

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

**FORMAL AGENDA
ABBREVIATED MEETING
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MAY 18, 2009, 7:00 P.M.**

A. CALL TO ORDER AND ROLL CALL—All present

B. APPROVAL OF THE MINUTES

- [May 11, 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.) **Items 1-15 were approved unanimously. Item #16 was discussed later in the meeting under Item I.***

1. Approve [claims](#) totaling \$ 375,602.59. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (05/19/09)
2. Approve and authorize the Mayor to sign a five year contract with Qwest for 14 T1 lines for the city's computer network in the amount of \$109.98 per month per line plus taxes and fees. ([A&F](#))
3. Approve and authorize the Mayor to sign the Home Investment Partnerships program (HOME) contracts with the Human Resource Council District XI in the amount of \$343,000 (Contract Number 09-01) for assistance to low –and moderate- income first time homebuyers in the form of down payment, closing costs and education as authorized in Resolution Number 7399. ([A&F](#))
4. Approve and authorize the Mayor to sign the Home Investment Partnerships program (HOME) contracts with the Missoula Housing Authority in the amount of \$200,000, bringing the total to \$350,000 (Contract Number 09-02) for construction of a 37-unit rental housing project as authorized in Resolution Number 7399. ([A&F](#))
5. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with WORD in the amount of \$16,000 (Contract Number 09-02) to provide counseling and other services for families in transition, including those receiving Basic Needs Assistance from Missoula County as authorized in Resolution Number 7400. ([A&F](#))
6. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with Missoula Food Bank in the amount of \$16,000 (Contract Number 09-03) to fund a Program Manager position to supervise all aspects of the Food Banks community food distribution program as authorized in Resolution Number 7400. ([A&F](#))
7. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with homeWORD in the amount of \$4,000 (Contract Number 09-04) for Financial Fitness and Foreclosure Prevention programs as authorized in Resolution Number 7400. ([A&F](#))
8. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with Missoula Aging Services in the amount of \$12,000 (Contract Number 09-06) to provide respite from care giving duties for low-moderate –income Missoulians who care for an elderly family member or friend as authorized in Resolution Number 7400. ([A&F](#))

9. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with the Parenting Place in the amount of \$8,000 (Contract Number 09-07) for child respite care to families where children may be at risk for abuse and neglect as authorized in Resolution Number 7400. ([A&F](#))
10. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with the Poverello Center in the amount of \$8,000 (Contract Number 09-08) to provide case management to homeless and individuals through the Breaking Barriers Program as authorized in Resolution Number 7400. ([A&F](#))
11. Approve and authorize the Mayor to sign Community Development Block Grant (CDBG) contracts with Regional Access Mobility Program (RAMP) in the amount of \$15,000 (Contract Number 09-09) to purchase, install and maintain aluminum ramp modules to increase accessibility and safety for at least four households as authorized in Resolution Number 7400. ([A&F](#))
12. River Road Lots Subdivision: ([PAZ](#))
 - Conditionally approve the request to vary from Article 3-2(15), and require installation of 6'-wide concrete sidewalks with 10'-wide landscaped boulevards along the River Road frontage of the subdivision, except where the sidewalk would conflict with existing, healthy, mature trees, in which case the sidewalk may meander to avoid impacting these trees if approved by City Engineering and City Parks & Recreation, based on the findings of fact and subject to the recommended conditions of approval in the staff report
 - Approve the request to vary from Article 3-3(1)(C)(3), which requires Lots 2 and 3 to abut onto and have access to a public or private street or road, based on the findings of fact and subject to the recommended conditions of approval in the staff report.
 - Approve the River Road Lots Subdivision based on the findings of fact and subject to the recommended conditions of approval in the staff report as amended by PAZ (per the memo dated May 15, 2009).
13. Approve and authorize the Mayor to sign a memorandum of understanding with Missoula County and to submit an application for the Edward Byrne Memorial Justice Assistance Grant funds totaling approximately \$147,269 for the Police department and to schedule a public hearing on the grant application for June 1, 2009. ([PS&H](#))
14. [Resolution](#)— Adopt a resolution relating to Slant Streets area curb and sidewalk improvements, Project 08-043, of the City's Sidewalk, Curb, Gutter and Alley approach program; approving the final ordering in of improvements. ([PW](#))
15. Award the bid for Project 08-043, curb and sidewalk improvements adjacent to properties in the Slant Streets Phase II area to Patterson Enterprises, Inc. for the sum of \$292,955.27 and authorize return of bid bonds. ([PW](#))
16. Authorize the Mayor to sign a project development agreement with Johnson Controls to initiate the preliminary and detailed development phases of an energy savings performance contract, with the City of Missoula, for an amount not to exceed \$51,363. ([PW](#))

F. 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 a resolution fixing the annual appropriations for the City of Missoula as set forth in the fiscal year 2010 budget, Capital Improvement Program, Downtown Business Improvement District work plan and budget. ([memo](#)) ([A&F](#)) **This public hearing is continued...**
(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.)

G. COMMUNICATIONS FROM THE MAYOR

- [Foster Care Month](#)

H. GENERAL COMMENTS OF CITY COUNCIL MEMBERS

I. 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

[05/13/09](#)

Committee of the Whole

[05/11/09](#)

Plat, Annexation and Zoning Committee

[05/13/09](#)

- Chickasaw Place Subdivision:
 - Deny the variance to City Subdivision Regulations Article 3-2(15)(B) for a 5' sidewalk with a 7' boulevard along South 7th Street West and, require installation of a 6' sidewalk with a 10' boulevard.—**Approved unanimously.**
 - Deny the variance to City Subdivision Regulation Article 3-2(3) to allow a 16' half-street width (back-of-curb to centerline) and require installation of an 18' half-street (back of curb to centerline) on 7th Street. —**Approved unanimously.**
 - Approve the variance to City Subdivision Regulations Article 3-3(2)(2) to allow the block on the east side of Stallion Lane (including Lots 23-29) to exceed the 480' block-length standard by 61 feet be approved. —**Approved on a voice vote.**
 - Approve the Chickasaw Place Subdivision based on the findings of fact in the staff report and subject to the recommended conditions of approval as amended.—**Approved as amended 9 ayes, 3 nays with Haines, Mitchell and Wilkins voting nay.**

Public Safety and Health Committee

[05/13/09](#)

Public Works Committee

[05/13/09](#)

- **Consent agenda item #16—Approved 8 ayes, 3 nays, 1 abstention with Haines, Hellegaard and Mitchell voting nay and Wilkins abstaining.**
- Deny offering a \$500 rebate or coupon toward connection of sewer through December 31, 2009 for existing homes. **A motion to return this item to the Public Works Committee for more discussion passed 7 ayes, 5 nays with Hendrickson, Marler, Mitchell, Rye and Wiener 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 Administration and Finance Committee:

- Confirm the reappointment of David Nelson to the Public Art Committee for a term commencing July 1, 2009 and ending June 30, 2013 ([memo](#)).—Regular Agenda (Mayor Engen)

- Reappointments to the Missoula Housing Authority: James Hoffman as a regular board member for a term starting June 26, 2009 and ending June 25, 2014 and Betty Zander as a resident commissioner for a term starting June 26, 2009 and ending June 25, 2011 ([memo](#)).—Information Only (Mayor Engen)

To Plat, Annexation and Zoning Committee

- Consider adopting a six month interim zoning ordinance to zone Tract 7 and a portion of Tract 1 2 of Dinsmore's Orchard Homes Addition #4, and Lots 1 and 2 of Dinsmore Orchard Homes #4, Tract 11 located in the SW ¼ of Section 19, T13n, R19W, P.M.M., commonly known as The Gables subdivision ([memo](#)).—Regular Agenda (Tim Worley)
- Consider the proposed Title 20, Missoula City Zoning Ordinance Rewrite ([memo](#)).—Regular Agenda (Laval Means)
- Approval or denial the Mill Site PUD Subdivision Condition Amendment, Plat Adjustment and Phasing Plan ([memo](#)).—Regular Agenda (Tim Worley)

To Public Safety and Health Committee

- Consider two ordinances concerning Aggressive Solicitation and Pedestrian Interference ordinances ([memo](#)).—Regular Agenda (Dave Strohmaier)
- Discussion on the MRL herbicide program within the city limits ([memo](#)).—Regular Agenda (Bob Jaffe)

To Public Works Committee

- Adopt a resolution of intention creating SID 545, Phillips Street Traffic Calming and set a public hearing for June 22, 2009 ([memo](#)).—Regular Agenda (Phil Smith)
- Consider approving a lease of one 2009 Toyota Highlander\Hybrid from Bitterroot Motors of Missoula, MT for \$624.90 per month for a 36 month period of time ([memo](#)).—Regular Agenda (Jack Stucky)

K. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

L. ADJOURNMENT

The meeting adjourned at 9:13 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.