

**FORMAL AGENDA
MISSOULA CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
140 WEST PINE STREET, MISSOULA, MT
JULY 6, 2009, 7:00 P.M.**

A. CALL TO ORDER AND ROLL CALL—The Mayor and all Council members were present except Strohmaier, Wiener & Marler.

B. APPROVAL OF THE MINUTES

- June 22, 2009 will be available at a later date

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 \$ 1,380,269.07. ([Detailed Claims](#)) ([Chart of Accounts](#)) ([A&F](#)) (06/30/2009)
2. Approve [claims](#) totaling \$ 379,383.77. ([Detailed Claims](#)) ([Chart of Accounts](#)) ([A&F](#)) (07/07/2009)
3. [Resolution](#)—Adopt a resolution to amend [resolution 7424](#), amending its Fiscal Year 2009 Action Plan and awarding \$168,720 in Community Development Block Grant Funds appropriated under the American Recovery and Reinvestment Act. ([A&F](#))
4. Approve and authorize the Mayor to sign an agreement with the City of Missoula and Missoula County for the annual maintenance of grounds at County Courthouse and certain nearby county buildings the amount of \$35,288. ([Cons](#))
5. Suspend council rules to set a public hearing on July 20, 2009, 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. ([PS&H](#))
6. Set a public hearing on July 27, 2009, to consider an [emergency ordinance](#) and 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. ([PS&H](#))
7. Set a public hearing on July 27, 2009, to consider an [emergency ordinance](#) and an [ordinance](#) adopting 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. ([PS&H](#))
8. Approve and authorize the Mayor to sign the contract for the Dickens Street lift station replacement to Patterson Enterprises for \$74,254.90 and return all bid bonds. ([PW](#))
9. Approve and authorize the Mayor to sign change order #7 to the contract between the City of Missoula and Patterson Enterprises for the E. Main/Ryman sewer and street construction project in the amount of \$6,700. ([PW](#))
10. Approve and authorize the Mayor to sign amendment number 7 to HDR, Inc.'s engineering services agreement contract for the West Reserve Phase 3 project in an amount not to exceed \$104,950.42 to close out the project. ([PW](#))
11. Approve and authorize the Mayor to sign a contract with the Montana Department of Transportation for CMAQ 8199 (87) for the bicycle-pedestrian program in the amount of \$34,400. ([PW](#))
12. [Resolution](#)—Adopt the resolution relating to paving alley approaches in Block 73, School Addition, Project 09-037, of the city's sidewalk, curb, gutter, and alley approach program; ordering in the alley approach improvements and directing notice be given to affected property owners. ([PW](#))

13. Approve and authorize the mayor to sign amendment no. 3 of the agreement for engineering services to WGM Group, Inc., for Miller Creek road improvements in the amount of \$46,340. ([PW](#))
14. Set a public hearing for August 3, 2009 on an [ordinance](#) amending Missoula Municipal Code Title 10 entitled "Vehicles And Traffic" by amending Chapter 16 entitled "Traffic Control Devices" by adopting a new section, Section 10.16.130 entitled "Vehicles to Yield to Urban Transportation System Buses Utilizing a Flashing Yield Sign on Back of Bus". ([PW](#))

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

G. SPECIAL PRESENTATIONS

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 on an [ordinance](#) to rezone a portion of 2330 Higgins Avenue known as Denny's Copy Stop. The property is currently zoned R-1 (Residential District) and is proposed to be zoned BN (Neighborhood Business District) The property is legally described as SW 1/4, Section 27, T13N, R19W, P.M.M. ([Memo](#)) ([PAZ](#)) **Approved unanimously.**
- Public hearing on a [resolution](#) relating to Special Improvement District No. 546 commonly known as Pattee Creek Drive Traffic Calming; and 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 bonds secured by the City's special improvement district revolving fund. ([Memo](#)) ([PW](#)) **Approved unanimously.**
- 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 is held open.**
(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

[06/24/09](#)

Budget Committee of the Whole

[06/24/09](#)

Conservation Committee

[06/24/09](#)

Plat, Annexation and Zoning Committee

[06/23/09](#)

[06/24/09](#)
[07/01/09](#)

Public Safety and Health Committee

[06/24/09](#)

Public Works Committee

[06/24/09](#)

[07/01/09](#)

L. NEW BUSINESS

- A request by Ed Childers to consider a resolution concerning a city primary election in September. **No action taken. There will not be a city primary in September.**

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:

- Resolution levying annual assessments for Russell Park West and Willowood Park Maintenance Districts ([memo](#)).—Regular Agenda (Marty Rehbein)
- Resolution levying annual assessments for Street Maintenance District #1 ([memo](#)).—Regular Agenda (Marty Rehbein)
- Resolution awarding the sale of the city's pooled special sidewalk, curb, gutter and alley approach bonds, Series 2009 ([memo](#)).—Regular Agenda (Brentt Ramharter)
- Resolution awarding the sale of the \$750,000 Special Improvement District No. 541 Bonds ([memo](#)).—Regular Agenda (Brentt Ramharter)

To Conservation Committee:

- Discussion on tree pruning ([memo](#)).—Regular Agenda (John Hendrickson)
- Change order #1 Pineview Park in the amount of \$26,269.39 increasing the contract amount to \$132,078.59 ([memo](#)).—Regular Agenda (Alan White)
- Award bid for fencing for the Tonkin Trail project ([memo](#)).—Regular Agenda (Marty Rehbein)

To Plat, Annexation and Zoning Committee

- Consider [petition 9386](#) to annex a portion of Chuck Wagon Drive ([memo](#)).—Regular Agenda (Carla Krause)
- Appointment of a University area representative to the Historic Preservation Commission. ([memo](#)) Regular Agenda- (Marty Rehbein)

To Public Works Committee

- Resolution authorizing the Mayor to sign for and utilize North Higgins American Recovery and Reinvestment Act (ARRA) funds ([memo](#)).—Regular Agenda (Steve King)
- Resolution authorizing the Mayor to sign for and utilize Rattlesnake Gateway/Greenough Drive American Recovery and Reinvestment Act (ARRA) funds ([memo](#)).—Regular Agenda (Steve King)

N. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS

O. ADJOURNMENT

The meeting adjourned at 8:24 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.