

**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**

**January 9, 2012**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Astle

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Ronquillo, Pitman, Cimmino, McFadden, Bird, McCall, Ulledalen, Astle and Clark.

**MINUTES:**

- December 12, 2011 - **APPROVED**
- December 19, 2011 - **APPROVED**
- January 3, 2012 (Special Session) - **APPROVED**

**ELECTION OF DEPUTY MAYOR PRO TEMPORE:** Councilmember Cimmino was elected.

**COURTESIES:** Councilmember Astle noted Coach Rob Ash from Montana State University had received the Liberty Mutual Coach of the Year Award.

**PROCLAMATIONS:** None

**ADMINISTRATOR REPORTS - TINA VOLEK**

- Referenced Item #5: Public Hearing and Resolution approving and adopting second quarter budget amendments for Fiscal Year 2011/2012 and said a copy of a Memorandum to Mayor and Council was sent in the 1/6/12 Friday Packet regarding a retirement contribution budget amendment. Copy was filed in ex-parte notebook.
- Referenced memorandum from City Attorney Brent Brooks, dated 1/9/2012, regarding common parliamentary motions/issues that was e-mailed to Council that day. Copy was on Council desks and filed in ex-parte notebook.

- Reminded Council that Monday, January 16, was Martin Luther King Day and a federal holiday. She said the work session would be held on Tuesday, January 17, and the only item on the agenda was priority-based budgeting.
- Reminded Council of the dinner for retiring Councilmembers Gaghen, Ruegamer, and Clark to be held at the Petroleum Club on Thursday, January 19.
- Asked if Council would be available to attend a special work session on Monday, January 30, at 5:30 p.m. to discuss the park maintenance district. She commented that January 30 was the fifth Monday of the month, so there were no other regularly-scheduled council meetings on that date. Councilmembers agreed to hold the special work session.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 6 & 7 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. There were no speakers, and the public comment period was closed.

**1. CONSENT AGENDA -- Separations: E, J1 and J2**

**A. Change Order #1, Kings Green Subdivision Project, Phase IV; Knife River, \$26,434.40. APPROVED**

**B. Approval of 5-year grazing lease with Wayne Townsend for 144 acres south of the Billings Regional Landfill (2/1/2012-1/31/2017) with one 5-year renewal option; annual revenue - \$432. APPROVED**

**C. Sidewalk Easements for construction of W.O. 09-11, Rimrock Road - 17th Street West to Forsythia Blvd.; W.O. 10-31, 29th Street West and Central Avenue traffic signal; and W.O. 11-02, Miscellaneous and Developer-Related Project. APPROVED**

**D. Right-of-Way Easement with Aspen Grove Partnership for construction of SID 1392, Yellowstone Family Park. APPROVED**

**E. Revolving Loan Fund Pay-off Extension to Billie J. Ruff of Travel Cafe, Inc. APPROVED 10 TO 0. CM ULLEDALEN ABSTAINED FROM THE VOTE.**

**F. Acceptance of Warranty Deeds from Thomas and Carrie Schleder (1215 Ave. D) and Gary and Susan Carlson (1216 Ave. E) for W.O. 12-01, Water and Sanitary Sewer Replacement Project; \$1,000 each. APPROVED**

**G. Grant Applications Request & Resolution #12-19131 to submit for TransADE, 5317 New Freedom, and 5316 JARC funds totalling \$265,000 for paratransit operating**

assistance and for a capital grant for purchase of a new paratransit van. **APPROVED**

**H. Resolution #12-19132** adopting the Tax Compliance Policy for Tax-Exempt Bonds. **APPROVED**

**I. Final Plat Approval** of Amended Lots 2A-4-A, 2A-5A, 3A, and 4E, Block 1, Shiloh Crossing Subdivision. **APPROVED**

**J. Bills and Payroll:**

1. December 5, 2011 **APPROVED 10 TO 0. CM CIMMINO ABSTAINED FROM THE VOTE.**

2. December 12, 2011 **APPROVED 10 TO 0. CM CIMMINO ABSTAINED FROM THE VOTE.**

3. December 19, 2011 **APPROVED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND SPECIAL REVIEW #894:** a special review to allow the expansion of an existing elementary and high school in a Residential 9,600 (R-96) zoning district described as Lot 3, Block 1, Cornerstone Subdivision and located at 4519 Grand Avenue. Cornerstone Community Church, owner; Alex Tommerup, AT Architecture, representative. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED BASED ON THE 12 RECOMMENDED CONDITIONS AND INSERTION OF “CONSTRUCTION” IN THE SECOND SENTENCE OF CONDITION #10 TO READ “TREES LOST THROUGH ‘CONSTRUCTION’ DAMAGE....”**

**3. PUBLIC HEARING AND SPECIAL REVIEW #895:** a special review to allow the location of an all beverage license (gaming attached) in a Controlled Industrial (CI) zone on Lot 11A-1, Block 1, CBH Industrial Park Subdivision, a 2.3 acre parcel of land generally located at 1911 King Avenue West; Bob Pulley, representative. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED BASED ON THE FIVE RECOMMENDED CONDITIONS.**

**4. PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward IV to exclude the portion of recently de-annexed property in De-Annexation #11-04 described as Lots 26, 27, the west half of Lot 28 and Lot 38, and Lot 40 of the Sunny Cove Fruit Farms. Staff recommends approval. (Action: approval or disapproval of staff recommendation) **APPROVED**

**5. PUBLIC HEARING AND RESOLUTION #12-19133** approving and adopting second quarter budget amendments for Fiscal Year 2011/2012. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 9 TO 2. CM CIMMINO AND CM PITMAN VOTED IN OPPOSITION.**

6. **APPROVAL** of \$8,000 Downtown Tax Increment Financing for the Downtown Shuttle/Circulator Study. Downtown Billings Partnership Board of Directors recommends approval. (Action: approval or disapproval of Downtown Billings Partnership Board of Directors' recommendation.) **APPROVED 9 TO 2. CM CIMMINO AND CM PITMAN VOTED IN OPPOSITION.**

7. **APPROVAL** of \$20,000 Downtown Tax Increment Funding for the North 25th Street Pedestrian Bridge Project. Downtown Billings Partnership Board of Directors recommends approval. (Action: approval or disapproval of Downtown Billings Partnership Board of Directors' recommendation.) **APPROVED 8 TO 3. CM RONQUILLO, CM CIMMINO AND CM CROMLEY VOTED IN OPPOSITION.**

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

The public comment period was opened.

- **Dennis Ulvestad, 3040 Central Avenue, Billings, MT**, asked why the Council did not approve the appointment of Jason Banfield to the EMS Commission at their meeting of December 12. Mr. Ulvestad asked Council to reconsider appointing Mr. Banfield and give him a chance to serve.

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

**COUNCIL INITIATIVES:** None

**ADJOURN:** 8:10 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.*