

**COMMITTEE OF THE WHOLE
City Council Chambers
140 W. Pine
MISSOULA MONTANA**

October 18, 2010, After Council Meeting

Members present: Ed Childers, President; Stacy Rye, Vice President; Dick Haines, Roy Houseman, Bob Jaffe, Dave Strohmaier, Renee Mitchell, Pam Walzer, Jason Wiener, Jon Wilkins, Marilyn Marler

Members absent: Lyn Hellegaard

Others present: Marty Rehbein

I. Administrative Business

Consideration of the minutes from the August 20, 2010, meeting was postponed until the next meeting.

II. Public Comment on items not listed on the agenda

There was no public comment.

III. Regular Agenda

A. Mayor's Update – Ongoing in Committee. (Mayor Engen)

This agenda item was not discussed because the Mayor was absent.

B. Updates from Council representatives on the Health Board, Community Forum, Transportation Policy Coordinating Committee, other boards and commissions as necessary.
– (Ongoing in Committee)

- TPCC

Stacy Rye said the committee heard an update on the ARRA projects (projects funded by the federal stimulus funds) in Missoula. They also heard an update on the Missoula Active Transportation Plan. In September, counts were taken of people engaging in active transportation. There was a disparity between the counts in May and September between men and women. The committee reviewed the OPG transportation division's work plan. There is a transportation event coming up. She will send information to City Council members.

- Community Forum

Mr. Wilkins said the Community Forum didn't have a quorum for their September meeting. The Forum will be submitting a resolution soon about neighborhood council funding. He urged City Council members to read the resolution, and ask Marty or Erin if they have questions about it.

- Health Board

Ms. Mitchell said the board welcomed Teresa Henry, a new board member. They discussed whether or not to appeal the Headapohl/Martin decision. The doctors moved two structures onto property in the floodplain. They asked for a variance from the Health Board and were denied. They appealed that decision for judicial review and won. The Health Board is considering whether or not to take this matter to District Court. Ms. Mitchell said she was shocked and dismayed to learn that 30 – 40 children are born with fetal alcohol syndrome each year in Missoula. They approved a checklist for communicable disease reporting.

The next board meeting will be held on October 21, 2010. The board will be taking public comment on the diabetes prevention program. Scoshy Allen will receive an exemplary service award from the Montana Public Health Association. Mr. Wilkins asked if the Headapol/Martin issue was in the city limits. Ms. Mitchell indicated it is in the county. He asked if the board has discussed the university's proposal to use a wood fuel burner to generate electricity. Ms. Mitchell will find out.

- Local Emergency Planning Committee (LEPC)
Ms. Walzer said committee met this week. Bob Reid, the head of Disaster and Emergency Services and 911 will be retiring in March. Before he leaves, Mr. Reid is drafting an emergency operations plan that complies with federal rules. He was able to find a grant to hire a contractor to oversee the large scale emergency response training at the airport next May. Emergency responders are identifying improvements needed as a result of some recent exercises at the hospital. Initial response was excellent, but there were difficulties connecting disaster victims with their families.

There was no public comment on the reports.

C. Report on Montana League of Cities and Towns 2010 Conference. (memo)—Regular Agenda (Pam Walzer) (Remove from agenda)

Mr. Childers said there are 129 cities and towns in Montana, and they are all members of the League.

Ms. Walzer said she made this referral because she thought it was important to share information learned during the conference with those who weren't able to attend. She followed the sessions on wastewater treatment plants.

Ms. Rye said the most interesting presentation she saw was a panel about special districts in Montana. Kalispell is looking at a retail transaction fee to replace their street maintenance district. The proposal would need to approval from the legislature in order to be implemented. The local chamber of commerce and city leaders have been considering a flat \$.25 fee on all retail transactions.

Mr. Strohmaier asked if there was something that would make this proposal more palatable than a local option sales tax. Ms. Rye said the proponents wanted to call it a fee, not a tax. Mr. Wiener indicated the Kalispell has analyzed their street maintenance district revenues and are comparing those with the transaction fee. They have been working very closely with their business community. There doesn't appear to be a revenue sharing component as the local option tax proposed. Ms. Walzer added the question came up about "why a flat fee?" The answer was that the use of the street was the same regardless of the amount of the transaction. Ms. Rye said one of the major proponents is the Kalispell chamber of commerce.

Mr. Houseman said he forwarded his conference notes to council members. Someone from Missoula was present for every meeting. Missoula delegations asked panelists many questions. He was pleased to see that people were participating and were proactive. He thought the presentation on tax increment financing was interesting, and the presentation from Chris Behan, Missoula Redevelopment Agency, was great. Billings and Missoula have been able to accomplish a great deal with their tax increment programs. The presentation from Attorney General Steve Bullock about the pilot program for mandatory alcohol testing in Lewis and Clark County was also very interesting.

Speaking about the session on wastewater treatment, Ms. Walzer said essentially it's good to clean up the water in the Clark Fork River. The city's wastewater treatment plant is regulated by the state and federal government as a pollution point source. The way the regulations for discharge into the river work, the operators at the plant have to try to get better at what they do to make up for the fact that there is no regulatory control for non-point pollution sources like agricultural runoff and septic systems. The federal and state standards are getting more and more stringent for point sources like city wastewater treatment plants. The League is working with other state leagues in the region trying to get the message out that the increased regulations being promulgated will not measurably improve water quality because non-point sources aren't being addressed. Richard Opper, director of the Department of Environmental Quality Department, was present and said he understands the difficulty. There are some new federal regulations being proposed that will adversely affect communities across the state. Cities and towns want clean water, but requiring more expensive capital investments for point sources will not measurably improve water quality until something is done to address non-point sources of pollution.

Mr. Houseman congratulated Mr. Childers for being elected vice-president of the League.

Mr. Childers noted there are many closed stores on Broadway in Butte.

IV. Adjournment

The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Marty Rehbein
City Clerk