

NOTE: THERE WILL BE A COMMITTEE OF THE WHOLE MEETING IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING.

**FORMAL AGENDA
ABBREVIATED MEETING
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MARCH 21, 2011, 7:00 P.M.**

A. CALL TO ORDER AND ROLL CALL—The Mayor and all City Council members were present.

B. APPROVAL OF THE MINUTES

- [March 14, 2011](#)—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 \$ 964,480.66. ([Detailed Claims](#)) ([Chart of Accounts](#)) ([A&F](#)) (03/22/11)
2. Confirm the Mayor's reappointment of Rosalie Sheehy Cates to the Missoula Redevelopment Agency Board for a term commencing May 1, 2011 and ending April 30, 2015. ([A&F](#))
3. Approve the [blank agreement](#) template to allow for community gardens on City owned properties that will be identified in the future. ([Cons](#))
4. **(Suspend the rules)** First reading on an [ordinance](#) rezoning property located at 2725 Radio Way from C1-4/EC (Neighborhood Commercial with Enterprise Commercial Overlay) and C2-4/EC (Community Commercial with Enterprise Commercial Overlay), to C2-4/EC (Community Commercial with Enterprise Commercial Overlay) and confirm the public hearing date set on April 4, 2011. ([memo](#))
5. Approve the proposed phasing plan as shown in [attachment D](#) for Windsor 7 Subdivision in accordance with Article 4-072.2(A-C) of the Missoula City Subdivision Regulations. ([PAZ](#))
6. Deny an ordinance to rezone property located at 217 & 235 Catlin Street and 1715 Trail Street from RM2.7 (Residential 2.7 multi-dwelling) to RM1-45 (Residential 1 multi-dwelling). ([PAZ](#))
7. Award the bid for road maintenance materials (Project 101-2010-1) to Montana Refining Company for 500 tons of emulsified asphalt CRS-2P, at \$492.00/ton, for a total of \$246,000, and authorize the return of bid bonds. ([PW](#))
8. Award the bid for road maintenance materials (Project 103-2010-3) to Knife River of Missoula, MT, for 5,000 tons of hot mix asphalt, at \$41.95/ton, for a total of \$ 209,750, and authorize the return of bid bonds. ([PW](#))
9. Award the bid for road maintenance materials (Project 104-2010-4) to LS Jensen of Missoula, MT, for 4,000 tons of sand surfacing, at \$5.74/ton, for a total of \$22,960, and authorize the return of bid bonds. ([PW](#))
10. Award the bid for road maintenance materials (Project 105-2010-5) to Knife River of Missoula, MT, for 4,500 tons of seal coat aggregate, at \$24.50/ton, for a total of \$110,250, and authorize the return of bid bonds. ([PW](#))
11. Award the bid for road maintenance materials (Project 106-2010-6) to Knife River of Missoula, MT, for 3,000 tons of driveway-grade asphalt, at \$53.80/ton, for a total of \$161,400, and authorize the return of bid bonds. ([PW](#))

12. Award the bid for road maintenance materials (Project 107-2010-7) to Knife River of Missoula, MT, for 8,000 tons of Grade "D" asphalt, at \$41.95/ton for a total of \$335,600 and authorize return of bid bonds. ([PW](#))
13. Approve and authorize the Mayor to sign the memorandum of agreement with the Montana Department of Transportation for up to \$52,500, of which up to \$45,454 are federal CMAQ (Congestion Mitigation and Air Quality) funds, to be used for painting bike lanes with epoxy in summer 2011 (FY2012). ([PW](#))
14. Set a public hearing on April 11, 2011, on an [ordinance](#) amending Missoula Municipal Code Chapter 13.04.010, entitled "Connections with Public Sanitary Sewers Required" and Section 13.04.020 entitled "Connection to Public Sanitary Sewer upon Property Transfer-Required" pertaining to gray water discharge and providing exceptions to public sanitary sewer connections upon property transfer. ([PW](#))

F. COMMUNICATIONS FROM THE MAYOR

G. GENERAL COMMENTS OF CITY COUNCIL MEMBERS

H. 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

[03/16/11](#)

- [Resolution](#)—Adopt a resolution relating to the \$1,350,000 taxable sewer system revenue bonds, series 2011; authorizing the issuance and providing for the public sale thereof.—**Approved 9 ayes, 3 nays with Hellegaard, Haines and Mitchell voting nay.**

Committee of the Whole

[03/16/11](#)

Conservation Committee

[03/16/11](#)

Plat, Annexation and Zoning Committee

[03/16/11](#)

Public Safety and Health Committee

[03/16/11](#)

Public Works Committee

[03/16/11](#)

- Approve and authorize the Mayor to sign the construction agreement with Montana Department of Transportation (MDT) for construction and/or reconstruction of the Mullan Road and Reserve Street intersection, pending approval by city legal counsel.
- Approve an exemption to Missoula Municipal Code Chapter 9.30, Noise Control, to permit relief in accordance with Missoula Municipal Code Chapter 9.30.070, Permit for relief from noise control, from specified noise levels during construction and/or reconstruction of the Mullan Road and Reserve Street intersection.
A motion to approve the agreement and to permit relief from noise control passed 9 ayes, 3 nays with Wilkins, Jaffe, and Haines voting nay.

I. NEW BUSINESS

- (Suspend the Rules) Jason Wiener requests the city council adopt a [resolution](#) opposing House Bill 161 and removing any doubt about the city's stance. ([COW](#))
Approved as amended 9 ayes, 3 nays with Haines, Hellegaard and Mitchell voting nay

J. 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 Budget Committee of the Whole:

- Mayor's presentation of the FY 2012 Budget. ([memo](#))—Regular Agenda (Brentt Ramharter)
- Mayor's presentation of the FY 2012 Capital Improvement Program (CIP). ([memo](#))—Regular Agenda (Brentt Ramharter)

To Conservation Committee:

- Approve and authorize an agreement with a contractor to be selected March 18th, 2011 to perform the vegetation removal mandated by the Army Corps of Engineers. ([memo](#))—Regular Agenda (Ben Carson)

To Plat, Annexation and Zoning Committee

- Direct Office of Planning and Grants staff to refer potential revisions to Chapter 20.75 Signs of the city ordinance (Title 20) to the Planning Board. ([memo](#))—Regular Agenda (Lewis YellowRobe)

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 a large scale paving project on the State Routes as described on the attached Appendix C and in accordance with our state route maintenance contract. ([memo](#))—Regular Agenda (Brian Hensel)

K. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

L. ADJOURNMENT

The meeting adjourned at 9:17 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.