

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
JUNE 4, 2012, 7:00 P.M.**

A. CALL TO ORDER AND ROLL CALL—All Council members were present except Copple. The Mayor was absent. City Council President Marilyn Marler presided at the meeting.

B. APPROVAL OF THE MINUTES

- [May 21, 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 unanimously.

1. Approve [claims](#) totaling \$ 820,574.23. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (05/29/12)
2. Approve [claims](#) totaling \$ 565,659.94. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (06/05/12)
3. Approve and authorize the Mayor to sign Home Investment Partnerships program (HOME) award agreement number H-12-01 with District XI Human Resource Council in the amount of \$323,700.00 for assistance to at least ten low- and moderate-income first-time homebuyers in the form of down payment assistance, closing costs, and education, as authorized in City Council Resolution Number 7672. ([A&F](#))
4. [Resolution](#)—Adopt a resolution relating to \$1,555,000 Civic Stadium Revenue Bonds (Taxable), series 2012, amending resolution no. 7643. ([A&F](#))
5. Approve the Mayor's appointment of Christine Ryan to the Parks and Recreation Board, completing a vacated term ending April 30, 2014. ([Cons](#))
6. Set a public hearing for June 25, 2012 on an ordinance amending Title 20, the City zoning ordinance, as recommended by the Missoula Consolidated Planning Board and shown in Proposed Amendments to Nonconformities 20.80 and Measurements and Exceptions 20.110 of the Missoula City Zoning Code Attachment A. ([PAZ](#))
7. Confirm the re-appointments of Clayton Anderson and Carl Posewitz to the Building Code Board of Appeals for a term commencing July 1, 2012 and ending June 30, 2015. (PW)
8. Confirm the appointment of Katherine Fielding to the Bicycle and Pedestrian Advisory Board, completing a vacated term ending September 15, 2013. ([PW](#))
9. Approve and authorize the Mayor to sign amendment number 2 to the existing City/WGM Group, Inc., engineering services agreement in an amount not to exceed \$11,000 for additional engineering services on the SID 548 Project. ([PW](#))
10. Approve and authorize the Mayor to sign amendment number 1 to the existing City/WGM Group, Inc., agreement for engineering services for California Street improvements in an amount not to exceed \$15,185.00. ([PW](#))
11. [Resolution](#)—Adopt a resolution to confirm final ordering of curb and sidewalk improvements adjacent to properties in the East Broadway, phase 2 area, Project 11-012. ([PW](#))
12. Award the bid for Project 11-012, Curb and Sidewalk Improvements adjacent to properties in the East Broadway phase 2 area to Gregston Construction for the sum of \$293,677.72 and authorize the return of bid bonds. ([PW](#))

F. COMMENTS FROM CITY STAFF, AGENCIES, BOARDS, COMMISSIONS, AUTHORITIES AND THE COMMUNITY FORUM

G. SPECIAL PRESENTATIONS

- [Missoula Foster Parent Appreciation Month](#)
- [UM Retirees' 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.)

The following public hearings will be held open through the adoption of the budget tentatively scheduled for June 18.

- 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

[05/23/2012](#)

[05/30/2012](#)

Budget Committee of the Whole

[05/23/2012](#)

[05/30/2012](#)

Committee of the Whole

[05/16/2012](#)

Conservation Committee

[05/23/2012](#)

Plat, Annexation and Zoning Committee

[05/23/2012](#)

- Direct OPG staff to draft an amendment revising Title 20, chapter 20.85.040 and 20.85.050 to revise notification procedures for all types of zoning amendments and that option 3 be referred to the Planning Board for review. **Approved 8 ayes, 3 nays with Haines, Wilkins and Hertz voting nay.**

Public Safety and Health Committee

[05/30/2012](#)

Public Works Committee

[05/23/2012](#)

[05/30/2012](#)

- [Resolution](#)—Adopt the resolution, as amended, requesting the Missoula County Commissioners to adopt a resolution and referral to the people of Missoula County for authorization of a local option motor fuel excise tax, not to exceed two cents per gallon, in accordance with MCA 7-14-301. **Approved 10 ayes, 1 nay, with Hertz voting nay.**

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 Plat, Annexation and Zoning Committee

- Consider a request for Summit Hotel Addition Minor Subdivision. ([memo](#))—Regular Agenda (Aaron Wilson)
- Waive subdivision fee for 3776 South Russell Street. ([memo](#))—Regular Agenda (Bob Jaffe)

To Public Safety and Health Committee

- Approve and authorize the Mayor to sign a contract Elert & Associates for technology consultant fees. ([memo](#))—Regular Agenda (Mike Brady)

To Public Works Committee

- A resolution clarifying resolution number 3217, adopted by City Council on June 4, 1973, closing and vacating a portion of West Beckwith Avenue in South Missoula Addition to the City of Missoula. ([memo](#))—Regular Agenda (Dan Jordan)
- Consider approval of the memorandum of understanding between the City of Missoula and Missoula County related to temporary management of the City Bicycle and Pedestrian Program. ([memo](#))—Regular Agenda (Steve King)
- Consider amendments to Missoula Municipal Code (MMC) 8.40, Hazardous Vegetation Ordinance. ([memo](#))—Regular Agenda (Steve King)
- Consider approval of engineering services Amendment No. 7 to the West Reserve Interceptor Project with HDR Engineering, Inc., for the Russell Street Sewer Evaluation in an amount not to exceed \$19,243.70. ([memo](#))—Regular Agenda (Steve King)
- Resolution modifying Resolution Number 6719 closing and vacating all of the platted South 4th Street right-of-way between Eaton Street and Schilling Street. ([memo](#))—Regular Agenda (Jessica Miller)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 8:23 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.