

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS MISSION STATEMENT:

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

REVISED AGENDA

COUNCIL CHAMBERS

August 10, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Ruegamer

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

MINUTES – July 27, 2009, approved as presented

COURTESIES – Fire Department Meritorious Award Presentation for assistance provided during an injury at a June 15 softball game to:

- Billings Fire Department personnel: Herman Rookhuizen, Marcus Evenson, Drew Abrams
- AMR personnel: Josh Waggener, Whitney Devilbiss
- Billings Clinic personnel: Becky Parnell, Megan McLeod

PROCLAMATIONS – None

ADMINISTRATOR REPORTS – Tina Volek

- Ms. Volek announced that the meeting was not being broadcast live on Channel 7 due to renovations in the Lincoln Center.
- Ms. Volek advised that the staff memo for Item D, the firefighter master mechanic, was sent in the Friday Packet and available in the ex-parte notebook in the back of the room.
- Ms. Volek advised that the staff memo for Item K, revising the timetable and scope of the Ad Hoc Council Committee on East-End Annexation, was sent in the Friday Packet and available in the ex-parte notebook in the back of the room.
- Ms. Volek advised that the staff memo for Item L, creation of an ad hoc committee regarding arterial street light funding, was sent in the Friday Packet and available in the ex-parte notebook in the back of the room.
- Ms. Volek referenced Item H2 and said that the organizers of the Petapalooza Festival asked to withdraw the street closure application.

- Ms. Volek referenced an email placed on council desks from Russ Doty related to LED lighting for Item 2. She said a copy of the email was available in the ex-parte notebook in the back of the room.
- Ms. Volek referred to information on boards and commissions that was emailed to council the previous week. She said a copy of the information was available in the ex-parte notebook in the back of the room.
- Ms. Volek advised that a resolution was not distributed with the agenda packet for Item 2, but was provided for the July 13, 2009, meeting when a public hearing was held and closed.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2 and 3 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.)

- **Merlin Erickson, 2208 Shiloh Road**, requested disapproval of SILMD 307 because it provided economic benefits to more than just the residents.
- **Russ Doty, 3878 N. Tanager Lane**, referenced the information he provided about LED lights and said savings could be realized from the Shiloh Road lighting if LED lights from a different manufacturer were used. He noted that AASHTO standards could still be met with different lights.

CONSENT AGENDA: **SEPARATIONS: H2**

1. A. Bid Awards:

(1) **W.O. 03-04, Jackson Street Sidewalks.** (Opened 7/28/09) Recommend H.L. Ostermiller Construction, Inc., \$74,588.80, contingent on CTEP approval.

(2) **W.O. 08-20, Contract #2, Miscellaneous Storm Drain Improvements.** (Opened 7/28/09). Recommend J & J Concrete for Schedules 1 and 2, \$ 154,156.75.

(3) **W.O. 09-17, 24th Street West Concrete Work.** (Bids opened 6/23/09 and rejected 7/13/09) (New bids opened 7/28/09). Recommend Winkler Excavating, Inc., \$145,128.75.

B. Approval of Scheduled Airline Operating Permit with Sky West Airlines, approximately \$140,000 FY2010 revenue.

C. Signal Emergency Response Agreement with State of Montana to provide emergency work on traffic signals on State routes within the City of Billings with reimbursement based on labor, materials and equipment as specified in the agreement.

D. Memorandum of Understanding regarding Master Mechanic, 2008-2010 Agreement with IAFF Local 521.

E. Approval of Semi Annual Investment Report.

F. Approval of Quarterly Report for Pledged Collateral for First Interstate Bank Certificate of Deposit, US Bank Municipal Investor Accounts, US Bank Repurchase Account and US Bank Certificates of Deposit.

G. Subordination of Housing Rehabilitation Loan for Sheila M. Ross, \$20,000.

H. Street Closures:

(1) Billings Association of Realtors Quality of Life Run, August 22, 2009, 7 a.m. - 11 a.m., 5-mile: start on Poly Drive at Boulder Elementary, east to Virginia Lane, through Pioneer Park, north on 3rd Street West, east on Parkhill Drive, south on N. 32nd Street, finish at N. 32nd Street and Division; 2 mile: start near Rocky Mountain College on Poly Drive, east to Virginia Lane, through Pioneer Park, north on 3rd Street West, east on Parkhill Drive, south on N. 32nd Street, finish at N. 32nd Street and Division.

(2) Petapalooza Festival, October 17, 2009, 8 a.m. - 5 p.m., N. 28th from 1st Avenue N. to 3rd Avenue N, 2nd Avenue N. from N. 27th Street to N. 29th Street, N. 29th Street from 1st Avenue N. to 2nd Avenue N., and standard downtown parade route. **APPROVED TO TABLE THE ITEM.**

I. Acceptance of Donation from the Billings Mustangs for construction of a concrete deck along the 3rd base side of Dehler Park stadium, \$95,534.

J. Acceptance of Donation from ConocoPhillips to send the Commercial Code Enforcement Officer to the American Association of Code Enforcement Conference in Dallas, TX, October, 2009, \$1,400.

K. Resolution #09-18853 amending Resolution #09-18811 creating an Ad Hoc Council Committee on East-End Annexation Incentives.

L. Resolution #09-18854 creating an Ad Hoc Advisory Committee on arterial street light funding.

M. Final Plat of Lenhardt Square Subdivision, 1st Filing.

N. Bills and Payroll

- (1) July 13, 2009
- (2) July 17, 2009

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

REGULAR AGENDA:

2. **RESOLUTION #09-18855 CREATING SILMD 307**, Shiloh Road from Rimrock Road to Pierce Parkway. Public hearing held July 13, 2009. Action delayed to August 10, 2009. Staff recommends approval. (Action: approval or disapproval of staff recommendation. **APPROVED.**)
3. **RESOLUTION #09-18856 RELATING TO \$297,000 POOLED SIDEWALK BONDS, AUTHORIZING THE ISSUANCE AND CALLING FOR THE PUBLIC SALE** for financing W.O. 02-08, Milton Lane School Route Improvements and W.O. 05-02, Miscellaneous Developer-Related Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
4. **PUBLIC HEARING AND RESOLUTION #09-18857 TO ADOPT THE OLD TOWN NEIGHBORHOOD MASTER PLAN.** Yellowstone County Board of Planning recommends approval. (Action: approval or disapproval of Yellowstone County Board of Planning recommendation.) **APPROVED 9-0. MAYOR TUSSING RECUSED HIMSELF.**
5. **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.)
 - **James Knox, 661 Garnet**, stated he felt the Ethics Board should be retained.
 - **Michele Johnson, 2705 Blue Creek Road**, stated she felt the Ethics Board was necessary and needed to be available to the public.
 - **Doug Kary, 415 W. Wicks Lane**, stated he was the Chair of the Traffic Control Board and was disgusted about how he found out the board could be eliminated. He said the citizen involvement on the board was needed.
 - **Amy Cowley, 546 Avenue F**, stated she was concerned with the preservation of the parks and the cost to taxpayers. She also asked who was responsible for the maintenance of the parks.

Council Initiatives

- **McCall**: Moved to direct staff to research the possibility of partnering with local groups to maintain parks, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

- **Ruegamer:** Moved to direct staff to present recommendations regarding the Traffic Control Board, the Ethics Board, the Public Utilities Board and the Human Relations Commission. The motion died for lack of a second.
- **Brewster:** Moved to direct staff to provide boundary information and an estimate of the cost of development of Sahara Park as a neighborhood park, seconded by Councilmember Pitman. Councilmember Brewster explained that the neighbors in the area wanted the information in the event the pool was not constructed. On a voice vote, the motion was unanimously approved.

ADJOURN – The meeting adjourned at 7:50 p.m.

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

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

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