

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, June 24, 2009 8:00 AM – 9:00 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Ed Childers, Dick Haines, Lyn Hellegaard, John Hendrickson, Bob Jaffe, Renee Mitchell, Dave Strohmaier, Pam Walzer, Jason Wiener, Jon Wilkins

Members Not Present: Jon Wilkins

Other Present: Mark Muir, Ginny Miriam, Rob Scheben, Chris Odlin, Ben Slater, Keithi Worthington, Jim Nugent, Keenan Whitt, Kate Schneller, Ellie Hill, Dan Cederberg, Rod Austin, Wayne Chamberlain, Kate Jerim-Ybara

I. ADMINISTRATIVE BUSINESS

1. Approve minutes from [June 03, 2009](#). Minutes approved unanimously.

II. PUBLIC & STAFF COMMENT

III. CONSENT AGENDA ITEMS

1. Set a public hearing to review a second Edward Byrne Memorial Justice Assistance Grant application ([memo](#)).—Regular Agenda (Mark Muir) (Referred to committee: 06/15/09)

REMOVE FROM AGENDA

MOTION: The committee recommends the City Council suspend council rules to set a public hearing on July 20, 2009, an abbreviated meeting, to review the second Edward Byrne Memorial Justice Assistance Grant in the amount of \$48,485.00 of which \$27,291.00 will be the City's portion.

Mark Muir asked for a public hearing for the second Edward Byrne Memorial Justice Assistance Grant for the Missoula Police Department. The Police Department has designated its portion of the grant to be used for prescription drug abuse enforcement and community outreach. He indicated this grant would be split with the county 60/40. This grant is for a three year period.

John Hendrickson asked if the prescription drug drop off is a onetime deal or if there are any plans to make this easier for the community to get rid of their expired drugs.

Mark Muir stated that a more frequent drop off would be part of their plan for the use of this funding.

John Hendrickson made the motion to set a public hearing for July 20th and to suspend the rule.

Bob Jaffe inaudible

Motion passed unanimously.

2. Consider two ordinances concerning Aggressive Solicitation and Pedestrian Interference ordinances ([memo](#)) ([updated memo 06/19/09](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 05/18/09) **REMOVE FROM AGENDA**

MOTION: The committee recommends the City Council suspend council rules to set a public hearing on July 27, 2009, an abbreviated meeting, on an ordinance amending Missoula Municipal Code Title 9, entitled Public Peace, Morals and Welfare, Chapter 34 entitled Pedestrian Interference, Sections 9.34.020, 9.34.030, 9.34.040 and 9.34.050 and adopt Missoula Municipal Code Title 9, Chapter 36 entitled Solicitation and Aggressive

Solicitation as Acts of Disorderly Conduct, Sections 9.36.010, 9.36.020, 9.36.030, 9.36.040, 9.36.050, 9.36.060, 9.36.070, 9.36.080 and 9.36.090.

Dave Strohmaier stated these recommendations are from the panhandling working group. The group was formed to address many concerns from the community.

Ginny Merriam gave a brief background of the Panhandling Working Group. This is the group where these ordinances were amended and formed.

Mark Muir stated the efforts to put together some tools for law enforcement to be able to address these issues are very much appreciated and needed.

Keithi Worthington inaudible reviewed many sections of the ordinances. She stated she had done research with several cities that currently have similar ordinances that are working successfully.

John Hendrickson inaudible asked about fines if a citation is issued.

Keithi Worthington inaudible

John Hendrickson inaudible

Mark Muir stated they do believe it is a tool that will be able to be used by law enforcement.

Bob Jaffe inaudible asked for clarification on several items in the ordinances.

Keithi Worthington inaudible responded to Mr. Jaffe's concerns.

Mark Muir also responded to Mr. Jaffe's concerns. He stated these ordinances will place restrictions so that people will discontinue aggressively asking for money.

Keithi Worthington stated when she spoke with the Billings Police Department they indicated that they have actually written very few citations but having it as a tool is very effective.

John Hendrickson made the motion to set the public hearing on July 27th, 2009 and suspend the rules.

Rod Austin stated this is a very good first step for creating a tool that the police and the justice system can use to try to alleviate the panhandling in Missoula.

Kate Jerem-Ybara stated her concerns about these ordinances.

Ellie Hill stated the need for these ordinances to be used as a tool for the police.

The motion passed unanimously.

IV. REGULAR AGENDA ITEM

V. HELD AND ON-GOING AGENDA ITEMS

1. Police Department Update – Ongoing in Committee. (Mark Muir)
2. Fire Department Update – Ongoing in Committee (Mike Painter)
3. Health Department Update – Ongoing in Committee. (Ellen Leahy)
4. An [ordinance](#) amending Chapter 10.42 of the Missoula Municipal Code entitled "Bicycles" that would require minors to wear headgear while bicycling on streets, roadways, sidewalks, alleys and trails; and holding responsible the parent or guardian of a minor found to be in violation of this ordinance. ([Alternative Ordinance](#)) ([PS&H](#)) (Returned from Council floor: 2/26/07)

5. Update on the Police facility project. ([memo](#)) – Regular Agenda (Mark Muir)(Referred to committee: 05/12/08)
6. An [ordinance](#) amending Missoula Municipal Code Chapter 6.09 entitled "Missoula Cat Ordinance" section 6.09.010 through 6.09.090 to amend definitions, to limit the number of cats over the age of four months that a person, family, or household can harbor, keep, or maintain to five and to enact other general amendments. ([PS&H](#)) (Returned from Council floor: 01/12/09)
7. An [ordinance](#) amending Missoula Municipal Code Title 6 entitled "Animals" generally amending Chapter 6.04 entitled "Animals Running at Large" and Chapter 6.08 entitled "Dogs and Pet Shops," increasing the fee when an animal is impounded and establishing a fee for a boarding kennel license. ([PS&H](#)) (Returned from Council floor: 01/12/09)
8. Discussion on the MRL herbicide program within the city limits ([memo](#)).—Regular Agenda (Bob Jaffe)
9. Approve and authorize the Mayor to sign towing contract for abandoned vehicles ([memo](#)).—Regular Agenda (Greg Amundsen) (Referred to committee: 06/22/09)
10. Approve and authorize the Mayor to sign a towing contract ([memo](#)).—Regular Agenda (Greg Amundsen) (Referred to committee: 06/22/09)

V. ADJOURNMENT

The meeting adjourned at 9:00 AM. Submitted by Leslie Willis.