

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
APRIL 13, 2009, 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**
- [April 6, 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 \$ 471,597.17. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (04/14/09)
 2. Approve the [Riverfront Neighborhood Council Bylaws](#) as amended. ([memo](#))
 3. Approve the extension request for the Windsor Park Phase 7 Subdivision phasing plan amendment to March 28, 2011 in accordance with Article 4-7(2)(A-C) of the Missoula City Subdivision Regulations. ([PAZ](#))
 4. Approve tabling a decision to adopt permanent zoning for certain unzoned parcels in the upper west Rattlesnake Valley. ([PAZ](#))
 5. Table an [ordinance](#) to rezone property located at Rattlesnake Valley Lincoln School Cultural Center from R-8 (Residential) to P-2 (Public Lands and Institutions) as an interim urgency measure, pursuant to Section 76-2-306, MCA. The property is legally described as Lots 1, 2 and 13 of the School House Addition (within the Park Addition), Section 14, T13N, R19W. ([PAZ](#))
 6. Approve the Mayor's appointment of firefighter trainees Dave Smith, Justin Walsh, John LaRocque and Jamie Porter as Confirmed Firefighters for the City of Missoula. ([PS&H](#))
 7. Set a public hearing on May 11, 2009, to consider an [ordinance](#) creating Chapter 5.45 Missoula Municipal code entitled "Ambulance Services" Sections 5.45.010 through 5.45.100 to establish regulations for ambulance businesses operating in the city of Missoula and repealing Chapter 5.44 Missoula Municipal Code entitled "Ambulances" in its entirety. ([PS&H](#))
 8. Approve the encroachment permit at 218 East Front Street. ([PW](#))
 9. Approve the purchase of one Energy Absorption Systems, Vorteq; Traffic Attenuator to Coral Sales Company of Portland, Oregon, for \$15,582. ([PW](#))
 10. Approve the purchase of one (1) 2009 Land Pride 72" Grass Seeder from Big Sky Kubota of Missoula, MT. for \$9,872. ([PW](#))
 11. Approve the purchase of three (3) used mini pickups from Montana Mini-Trucks of Shelby, MT. for \$23,900. ([PW](#))
- F. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM**
- G. SPECIAL PRESENTATIONS**
- [Sentinel High School DECA 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.)

- Joint public hearing with the Missoula County Commissioners on a [resolution](#) to expend up to \$31,000 of 2006 Open Space Bond proceeds, plus the prorated share of taxes, to fund city purchase of approximately 59 acres on the east side of MT Jumbo adjacent to the Mountain Water Tower, known as the Yawle property, for open space purposes. ([memo](#)) ([Cons](#))
Resolution approved by City Council unanimously.
- Public hearing on a [resolution](#) of intention to close and vacate certain portions of Miller Creek Road and Lower Miller Creek Road generally located between Briggs and the “Wye”. ([Resolution A](#)) ([Resolution B](#)) ([Staff Report](#)) ([map-6 MB file size](#)) ([memo](#)) ([PW](#)) **This item was returned to the Public Works Committee.**
- Public hearing 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](#)) ([PS&H](#)) **This item was returned to the Public Safety and Health Committee.**

I. COMMUNICATIONS FROM THE MAYOR

- [Mayor's Legislative Report](#)

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

[04/08/09](#)

Committee of the Whole

[04/08/09](#)

Plat, Annexation and Zoning Committee

[04/08/09](#)

Public Safety and Health Committee

[04/08/09](#)

Public Works Committee

[04/08/09](#)

- [Resolution](#)—Adopt a resolution relating to Lolo Street—Missoula Avenue to Rattlesnake Drive curb and sidewalk improvements, Project 08-004; of the city's sidewalk, curb, gutter, and alley approach program, ordering in the sidewalk, curb, gutter, and alley approach improvements and directing notice be given to affected property owners.
Approved 6 ayes, 5 nays with Haines, Hellegaard, Hendrickson, Jaffe and Mitchell voting nay.

Urban Wildlife Subcommittee

[04/03/09](#)

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 Committee of the Whole:

- Workshop on findings of fact and conclusions of law ([memo](#)).—Regular Agenda (Marty Rehbein)
- Presentation on the 21st Century Schools ([memo](#)).—Regular Agenda (Mayor Engen)

To Conservation Committee:

- Confirm the reappointments of Mary Lou Cordis and Pat McHugh to the Cemetery Board for a term commencing May 1, 2009 and ending April 30, 2012 ([memo](#)).—Regular Agenda (Mayor Engen)

To Plat, Annexation and Zoning Committee

- Informational briefing on the FEMA revised preliminary floodplain maps ([memo](#)).—Regular Agenda (Todd Klietz)

To Public Works Committee

- Approve and authorize the Mayor to sign an agreement with Montana Department of Transportation (MDT) for City of Missoula Street Maintenance Division to perform large scale paving projects on state routes as described on the attached Appendix C and in accordance with our state route maintenance contract ([memo](#)).—Regular Agenda (Brian Hensel)
- Informational item only for consideration of an amendment to the HDR, Inc.'s Engineering Services Agreement for project close out and contractor's claim resolution ([memo](#)).—Regular Agenda (Gregg Wood)
- Approve an exception to MMC Chapter 9.30 Noise Control during construction of the Scott Street bridge overlay ([memo](#)).—Regular Agenda (Steve King)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 10:15 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.