

CONSERVATION COMMITTEE REPORT

February 23, 2011

9:05–10:00 am

140 West Pine Street

Members Present:, Pam Walzer (acting chair), Renee Mitchell, Jon Wilkins, Stacy Rye, Dick Haines, Cynthia Wolken, Ed Childers, Lyn Hellegaard,

Members Absent: Marilyn Marler, Dave Strohmaier, Bob Jaffe

Others Present: Donna Gaukler, Al Pfister

I. ADMINISTRATIVE BUSINESS

A. Approve minutes.

No minutes to approve.

II. FINAL CONSIDERATION AGENDA ITEMS

III. CONSENT AGENDA ITEMS

IV. REGULAR AGENDA

1. Proposal to amend the development agreement between the City of Missoula and Missoula County Public School District (MCPS) for Riverfront parcels of land. ([memo](#))—Regular Agenda (Donna Gaukler) (Referred to committee: 02/07/11) **(Held in Committee)**

MCPS has asked to amend the 1983 development agreement between the City and the school to make improvements at Toole Park. This was a pre hearing discussion with the City and representatives from MCPS. The public hearing is set for February 28, 2011.

The land was acquired in 1983 with 1982 Open Space Bond and named for Mayor Toole. An extensive development agreement was developed with the intent for a public park and a shared sports and physical education field for Hellgate High School.

The agreement has worked well and the facility is well used by the public and Hellgate High School. Hellgate has priority use from early morning to early evening. During the development the greatest contention was the issue of parking and whether or not facility should include additional parking (see page 17 of the original agreement). Staff and Hellgate are not asking for any changes in that part of the agreement, since parking has been meeting current needs.

The improvements to the facility would include making the current track a six lane soft paved surface, new areas for jumping and throwing events and a storage shed for equipment. Currently Hellgate athletes are bused to Sentinel for field event practice. Staff is recommending approval of the changes in agreement related to development of the additions to the facility. Staff will be working with MCPS representatives on the details of the types of materials and installation. Staff provided specific comments to the draft amendment. Per the agreement MCPS will be financially responsible for the improvements as well as maintenance.

There was limited discussion on the proposed additions to the facility.

Al Physter– upgrading the existing facility will benefit not only the track team but the public who also use the area.

Donna – Parks staff and City Attorney has reviewed the agreement. The final site plans, materials all will need final approval by staff but will be done in conjunction with Hellgate staff. Staff is not recommending accepting the change in section 3 of the agreement related to use of developed turf area. Staff recommends leaving section three as is, which gives the school priority use early morning until early evening five days week. Any changes or additions to activities would be scheduled through the Parks Department.

Al – the 1983 agreement includes three areas related to construction of the new facility including tear down, improvement and then the maintenance of the areas. This is a good document, drafted for the intentions of a multi use facility. We would agree to keep the

existing integrity of the document with the proposed changes to facility, which will be more useful to more people.

The committee members discussed Article 11 of the original agreement which calls for a majority vote of the Council to change the agreement. Stacy Rye proposed keeping the new section C of the amendment which would change the vote to a simple majority of the Council. Staff is recommending that not be included in the agreement. Several other committee members agreed with Stacy's proposal. Lyn Hellegaard proposed splitting the motion for this item into two motions.

Donna – this is a good agreement with its intent and specificity the important part is to get the improvements done and not hold up with a major discussion on number of votes needed to make change. I would like to hear any public comment and would propose sending the agreement back to committee after the public hearing. Staff will work out the final document with MCPS staff and bring back to the committee for a final vote.

HELD/REFERRED OR ONGOING AGENDA ITEMS –

1. Information on Trail Projects ([memo](#)).—Regular Agenda (Marilyn Marler) (Referred to committee: 08/23/2010)
2. Consider a new ordinance that will create a process and criteria for the naming of public parks, trails, open space, and recreation facilities. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 10/25/10)
3. Approve an agreement between the City and Garden City Harvest (GCH) to allow for community gardens on City owned properties that will be identified in the future. ([memo](#))—Regular Agenda (Jackie Corday) (Referred to committee: 10/25/10) (Item tabled in committee 12/08/2010)
4. Annual tree planting program update. ([memo](#))—Regular Agenda (Renee Mitchell) (Referred to committee: 01/24/11)

V. NON-AGENDA ITEMS

ADJOURNMENT - The meeting adjourned at 9:45 am.