

## COUNCIL ACTION SUMMARY

### CITY OF BILLINGS

#### CITY OF BILLINGS VISION STATEMENT:

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

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#### AGENDA

COUNCIL CHAMBERS

January 25, 2016

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Yakawich

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, McFadden, Friedel, Sullivan, Swanson, Clark, and Brown

**MINUTES:** January 11, 2016 **APPROVED**

**COURTESIES:**

- Mayor Hanel recognized the Chamber of Commerce, Visitors' Bureau, and Rimrock Arena for a successful Ag Appreciation Benefit
- Kevin Ploehn, Aviation and Transit Director, introduced Jim Perez as the new Transit Manager

**PROCLAMATIONS:** Billings School Choice Week, January 24-30, 2016

**ADMINISTRATOR REPORTS - TINA VOLEK**

- Ms. Volek noted that, earlier in the day, ex parte communication items were received regarding Items 2 and 4. Copies of the communications were placed in the ex parte notebook.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 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.)

- Connie Wardell, PO Box 21432 commented on Item 7 and urged Council to approve the proposed settlement.

**1. CONSENT AGENDA** -- Separations: 1A1, 1B, 1D, 1G, 1H, 1I, 1M1, and 1M2

**A. Bid Awards:**

**1. New CNG Trucks for Solid Waste Division.** (Opened 1/12/16): Schedule I: Three Rear Load Trucks, Recommend Montana Peterbilt, \$751,468.78; Schedule II: Two Side Load Trucks, Recommend Jack's Truck and Equipment, \$560,984; Schedule III: One Front Load Truck, Recommend Montana Peterbilt, \$245,645.61; Schedule IV: One Roll-off Truck, Recommend I State Truck Center, \$149,871. **APPROVED**

**B. Operating Agreement Renewal** with Yellowstone Valley Animal Shelter, retroactive from July 1, 2015 through July 1, 2017. **APPROVED**

**C. Approval** of the Assignment and Transfer of the West End Hangar Ground Lease from R.W. McKamy and Donna McKamy to Robert C. Bryan and Phyllis C. Bryan, Trustees of the Bryan Revocable Trust. **APPROVED**

**D. Amendment #1, W.O. 15-07: Orchard Lane**, Professional Services Contract, Kadrmas, Lee & Jackson, Inc., \$196,100. **APPROVED**

**E. Acknowledge receipt of petition to vacate** a portion of 10th Street West from Wyoming Avenue to the alley north of Wyoming Avenue, YWCA and Bonini Enterprises, petitioners, and setting a public hearing for February 22, 2016. **APPROVED**

**F. Storm Drainage Easement** with James Powell for improvements constructed by SID 1398. **APPROVED**

**G. Acceptance of Donation** to Billings Fire Department, Alpha-Omega Disaster Restoration, kids' plastic fire helmets, retail value \$1,000. **APPROVED**

**H. Acceptance of Donation** to Billings Parks, Recreation and Preservation Foundation, James and Linda Roscoe for the preservation and enhancement of the Yellowstone Kelly grave and interpretative site at Swords Rimrock Park, \$25,000. **APPROVED**

**I. Acceptance of Donations** to Billings Police Department: Phillips 66 Billings, \$1,000 to K-9 Program; and Shawn and Judy Heringer, \$500. **APPROVED**

**J. Second/Final Reading Ordinance for Zone Change #944:** A zone change from Residential 6,000 (R-60) to Public (P) on a 1.02 acre parcel of

land described as: Lot 2, Block 1 Westward Ho Subdivision. West Side Baptist Church, owner; Bill Stene, agent. Approval of the zone change and adoption of the determinations of the 10 criteria. **APPROVED**

**K. Second/Final Reading Ordinance expanding Ward III (Annexation #15-12)** for an approximate 90 acre parcel of land described as: the southwest corner of the intersection of Elysian Road and Mullowney Lane. Harmony Meadows, LLC and James Weber, owners. **APPROVED**

**L. Second/Final Reading Ordinance expanding Ward I (Annexation #15-13)** for an approximate 2 acre parcel of land located at 517 Lincoln Lane. Propriedad, LLC, owner. **APPROVED**

**M. Bills and Payroll:**

1. December 28, 2015 **APPROVED 10-0, BROWN ABSTAINED**
2. January 4, 2016 **APPROVED 10-0, BROWN ABSTAINED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for FY16. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

**SEPARATED MOTION FOR APPROVAL OF AMENDMENT FOR FUND 0100-14110 APPROVED 7-4. BREWSTER, FRIEDEL, SULLIVAN, AND CLARK VOTED NO**

**MOTION FOR APPROVAL OF ALL OTHER AMENDMENTS APPROVED**

**3. PUBLIC HEARING AND RESOLUTION** creating SILMD 321, Grand Avenue between 30th Street West and Shiloh Road (street lights). Staff will make a recommendation at the January 25 meeting. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**4. PUBLIC HEARING AND SPECIAL REVIEW #935:** a special review to locate a beer and wine license with gaming at a proposed Town Pump Casino in a Highway Commercial (HC) zone on a 2.11 acre parcel of land described as: Lots 1, 2, 3A, 4A, 4B, and the north 65 feet of Lot 5 Thomas Subdivision and located at 450 Main Street. AT Architecture, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED 8-2, CROMLEY AND YAKAWICH VOTED NO, FRIEDEL RECUSED FROM VOTE**

**5. PUBLIC HEARING AND SPECIAL REVIEW #937:** a special review to allow a 9,172 square feet addition to an existing church in a Residential 9,600 (R-96) zone

on a 5.219 acre parcel of land described as: Lot 1, Block 1 St. Thomas Subdivision and located at 2055 Woody Drive. CTA Architects and Engineers, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

**APPROVED**

**6. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE**

**#945:** a zone change from Residential 9,600 (R-96) to Residential Professional (RP) on a 1.06 acre parcel of land described as: Lot 4A2 Blue Meadow Acreage Tracts. Kincaid Land, LLC, owner; Sanderson Stewart, agent. Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

**7. APPROVAL OF A MEDIATED SETTLEMENT** of Demolition of the Parmly Billings Library. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 9-2, BREWSTER AND CIMMINO VOTED NO**

**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.*)

**NONE**

**COUNCIL INITIATIVES**

- Councilmember Friedel moved to create a policy for blocking access to obscene material on public computers, seconded by Councilmember Clark. On a roll call vote, the motion was approved 7-4, with Councilmembers Yakawich, Brewster, Cimmino, McFadden, Friedel, Swanson, and Clark voting in favor, and Councilmembers Cromley, Sullivan, Brown, and Mayor Hanel voting in opposition. The topic will be discussed at a work session in August.

**ADJOURN 12:46 AM**