

# 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**

**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, 1<sup>st</sup> 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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