

**COMMITTEE OF THE WHOLE  
CITY COUNCIL CHAMBERS  
140 WEST PINE STREET  
MISSOULA MONTANA  
FEBRUARY 23, 2011, 10:05 – 11:00 AM**

**Members present:** Ed Childers, President; Stacy Rye, Vice President; Dick Haines; Lyn Hellegaard; Bob Jaffe; Renee Mitchell; Pam Walzer; Jason Wiener; Jon Wilkins and Cynthia Wolken

**Members absent:** Marilyn Marler, Dave Strohmaier

**Others present:** Mayor Engen, Bruce Bender, Brentt Ramharter, Gary Bakke, John Hendrickson

**I. Administrative Business**

Approve minutes dated February 16, 2011 will be available at a later date

**II. Public Comment on items not listed on the agenda--None**

**III. Regular Agenda**

A. Mayor's budget presentation. ([memo](#)) – Regular Agenda (Ed Childers) (Referred to committee: 02/14/11) **(REMOVE FROM AGENDA)**

Mayor Engen discussed the budget and CIP process [calendar](#). He also hopes to have a preliminary budget done and in effect by July 1, 2011. Based on the council preferences with regard to what the taxable value ends up being, the administration can plus or minus to finalize the budget. The sense this year is there might be some growth. The mayor would like to present the preliminary budget to the budget committee of the whole on March 30, 2011. In the CIP (Capital Improvement Program), the deadline is June 1, 2011 to bring it to council. Departments were informed about no new requests. The budget for FY12 will honor union contracts and other employees an increase based on the average of those contracts. He doesn't expect any new requests generally speaking from departments and will probably not recommend any new requests. There will not be any proposed special districts. There might be a proposed increase in the general fund tax increase to manage those contracts. He also stated the good news there will not be any cuts to be considered. He thinks they will be able to stay the course of continued services.

Mr. Childers asked, what would be the deadline to reopen the budget? At some point in time the council needs to tell the county to bill. Bruce Bender stated last year the final numbers came in on August 1, 2010.

Mr. Childers asked, how long do we have before we have to send the taxing information to the county? Brentt Ramharter stated usually it is the middle to late September for tax bills. Using our estimate of growth then we can get what the mills will be. Mr. Bender stated he hopes the council will be able to adopt the mill levy shortly after the administration gets the numbers.

Mayor Engen stated he hopes to hear from council members on any type of format on any of their particular interests in the budget. An example would be if they are particularly in looking at a certain expense then the administration can put a spreadsheet together showing the savings. He invited the council members to participate in the budget process if there are particular things they are interested in.

Mr. Ramharter stated the difficulty finance department has found in the last couple of years was they have adopted the budget so late in the year 1) the Department of Revenue did not get the numbers to Finance in time and 2) the open budget discussion with the council. Between the audit and the open budget plus the ARRA stimulus money being stringent about eighty percent of all transactions are looked at keeps the department busy.

Ms. Hellegaard asked about the SMT (Senior Management Team) minutes regarding the budget. It states a three percent increase for the non union and four percent increase for union workers, why the difference? Mayor Engen stated they will honor the union contracts which vary in terms of percentages. For the non-union, they use an average so it may not be three percent.

Ms. Hellegaard asked what the mills are going to be. Mayor Engen stated he does not know right now.

Ms. Hellegaard asked about the increase in the health insurance premium. Mr. Ramharter stated it is currently under discussion in the Employee Benefit Committee (EBC). The city will be taking their contribution from 635 to 670 and on the city side they need to replenish the fund level to a pre-determine level. They will be cost sharing with the employees for additional costs. They are trying to replenish the fund balance over the next three years. The employee amount will go up to \$30.00 per month.

Ms. Hellegaard asked what the total is between the fund balance and increase in the premium. Mr. Ramharter stated the all in cost per employee per month would increase to \$115.00. It is divided up differently with the retirees.

Mr. Childers stated he also appreciates reading the SMT minutes. He also asked, what are some potential drawbacks to moving up the budget schedule? Mayor Engen stated he did not see any disadvantages but if the council has seen any to let him know.

Renee Mitchell asked if Ms. Hellegaard was able to get her information she had been requesting for months from the finance office. Ms. Hellegaard stated they met and she was finally able to get her information in the correct format she was looking for.

John Hendrickson from MBIA, asked about the CIP equipment schedule are there things being replaced and if so how they are being financed. Mayor Engen stated they will continue to finance them through the Master Lease Program. There are some fire apparatus on the schedule but according to the department they are ok with deferring them.

B. Administration and Council discuss legislative matters. ([memo](#))—Regular Agenda (Ed Childers) (Referred to committee: 01/24/11) **(Held and Ongoing)**

Pam Walzer stated House Bill 434 which dealt with the state super fund died in committee. It was approved in committee on an 8-7 vote but is not on the agenda on the floor.

Ms. Walzer also commented on House Bill 304 revising the laws relating to special districts was tabled but was later removed from the table and placed on a 2<sup>nd</sup> reading. It failed in committee by a vote of 24-76.

Ms. Walzer also stated House Bill 516 which did pass the House. This means the city, the university, or city of Bozeman do not have the authority to add protected classes to the Human Rights Act.

Mr. Childers asked about our health insurance which recognizes domestic partners would not be allowed. Ms. Walzer stated that was discussed in the debate.

Stacy Rye thanked Ms. Walzer about her updates both on Mr. Jaffe's listserv and her email. She stated she was unaware the bill to limit local ordinances to state protected classes would affect the health insurances at the university, county and the city. Benefits will be nullified

Jon Wilkins asked what about the ordinances about the DUI and the cell phone bans. Ms. Walzer stated this is only to the Human Rights Act. There is also the repeal on the issue of citizen initiative can direct law enforcement to enforce laws like the initiative in 2006. She also stated the council still has self governing powers but this is one of the self governing powers being taken away.

Mr. Childers asked if she knows if the State of Montana anti discriminating laws is the same as the federal laws. Ms. Walzer responded the sponsor said the state has a program on how to litigate, how to mediate, and how to deal with human rights issues. By adding the extra class council was going outside of the state statute.

Jason Wiener stated the Montana Humans Rights Act includes political affiliation. It is at least one class that is not in the Civil Rights Act.

Mr. Childers stated House Bill 304 died on a second reading.

**IV. Held in committee**

1. Mayor's Update – Ongoing in Committee. (Mayor Engen)
2. Updates from Council representatives on the Health Board, Community Forum, Transportation Policy Coordinating Committee, other boards and commissions as necessary. – (Ongoing in Committee)
3. Joint meeting of the Mayor, City Council and County Commission; a facilitated quarterly OPG review as directed in the [Interlocal Agreement](#) (Agenda)—Ongoing (Mayor Engen)
4. Joint meeting between the Missoula City Council and the Missoula County Public Schools' Board of Trustees ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 09/17/07)
5. Examination of Office Planning and Grants ([memo](#))—Regular Agenda (Lyn Hellegaard) (Referred to committee: 09/08/08)

**V. Adjournment**

The meeting was adjourned at 10:31 AM.

Respectfully submitted,

*Nikki Rogers*  
Deputy City Clerk