

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MARCH 9, 2009, 7:00 P.M.**

A. CALL TO ORDER AND ROLL CALL—All City Council members and the Mayor were present.

B. APPROVAL OF THE MINUTES

- [February 23, 2009](#)—approved as submitted.
- [March 2, 2009](#)—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 \$ 260,835.46. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (03/10/09)
2. Set the public hearing on the March 23, 2009 to consider a regular and an emergency ordinance of the Missoula City Council amending Title 1, Chapter 1.16 Missoula Municipal Code entitled "Election Wards" Section 1.16.020 to update the precincts located in each ward. ([COW](#))
3. Direct staff to proceed with incorporating requirements for parkland dedication for multi-family housing into the zoning code rewrite. ([PAZ](#))
4. Approve the purchase of one (1) 2008 Polaris Ranger 6X6 from Kurt's Polaris of Missoula for \$15,952.67. ([PW](#))
5. Award the bid for road maintenance materials (Project 101-2009-1) to CHS, Inc for 330 tons of emulsified asphalt CRS-2P polymer modified at \$529.00/ton for a total of \$174,570 and authorize return of bid bonds. ([PW](#))
6. Award the bid for road maintenance materials (Project 103-2009-3) to Knife River of Missoula, MT, for 10,000 tons of hot mix asphalt grade B at \$46.25/ton for a total of \$462,500 and authorize return of bid bonds. ([PW](#))
7. Award the bid for road maintenance materials (Project 104-2009-4) to Western Excavating of Missoula, MT, for 4,000 tons of sand surfacing at \$5.99/ton for a total of \$23,960 and authorize return of bid bonds. ([PW](#))
8. Award the bid for road maintenance materials (Project 105-2009-5) to Knife River of Missoula, MT, for 3,000 tons of seal coat aggregate at \$16.50/ton for a total of \$49,500 and authorize return of bid bonds. ([PW](#))
9. Award the bid for road maintenance materials (Project 106-2009-6) to Knife River of Missoula, MT, for 3,000 tons of 3/8" driveway-grade hot mix asphalt at \$56.30/ton for a total of \$168,900 and authorize return of bid bonds. ([PW](#))
10. Award the bid for road maintenance materials (Project 107-2009-7) to Knife River of Missoula, MT, for 6,000 tons of grade "D" hot mix asphalt at \$46.25/ton for a total of \$277,500 and authorize return of bid bonds. ([PW](#))
11. Award the bid for road maintenance materials (Project 108-2009-8) to Knife River of Missoula, MT, for 1,000 tons of drain aggregate at \$13.00/ton for a total of \$13,000 and authorize return of bid bonds. ([PW](#))
12. Approve and authorize the Mayor to sign the contract with HDR Engineering for the design and construction management for the Reserve Street lift station for a total of \$129,137.56. ([PW](#))
13. Approve and authorize the Mayor to sign contract amendment 11 with Morrison Maierle Inc. for the odor characterization study for \$74,400. ([PW](#))

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

- Bike/Ped Board Update—Bob Wachtel

G. SPECIAL PRESENTATIONS

H. PUBLIC HEARINGS--None

I. COMMUNICATIONS FROM THE MAYOR

- [Legislative Bills for March 9](#)

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.)

Committee of the Whole

[03/04/09](#)

Plat, Annexation and Zoning Committee

[03/02/09](#)

[03/04/09](#)

- [Resolution](#)—Adopt a resolution amending City Subdivision Regulations Article 3-8 entitled "Parks and Open Space Requirements" to require parkland dedication for minor subdivisions and change the way parkland dedication is calculated for multi-family lots. Amendments to Subdivision Regulations, Article 4-2 and 5-3 are needed to maintain consistency with the amendments to Article 3-8 **Approved 9 ayes, 3 nays with Haines, Hellegaard and Hendrickson voting nay.**

Public Safety and Health Committee

[03/04/09](#)

Public Works Committee

[03/04/09](#)

Urban Wildlife Subcommittee

03/06/09 will be available at a later date

L. NEW BUSINESS

- [Mayoral veto](#) of [Resolution 7401](#) regarding designated voice restraint areas for dogs. ([Legal opinion](#) concerning Mayoral vetoes)-**There was no action taken. The veto is sustained.**

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:

- Authorize the Mayor to sign three (3) collective bargaining agreements between the City of Missoula and the Teamsters, Local 200, I.U.O.E, Local 400 and Machinists, Local 88 representing employees in the Street Division, Traffic Services and Vehicle Maintenance; the Operating Engineers in the Wastewater Division; and Laboratory Techs in the Wastewater Treatment Facility ([memo](#)).—Regular Agenda (Gail Verlanic)

To Committee of the Whole:

- Missoula emergency response training program information ([memo](#)).—Regular Agenda (Pam Walzer)

To Conservation Committee:

- Appoint one member; Conservation sector, to the Greenhouse Gas & Energy Conservation Team for the term starting immediately through July 31, 2010 ([memo](#)).—Regular Agenda (Kelly Elam)

To Plat, Annexation and Zoning Committee

- Appoint one member to the Design Review Board for the Knowledge & Interest position for the term commencing immediately through December 31, 2010 ([memo](#)).—Regular Agenda (Kelly Elam)

To Public Safety and Health Committee

- Discussion of applicability of Missoula County Initiative No. 2 (marijuana deprioritization) to the City of Missoula ([memo](#)).—Regular Agenda (Dave Strohmaier)
- Discussion on an ordinance amending Title 10 entitled "Vehicles and Traffic" Chapter 10.20 entitled "Operation of Vehicles" by adopting and establishing new sections 10.20.300, 10.20.310 and 10.20.320 generally prohibiting the use of hand-held mobile telephones and other electronic communication devices while simultaneously operating a motor vehicle or a bicycle ([memo](#)).—Regular Agenda (Dave Strohmaier)

To Public Works Committee

- Review bids for safe routes crossings improvement project, award bid to lowest bidder, Gregston Construction Co, for the sum of \$69,335.65, and authorize return of bid bonds ([memo](#)).—Regular Agenda (Doug Harby)
- Approve an encroachment permit for 620 Addison ([memo](#)).—Regular Agenda (Doug Harby)
- Approve an exception to MMC Chapter 9.30 Noise Control during construction of four MDT Urban Pavement Preservation projects ([memo](#)).—Regular Agenda (Kevin Slovarp)

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.