (ETS) UV System (Model #ECF 225-8) by Rocky Mountain Pools & Spas of Kalispell, Montana for the total \$38,810. **Approved 8 ayes, 2 nays and 1 abstention with Haines and Hellegaard voting nay.**

[07/07/2010](#)

**Plat, Annexation and Zoning Committee**

[06/30/2010](#)

**Public Safety and Health Committee**

[07/07/2010](#)

**Public Works Committee**

[06/30/2010](#)

[07/07/2010](#)

- Approve and authorize the Mayor to sign the interlocal agreement between the City of Missoula and the County of Missoula related to the Reserve Street / Mullan Road Intersection Improvements project. **Approved 8 ayes and 3 nays with Haines, Jaffe, and Wilkins voting nay.**
- [Resolution](#)—Adopt a resolution of the Missoula City Council authorizing the mayor to sign for and utilize up to \$350,000 of Missoula County Mullan road traffic mitigation funds for city project no. 2007-047 “Mullan Road and Reserve Street intersection improvements.” **Approved 8 ayes and 3 nays with Haines, Jaffe, and Wilkins voting nay.**

**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 Conservation Committee:**

- Award contract for North Side Pedestrian Bridge Repair & Rehabilitation ([memo](#)).—Regular Agenda (Alan White)
- Award contract for Playfair Park Irrigation Modification and Expansion Design/Build ([memo](#))—Regular Agenda (Alan White)

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

**O. ADJOURNMENT**

**The meeting was adjourned at 10:20 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.*