

NOTE: THERE WILL BE A SPECIAL MEETING AT 6:30 UNTIL 7:00 IN THE CITY COUNCIL CHAMBERS.

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
JUNE 1, 2009, 7:00 P.M.**

- A. CALL TO ORDER AND ROLL CALL—All Council members and the Mayor were present except Hellegaard.**
- B. APPROVAL OF THE MINUTES**
- [May 18, 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.)
Approved unanimously.
1. Approve [claims](#) totaling \$ 331,638.46. ([Detailed Claims](#)) ([Chart of Accounts](#)) (A&F) (06/02/2009)
 2. Confirm the Mayor's reappointment of David Nelson to the Public Art Committee for a term commencing July 1, 2009 and ending June 30, 2013. ([A&F](#))
 3. Mill Site PUD Subdivision: ([PAZ](#))
 - Approve the condition of approval #21b as amended to address monitoring of iron and manganese in groundwater as described in [Attachment C](#).
 - Approve the proposed adjustments of the preliminary plat, including altered alley alignments and connections, and boundary line relocations, subject to the Mill Site PUD Subdivision conditions of approval as amended in [Attachment C](#).
 - Approve the proposed phasing plan request for the Mill Site PUD Subdivision, to allow for a Phase 1 final plat approval deadline of April 30, 2012, and a Phase 2 final plat approval deadline of April 30, 2015, subject to the following requirements: Elimination of plat adjustment detail (Notes 1-8 and related graphics) on Sheet 1 of 1 dated May 15, 2009; and retention of a portion of the north-south alley in Block 3 of Phase 2.
 4. Set a public hearing on June 15, 2009 to consider adopting a six month interim urgency zoning [ordinance](#) to zone land legally described as parcels 1, 2, 3 and 4 of Dinsmore's Orchard Homes addition No. 4, Tracts 7, 11, and 12 from unzoned to RLD-4 (Residential Low Density) located in the SW ¼ of Section 19 of Township 13 North, Range 19 West, Principal Meridian Montana commonly known as the Gables Subdivision. ([PAZ](#))
 5. Approve the lease of one 2009 Toyota Highlander Hybrid from Bitterroot Motors of Missoula, Mt. for \$642.90 per month for a 36 month period of time. ([PW](#))
 6. [Resolution](#)—Adopt the resolution relating to Special Improvement District No. 545 commonly known as Phillips Street Traffic Calming; declaring it to be the intention of the city council to create the district for the purpose of undertaking certain local improvements and financing the costs thereof and incidental thereto through the issuance of Special Improvement District Revolving Fund and set a public hearing on creation of said district for June 22, 2009. ([PW](#))
 7. Direct staff to draft a resolution to invoke a special 30 mph speed zone on Reserve Street 400 feet from the property boundary of CS Porter in both directions, 24 hours a day. ([PW](#))
 8. Direct staff to draft a resolution to lower speed limits to 30 mph on Rattlesnake Drive from Missoula Avenue to Creek Crossing and on the length of ~~Duncan~~/Greenough. ([PW](#))

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

G. SPECIAL PRESENTATIONS

- [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.)

- Public hearing to consider an application for the Edward Byrne Memorial Justice Assistance Grant funds totaling approximately \$147,269 for the Police department. ([Memo](#)) ([PS&H](#)) **No action required.**
- 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 hearing remains open for further public comment.**

(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.)

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

[05/20/09](#)

[05/27/09](#)

Budget Committee of the Whole

[05/20/09](#)

[05/27/09](#)

Committee of the Whole

05/18/09 will be available at a later date

Plat, Annexation and Zoning Committee

[05/20/09](#)

[05/27/09](#)

- Set a public hearing on June 22, 2009 to consider an [ordinance](#) repealing Title 19 Zoning Code in its entirety and adopting Title 20 Missoula City Zoning Ordinance and an [ordinance](#) repealing Title 2.84, the Historic Preservation Committee in its entirety.— **Approved on a voice vote.**

Public Safety and Health Committee

[05/27/09](#)

- Deny the [ordinance](#) amending Title 10 entitled "Vehicles and Traffic" Chapter 10.20 entitled "Operation of Vehicles" by adopting and establishing new sections 10.20.300,

10.20.310 and 10.20.320 generally prohibiting the use of hand-held mobile telephones and other electronic communication devices while simultaneously operating a motor vehicle or a bicycle. ([Ordinance Amendments 06/01/2009](#)) **The ordinance was approved with amendments 6 ayes, 5 nays Haines, Hendrickson, Marler, Mitchell, Wilkins voting nay.**

Public Works Committee

[05/20/09](#)

[05/27/09](#)

Urban Wildlife Subcommittee

05/22/09 will be available at a later date

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:

- Information on Neighborhood Stabilization Program (NSP) ([memo](#)).—Regular Agenda (Nancy Harte)
- Approve the Community Development Block Grant (CDBG) Contracts and HOME agreement as authorized in [Resolution Number 7400](#) ([memo](#)).—Regular Agenda (Mike Barton)
- Contract for removal of garbage in Street Maintenance District #1 ([memo](#)).—Regular Agenda (Marty Rehbein)

To Conservation Committee:

- Reject all bids and return all bid bonds for the furnishings of all labor, equipment and materials for Fort Missoula Regional Park Rough Grading and Overburden Removal – Phase one, Project 09-04FMRP ([memo](#)).—Regular Agenda (Donna Gaukler)

To Plat, Annexation and Zoning Committee

- Approve or deny the motion to continue the tabled status of Clark Fork Terrace No. 1 to September 14, 2009 ([memo](#)).—Regular Agenda (Tim Worley)
- Presentation on and discussion of Transfer of Development Rights ([memo](#)).—Regular Agenda (Roger Millar)
- Develop policies and procedures regarding ag land mitigation ([memo](#)).—Regular Agenda (Lyn Hellegaard)

To Public Safety and Health Committee

- Letter in support of the Salcido Center and its effort to secure funding from the State of Montana ([memo](#)).—Regular Agenda (Dave Strohmaier)

To Public Works Committee

- Authorize the Mayor to sign the interlocal agreement between the City of Missoula and Missoula County regarding protection and maintenance of County public right-of-ways related to City Sanitary Sewers ([memo](#)).—Regular Agenda (Bruce Bender)
- Resolution of intention to create SID 546 for Pattee Creek Drive Traffic Calming ([memo](#)).—Regular Agenda (Phil Smith and Kevin Slovarp)
- Award the purchase of three (3) 2009 Henke Power Angle snow plows with hitches to Henke Manufacturing of Leavenworth, Kansas for \$22,338 for all three snow plows and hitch assemblies ([memo](#)).—Regular Agenda (Jack Stucky)

- Resolution declaring certain City of Missoula property as surplus and authorizing its disposal ([memo](#)).—Regular Agenda (Jack Stucky)
- Confirm the re-appointments of Carl Posewitz, John Scot Herries and Clayton Anderson to the Building Code Board of Appeals for a term commencing July 1, 2009 and ending June 30, 2012 ([memo](#)).—Regular Agenda (Mayor Engen)
- Approve and authorize the Mayor to sign a service agreement with Johnson Controls Inc. (JCI) of Missoula, Montana extending the Missoula City Hall HVAC service agreement for one year ([memo](#)).—Regular Agenda (Jack Stucky)
- Approve and authorize the Mayor to sign the contract with Opportunity Resources Inc. of Missoula, Montana to provide Janitorial services to City Hall at 435 Ryman Street and the Council Chambers building at 140 West Pine Street ([memo](#)).—Regular Agenda (Jack Stucky)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting was adjourned at 8:28 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.