

CONSERVATION COMMITTEE REPORT

December 9, 2009

09:05–10:00 am

140 West Pine Street

Members Present: Marilyn Marler (chair), Pam Walzer, Dave Strohmaier, John Hendrickson, Dick Haines, Renee Mitchell, Ed Childers, Jon Wilkins and Jason Wiener

Members Absent: Bob Jaffe, Stacy Rye

Others Present: Jackie Corday, Shirley Kinsey, JoMay Salonen

I. ADMINISTRATIVE BUSINESS

A. Approve minutes.

Minutes of [December 2, 2009](#), were approved as submitted.

II. FINAL CONSIDERATION AGENDA ITEMS

III. CONSENT AGENDA ITEMS

A. Review and set a public hearing on a resolution establishing the Parks and Recreation master fee schedule for facility use, reservations, contracts, permits & programs for 2010 ([memo](#)).—Regular Agenda (Shirley Kinsey) (Referred to committee: 12/07/09)

The committee recommends the City Council set a public hearing on January 4, 2010, to consider a [resolution](#) increasing fees set forth in the Master Fee Schedule for Facility Use, Reservations, Contracts, Permits and Programs for 2010.

Shirley Kinsey reviewed the summary page which outlines the changes to this document which is reviewed annually and approved by the Missoula Parks and Recreation Board, the County Park Board and City Council.

Changes include:

Section 1.4 Tennis Courts - Tennis tournaments will be assessed a non-refundable per court reservation fee of \$9.75 per court per day. If the reserved court is not used for the tournament then reservation fee is forfeited. If the court is used for the tournament then the fee will count toward the total fee owed on that court. Courts not being used need to be turned in five days prior to the tournament or the full rental fee for usage will apply. The Parks & Recreation Board recommended adding the unused court(s) should be outside courts and posted for public play. The tournament director would be responsible for signing the appropriate court(s).

Section 1.5 Football / Track Fields - Flag Football fields will increase from \$14.50 to \$14.75, this increase will create a consistency with fees charged per hour for soccer field rentals. Maintenance and upkeep during the season is similar for both sports. Little Griz Football program will be notified of the ability to layout and paint their own fields to lower their costs.

Park Shelters - In order to facilitate the two hour limit per day of amplification at the Bonner Band Shell the rental will only allow for a total of two hours of power usage, regardless of the intended usage. Amplification permit deposit will increase from \$400 to \$1000. If a party is cited by the Police, half of the deposit will be forfeited.

Pineview Park will be added to the shelter reservation system at \$40/time period or /\$100/day.

Section 3.3 Resident Discount Program The Sports Associations and Team Sports subsidy covering non city resident use of parks facilities, sports programs, and sports facilities will be increased 5% from \$3,000 to \$3,150 to be paid by the County. This fee has not increased in over five years.

Section 3.3 Urban Forest - Cost share trees with the Urban Forest are variable, fee will reflect the purchase price of the tree, labor and equipment costs. It was discussed to add back in the minimum cost of \$200 back into the fee chart along with the ability to upgrade to a larger tree if the citizen so chooses.

It was moved and unanimously approved to set public hearing for January 4, 2010.

Public Comment:

JoMay Solonen, the Missoula Swim Teams are appreciative of the City not raising fees this year.

B. Approve an approximately 15 foot wide encroachment easement in Whitaker Park for landscaping improvements ([memo](#)).—Regular Agenda (Jackie Corday) (Referred to committee: 12/07/09)

MOTION: The committee recommends the City Council grant an encroachment easement to Sarah Perry at 505 Whitaker Drive for \$3,465 as shown in Exhibit A with the money designated to be spent on improving Whitaker Park.

Sarah Perry purchased the home in 2003 at 505 Whitaker Drive, and unknown to her, the landscaping and fence along the southern and western border of the property encroached upon Whitaker Park by 15 feet. The house and landscaping was constructed almost 40 years ago. She brought the issue to the attention of the Parks Department. Staff reviewed the area and suggested offering the opportunity to either move the fence back to the correct boundary or purchase an encroachment easement for \$3,465. The terms of the easement was determined are the same terms used for High Park. Criteria for determining whether or not to allow an easement included if whether or not there is any added value to the public for returning the affected area back to park land and/or does it add additional access. In this case staff review determined that the area and removal of the fence and landscape would not add value to the park. The appraisal price use for the Dvorak property was used to help determine the value of the easement. A separate appraisal would have been more expensive than the actual value of the easement.

The Missoula Parks Board reviewed the easement and voted in favor to recommend to Council the easement as a fair and equitable solution to the encroachment.

Discussion:

Sarah Perry will install a chain link fence.

Dick – the reasons for determining this solution are good, and I suggest using the same criteria for any future requests.

Jackie – it was suggested by Ray Aten to have the Parks Board develop criteria for encroachment situations which can be reviewed on a case by case basis,

Jon – I agree we should have a policy that is reviewed by individual case, so others with encroachment issues don't expect the same outcome. I would suggest using the money for improvements to Whitaker Park.

Jackie Corday is also looking into a recommendation by the Parks Board into whether or not the 2700 square feet can be included in the property taxes.

It was moved to recommend approval of the encroachment easement to Sarah Perry with all members voting in favor of the motion and include the money to be designated to Whitaker Park.

IV. REGULAR AGENDA ITEMS

1. Discussion on recycling in Missoula ([memo](#)).—Regular Agenda (Pam Walzer) Referred to committee: 10/26/09) **(REMOVE FROM AGENDA)**

It was suggested since this referral has changed in scope from a discussion on just recycling to remove it from the agenda. A new one with links to the historical document from fifteen years ago will be submitted.

Pam – I would encourage you to read the document as the discussion is the same now as back then and good work done back then.

Dick – I would like to see figures or statistics on amount on generated plastic, etc.

V. NON-AGENDA ITEMS

VI. HELD AND ONGOING AGENDA ITEMS - PER COMMITTEE CHAIR – Marilyn Marler

A. Support for City employee cash for Bus Commuters Program ([memo](#)).—Regular Agenda (Ben Schmidt and Nancy Wilson) (Referred to committee: 08/24/09)

B. Consider an ordinance amending Missoula Municipal Code Title 8, entitled "Health and Safety," Chapter 8.28, entitled "Garbage and Rubbish" to provide for special management of garbage in specific areas within the City of Missoula where there is conflict with bears ([memo](#)).—Regular Agenda (Pam Walzer and Urban Wildlife Subcommittee) (Referred to committee: 09/14/09)

ADJOURNMENT - The meeting adjourned at 10:00 am.