

## COUNCIL ACTION SUMMARY

### 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**

**July 11, 2011**

**6:30 P.M.**

**CALL TO ORDER** – Mayor Hanel

**PLEDGE OF ALLEGIANCE** – Mayor Hanel

**INVOCATION** – Councilmember Ronquillo

**ROLL CALL** – Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Cimmino, McFadden, Ruegamer, McCall, Ulledalen, Astle, Clark

**MINUTES** - June 27, 2011, Pending

#### **COURTESIES**

- Councilmember Gaghen introduced her daughter, Becky, who was visiting from Paris.
- Mayor Hanel announced there was a meeting scheduled the following day at noon in the County Commissioners' Meeting Room for an update on the oil spill.

**PROCLAMATIONS** – Livestrong Day, July 14, 2011, in support of cancer survivors

#### **ADMINISTRATOR REPORTS - TINA VOLEK**

- Agenda Add-On Item – Big Sky State Games Route Modification for half marathon and 10K scheduled for 7/16/2011. Event routes were originally in the county. Due to oil spill, routes had to be changed to inside the city limits. Requesting approval of street closures for the half marathon and 10K. Staff memo on council's desk and in ex-parte notebook. Ms. Volek advised a motion to add the item to the consent agenda was needed.
- Staff memo for Agenda Item 5 – Resolution approving and adopting FY12 budget. Item added to the agenda at the July 5 special session. Filed in ex-parte notebook.
- Ms. Volek advised Consent Agenda Items 1A2 and D could not be voted on until the budget had been approved. She said Council could remove or postpone the items until after the budget had been discussed that evening. She said if the

budget was approved, the two items could be acted on; or the items could be postponed until August 8, 2011.

Councilmember Astle moved to add the Big Sky State Games route modification to the Consent Agenda as Item K, seconded by Councilmember Ruegamer. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #4, and #5**

**ONLY. Speaker sign-in required.** (Comments offered here are limited to one (1) minute. 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. For Items not on this agenda, public comment will be taken at the end of the agenda.)

The public comment period was opened.

- **Joe White, Billings, MT**, said funding should be distributed to support additional social work and police. He said the city needed more construction controls and sufficient funding for public health.

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

**1. CONSENT AGENDA -- Separations: 1A2, D, 1J2**

**A. Bid Awards:**

**1. P25 Digital Radio, NG9-1-1 Telephone System and Digital Logging Recorder.** (Opened 7/5/2011) Recommend delay of award until July 25, 2011. **Delay approved.**

**2. W.O. 10-29 Wastewater Treatment Plant West Mechanical MCC Replacement and Improvements.** (Opened 6/14/2011) (Delayed from 6/27/2011) Recommend Action Electric; \$618,000. **Postponed until 8/8/11.**

**B. Approval** of the Assignment and Transfer of the Limited Commercial Aviation Ground Lease and the Commercial Aviation Ground Lease for a Fuel Farm Site from Corporate Jet LLC to Edwards Jet Center Montana, Inc.; **and Approval** of the Assignment of the Limited Commercial Aviation Ground Lease and Commercial Aviation Ground Lease for a Fuel Farm Site with Edwards Jet Center Montana, Inc. to Stockman Bank for loan security purposes. **Approved**

**C. Agreement** with Yellowstone County Sheriff's Department to provide New World Public Safety data processing services. (7/1/11 - 6/30/12); Annual revenue - \$94,520. **Approved**

**D. Approval** of the purchase of three Ford F150 4X4 SuperCrew pickups, budgeted through the approved FY12 Equipment Replacement Plan, to replace three

police patrol cars. Recommend purchase from Bison Motor Company, Great Falls, MT, as determined per state bid; \$82,534.95 total. **Postponed until 8/8/11.**

**E. Street Closures:**

**1. Annual Mexican Fiesta:** Assembly: Friday, July 29, 2011, 4:00 p.m.; Event: Saturday, July 30, 2011, 10:00 a.m. to 6:00 p.m.; 6th Avenue South between South 27th and 28th Streets. **Approved**

**2. Dash for Dog Parks 2K/5K Fun Run:** Saturday, August 13, 2011, 6:30 a.m. to 11:30 a.m.; 2K: Beginning at High Sierra Park, down the access road, right onto Wicks Lane, turn around at Fantan and continue on Wicks Lane back to the park. 5K: Beginning at High Sierra Park, down the access road, left onto Wicks Lane, right onto Matador, right onto Vesca Way, left onto Sierra Granda Boulevard, right onto Fantan, left onto Adobe, left onto Morocco, turn around at Sierra Granda, south on Morocco, left onto Fantan, right onto Wicks Lane and back to the park. **Approved**

**3. Amp'd Festival:** August 4-6, 2011; 3:00 p.m. to 9:00 p.m.; alley closure between South 26th and 27th Streets between the Skate Park and Subway. **Approved**

**F. Resolution #11-19084** authorizing the issuance and calling for a negotiated sale of \$494,000 Pooled Sidewalk Bonds (WO 05-13 Jackson Street, Phase II and WO 09-02, Miscellaneous/Developer Related Program). **Approved**

**G. Resolution #11-19085** confirming the sale of Lots 9-12, Block 142, Original Townsite of Billings, to Riverstone Health approved by Council at the 6/27/2011 meeting. **Approved**

**H. Second/Final Reading Ordinance #11-5538 for Zone Change #876:** A zone change from Residential 7,000 (R-70) to Residential Multi-family-Restricted (RMF-R) on a 20,235 square foot parcel of land containing an existing 4-plex multi-family dwelling originally constructed in 1955 and legally described as Lot 25 and the west 14 feet of Lot 26, Block 1, Arrowhead Subdivision, located at 519 Crow Lane; Trenton Parks, applicant. Approval of the zone change and adoption of the determinations of the 12 criteria. **Approved**

**I. Approval** of extension of preliminary plat approval date for one year for Tuscany Subdivision; setting new expiration date of August 11, 2012. **Approved**

**J. Bills and Payroll:**

1. June 10, 2011 **Approved**
2. June 17, 2011 **Approved 10 to 0. CM Cimmino abstained.**

**K. Big Sky State Games Half Marathon and 10K Run.** Saturday, July 17, 2011, 6:30 a.m. to 10:00 a.m.; Starting at King Ave. West and Shiloh Road following the

bike path, continuing west on Rimrock Road to Yellowstone County Club, turning around and following same route back to King Ave. West and Shiloh Road. **Approved**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND RESOLUTION #11-19086** authorizing filing of the annual Federal Transit Administration Section 5307 Grant. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

**3. CONTINUATION OF PUBLIC HEARING & 1<sup>ST</sup> READING ORDINANCE** approving the Empire Parking Garage and Northern Hotel Projects as Urban Renewal Projects in the Expanded N. 27th Street Urban Renewal Area - 2008. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Postponed until 8/8/11 on a 10 to 1 vote. CM McFadden voted 'no'.**

**4. APPROVAL** of established standard purchase rate of \$5 per square foot to include a 10% cash incentive discount and a 6-month post sale development contingency for the east 90 feet of vacant Lots 1-2 and all of vacant Lots 3-6, Block 184, of the Original Town of Billings generally located on the corner of 6th Avenue South and South 26th Street. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved 10 to 1 to sell all of Lots 1-6 for a minimum of \$5 s.f. and eliminate the 10% cash incentive discount. CM Pitman voted 'no'.**

**5. RESOLUTION #11-19087** approving and adopting the Fiscal Year 2012 City of Billings Budget. Public Hearing held on 6/13/2011. (Postponed on June 27, 2011, until August 8, 2011. Moved on July 5, 2011, to the July 11, 2011, agenda.) Staff recommends approval and adoption. (Action: approval or disapproval of staff recommendation.) **Approved 7 to 4 to include \$180,000 for new gazebo in South Park. CM Ronquillo, Gaghen, Ruegamer, McCall, Astle, Clark and Mayor Hanel voted in favor. CM Pitman, Cimmino, McFadden, and Ulledalen voted in opposition.**

**PUBLIC COMMENT** on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments are limited to three (3) minutes. Please sign up on the clipboard located at the podium.*)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, complained about the lack of enforcement on the noise ordinance, cell phone ordinance, and speed limits.

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

Councilmember Astle left the meeting at approximately 8:20 p.m.

## **COUNCIL INITIATIVES**

- **McCall**: Moved to direct staff to be prepared to begin priority based budgeting with the City Council no later than September 2011, including answering the items articulated by Councilmember Ulledalen and other councilmembers during the July 11 council meeting, seconded by Councilmember Ruegamer. On a voice vote, the motion was approved 9 to 1. Councilmember Cimmino voted 'no'. Councilmember Astle was absent.
- **Gaghen**: Moved to quickly include inserts in the water bills regarding the cell phone ordinance and provide more education to the public and increased enforcement of the ordinance, seconded by Councilmember Ronquillo. On a voice vote, the motion was approved 8 to 2. Councilmembers Cimmino and McFadden voted 'no'. Councilmember Astle was absent.

**ADJOURN** – The meeting adjourned at 8:45 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.*