

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

June 8, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Brewster

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

MINUTES – May 26, 2009, approved as presented

COURTESIES – None

PROCLAMATIONS – None

ADMINISTRATOR REPORTS – Tina Volek

- Ms. Volek referenced an email regarding additional information on park maintenance districts for Item #10. She noted that the document was placed on the councilmembers' desk that evening and available for public viewing in the ex parte notebook in the back of the room.
- Ms. Volek referenced a letter from the Billings Chamber of Commerce regarding the FY2010 budget that had been placed on the councilmembers' desk that evening and filed in the ex parte notebook in the back of the room.
- Ms. Volek referenced information provided by John Brewer on the Tourism Business Improvement District that had been placed on the councilmembers' desk that evening and filed in the ex parte notebook in the back of the room.
- Ms. Volek referenced a memo from Pat Weber with a revised Exhibit A and Attachment C for Item #11. She noted that the document was placed on the councilmembers' desk that evening and available for public viewing in the ex parte notebook in the back of the room.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 7a, 7b, and 7c 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.)

- **Joe White, Billings, MT** said he was not familiar with Item #7 but suggested a precise process in the agreements.

CONSENT AGENDA:

SEPARATIONS: C1, C2, O1

1. A. Bid Awards:

(1) General Aviation Taxi Lane Rehabilitation (Opened 5/26/09) (Delay of Award 5/26/09) Recommend Knife River-Billings; \$1,004,237.10.

B. Declaring surplus property and authorizing the City Clerk to release older-model, non-working HP Color LaserJet 4550 Printer to Automated Office Systems to be used for parts in exchange for the \$45 service call fee.

C. (1) Approval of Unified Planning Work Program Amendment to fund Alternative Modes Coordinator Services and **recommendation** of the amendment to the PCC on 6/9/09. **APPROVED 9-0. MAYOR TUSSING RECUSED HIMSELF.**

(2) Contract with Active Transportation Alternatives, LLC, for alternative modes coordinator services; 6/9/09 – 9/30/09; not to exceed \$5,667 per month (pro-rated in June 2009). **APPROVED 9-0. MAYOR TUSSING RECUSED HIMSELF.**

D. Mutual Aid and Assistance Agreement for Intrastate Water/Wastewater Agency (Emergency) Response Network for the State of Montana and **designation** of the City Administrator as the Authorized Official under the agreement.

E. Vehicle Lease Agreement with Underriner Motors for use by the Montana Internet Crimes Against Children (ICAC) Task Force Coordinator/Forensic Examiner; 6/1/09 - 5/31/2010; \$4,500 total, budgeted through ICAC Continuation Grant.

F. Vehicle Lease Agreement with Underriner Motors for six vehicles for the City County Special Investigation Unit (CCSIU); 7/1/09 - 6/30/2010; \$28,800 total, budgeted through FY 2010 Drug Forfeiture Fund.

G. Amendment #8, Engineering Services for Airport Improvement Program (AIP 37) Taxiway East Rehabilitation Project funded with American Recovery and Reinvestment Act Funds; Morrison Maierle, Inc., \$187,126.

H. Acceptance of Federal Aviation Administration Airport Improvement Program (AIP) Grant 37 funded with American Recovery and Reinvestment Act Funds to be used for the Taxiway "A" East End Rehabilitation Project, \$1,134,559.

I. Supplemental Amendment #5, W.O. 02-10, 6th Avenue North to Bench Boulevard, Phase 1, Professional Architectural and Engineering Services Contract; Morrison-Maierle, Inc., \$597,921.

J. Amendment #7, W.O. 04-12, Alkali Creek Road Slope Stability, Professional Services Contract; Kadrmas, Lee & Jackson, Inc., \$197,424.

K. Resolution #09-18820, Proposed Fee Increase for Mountview Cemetery.

L. Street Closures:

(1) **Reporter Big Sky Office Relay for Life Car & Motorcycle Show;** North 14th Street between 1st and 2nd Avenues North, 9:00 a.m. to 3:00 p.m., 6/20/09.

(2) **Billings Clinic's Classic Street Party;** N. Broadway between 3rd and 4th Avenues N. from midnight, August 28, 2009, through 5:00 p.m., August 30, 2009; the N. 27th/28th alley between 3rd and 4th Avenues North from 9:00 p.m., August 28, 2009, through 5:00 a.m., August 30, 2009; and N. 28th/29th alley between 3rd and 4th Avenues North from 6:00 a.m., August 29, 2009, through 2:00 a.m., August 30, 2009.

(3) **Chase Hawks Association Burn the Point Parade and Street Dance,** September 4, 2009 – Parade: standard downtown parade route, 7:00 p.m.; Street Dance: North 28th Street from 1st Avenue North to 2nd Avenue North, 4:30 p.m. until 1:00 a.m.

M. Resolution of Intent #09-18821 to create Special Improvement Lighting Maintenance District 307: Shiloh Road from Rimrock Road to Pierce Parkway; and setting a public hearing date for July 13, 2009. (Original Resolution of Intent to Create #09-18813 was passed on 5/11/09 and rescinded with Resolution #09-18818 on 5/26/09.)

N. Final Plat of Whitetail Square Subdivision.

O. Bills and Payroll

- (1) May 8, 2009 – **APPROVED.**
- (2) May 15, 2009

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

REGULAR AGENDA:

2. **PUBLIC HEARING ON ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT APPLICATION AND ENERGY EFFICIENCY & CONSERVATION STRATEGY.** Action scheduled for 6/22/09 City Council Meeting.
3. **PUBLIC HEARING AND RESOLUTION #09-18822 FOR LIMITS OF ANNEXATION MAP AMENDMENTS.** Annexation Committee recommends approval. (Action: approval or disapproval of Annexation Committee recommendation.) **APPROVED.**
4. **PUBLIC HEARING AND RESOLUTION #09-18823** creating SID 1387: Zimmerman Trail Subdivision Sanitary Sewer Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
5. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #CC-09-01:** A variance from Section 1208(h)(5) allowing one additional curb cut onto Frontier Drive from Lot 2, Block 1, of Riverfront Pointe Subdivision. Dan Marsich, property owner/developer; Sanderson Stewart, agent. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
6. **PUBLIC HEARING AND RESOLUTION #09-18824** vacating a portion of Zimmerman Trail abutting Lot 5, Scott Subdivision, for a value of \$4,176.26. James and Jenica Bunker, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
7. (a) **RESOLUTION #09-18825** approving a revised and restated Interlocal Agreement for Montana Municipal Insurance Authority Membership. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
(b) **RESOLUTION #09-18826** approving and adopting the Montana Municipal Interlocal Authority Amended and Restated Liability Coverage Program Agreement. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
(c) **RESOLUTION #09-18827** approving and adopting the Montana Municipal Interlocal Authority Amended and Restated Workers'

Compensation Coverage Program Agreement. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

8. **PUBLIC HEARING AND RESOLUTION #09-18828** assessing residential/commercial collection, disposal, and landfill fees for Fiscal Years 2010, 2011, and 2012. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
9. **PUBLIC HEARING AND RESOLUTION #09-18829** setting FY2010 mill levy rates for General, Transit, Library, and Public Safety I. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
10. **PUBLIC HEARING AND RESOLUTIONS** setting annual FY 2010 assessments for Park Maintenance Districts **#09-18830**; Light Maintenance Districts **#09-18831**; Fire Hydrant Maintenance **#09-18832**; Street Maintenance **#09-18833**; Storm Sewer **#09-18834**; Arterial Construction **#09-18835**; Business Improvement District **#09-18836**; and Tourism Business Improvement District **#09-18837**. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
11. **PUBLIC HEARING AND RESOLUTION #09-18838** approving and adopting the FY 2010 Budget. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **AMENDED TO ELIMINATE \$15,000 FROM POLICE DEPARTMENT BUDGET FOR HYBRID VEHICLE AND TO INCREASE THE POLICE DEPARTMENT BUDGET \$15,000 FOR JAIL EXPENSES. APPROVED 7-3. COUNCILMEMBERS RONQUILLO, BREWSTER AND CLARK VOTED 'NO.'**
12. **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.)

There were no speakers.

Council Initiatives

- **McCall** moved to direct staff to review Lot 5 of Skyline Heights Subdivision, east of the Sky Ranch Condominiums, to identify ways to improve the condition of the property, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.
- **Ruegamer** moved to allow no more than two representatives to attend the National League of Cities and Towns convention in San Antonio, TX, November 10-14, 2009, seconded by Councilmember Brewster. On a voice vote, the motion was approved 9-1. Councilmember Brewster voted 'No.'

ADJOURN – The meeting adjourned at 10:15 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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