

**CITY OF BILLINGS**  
**CITY OF BILLINGS VISION STATEMENT:**

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

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**AGENDA**

**COUNCIL CHAMBERS**

**November 23, 2009**

**6:30 P.M.**

**CALL TO ORDER** – Deputy Mayor Ulledalen

**PLEDGE OF ALLEGIANCE** – Deputy Mayor Ulledalen

**INVOCATION** – Councilmember Astle

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

**MINUTES: November 9, 2009** -- approved as distributed

**COURTESIES**

- Councilmember Veis thanked Councilmember Ronquillo for preparing and hosting the delicious dinner for the group of public leaders who were recently in Billings.
- Councilmember Ulledalen thanked staff for all the hard work in preparing the City's department business plans.

**PROCLAMATIONS** - None

**ADMINISTRATOR REPORTS - TINA VOLEK**

- Ms. Volek referenced Item 1D and advised that, if approved, the City would be asked by the County to affirm its support of a related road abandonment in the County. She said staff would then simply sign or indicate its support.
- Ms. Volek advised there were two ex-parte items for Item 3 in the notebook in the back of the room and on the councilmembers' desks. She said one item was a letter from the Parmly Billings Library Foundation supporting a new location for the library downtown and the proposed bonds. She said the second item was an e-mail from Wayne Leischner recommending the City remodel the building and keep the library in its current location.
- Ms. Volek advised that it was the staff's recommendation to postpone action on the downtown library facility project options until December 14, 2009. She said there was no public hearing scheduled on the item that evening due to the speed it was brought to the agenda. She said additional time was also needed to consider financial arrangements.

**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.)*

The public comment period was opened.

- **James Knox, 661 Garnet Avenue; Jim Court, 18 Heatherwood; and Connie Wardell, 1302 24th Street West** testified on Item 3 and asked the Council to take its time and explore other options for the Library. Ms. Wardell asked Council to involve more people in the decision making and negotiate all sides of the transaction.
- **Joe White, Billings, MT**, said he and his wife support the library's move to the Gainan's building. He said the City should demo the current building and purchase the George Henry's building to be used for office space and by the Library Foundation.
- **Kevin Nelson, 4235 Bruce**, referenced Item 2. He said it was amazing that the property owners who receive the tax increment money have to submit a 1099 and W9. He said if the City was going to levy taxes for public use, since when did the City ever send someone who gets a street, sewer, or sidewalk a 1099 for improvements to their building. He said Council "was nothing more than a pass-through agency for personal aggrandizement of a few property owners downtown." He said the City never 1099'd anybody for public funds.
- **Greg Krueger, Downtown Billings Development Director**, said they 1099'd anyone who received public funds. When contractors were hired for the City of Billings, they received a 1099. He said 1099's were very appropriate. He said he had no idea who would apply at this point and to say it was a select group was incorrect.

There were no other speakers, and the public comment period was closed.

**1. CONSENT AGENDA - Separations: H**

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

	Name	Board/Commission	Term	
			Begins	Ends
1.	No Applications	Human Relations Commission	11/23/09	12/31/10
2.	No Applications	Human Relations Commission	11/23/09	12/31/10

1. Unexpired term of N. Gregory Kohn.
2. Unexpired term of Everall Fox

**B. Change Order #1 for engineering services for the Airport Terminal Building Emergency Electrical Generator Replacement Project; CTA Architects Engineers, \$16,350.**

**C. Lease agreement with Yellowstone County for 13 parking stalls at the Downtown Transit Transfer Center, two-year term, \$15,600 total revenue.**

**D. Mutual Grant of Easements and Agreement with Aldonna Blain and the Estate of Gerhart Blain for access to storm water detention pond and groundwater monitoring well located at the landfill, at no cost to the City.**

**E. Acceptance of quitclaim deed for a portion of Hesper Road and South 32nd Street West from the Walter Estate, with no financial impact to the City.**

- F.** **Acceptance of donation** from the Breakfast Exchange Club of Billings to the Police Department for purchase of Child ID Kits, \$5,000.
- G.** **Approval and acceptance** of U. S. Department of Homeland Security Grant for the City of Billings Bomb Squad for training and the recalibration of two SABRE 4000 X-ray machines; \$16,434.
- H.** **Approval of grant application** to the U.S. Department of Housing and Urban Development (HUD) for an Economic Development Incentive Grant for environmental remediation and demolition of the former Naval Reserve Center located at 721 N. 22nd Street; \$475,000. **APPROVED.**
- I.** **Approval of re-submittal of grant application** through the State Coal Board for funding of the 25th Street Pedestrian Bridge over the Montana Rail Link tracks to connect Montana Avenue in the historic district of downtown Billings with the Minnesota Avenue Old Town Neighborhood District; \$200,000.
- J.** **Resolution of Intent #09-18899** to create SID 1389, public improvements on Clubhouse Way between Greenbriar Road and Cherry Hills Road, and set a public hearing for December 14, 2009.
- K.** **Bills and Payroll:**
  - 1.** October 26, 2009
  - 2.** October 30, 2009

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

## **REGULAR AGENDA:**

- 2.** **DOWNTOWN FAÇADE FUNDING.** Authorization for the Downtown Billings Partnership to award FY2010 Tax Increment Finance District Funds from Fund 203 to approve facade, sign/awning program projects in an amount not to exceed \$49,999 for a single project. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
- 3.** **DOWNTOWN LIBRARY FACILITY PROJECT OPTIONS.** Approval of the Library Board of Trustees' recommendation to place the Gainan's project option on the March 2010 ballot as the least expensive of the three options. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **ACTION DELAYED UNTIL 12/14/09.**
- 4.** **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.*)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce**, said there should be no action taken by the Council at work sessions. He said all action needed to take place at the regular council meetings, and work sessions were not the place to be making decisions.

There were no other speakers and the public comment period was closed.

## **COUNCIL INITIATIVES**

- **VEIS:** Moved to create an ad hoc committee to determine and report back to Council in six months the zoning needs for the sale of medical marijuana, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.
- **RUEGAMER:** Moved to form an ad hoc committee to explore options for the new library, seconded by Councilmember McCall. On a voice vote, the motion failed 3 to 7.

**ADJOURN** - The meeting adjourned at 7:03 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 notify Cari Martin, City Clerk, at 657-8210.*