

**PUBLIC SAFETY AND HEALTH COMMITTEE REPORT**  
**Wednesday, December 02, 2009 9:30 AM – 10:30 AM**  
**Council Chambers, 140 West Pine Street, Missoula, Montana**

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

**Members Not Present:** Lynn Hellegaard

**Other Present:** Claude Van Winkle, Mike Lemm, Richard Keller, Mike Halligan, Jim Carlson, J.A. Edwards, Mark Kersting, Hanna Hannah, Bob Giordono, Jim Carr

## **I. ADMINISTRATIVE BUSINESS**

1. Approve minutes from [November 18, 2009](#). Minutes approved unanimously.

## **II. PUBLIC COMMENT**

1. Lonie Hutchins presented the [Missoula County DUI Task Force Designated Driver program](#). She also discussed the "Empty Dinner Party" that is held in the memory of those lives lost in alcohol related traffic crashes.

## **III. CONSENT AGENDA ITEMS**

## **IV. REGULAR AGENDA ITEM**

1. Discussion on the MRL herbicide program within the city limits ([memo](#)).—Regular Agenda (Bob Jaffe) (Referred to committee: 05/18/09) **REMOVE FROM AGENDA**

Bob Jaffe asked the Montana Rail Link representatives if they would work with the Missoula Parks to notify the public when the weeds are sprayed.

Richard Keller reviewed [Montana Rail Link's Herbicide Program](#). He stated they would review and evaluate their current notification practices. He reminded everyone how large the area is that is being discussed.

Marilyn Marler stated a possibility may be for MRL to notify the Parks Department when they are anticipating spraying weeds to help coordinate their efforts to notify the public.

2. Discuss train engine exhaust emissions in the Missoula rail yard ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 11/23/09) **REMOVE FROM AGENDA**

Dave Strohmaier stated his constituent's concerns about the locomotive's emissions.

Claude Van Winkle reviewed [Montana Rail Link's Locomotive Emissions](#) efforts. He stated MRL has 71 locomotives operating in Montana. 37 locomotives are equipped with idle reduction technology. He stated they have tested alternative locomotives but it was determined that their performance was not adequate for what was needed.

Jim Carlson stated the Health Department and MRL are working together on a \$1.1 million dollar grant with the EPA to install 34 diesel auxiliary power units in MRL yard engines throughout the State of Montana and their operating system.

Several people spoke about the unpleasantness of the diesel fumes.

## **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. 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. ([memo](#)) ([Updated Memo](#)) ([Updated Ordinance 09/02/09](#)) ([PS&H](#)) (Referred to committee: 07/27/2009)
10. Remove extraterritorial jurisdiction of the garbage ordinance ([memo](#)).—Regular Agenda (Pam Walzer)
11. Consider an ordinance of the Missoula City Council amending Missoula Municipal Code Title 10 entitled Vehicles and Traffic, Chapter 42 entitled Bicycles for the purpose of changing the requirements for complying with traffic control devices and removing conflicting registration requirements by amending Sections 10.42.030 and 10.42.040. ([memo](#)).—Regular Agenda (Pam Walzer)

## **V. ADJOURNMENT**

The meeting adjourned at 10:30 AM. Submitted by Leslie Willis.