

## COUNCIL ACTION SUMMARY

### CITY OF BILLINGS

#### CITY OF BILLINGS VISION STATEMENT:

**"THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS."**

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#### AGENDA

COUNCIL CHAMBERS

December 12, 2016

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember McFadden

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, McFadden, Friedel, Sullivan, Swanson, Clark and Brown.

**MINUTES:**

- November 14, 2016 **APPROVED 11-0**
- November 28, 2016 **APPROVED AS AMENDED 11-0** Councilmember Brewster, in regards to Item 5, requested that a sentence be added regarding his request for scheduled inspections at regular intervals to ensure field maintenance.

**COURTESIES:**

- Mayor Hanel welcomed Mark "Curley" Helmbrecht from the Billings Road Dogs. Mr. Helmbrecht stated that the Road Dog organization had recently completed its 32nd Annual Toy Run and had raised over \$50,000 worth of toys for local children. Mayor Hanel thanked the organization for their hard work and effort for the community. Mr. Helmbrecht presented Mayor Hanel with a Road Dog Toy Run t-shirt.
- Chief Dextras and Lieutenant Cady thanked Phillips 66 for their generous donations. Chief Dextras stated that Phillips 66 worked very closely with the City. He stated the donation of helmets and vests would allow the Fire Department to respond at the appropriate time during an active shooter incident to help the Police Department and could help save lives. Chief Dextras stated that Phillips 66 had also donated an inflatable fire safety house that would help teach children fire safety and how to get out of a house safely during a fire. Chief Dextras and Lieutenant Cady presented Ray Rigdon and Ryan Wegner a plaque honoring their generosity and continued support.

## PROCLAMATIONS: NONE

## ADMINISTRATOR REPORTS - TINA VOLEK: NONE

### **PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 3, 4 & 5 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign in at the cart located at the back of the council chambers or at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

- **Leif Welhaven, 4637 Neibauer Road, Billings, Montana**, in reference to Item 3, stated that he would like to see the Council come together collectively and endorse ACT.
- **Tom Day, 1250 Poly Drive, Billings, Montana**, in reference to Item 3, stated that he had seen ACT work in other areas and encouraged Council to support the ACT Initiative.
- **Tyler Crennon, 2601 Patricia Lane, Billings, Montana**, in reference to Item 3, stated that he believed ACT would support bringing local talent to Billings. He added that it would boost the City's tourism industry. He stated that 69% of local businesses favored the local option tax.
- **Mike Nelson, 19 N. Broadway, Billings, Montana**, in reference to Item 3, stated that he was in favor of ACT and would like to see Council support it.
- **Kelly McCandless, 532 Republic Avenue, Billings, Montana**, in reference to Item 3, stated that she was involved in marketing the community as a tourist destination. She stated that tourists were using the City's services and not paying for them. She stated that ACT offered the opportunity to shift some of the funding burden off of taxpayers. She encouraged Council to support ACT.
- **Emily Petroff, 1085 Backbay Drive, Billings, Montana**, in reference to Item 3, stated that ACT would allow communities to address their needs as identified by the citizens. She stated that business owners were challenged with finding good employees and ACT could help keep kids and future employees here in the City.
- **Paul Foster, 3099 Thousand Oaks, Billings, Montana**, in reference to Item 3, stated that he endorsed ACT, which would allow communities to address their needs, as identified by the citizens. He stated that he was seeking to hire world class staff and he urged Council to endorse the ACT Initiative.
- **Bob Wilmouth, 40 Heatherwood Lane, Billings, Montana**, in reference to Item 3, stated that he was looking for a way to get Rocky Mountain College to go from good to great. He stated that the ACT Initiative would help the City to go from good to great.
- **Bill Cole, 3733 Tommy Armour Circle, Billings, Montana**, in reference to Item 3, stated that the local option tax would allow development of regional parks, rivers, downtown, etc. He stated that development took many dollars and ACT could help.
- **Tom Zurbuchen, 1747 Wicks Lane, Billings, Montana**, in reference to Item 4, stated that some language had been removed regarding amending the City Charter and allowing the citizens to vote. He stated that government needed to operate

under the same rules as local citizens and encouraged Council to get a petition to allow any Charter changes. In reference to Item 5, he stated that materials must be in the public's hands 48 hours before making a decision. He stated that if Council made any decisions about Dehler Park it would be against state law.

- **Connie Wardell, P. O. Box 21432, Billings, Montana**, in reference to Item 5, stated that the public had not had enough time to read the materials and Council should not make a decision on the Dehler Park contract. In reference to Item 3, she stated that it would not be a good idea to endorse a bill that was not completed.
- **Lisa Harmon, Downtown Billings Alliance**, in reference to Item 3, stated that ACT was an opportunity for local leaders and citizens to come together to affect change in the City. She asked for Council's support of ACT.

1. **CONSENT AGENDA** -- Separations: 1A1, 1B, 1E, 1H3

A. **Mayor Hanel recommends that Council confirm the following appointments:**

1. Approval **APPROVED**

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
			<b>Begins</b>	<b>Ends</b>
1	Charles Bushey	Animal Control Board	01/01/17	12/31/20
2	No Application	Animal Control Board	01/01/17	12/31/20
3	Peggie Gaghen	Aviation & Transit Board	01/01/17	12/31/20
4	Chuck Tooley	Aviation & Transit Board	01/01/17	12/31/20
5	David Hummel Jr.	Aviation & Transit Board	01/01/17	12/31/20
6	Jane Van Dyk	Bicycle & Pedestrian Advisory	01/01/17	12/31/19
7	Eddie Schmidt	Billings BID	01/01/17	12/31/20
8	Michael Tuss	Billings BID	01/01/17	12/31/20
9	Dave Hagstrom	Board of Adjustments*	01/01/17	12/31/17
10	Dave Hagstrom	Board of Appeals - Builder*	01/01/17	12/31/19
11	Edward Arnold Jr.	Board of Ethics	01/01/17	12/31/20
12	Catherine Grott	Board of Ethics	01/01/17	12/31/20
13	Rebecca Noell	Community Development	01/01/17	12/31/20
14	Joe Stockburger	Community Development- Low Mod*	01/01/17	12/31/17
15	Mike Boyett	Housing Authority	01/01/17	12/31/21
16	No Application	Housing Authority - Resident Comm*	01/01/17	12/31/17
17	No Application	Housing Authority - Resident Comm	01/01/17	12/31/18
18	Amaya Costas	Human Relations Commission*	01/01/17	12/31/19
19	Tajin Perez	Human Relations Commission*	01/01/17	12/31/19
20	Lita Pepion	Human Relations Commission	01/01/17	12/31/20

21	David Darby	Library Board*	01/01/17	12/31/18
22	Francis Morris	Parks, Recreation & Cemetery Board	01/01/17	12/31/20
23	Chuck Platt	Parks, Recreation & Cemetery Board	01/01/17	12/31/20
24	Tim Warburton	Parks, Recreation & Cemetery Board	01/01/17	12/31/20
25	Jim Ronquillo	Parks, Recreation & Cemetery Board	01/01/17	12/31/20
26	Sean Lynch	Billings Parking Board*	01/01/17	12/31/19
27	No Application	Billings Parking Board*	01/01/17	12/31/19
28	David Goodridge	Planning Board - Ward 1	01/01/17	12/31/18
29	No Application	Planning Board - Ward 2*	01/01/17	12/31/17
30	LaVerne Bass	Planning Board - Ward 3	01/01/17	12/31/18
31	Darell Tunnicliff	Planning Board - Ward 4	01/01/17	12/31/18
32	Patrick Klugman	Planning Board - Ward 5	01/01/17	12/31/18
33	Bill Enright	Public Works Board	01/01/17	12/31/20

\* 9 Unexpired term of James Olson

\*10 Unexpired term of vacant position

\*14 Unexpired term of Michelle Zahn

\*16 Unexpired term of vacant position

\*18 Unexpired term of vacant position

\*19 Unexpired term of vacant position

\*21 Unexpired term of Jeana Lervick

\*26 Unexpired term of Brian Rossiter

\*27 Unexpired term of Kevin Odenthal

\*29 Unexpired term of vacant position

**B. Professional Services Contract** for W.O. 17-06 Midland Road Improvements engineering design and construction services; HDR Engineering, Inc.; \$706,961.

**APPROVED 10-0; CIMMINO ABSTAINED**

**C. Approval** of the proposed Exchange City Golf Corporation (ECGC) 2017 annual budget and fee structure for Par 3 Golf Course. **APPROVED**

**D. Acceptance** of the Billings Library Foundation and Phillips 66 funds for the "Community Crates" project for the STEAM (Science, Technology, Engineering, Art, Math) programming at the Billings Public Library; \$22,000. **APPROVED**

**E. Resolution of Intent** to issue revenue bonds for the upgrade of the wastewater treatment plant. **APPROVED 10-0; CIMMINO ABSTAINED**

**F. Preliminary Subsequent Minor Plat** of Amended Lot 3, Block 1, Gabel Subdivision, 4th Filing, described as approximately 117,920 Square feet (2.7 acres) parcel of land generally located on the south side of Gabel Road, 1/4 mile west of South 32nd Street; Bottrell Family Investments, LP, owner; Sanderson Stewart, agent; conditional approval and adoption of the findings of fact. **APPROVED**

**G. Final Plat Approval of Pemberton Subdivision. APPROVED**

**H. Bills and Payroll:**

1. November 7 and 9, 2016 **APPROVED**
2. November 14, 2016 **APPROVED**
3. November 21, 2016 **APPROVED 9-0; CIMMINO AND BROWN ABSTAINED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward V to include recently annexed property in Annexation #16-05: a 17 acre parcel of land described as Tract 3 and a portion of Tract 4 and Tract 5, Certificate of Survey 1648, located west of Shiloh Road and between Central Avenue and Bell Avenue, just west of Legends West Subdivision; Janet R. Bergman, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**3. AUTHORIZE COMMUNITY TRANSFORMATION (ACT) INITIATIVE**

**A. RECONSIDERATION** of the Motion to Table the Endorsement of the Authorize Community Transformation (ACT) Initiative. Staff recommends disapproval. (Action: approval or disapproval of staff recommendation.)  
**MOTION FAILED 5-6; CROMLEY, YAKAWICH, CIMMINO, SULLIVAN, SWANSON, MAYOR HANEL VOTED IN OPPOSITION**

**B. APPROVAL** to Endorse the Authorize Community Transformation (ACT) Initiative. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 6-5; BREWSTER, MCFADDEN, FRIEDEL, CLARK AND BROWN VOTED IN OPPOSITION**

**4. 2017 MONTANA LEGISLATIVE PRIORITIES.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **AMENDED TO ADD MONTANA INFRASTRUCTURE COALITION TO PRIORITIES. APPROVED 9-0; MCFADDEN AND FRIEDEL VOTED IN OPPOSITION**

**5. APPROVAL** of Facility Management, Operation and Use Agreement with Mustangs Baseball, LLC, (Dehler Park). Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **CLARK MOVED TO DELAY ACTION UNTIL DECEMBER 19. APPROVED**

**PUBLIC COMMENT** on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign in at the cart located at the back of the council chambers or at the podium.*)

**COUNCIL INITIATIVES: NONE**

**ADJOURN:** 9:00 pm