

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

May 23, 2016

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Mayor Hanel

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

MINUTES: May 9, 2016 **APPROVED**

COURTESIES:

- Mayor Hanel recognized Scout Troop 7, and the scouts introduced themselves

PROCLAMATIONS:

- Mayor Hanel read a proclamation declaring June 5 through June 11 to be Drug Abuse and Violence Prevention Week.

ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek reminded Council of the budget work session on May 24 at 5:30 pm.
- Ms. Volek reminded Council that next Monday is a fifth Monday and a holiday, so there will be no Council meetings next week.
- Ms. Volek clarified that a revised site plan was submitted for consideration under Item five.
- Ms. Volek stated that the public hearings for Items 6, 7, and 8 were not advertised. Therefore, staff requested for the items to be removed from the agenda and placed on the June 13 agenda.

Councilmember Clark moved to remove Items 6, 7, and 8 from the agenda and to place them on the June 13 agenda, seconded by Councilmember Sullivan. On a voice vote,

the motion was approved 10-0, with Councilmember Cromley abstaining.

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

Speaker sign-in required. (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. 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.)

NONE

1. CONSENT AGENDA -- Separations: 1G, 1D, 1E, 1F, 1A2, 1V3

A. Bid Awards:

1. **Agreement and Purchase** of fusible PVC pipe with Underground Solutions, Inc.; \$63,135. **APPROVED**
2. **Veterans Park Irrigation Replacement.** (Opened 05/10/2016)
Recommend The Good Earth Works of Billings; \$343,200. **APPROVED**
3. **W.O. 16-02 Miscellaneous Concrete Project.** (Opened 05/10/2016)
Recommend J & J Concrete, Inc.; \$287,150. **APPROVED**

B. Approval of lease renewal of the West End Hangar Ground Lease with Steven A. Vold Revocable Trust and Susan K. Vold Revocable Trust, revenue first year \$1,348.20, revenue subsequent years adjusted by CPI-U. **APPROVED**

C. Approval of lease renewal of the West End Hangar Ground Lease with Moore, Palmersheim and Tostenrud, L.L.C., revenue first year \$1,348.20, revenue subsequent years adjusted by CPI-U. **APPROVED**

D. Amendment #24, Airport Improvement Program - Pond D Storm Water System, Morrison-Maierle, Inc., \$357,268. **APPROVED 10-0, Brown abstained**

E. Amendment #25, Taxilane West Construction Project, Morrison-Maierle, Inc., \$237,471. **APPROVED 10-0, Brown abstained**

F. Amendment #26, Sanitary Sewer Line Project for West End Hangar Site, Morrison-Maierle, Inc., \$55,106. **APPROVED 10-0, Brown abstained**

G. Consultant Agreement with Kadrmas, Lee & Jackson, Inc. to complete the 5th Avenue North Corridor Feasibility Study, not to exceed \$80,000. **MOTION TO**

**TABLE FOR DISCUSSION UNTIL JUNE 27 APPROVED 8-3, Yakawich,
McFadden, and Friedel voted in opposition.**

H. Acceptance of National Girls Collaborative Project Mini-Grant for The Billings Public Library for a series of STEM (science, technology, engineering, mathematics) programs for girls, \$750. **APPROVED**

I. Revolving Loan Fund to Kismet Fine Rugs, \$230,000. **APPROVED**

J. Approval of Downtown Billings Partnership Board of Directors' recommendation of a Tax Increment Grant of up to \$143,754 to Jeff Neishabouri for eligible improvements to the Annex Building located at 112 N. Broadway. **APPROVED**

K. Approval of reimbursement from East Billings Urban Renewal District Tax Increment Funds to the firm selected by the RFP, for a feasibility crossing study, not to exceed \$40,000. **APPROVED**

L. Right-of-Way Easements for W.O. 15-07, Orchard Lane Reconstruction. **APPROVED**

M. Right-of-Way Easement for W.O. 16-06, SBURD Sanitary Sewer Phase 2. **APPROVED**

N. Resolution authorizing the issuance and calling for the negotiated sale of up to \$346,000 pooled sidewalk bonds (W.O. 15-02, Miscellaneous Improvements). **APPROVED**

O. Resolution authorizing the issuance and calling for the negotiated sale of up to \$5,300,000 in bonds for South Billings Urban Renewal District Construction projects. **APPROVED**

P. Second/Final Reading Ordinance expanding Ward III (Annexation #16-02) for an approximate 34 acre parcel of land described as Lot 1, Block 1, Adam and Mollie Subdivision, located south of Elysian Road and west of the Hogan Slough between Mullowney Lane and East Lane. McCall Development and the Yellowstone Boys and Girls Ranch Foundation, petitioners. **APPROVED**

Q. Preliminary Subsequent Minor Plat of Lot 2 of the Second Amendment to Sweet Subdivision, 2nd Filing, described as 2 lots on an approximately 39,000 square foot parcel of land generally located west of Grand Avenue and 24th Street West; Freedom Montana, LLC, owner; Eggart Engineering, Inc., agent; conditional approval and adoption of the findings of fact. **APPROVED**

R. Preliminary Subsequent Minor Plat of Superior Homes Subdivision, described as 2 lots generally located at 406 Roxy Lane; Ann C. Bustell Revocable

Living Trust, owner; Eggart Engineering, Inc., agent; conditional approval and adoption of the findings of fact. **APPROVED**

S. Preliminary Major Plat of Copper Ridge Subdivision, 6th Filing, generally located north of Rimrock Road and east of 70th Street West; Copper Ridge Development, Corporation, owner; Sanderson Stewart, agent; conditional approval and adoption of the findings of fact. **APPROVED**

T. Preliminary Major Plat of High Sierra Subdivision 11th Filing, generally located north of Benjamin Boulevard west of High Sierra Boulevard; High Sierra II, Inc., owner; Sanderson Stewart, agent; conditional approval and adoption of the findings of fact. **APPROVED**

U. Preliminary Major Plat of Josephine Landing Subdivision 1st Filing, generally located south of Elysian Road, east of East Lane on the west edge of the Hogan Slough; McCall Development, Inc., owner; Sanderson Stewart, agent; conditional approval and adoption of the findings of fact. **APPROVED**

V. Bills and Payroll:

1. January 1, 2016 through March 31, 2016 (Municipal Court) **APPROVED**
2. April 25, 2016 **APPROVED**
3. May 2, 2016 **APPROVED 10-0, Cimmino abstained**

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** approving MET Transit Route & Schedule Changes and Fare Increases. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
3. **PUBLIC HEARING AND RESOLUTIONS** approving an amendment to the Limits of Annexation Map and Annexation Policy for 2016. Annexation Committee recommends approval. (Action: approval or disapproval of Annexation Committee recommendation.) **APPROVED**
4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annexation #16-03: an approximate 6.4 acre parcel of land located south of Rimrock Road at the southwest corner of the intersection of 54th Street West and Trail Creek Drive. Yellowstone Meadows Partners, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

5. **PUBLIC HEARING AND SPECIAL REVIEW #942:** a special review to allow the construction of one four-plex multi-family dwelling in a Residential 6,000 (R-60) zone on a 13,200 square foot parcel of land described as: Lot 1A, Block 13, Sweet Acres Subdivision 4th Filing. Rob Morehead, applicant; Travis McDowell, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

ORIGINAL SITE PLAN APPROVED

6. **PUBLIC HEARING AND RESOLUTION** vacating a portion of Palladium Drive right of way within Copper Ridge Subdivision 5th filing, Copper Ridge Development Corporation, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **REMOVED FROM AGENDA, RESCHEDULED FOR JUNE 13**

7. **PUBLIC HEARING AND RESOLUTION** vacating a portion of the alley within Block 163 of Billings Original Townsite, Riverstone Health, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **REMOVED FROM AGENDA, RESCHEDULED FOR JUNE 13**

8. **PUBLIC HEARING AND RESOLUTION** vacating a portion of 3rd Avenue North and North Broadway, The Alberta Bair Theater Corporation, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **REMOVED FROM AGENDA, RESCHEDULED FOR JUNE 13**

9. **PUBLIC HEARING AND RESOLUTION** repealing Resolution 11-19097 and adopting a revised Complete Streets Policy. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **MOTION TO ADOPT STAFF RECOMMENDATION AND TO INCORPORATE SUGGESTION FOR PUBLIC WORKS TO PRESENT TO COUNCIL PRE-ENGINEERING SCREENING FOR POTENTIAL COMPLETE STREETS PROJECTS APPROVED 10-1, Mayor Hanel voted in opposition.**

10. **PUBLIC HEARING AND RESOLUTION** authorizing the sale of Lot 17, Block 189, Billings Original Townsite to Russ and Susan Plath for a total of \$18,375. **APPROVED**

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** stated that the City should not allow the business improvement district to assess different tax rates to different properties.

COUNCIL INITIATIVES

- Councilmember Swanson moved to create a recruiting task force with the goal of filling vacant police officer positions, seconded by Councilmember Sullivan. Councilmember Swanson withdrew his motion, and Councilmember Sullivan withdrew his second.

ADJOURN 11:49 PM