

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

February 8, 2010

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Led by Boy Scout Troops 392, 394, and 372, and Cub Scout Packs 81, 318, 319.

INVOCATION – Councilmember Ronquillo

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

MINUTES: January 25, 2010, approved as distributed

COURTESIES -- Leaders from Boy Scout Troops 372, 392 and 394, and Cub Scout Packs 81, 318, and 319 introduced themselves.

PROCLAMATIONS:

- **National Boy Scouts of America Week, February 8 - 14, 2010**
- **Scouting Legacy Day, February 9, 2010**

ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek advised that there were no ex-parte items for the evening's meeting.
- Ms. Volek announced that the projector was not in operation that evening so staff presentations would be verbal.
- Ms. Volek asked Public Works Director Dave Mumford to provide a brief update on the snow removal process.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and 2 ONLY.

Speaker sign-in required. (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.

- **Mark Higgins, 814 Ahoy**, thanked Council for re-examining the medical marijuana issue.
- **Richard Avernigh, 3308 Laredo Place**, said he owned a medical marijuana company and offered his assistance in education or training regarding the medical marijuana issue.

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

1. **CONSENT AGENDA** Separations 1A2, 1G1, 1G3
 - A. **Bid Awards:**
 1. **Two (2) MET Paratransit Vans.** (Opened 1/12/10). (Delayed from 1/25/10). Recommend Harlow's Bus Sales, \$149,300.
 2. **W.O. 08-22, Wastewater Treatment Plant Disinfection Improvements.** (Opened 1/26/10). Recommend Williams Brother Construction, LLC, \$2,663,350. **Approved 10-0. Councilmember Cimmino recused herself.**
 3. **W.O. 10-03, 2010 Street Maintenance Program, City Chip Seal.** (Opened 1/26/10). Recommend Knife River - Billings, \$420,810.22.
 - B. **Acceptance of donation** from Sam's Club for Fire Department, \$2,500.
 - C. **Second and final reading Ordinance #5502 for Zone Change #860:** A zone change from Residential 6,000 to Controlled Industrial on the north two acres of Lot 5 in Section 9, T1 South, R26 East (unplatted), located at 439 South Billings Boulevard; Hanser Properties, LP, applicant; Ralph Hanser, representative. Approval of the zone change and adoption of the determinations of the 12 criteria.
 - D. **Second and final reading Ordinance #5503** proposing a construction time limit on new and remodel residential and commercial construction projects.
 - E. **Resolution #18910** appointing City Council Member to the Montana League of Cities and Towns Legislative Committee.
 - F. **Resolution #18911** creating an Ad-Hoc Advisory Committee on Medical Marijuana.
 - G. **Bills and Payroll:**
 1. December 31, 2009 -- **Approved 10-0. Councilmember Cimmino recused herself.**
 2. January 8, 2010
 3. January 15, 2010 -- **Approved 10-0. Councilmember Cimmino recused herself.**

REGULAR AGENDA:

2. **RESOLUTION #18912 APPROPRIATING UP TO \$20,000 OF FY2010 COUNCIL CONTINGENCY FUNDS FOR SPRAYING CITY PARK PINE TREES FOR MOUNTAIN PINE BARK BEETLES.** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.) **APPROVED.**
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** changing the name of the Public Utilities Board to the Public Works Board. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.) **APPROVED.**

4. **PUBLIC HEARING FOR APPROVAL OF THE AIRPORT TWENTY-YEAR MASTER PLAN UPDATE.** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.) **APPROVED.**
5. **PUBLIC COMMENT** on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Please sign up on the clipboard located at the back of the Council Chambers.*)

The Public Comment Period was opened.

- **Bob Pearson, 1214 Oakland**, invited Council and members of the public to an overview of the Constitution, February 9, 2010, at 7 p.m., at Grace Baptist Church, 3616 Broadwater Avenue.
- **Joe White, Billings, MT**, spoke about the lack of enough air to survive.
- **Kevin Nelson, 4235 Bruce Avenue**, said he did not think the vision portrayed to citizens was to have a junk yard on South Billings Boulevard.

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

COUNCIL INITIATIVES

- **Ruegamer** moved to ask staff to bring the skate park restroom project back with alternatives to what was proposed, seconded by Councilmember Ronquillo. On a voice vote, the motion was unanimously approved.
- **Clark** moved to revise BMCC 27-614 to allow temporary storage of construction supplies on property not zoned for industrial usage during a construction project, seconded by Councilmember Astle. On a voice vote, the motion was unanimously approved.
- **Cimmino** moved to direct staff to draft individual letters to Senator Baucus, Senator Tester and Representative Rehberg requesting the federal appropriation, and that the letters be signed by all Mayor and Council, and delivered personally when the Council delegation visited Washington D.C., seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

ADJOURN -- The meeting adjourned at 8:18 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.