

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, January 6, 2010 9:35 AM – 10:30 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Dave Strohmaier, Jason Wiener, Pam Walzer, Stacy Rye, Bob Jaffe, Jon Wilkins, Lynn Hellegaard, Dick Haines, Renee Mitchell, Ed Childers.

Members Not Present: Roy Houseman

Others Present: Mark Muir, Gail Verlanic, Chris Odlin, Jim Nugent, Chris Cruise

I. ADMINISTRATIVE BUSINESS

1. Minutes from [December 9, 2009](#) and [December 16, 2009](#) were approved as submitted.

II. PUBLIC COMMENT

1. Public comment on items not listed on the agenda.

Chris Cruise, representing American Kenpo Karate at 1200 West Kent Avenue, expressed his concerns regarding a change in the stop sign configuration at the intersection of Oxford Street and Kent Avenue. He cited a collision that occurred on December 10, 2009 that caused a vehicle to crash into the front of his business. Mr. Cruise implored the City to consider changing this intersection to a four-way stop, or to modify the stop sign height in order to make the signs more visible.

III. CONSENT AGENDA ITEMS

IV. REGULAR AGENDA ITEM

1. Discuss workers' compensation ([memo](#)).—Regular Agenda (Dick Haines) (Referred to committee: 12/21/09) **REMOVE FROM AGENDA**

Dick Haines expressed concern about losing Missoula Police officers due to injuries. He is also concerned about what is the city doing to support injured officers in the long term, and how this affects other officers job performance when there is fear of an injury.

Police Chief Mark Muir presented an overview of the situation.

Gail Verlanic (HR) discussed the legalities regarding an officer's medical retirement. She cited statutes and contractual obligations regarding work-related injuries. She discussed the benefits provided by Worker's Compensation Insurance. She discussed the City's obligations to the injured officer. She described the Police Department's use of light duty and the process leading up to medical disability retirement. She presented an overview of monetary settlements. She described the additional training that officers have received in recent years to address some of these issues.

City Attorney Jim Nugent clarified that medical bills related to the injury are still covered by Worker's Compensation unless otherwise settled with the injured party.

Stacy Rye inquired if the physical requirements between patrol officers and detectives (for example) differ.

Chief Muir responded that there are separate job descriptions for different positions, but that there are basic minimum requirements for all officers.

Stacy Rye asked about officers who may have sustained injuries outside of their job duties, and how this may inhibit their ability to perform the job's minimum required physical activities.

Mark Muir stated that the department is working towards a physical fitness standard that can be administered. This will need to be reconciled with the PD collective bargaining agreement in order to achieve a fitness incentive. He described some specific situations regarding job accommodations for injured officers

Gail Verlanic described the difference between Worker's Compensation for civilian city employees and Police Officers.

Jon Wilkin's described his own experience with Worker's Compensation and how it differs from what the City offers to Police Officers.

Dave Strohmaier asked Chief Muir about the level of compensation provided to an injured officer being accommodated with a civilian position.

Chief Muir responded that the Police Officer wage would be recalibrated to a civilian wage once the injured officer medically retires and retains the civilian position.

Gail Verlanic discussed the legalities of an injured officer receiving medical disability payments while the City accommodates the injured officer with other employment.

Pam Walzer asked what else can be done to equip Police Officers with the skills necessary to avoid injury in the first place.

Mark Muir described the implementation of the Risk Avoidance Program that began last year. He also described the modification of policies regarding officer activities that present a high risk of injury. He indicated that some medical retirements are necessary.

Gail Verlanic contrasted the Fire Department and the Police Department's respective risks. She also discussed the fact that the Fire Department has access to a workout room to help the employees keep in shape, while the Police Department does not provide such facilities.

2. Police Department Update – Ongoing in Committee. (Mark Muir) **HELD IN COMMITTEE**

Chief Muir provided the Council with a Police Department update. The Police Department is currently operating under budget due to vacancy savings, but this comes at a cost to police service to the community. He displayed a chart that graphically depicted the shortages in staffing strength due to vacancies and officers unavailable due to training, Military Leave, etc. He discussed historical and current staffing levels. He described the correlation of staffing shortages and the significant reduction of citations issued. Chief Muir updated the council on the successful relocation of the briefing room and Police vehicle parking to the City Shops on Scott Street. He described the success of the department in securing funding from grants and Federal appropriations, including \$700,000 to fund the design process for a new Public Safety facility.

V. HELD AND ON-GOING AGENDA ITEMS

2. Police Department Update – Ongoing in Committee. (Mark Muir)
3. Fire Department Update – Ongoing in Committee (Mike Painter)
4. Health Department Update – Ongoing in Committee. (Ellen Leahy)
5. 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)
6. Update on the Police facility project. ([memo](#)) – Regular Agenda (Mark Muir)(Referred to committee: 05/12/08)
7. 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)

8. 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)
9. 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) (Referred to committee: 09/14/09)

V. ADJOURNMENT

The meeting adjourned at 10:30 AM. Submitted by Gregg Schonbachler.