

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, March 10, 2010 9:00 AM – 10:00 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Dave Strohmaier, Pam Walzer, Roy Houseman, Bob Jaffe, Jon Wilkins, Lyn Hellegaard, Dick Haines, Renee Mitchell, Ed Childers.

Members Not Present:

Others Present: Peter Nielsen, Marilyn Marler.

I. ADMINISTRATIVE BUSINESS

1. Approve Minutes from [February 17, 2010](#) . Minutes approved unanimously.

II. PUBLIC COMMENT

III. CONSENT AGENDA ITEMS

IV. REGULAR AGENDA ITEM

Dave Strohmaier stated that the main agenda item for the next PS&H Committee meeting is a pre public hearing to discuss proposed DUI drug/ alcohol test refusal ordinance. The main goal is to gather questions that should be addressed at the City Council meeting on March 22nd. Dave also removed item 5 (Update on the Police facility project) from the agenda.

1. Update on the Milltown Reservoir sediment superfund site cleanup ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 02/01/10) **REMOVE FROM AGENDA**

Peter Nielsen with the City/County Health Department discussed the progress on the Milltown Reservoir sediment superfund site cleanup. He last spoke to the committee about 1 1/2 years ago. The project has been in progress for about four years, and will be deemed substantially complete in the next few weeks. The next phase is restoration, and then redevelopment. Peter outlined the history and scope of the project. He summarized the cleanup activities and timeline. He presented statistics regarding sediment scouring after dam removal. He discussed arsenic levels in monitoring wells.

Bob Jaffe asked if arsenic levels in domestic wells were in the 'safe' range. Peter responded that no domestic wells currently exceed the arsenic standard.

Peter discussed changes in water levels resulting from the project. He outlined monitoring functions being performed, and he discussed the impact of the project on insect and fish populations. He described restoration projects that are currently in progress. He mentioned plans to remove the cooling pond at the old Stimpson mill. The Milltown Superfund Site Redevelopment Working Group proposes the creation of a publically owned park at the confluence to the Blackfoot and Clark Fork Rivers to be owned and managed by MT Fish, Wildlife, and Parks. Funding has been approved, and the land acquisition transaction should be completed soon. Peter went on to describe the proposed park in detail, including existing and proposed trail systems, a pedestrian bridge that has been funded, and various pavilions. He stressed the importance of connecting the existing trail system to this project. Peter summarized that the project has proceeded on schedule, without injury, and without any major disruptions.

Bob Jaffe asked about the economic impact of the project.

Peter Nielsen responded that the remediation had cost between 80 and 100 million dollars. The restoration project and redevelopment activities will cost between 10 and 12 million dollars each. He stated that the bulk of the project contractors have been local. The cooling pond work will create jobs.

Bob Jaffe asked about the source of the money.

Peter Nielsen responded that the source of the money is ARCO corporation as well as some funding from Northwestern Corporation. The funds are controlled by the State.

Ed Childers asked about touring the destination site for the 3 million tons of contaminated sediment to be removed from the project area.

Peter Nielsen responded that he could arrange that.

Pam Walzer asked about monitoring wells that still have high levels of arsenic contamination and funding.

Peter Nielsen responded that ARCO is responsible for the arsenic contamination and remediation.

Renee Mitchell asked if there is a time limit for ARCO, and what will happen to the logs retrieved from the river during restoration.

Peter Nielsen responded that ARCO is responsible in perpetuity. Between eight and nine thousand logs have been removed from the river so far. Between five and six thousand logs remain to be removed. Logs have been used in the restoration project, various other projects, and have been sold by the State for ten dollars each.

Bob Jaffe asked when the river would be completely opened to the public.

Peter Nielsen responded that the Clark Fork river will remain closed until 2012, but the Blackfoot may open sooner depending on the completion of the restoration.

Dave Strohmaier asked where the material from the cooling pond was destined for disposal.

Peter Nielsen responded that depending on the toxicity of the contaminated material it will be disposed of on the mill site, the Allied Waste landfill, or a hazardous waste landfill out of state.

Pam Walzer noted that some of the recovered logs were used by the City in Silver Park.

Peter informed the council of a meeting at the Bonner School to discuss the Stimpson cooling pond cleanup plan on Tuesday, March 16th at 7:00 PM.

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) **REMOVE FROM AGENDA**
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. Review Public Safety and Health referrals. ([memo](#)) – Regular Agenda (Marty Rehbein) (Referred to committee: 01/11/10)
 9. Consider an ordinance of the Missoula City Council amending Missoula Municipal Code Title 10 entitled "Vehicles and Traffic" by adding Chapter 56 entitled "Refusal to submit to alcohol and/or drug tests" and enacting sections 10.56.010 through 10.56.030 ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 02/08/10)

V. ADJOURNMENT

The meeting adjourned at 10:00 AM. Submitted by Gregg Schonbachler.