

Council Action Summary
Missoula City Council Meeting

August 12, 2019, 7:00 pm
City Council Chambers
140 W. Pine Street, Missoula , MT

Members Present: Stacie Anderson, Mirtha Becerra, Michelle Cares, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Bryan von Lossberg, Heidi West

Members Absent: Julie Armstrong, Jesse Ramos

Administration Present: Mayor John Engen, Dale Bickell, Chief Administrative Officer, Ginny Merriam, Communications Director, Jim Nugent, City Attorney, Marty Rehbein

1. CALL TO ORDER AND ROLL CALL

The meeting of the Missoula City Council was called to order by Mayor John Engen at 7:00 PM in the City Council Chambers at 140 West Pine Street. The following members of the Missoula Board of County Commissioners were also present: Commissioner Strohmaier and Commissioner Vero..

2. APPROVAL OF THE MINUTES

2.1 Minutes from the July 15, 2019 meeting

The minutes were approved as submitted.

2.2 Minutes from the August 5, 2019 meeting

The minutes were approved as submitted.

3. SCHEDULE OF COMMITTEE MEETINGS

3.1 Schedule of Committee Meetings for the week of August 12, 2019

The following committee meetings were announced:

Meeting Type	Start Time	End Time	Location
Budget Committee of the Whole	8:45 AM	12:15 PM	City Council Chambers
Public Works Committee	12:45 PM	1:00 PM	City Council Chambers
Land Use and Planning Committee	1:05 PM	4:05 PM	City Council Chambers

4. PUBLIC COMMENT

5. CONSENT AGENDA

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Bryan von Lossberg, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (10 to 0)

5.1 Claims- August 13, 2019

Approve claims in the amount of \$1,625,329.45 for checks dated August 13, 2019.

Vote result: Approved

5.2 Ordinance Amending MMC Chapter 6.07.1605 Animal Control Impoundment Costs

[First reading and preliminary adoption] Set a public hearing on August 26, 2019 and preliminarily adopt an ordinance of the Missoula City Council amending Missoula Municipal Code Title 6, Chapter 6.07 entitled "Animal Ordinance" to clarify that following an Animal Welfare Hearing the Municipal Court has the authority to order the surrender of animals in cases of abuse or neglect or where the owner is not able or willing to provide for the necessary care of the animal.

Vote result: Approved

5.3 Agreement with Montana Dept. of Transportation for Sanitary Sewer Manhole Adjustment on the I-90 Ramps – Grant Creek Road Project

Approve and authorize the Mayor to sign an agreement with the Montana Department of Transportation for sanitary sewer manhole adjustment as part of the I-90 Ramps – Grant Creek Road Project at no cost to the City.

Vote result: Approved

5.4 HVAC Maintenance Fiscal Year 2020 To 2024

Approve and authorize the Mayor to sign a HVAC maintenance contract with Johnson Controls in the amount of \$111,981.00 for fiscal year 2020 with 3% increase each year through 2024.

Vote result: Approved

5.5 Higgins Ave. Bridge Rehabilitation—Hip Strip Plaza & West Stair Feasibility Studies and Design Modifications Project

Approve and authorize the Mayor to sign a professional services agreement with HDR Engineering, Inc. for the Higgins Ave. Bridge Rehabilitation—Hip Strip Plaza & West Stair Feasibility Studies and Design Modifications Project at a cost not to exceed \$39,625.60.

Vote result: Approved

5.6 Resolution levying street lighting district assessments for 2019

Set a public hearing on August 26, 2019 on a resolution of the Missoula City Council levying and assessing a special assessment and tax on the lots, pieces and parcels of land situated within all special lighting districts of the City of Missoula, Montana, in the amount of \$361,837.12 to defray the cost of street lighting in special lighting districts during the fiscal year 2020.

Vote result: Approved

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

7. SPECIAL PRESENTATIONS

8. PUBLIC HEARINGS

8.1 Bluebird-North Hills Open Space Acquisition

Moved by: Alderperson Jones

Adopt a resolution to expend up to \$450,000 of the City's portion of the 2006 Open Space Bond funds to purchase 124-acres of open space land in the North Hills to protect scenic open space and wildlife habitat and provide a new public access trailhead and recreational trail.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Bryan von Lossberg, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (10 to 0)

Commissioner Vero moved to concur with the City Council and also approve the expenditure of up to \$450,000 of the City's portion of the 2006 Open Space Bond funds to purchase 124 acres of open space land for the Bluebird – North Hills open space project, based on findings that the project qualifies for funding, that the City has referred a recommendation of approval, that the project meets the purposes of the open space bond, and that the project has not been determined unlawful. This is contingent on receipt of the signed City Approval Resolution. Commissioner Strohmaier seconded the motion. The motion passed unanimously.

8.2 Ordinances amending Chapter 10.42 and 12.40 Missoula Municipal Code to permit electrically assisted bicycles on commuter trails and public right-of-way

Moved by: Alderperson Hess

[Second and final reading] Adopt an ordinance of the Missoula City Council amending Missoula Municipal Code Title 10, Chapter 10.42 entitled “Bicycles”, to permit and regulate the use of electrically assisted bicycles within the City and on an ordinance of the Missoula City Council amending Missoula Municipal Code Title 12, Chapter 12.40 entitled “City Parks” to allow certain electrically assisted bicycles to use primary commuter trails within the City.

AYES: (9): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Bryan von Lossberg, and Alderperson West

NAYS: (1): Alderperson DiBari

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (9 to 1)

8.3 Resolution to Adopt the Pedestrian Facilities Master Plan

Moved by: Alderperson Hess

Adopt a resolution to adopt the Pedestrian Facilities Master Plan for the purpose of pursuing a complete, connected and safe network of facilities for pedestrians in the Missoula Urban Area.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Bryan von Lossberg, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (10 to 0)

8.4 Adaptive Reuse Overlay (/AR), Amendment to Missoula City Zoning Ordinance, Title 20

Moved by: Alderperson DiBari

[Second and final reading] Adopt an ordinance amending Missoula Municipal Code, the City Zoning Ordinance, to incorporate new section 20.25.035 /AR Adaptive Reuse Overlay.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Bryan von Lossberg, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (10 to 0)

8.5 Annual Assessments for Street Maintenance District #1--Downtown

Moved by: Alderperson Harp

Adopt a resolution levying a special assessment and tax on the lots, pieces and parcels of land situated within Street Maintenance District #1 of the City of Missoula, Montana generally located in the downtown area in the amount of \$104,622.00 for the purpose of defraying the cost of flushing and removing street rubbish from streets and avenues in the district during the fiscal year 2020.

AYES: (10): Alderperson Anderson, Alderperson Becerra, Alderperson Cares, Alderperson DiBari, Alderperson Harp, Alderperson Hess, Alderperson Jones, Alderperson Merritt, Bryan von Lossberg, and Alderperson West

ABSENT: (2): Alderperson Armstrong, and Alderperson Ramos

Vote result: Approved (10 to 0)

9. COMMUNICATIONS FROM THE MAYOR

10. GENERAL COMMENTS OF CITY COUNCIL

11. COMMITTEE REPORTS

11.1 Administration and Finance committee (AF) report

11.1.1 August 7, 2019 Administration and Finance report

11.2 Budget Committee of the Whole (BCOW) committee report

11.2.1 August 7, 2019 Budget Committee of the Whole report

11.3 Committee of the Whole (COW) committee report

11.4 Land Use and Planning (LUP) committee report

11.5 Parks and Conservation (PC) committee report

11.5.1 August 7, 2019 Parks and Conservation report

11.6 Public Safety and Health (PSH) committee report

11.6.1 August 7, 2019 Public Safety and Health report

11.7 Public Works (PW) committee report

11.7.1 August 7, 2019 Public Works report

12. NEW BUSINESS

13. ITEMS TO BE REFERRED

13.1 Administration and Finance committee referrals

13.2 Budget Committee of the Whole referrals

13.3 Committee of the Whole referrals

- 13.4 Parks and Conservation committee referrals**
- 13.5 Land Use and Planning committee referrals**
- 13.6 Public Safety and Health committee referrals**
- 13.7 Public Works committee referrals**
 - 13.7.1 Wastewater Primary Effluent Lift Station Communications Upgrade**
 - 13.7.2 2019 Missoula Travel Demand Model Update**
- 14. MISCELLANEOUS COMMUNICATIONS, PETITIONS, REPORTS AND ANNOUNCEMENTS**
 - 14.1 Administratively approved agreement report**
 - 14.1.1 August 9, 2019 report**
- 15. ADJOURNMENT**

The meeting adjourned at 9:11 p.m.