

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
MAY 14, 2012, 7:00 P.M.**

- A. CALL TO ORDER AND ROLL CALL**— **The Mayor and all City Council members were present except Wiener.**
- B. APPROVAL OF THE MINUTES**
- [May 7, 2012](#)—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 10 ayes, 1 abstention with Wilkins abstaining.
1. Approve [claims](#) totaling \$440,550.89. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (05/15/2012)
 2. (No quorum present) [Resolution](#) - Resolution declaring the official intent of the City of Missoula, Montana to reimburse certain original expenditures related to sidewalk, curb, and gutter improvements from the proceeds of tax exempt bonds to be issued by the City of Missoula, Montana after the payment of such original expenditures. ([A&F](#))
 3. (No quorum present) [Resolution](#) - Adopt a resolution declaring the official intent of the city of Missoula, Montana to reimburse certain original expenditures related to the purchase of capital equipment from the proceeds of tax-exempt bonds to be issued by the city after the payment of such original expenditures. ([A&F](#))
 4. (No quorum present) [Resolution](#) - Adopt a resolution declaring certain miscellaneous wood waste and nursery plants to be surplus property and authorizing the Parks and Recreation Department to proceed with sale or disposal. ([Cons](#))
 5. Approve and authorize the Mayor to sign a memorandum of agreement with the Montana Department of Transportation (MDT) for the acquisition of one new Johnson vacuum street sweeper and authorize the payment of the CMAQ local match funds of \$32,039 to the Montana Department of Transportation. ([PW](#))
 6. [Resolution](#) - Adopt a resolution to order curb and sidewalk improvements adjacent to properties in the S. 6th Street - Russell to Orange area, Project 10-036. ([PW](#))
 7. [Resolution](#) - Adopt the resolution to confirm final ordering of curb and sidewalk improvements adjacent to properties in the S. 6th St./Schilling St. area between Kemp and S. 7th St., Project 10-035. ([PW](#))
 8. Award the bid for Project 10-035, curb and sidewalk improvements adjacent to properties in the S. 6th St./Schilling St. area between Kemp and S. 7th St., to Knife River for the base bid and total contract sum of \$103,500.25, and authorize return of bid bonds. ([PW](#))
 9. Approve a right-of-way encroachment for the Missoula Recovery Center building located at 1201 Wyoming Street per the attached plans. ([PW](#))
 10. Approve and authorize the Mayor to sign the Territorial-Landworks, Inc., engineering services agreement for the Van Buren - Vine to Elm, Curb and Sidewalk Improvements Project 10-025 in an amount not to exceed \$39,335.00. ([PW](#))
- F. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM**
- Bike/Ped Advisory Board Update—Bob Wachtel
- G. SPECIAL PRESENTATIONS**
[Ride of Silence Day](#)
[National Public Works Week](#)
- 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.) The following public hearings will be held open until the City Council adopts the budget (tentatively scheduled for June 25, 2012.)

- Public hearing on an [ordinance](#) amending portions of Missoula Municipal Code increasing fees by four percent (4%) in Chapter 8.40 entitled “Hazardous Vegetation and Nuisance Weeds”, Chapter 12.04 entitled “Street Vacation”, Chapter 12.12 entitled “Curbs, Sidewalks, and Paving”, Chapter 12.14 entitled “Right-of-Way Occupancy Permit”, Chapter 12.16 entitled “Sidewalk Maintenance”, Chapter 12.24 entitled “Excavations”, Chapter 12.30 entitled “Fences”, Chapter 13.07 entitled “Wastewater Pretreatment Regulations”, Chapter 15.38 entitled “Accessibility Standards”, Chapter 15.65 entitled “Grading, Drainage, Erosion Control and Storm Water Pollution Prevention Plan (SWPPP.)” ([memo](#)) ([BCOW](#))
- Public hearing on an [ordinance](#) amending title 5, Missoula Municipal Code, entitled “Business Licenses and Regulations” Chapter 5.08 entitled “Licensing Provisions Generally”, Chapter 5.20 entitled “Junk Dealers”, Chapter 5.24 entitled “Pawnbrokers,” Chapter 5.28 entitled “Secondhand Dealers,” Chapter 5.40 entitled “Boiler-room Operations,” Chapter 5.52 entitled “Liquor,” amending each chapter’s section pertaining to fees to increase the fees by four percent (4%) in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. ([memo](#)) ([BCOW](#))
- Public hearing on an [ordinance](#) amending Chapter 8.50 Missoula Municipal Code, entitled “Fire Inspection Fees” section 8.50.010 entitled “Establishment of Fees” and Chapter 8.52 entitled “Fireworks”, Section 8.52.020 Entitled “Manufacture in City Prohibited–Permit For Sale or Discharge” increasing the fees by four percent (4%) in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. ([memo](#)) ([BCOW](#))
- Public hearing on a [resolution](#) increasing [fees](#) for the Missoula City Cemetery. ([memo](#)) ([BCOW](#))
- Public hearing on a [resolution](#) increasing fees for services related to the review and processing land use applications pursuant to City adopted regulations pertaining to zoning, subdivision and floodplain services based on the 2010 cost of services study. ([memo](#)) ([BCOW](#))
- Public hearing on an [ordinance](#) amending Chapter 12.58 Missoula Municipal Code Section 12.58.035 entitled “Special Event Permit-Fee” to increase the fee for holding special events by four percent (4%) in accordance with the results of an official 2010 fee study commissioned by the City of Missoula. ([memo](#)) ([BCOW](#))
- Public hearing on a [resolution](#) fixing the annual appropriations and the capital improvement program for the City of Missoula as set forth in the fiscal year 2013 budget. ([memo](#)) ([Revised resolution 05/04/2012](#)) ([BCOW](#))
 - The Tourism Business Improvement District [work plan and budget](#) for fiscal year 2013.
 - The Business Improvement District [work plan and budget](#) for fiscal year 2013.
 - The Park District Number 1 [work plan and budget](#) for fiscal year 2013.
 - The Road District Number 1 [work plan and budget](#) for fiscal year 2013.

I. COMMUNICATIONS FROM THE MAYOR

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
[05/09/2012](#)

Budget Committee of the Whole
[05/09/2012](#)

Conservation Committee
[05/09/2012](#)

Public Works Committee

[05/09/2012](#)

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 Administration and Finance Committee:

- Reappointment of Joan Jonkel to the Public Art Committee for a one-term commencing July 1, 2012 and ending June 30, 2013. ([memo](#)) - Regular Agenda (Mayor Engen)
- Community Development Block Grant (CDBG) award agreements. ([memo](#)) - Regular Agenda (Melissa Gordon)

To Committee of the Whole:

- City Council Strategic Planning Session. ([memo](#)) - Regular Agenda (Marilyn Marler)

To Conservation Committee:

- Appointment of Christine Ryan to the Parks and Recreation Board, completing a vacated term ending April 30, 2014. ([memo](#)) - Regular Agenda (Mayor Engen)
- Approve a letter requesting a programmatic Environmental Impact Statement for coal export terminals ([memo](#))—Regular Agenda (Dave Strohmaier)

To Plat, Annexation and Zoning Committee

- [Petition 9565](#)—Jennifer Brewer; 6725 Prairie Schooner Lane; Lot 8 in Block 4 of Mullan Trail Phase 3; Geocode Number 219914106080000; Petition for Annexation
- Appointment of Debra Parker to the City Board of Adjustment completing a vacated term ending June 30, 2012, and filling a three-year term ending June 30, 2015. ([memo](#)) - Regular Agenda (Mayor Engen)

To Public Works Committee

- Agreement with the Montana Department of Transportation for \$39,791 for CMAQ funds for the Bicycle Pedestrian Program in FY2013. ([memo](#)) - Regular Agenda (Phil Smith)
- Review bids for the University of Montana/CTEP crosswalk improvements project, project number 10-020, at the intersections of Arthur/University Avenue and Beckwith/Maurice Avenue, and award bid to the lowest responsible bidder and authorize the return of bid bonds. ([memo](#)) - Regular Agenda (Monte Sipe)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 7:40 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.