

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS MISSION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

July 27, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Astle

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

MINUTES – July 13, 2009, approved

COURTESIES – Mayor Tussing extended condolences to City Administrator Volek on the death of her father.

PROCLAMATIONS – Fire Fighter/MDA Day – August 8, 2009

ADMINISTRATOR REPORTS – **Tina Volek**

- Ms. Volek referenced a letter on the councilmember desks from Federal Signal Corporation questioning the bid award recommendation for Item B1. She said a copy of the letter was filed in the Ex-Parte Notebook for public review.
- Ms. Volek referenced the revised staff memo for Item E that was included in the Friday packet. She said a copy of the revised memo was filed in the Ex-Parte Notebook for public review.
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PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 3(a), 3(b), 4, and 5 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**, referenced the revenue bonds and said the City would have received better prices if they would have opened the bidding to the public.

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

CONSENT AGENDA: Separations: B1, F

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

	Name	Board/Commission	Term	
			Begins	Ends
1.	No Applications Received	Human Relations Commission	07/27/09	12/31/10
2.	William Kipp	Community Development	07/27/09	12/31/09
3.	Matt Krivonen	Zoning Commission	07/27/09	12/31/10

1. Unexpired term of N. Gregory Kohn
2. Unexpired term of Kathleen Gilluly
3. Unexpired term of Thomas Grimm

B. Bid Awards:

(1) **Airport Ramp Sweeper.** (Opened 6/23/09) (Delayed from 7/13/09) Recommend Intermountain Sweeper Company, \$187,329. **APPROVED**

(2) **Park I Elevator Modernization and Upgrade.** (Opened 7/14/09). Recommend Langlas Associates, Inc., \$249,000.

(3) **W.O. 04-26, Zone 4 Reservoir Phase 2.** (Opened 7/14/09). Recommend Star Service, Inc., \$2,676,578.

(4) **W.O. 08-27, Solid Waste Landfill Phase 4 Expansion.** (Opened 7/14/09). Recommend CMG Construction, Inc., \$699,935.

C. Approval of purchase of property at 3113 Stanford Drive, \$107,000.

D. Change Order #4, SID 1379 King Avenue West Landscape Improvements Contract, A-1 Landscaping, not to exceed \$10,000.

E. Professional Services Contract for W.O. 09-11, Rimrock Road Improvements from 17th Street West to Forsythia Blvd., Kadrmas, Lee & Jackson (KLJ); \$301,100.

F Professional Services Contract for W.O. 10-01, 2010 Water and Sewer Replacement Projects, Morrison-Maierle, Inc., not to exceed \$1,202,610. **APPROVED**

G. Agreement for Landfill Use with City of Big Timber, one-year term; \$34,500 estimated annual revenue.

H. Agreement with Yellowstone County Council on Aging, Inc. for senior programs at the Billings Community Center, July 1, 2009 – June 30, 2010, \$25,000.

I. Amendment No. 9 with Morrison-Maierle, Inc. for engineering services for the Airport's West End Entrance Replacement Project, \$83,408.

J. Amendment No. 10 with Morrison-Maierle, Inc. for engineering services for the Airport Improvement Program (AIP) 35 Taxi Lane Rehabilitation Project, \$43,054.

K. Right-of-way Easement with Billings Clinic for installation of wayfinding signs in the 1000 block of N. 27th Street for W.O. 06-20, Downtown Wayfinding Signage, at no cost to the City.

L. Approval of sale of Fire Department surplus property:
(1) Used pump and motor to Reed Point Volunteer Fire Department, \$500.
(2) Two Emergency One (E-One) fire apparatus - Unit #4090 and Unit #4091.

M. Street Closure:
(1) Mexican Fiesta, August 1, 2009, 6 a.m. – 7 p.m., 6th Avenue S. between S. 28th and S. 29th, and S. 29th from 6th Avenue S. to the alley.

N. Resolution of Intent #09-18847 to adopt the Old Town Neighborhood Master Plan and set a public hearing for August 10, 2009.

O. Resolution #09-18848 repealing Resolution #07-18594 and establishing and naming a Board of Trustees for the Billings Tourism Business Improvement District No. 0002.

P. Bills and Payroll
(1) June 30, 2009

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

REGULAR AGENDA:

2. CONTINUANCE OF PUBLIC HEARING AND RESOLUTION #09- 18849 VACATING A PORTION OF CLARK AVENUE WITHIN THE 2300 BLOCK. (Continued from 7/13/2009) Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. (a) **RESOLUTION #09- 18850 RELATING TO POOLED SERIES 2009 SPECIAL IMPROVEMENT DISTRICT BONDS (SPECIAL IMPROVEMENT DISTRICTS 1372 AND 1386); FIXING THE FORM AND DETAILS AND AUTHORIZING THE EXECUTION AND DELIVERY.** Staff recommends approval. (Action: approval or disapproval of staff recommendation). **APPROVED**

(b) **CONSTRUCTION BID AWARD FOR SID 1386, EAST AND WEST MACDONALD DRIVE.** (Opened 6/23/09) Delayed from 7/13/09 until after bond sale. Staff recommends JEM Contracting, \$241,632.50. (Action: approval or disapproval of staff recommendation). **APPROVED**
4. **RESOLUTION #09-18851 RELATING TO REVENUE BONDS FOR THE 2008 AND 2009 WASTEWATER REPLACEMENT PROJECTS; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS OF THE BONDS.** Staff recommends approval. (Action: approval or disapproval of staff recommendation). **APPROVED**
5. **RESOLUTION #09-18852 RELATING TO REVENUE BONDS FOR THE 2008 AND 2009 WATER REPLACEMENT PROJECTS; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS OF THE BONDS.** Staff recommends approval. (Action: approval or disapproval of staff recommendation). **APPROVED**
6. **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.*)
 - **Dennis Ulvestad, 3040 Central; Greg Huffard, 2642 Yellowstone Avenue, and Dorothy Lowman, 2704 Yellowstone,** testified that a vacant house at 2638 Yellowstone Avenue was an eyesore and a hazard and asked what could be done to secure and clean up the property.
 - **Russell Doty, 3878 N. Tanager Lane,** asked Council to authorize him to look at any and all bills that NorthWestern Energy provided for city street lighting.

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

Council Initiatives

- **Ulledalen:** Moved to direct staff to provide information to Council on city employee expenses that are paid from the General Fund currently and over a number of years and the rate of increases, seconded by Councilmember Pitman. Councilmember Astle said he would also like to

know the number of FTE's. On a voice vote, the motion was unanimously approved.

- **Veis:** Moved to direct staff to provide a report within 30 days on alternate ways to move forward with the sale of Park IV and the pros and cons, seconded by Councilmember Ulledalen. On a voice vote, the motion was unanimously approved.
- **Pitman:** Moved to direct staff to explore the possibilities of making the Mayor's and Councilmembers' e-mails available to the public, seconded by Councilmember Veis.
Ulledalen: Made a substitute motion to receive a report from IT regarding the possibilities of posting the e-mails on the website, seconded by Councilmember McCall. On a voice vote, the motion was unanimously approved.
- **Tussing:** Moved to direct staff to advise NorthWestern Energy the city had no objection to releasing the city information on lighting expenses, seconded by Councilmember McCall. On a voice vote, the motion failed 4 to 4.

ADJOURN – The meeting adjourned at 7:40 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.