

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

AGENDA

COUNCIL CHAMBERS

December 15, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Gaghen

ROLL CALL – Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Brewster, Veis, Ruegamer, McCall, Ulledalen, Astle, and Clark

MINUTES – December 8, 2008, approved as distributed

COURTESIES - None

PROCLAMATIONS - None

ADMINISTRATOR REPORTS – Tina Volek

- Ms. Volek said revisions reflecting comments from the City Council and County Commissioners for Agenda Item 6 were included in the Friday Packet and were available in the Ex-Parte Notebook for public review.
- Ms. Volek advised this was the last meeting of 2008. She said the first work session for 2009 was scheduled for January 5, and the first regular meeting for 2009 was scheduled for January 12.
- Ms. Volek said the meeting was not being televised by Channel 7 due to a conflict with televising the School Board Meeting.
- Ms. Volek wished the City Council happy holidays on behalf of the city staff.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 2 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located 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.)

(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

There were no speakers.

CONSENT AGENDA: SEPARATIONS: E

1. A. Mayor's appointments:

Mayor Tussing recommends that Council confirm the following appointments:

	Name	Board/Commission	Term	
1.	Sandy Weiss	Animal Control Board	01/01/09	12/31/12
2.	Dennis Ulvestad	Animal Control Board	01/01/09	12/31/12
3.		Animal Control Board	01/01/09	12/31/12
4.		Animal Control Board	01/01/09	12/31/12
5.	Richard Larsen	Aviation & Transit Board	01/01/09	12/31/12
6.	Mark Kennedy	Aviation & Transit Board	01/01/09	12/31/12
7.	Stanley Hill	Aviation & Transit Board	01/01/09	12/31/12
8.	*Jeff Bollman	Board of Adjustment	01/01/09	12/31/2009
9.		Board of Appeals	01/01/09	12/31/12
10.	Rebekah Wales	Board of Ethics	01/01/09	12/31/12
11.	Andrew Parker	Board of Ethics	01/01/09	12/31/12
12.	Rod Ostermiller	Board of Health	01/01/09	12/31/11
13.	Sandy Weiss	Community Development Board	01/01/09	12/31/12
14.		Community Development Board	01/01/09	12/31/12
15.	Charles Hamwey	EMS	01/01/09	12/31/12
16.	Meridith Cox	EMS	01/01/09	12/31/12
17.		EMS	01/01/09	12/31/12
18.	*	EMS	01/01/09	12/31/09
19.	Lisa Harmon	Homelessness Committee	01/01/09	12/31/12
20.	Paul Chinberg	Homelessness Committee	01/01/09	12/31/12
21.	Joseph Chalupa	Homelessness Committee	01/01/09	12/31/12
22.	Sue Runkle	Homelessness Committee	01/01/09	12/31/12
23.	Judy Steward	Homelessness Committee	01/01/09	12/31/12
24.	John Hines	Homelessness Committee	01/01/09	12/31/12
25.	Mary Lou Affleck	Homelessness Committee	01/01/09	12/31/12
26.	Ken Chase	Homelessness Committee	01/01/09	12/31/12
27.		Homelessness Committee	01/01/09	12/31/12
28.		Homelessness Committee	01/01/09	12/31/12
29.	Mary Lou Affleck	Housing Authority	01/01/09	12/31/13
30.	Lynda Moss	Housing Authority	01/01/09	12/31/13
31.		Housing Authority	01/01/09	12/31/13
32.	*Maureen Jurovich	Housing Authority	01/01/09	12/31/10

33.	Patt Leikam	Human Relations Commission	01/01/09	12/31/12
34.	*Diane Foley	Human Relations Commission	01/01/09	12/31/10
35.	*	Human Relations Commission	01/01/09	12/31/10
36.		Parking Advisory Board	01/01/09	12/31/12
37.	*	Parking Advisory Board	01/01/09	12/31/10
38.	Tom Iverson	Parks/Recreation/Cemetery	01/01/09	12/31/12
39.	Rachel Cox	Parks/Recreation/Cemetery	01/01/09	12/31/12
40.	Catherine Grott	Parks/Recreation/Cemetery	01/01/09	12/31/12
41.		Parks/Recreation/Cemetery	01/01/09	12/31/12
42.		Parks/Recreation/Cemetery	01/01/09	12/31/12
43.	Ben Surwill	Police Commission	01/01/09	12/31/11
44.	Barry Nolan	Public Utilities Board	01/01/09	12/31/12
45.	*Brent Krueger	Traffic Control Board	01/01/09	12/31/10
46.	Bill Iverson	C/C Planning Board	01/01/09	12/31/10
47.	Donna Forbes	C/C Planning Board	01/01/09	12/31/10
48.	Susan Gilbertz	C/C Planning Board	01/01/09	12/31/10
49.	Fred Rogers	C/C Planning Board	01/01/09	12/31/10

- 8. Unexpired term of Leon Pattyn
- 18. Unexpired term of Dr. John Kominsky
- 32. Unexpired term of Mike Hennessey
- 34. Unexpired term of Jean Smith
- 35. Unexpired term of Shoshana Tom
- 37. Unexpired term of Gary Temple
- 45. Unexpired term of Angela Cimmino

B. Agreement with Billings Housing Authority to fund one Police Officer from January 1, 2009, through June 30, 2009.

C. Modification #3 to Law Enforcement Officer 5-year Reimbursement Agreement with Transportation Security Administration. Annual estimated cost to City - \$169,900; Modification #3 for second year reimbursement – up to \$163,286.40.

D. Acknowledging Receipt of Petition to Annex #08-09: Lots 1-3, Block 1, Cereus Subdivision, generally located on the north side of Midland Road east of the Motor Power Equipment business. Brumar Corporation, owner and petitioner; Bruce E. Sunwall, representative; and setting a public hearing date for January 12, 2009.

E. Approval of Bicycle Pedestrian Advisory Committee's letter of support for the Safe Routes to School Grant Application for Elementary School

Traffic Plan. **APPROVED 10-0. MAYOR TUSSING RECUSED HIMSELF FROM THE VOTE.**

- F. **Approval** of Legislative Agenda.
- G. **Resolution #08-18776** adopting the Riverfront Park Master Plan Update.
- H. **Resolution #08-18777** adopting the Howard Heights/Dickie Park Master Plan.

I. **Preliminary Subsequent Minor Amended Plat** of Lots 4-19, Block 2, Riverfront Pointe Subdivision, generally located east of the southeast corner of the intersection of Mullowney Lane and Frontier Drive; Frontier Apartments, LLC, owner; Blueline Engineering, LLC, representing agent; conditional approval of the plat and adoption of the Findings of Fact.

- J. **Final Plat** of Amended Lot 6B, Flanagan Subdivision.
- K. **Payment of Claims**
(1) November 21, 2008

(Action: approval or disapproval of Consent Agenda.) **APPROVED**

REGULAR AGENDA:

- 2. **W.O. 04-12 – ALKALI CREEK ROAD SLOPE IMPROVEMENTS CONSTRUCTION CONTRACT AWARD** (delayed from 11/24/08). Staff recommends rejection of all bids. (Action: approval or disapproval of staff recommendation.) **THE MOTION REJECTING ALL BIDS WAS APPROVED.**
- 3. **PUBLIC HEARING AND RESOLUTION #08-18778** vacating Boundary Waters Circle located within Riverfront Pointe Subdivision; established value of right-of-way - \$15,885. Cal Kunkel, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED WITH PAYMENT FROM THE DEVELOPER IN THE AMOUNT OF \$15,885.**
- 4. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #OP-08-04:** A variance from Section 6-1203(j) of the Site Development Ordinance reducing the required number of parking stalls by five on a 7,200 square foot building proposed for Lots 18-20, Block 4, Sunset Subdivision, 1st Filing. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
- 5. **PUBLIC HEARING AND RESOLUTION #08-18779** establishing a Master Site Plan Review Fee in the amount of \$240. Staff recommends approval. (Action:

approval or disapproval of staff recommendation.) **APPROVED 10-1. COUNCILMEMBER GAGHEN VOTED 'NO'.**

6. **PUBLIC HEARING AND RESOLUTION OF INTENT #08-18780** to adopt the 2008 Growth Policy Update. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **ON A ROLL CALL VOTE, THE MOTION WAS APPROVED 7 TO 4. COUNCILMEMBERS VOTING IN FAVOR OF THE MOTION WERE RONQUILLO, GAGHEN, PITMAN, VEIS, RUEGAMER, MCALL, AND MAYOR TUSSING. COUNCILMEMBERS VOTING AGAINST THE MOTION WERE BREWSTER, ULLEDALEN, ASTLE, AND CLARK. A SECOND PUBLIC HEARING WILL BE ADVERTISED AND HELD ON 1/12/09.**
7. **PUBLIC HEARING AND FIRST READING ORDINANCE** correcting the legal description in Ordinance #08-5480 for Zone Change #848 previously adopted by City Council on 10/14/08. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
8. **PUBLIC COMMENT** on Non-Agenda Items -- Speaker sign-in required. (*Restricted to ONLY items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.*)
 - **Kevin Nelson, 4235 Bruce Avenue**, cautioned the City Council about taking action on items at work sessions.

Council Initiatives - NONE

ADJOURN – The meeting adjourned at 8:17 P.M.

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please contact Cari Martin, City Clerk, at 657-8210.

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