

## COUNCIL ACTION SUMMARY

### CITY OF BILLINGS

#### CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS.”**

---

#### AGENDA

**COUNCIL CHAMBERS**

**November 9, 2015**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Pitman

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Pitman, Cimmino, McFadden, McCall, Swanson, Crouch, and Brown. Councilmember Bird was not present at roll call, but arrived after Proclamations.

**MINUTES:** October 26, 2015 **APPROVED 10-0 (BIRD WAS NOT PRESENT)**

#### **COURTESIES:**

- Mayor Hanel stated that Fire Chief Paul Dextras will provide additional information on November 23 regarding a recent award of Firefighter of The Year to a Billings Firefighter.
- Councilmember Cromley mentioned a recent award from the International Municipal Lawyers Association to former Deputy City Attorney Kelly Addy.
- Councilmember Pitman welcomed newly elected Councilmembers Chris Friedel, Ryan Sullivan, and Dick Clark, who were in attendance as audience members.

**PROCLAMATIONS:** There were no proclamations.

Councilmember Bird arrived to the meeting.

Mayor Hanel moved to add “Election of Deputy Mayor” as Regular Agenda Item 7, seconded by Councilmember Pitman. On a voice vote, the motion to add Item 7 to the agenda was unanimously approved.

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

- Item 1A1, South Park Splash Pad Development: Staff is requesting that this item be removed from tonight's agenda. Additional information is required prior to awarding the contract. The item will be added onto the November 23, 2015 agenda.

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1, 5, 6, and 7**

**ONLY. Speaker sign-in required.** (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or 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.)

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT**, stated that the Police Union contract cost of living adjustments should not be approved and that approval of the contract would lead the City into bankruptcy.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, stated that the proposed cost of living adjustments in the Police contract should be reduced to tenths of a percent.
- **Terry Odegard, 2101 Lake Hills Drive, Billings, MT**, stated that he believed that employees need raises, but worried that raises would lead the City to the need for future levies.

1. **CONSENT AGENDA** -- Separations: 1A1, 1C, 1D3

A. **Bid Awards:**

1. **South Park Splash Pad Development.** (Opened 10/27/15.)  
Recommend Diamond Construction, Inc., \$417,290. **REMOVED FROM AGENDA. WILL BE ADDED TO 11/23/15 AGENDA.**

B. **Conveyance of Developer Contribution:** to Montana Department of Transportation for Bench Boulevard construction; \$64,788.05. **APPROVED**

C. **Amendment #1, W.O. 15-38, Solid Waste CNG Fueling Station.**  
Professional Services Contract, HDR Engineering: \$12,150. **APPROVED 10-0, CIMMINO ABSTAINED**

D. **Bills and Payroll:**

1. July 1, 2015 through September 30, 2015 (Municipal Court)  
**APPROVED**
2. October 13, 2015 **APPROVED**
3. October 19, 2015 **APPROVED 10-0, CIMMINO ABSTAINED**

## **REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** repealing the vacation of a portion of right of way on Mountain View Boulevard. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
3. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #15-10:** 40 acres located at 5640 Grand Avenue at the southwest corner of the intersection of Grand Avenue and 56th Street West. Billings School District #2, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #15-11:** approximately 16 acres located east of the southeast corner of the intersection of E. Bench Boulevard and Barrett Road in the Billings Heights. Billings School District #2, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
5. **PROPOSAL FOR WAIVER** of EBURD Demolition Disposal Fees (continued from 10/26/15). Staff recommends tabling the proposal. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **APPROVAL OF 2015-2018 CONTRACT**, Montana Public Employees Association, Billings Police Chapter. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
7. **[ADD-ON ITEM] ELECTION OF DEPUTY MAYOR -- ON A ROLL CALL VOTE, COUNCILMEMBER CROMLEY WAS ELECTED AS DEPUTY MAYOR BY RECEIVING SIX VOTES (CROMLEY, BIRD, MCCALL, SWANSON, CROUCH, AND MAYOR HANEL)**

**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 in at the cart located at the back of the council chambers or at the podium.*)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, spoke in opposition of the recent Community Conversations events, and stated that he disagreed with the way the meetings were conducted.
- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT**, stated that government should be open, honest, and transparent.

## **COUNCIL INITIATIVES**

- Councilmember Swanson moved to create a two year pilot project to use Tax Increment Funding to fund EBURD demolition fees, and to create a staff committee comprised of Administration and Board Members, seconded by Councilmember Bird. After discussion, Councilmember Swanson withdrew his motion, and Councilmember Bird withdrew her second.
- Councilmember Crouch moved to use \$25,000 from Council Contingency Funds to fund a second year for Community Innovations Resource Officer Joel Simpson, as well as \$50,000 from the General Fund to allow for hiring of a second resource officer, seconded by Councilmember McCall. Councilmember Crouch made an amended motion to discuss the initiative at a future work session, seconded by Councilmember McCall. Councilmember Bird made a second amendment to discuss the initiative at the November 16 work session, seconded by Councilmember Crouch. Councilmember Cromley made a substitute motion to discuss all aspects of the initiative at a future work session, seconded by Councilmember Cimmino. On a voice vote, Councilmember Cromley's substitute motion was approved 8-3, with Councilmembers Pitman, Brown, and Yakawich voting in opposition.
- Councilmember Crouch moved to direct staff to make a presentation to Yellowstone County Commissioners regarding adding a \$.02 gas tax to the ballot in the November 2017 election, seconded by Councilmember Bird. Councilmember Crouch withdrew his motion, and Councilmember Bird withdrew her second. Councilmember Crouch moved to direct staff to begin conversations with County Commissioners regarding the \$.02 gas tax on the ballot, seconded by Councilmember Cromley. On a roll call vote, the motion was approved 7-4, with Councilmembers Yakawich, Pitman, Cimmino, and McFadden voting in opposition.

**ADJOURN** 8:34 pm