

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

February 27, 2017

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Cimmino

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

MINUTES: February 13, 2017 - *NOT Fully-Prepared for Approval.*

COURTESIES:

- **Yellowstone County Lodging Association** - Fire Chief Dextras introduced Shelli Mann, General Manager, Boothill Inn, and Tina Wiser, President of Yellowstone County Lodging Association. Fire Chief Dextras stated that the Yellowstone County Lodging Association had donated \$5,000 to the Fire Department to purchase personal protective equipment and he presented a public service award to the Yellowstone County Lodging Association.
- **Boy Scouts Black Otter District Montana Council** - Mayor Hanel recognized the Boy Scouts of America and stated that the Merit Badge University was conducted February 24-25, 2017 and he had proclaimed Saturday, February 25th as Boy Scout Day. He stated that approximately 300 scouts and 100 leaders had attended.

PROCLAMATIONS: Red Cross Month

ADMINISTRATOR REPORTS - TINA VOLEK

- Reminded Council that the 5th Monday in May was a “bye” week. It was scheduled to be a “Budget Only” work session meeting and did Council wish to keep the meeting date or vacate it.

- Reminded Council that on Tuesday, March 21st, a joint City/County/School District #2 luncheon meeting would be held. Ms. Volek asked Councilmembers to RSVP and provide additional agenda items.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 2, 4b and 7

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.)

- **Michael Mayott, President of Amend Park Development Council (APDC), 2424 Locust Street, Billings, Montana**, in reference to Item 2, spoke in favor of Council approving Amend Park Revised Use Agreement. He provided statistics and information concerning improvements to the park since the APDC's involvement and future planned events for the park. He explained the fee structure, budget and sustainability of park management.
- **Rick DeVore, Chairman of the Parks Board, 2614 Park Ridge Lane North, Billings, Montana**, in reference to Item 2, spoke in favor of approving the Amend Park Revised Use Agreement. He thanked Mr. Mayott for the APDC's efforts and improvements to the park.

1. **CONSENT AGENDA** -- Separations: 1C1, 1G1 and 1G2

A. **Bid Awards:**

1. **W.O. 17-03, Contract #1 City Chip Seal.** (Opened 2/14/17) Schedule 1 with Additive Alternate A: Recommend Knife River; \$884,713.67. Schedule 2: Recommend Harddrives Construction, Inc.; \$117,649. **APPROVED**
2. **W.O. 17-03, Contract #2 City Overlay.** (Opened 2/14/17) Recommend Knife River; \$1,232,661.77. **APPROVED**
3. **W.O. 15-18, Clearwell No. 2 Interior Re-coat.** (Opened 2/14/17) Recommend Coblaco Services, Inc.; \$549,410.50. **APPROVED**
4. **2017 Trailer with CCTV Inspection Equipment.** (Opened 2/14/17) Recommend Titan Machinery; \$171,781. **APPROVED**

B. **Audit Services Contract** with JCCS for 3 years (FY17-19), and authorizing the Mayor to execute a second 3-year term contract (FY20-22) if the terms and conditions are acceptable to all parties, \$174,470. **APPROVED**

C. **Professional Services Contract** for engineering design for W.O. 17-09 Leavens Reservoir Liner; HDR Engineering, Inc.; not to exceed \$159,400. **APPROVED 9-0 CIMMINO ABSTAINED**

D. **Professional Services Contract** for the design and construction administration of W.O. 17-14, Grand Avenue Water and Sanitary Sewer Extension Project to Territorial Landworks, Inc.; \$129,072. **APPROVED**

E. **Bus/Bench Advertising Concessionaire Agreement** with Blair Unlimited, Inc.; minimum \$50,000/yr. for 5 years. **APPROVED**

F. **Resolution of Intent No. 17-10604**, assessing Hope Church for its portion of construction costs for W.O.16-09, Grand Avenue improvements from 52nd Street West to 58th Street West and setting a public hearing of 03/27/2017. **APPROVED**

G. **Bills and Payroll:**

1. January 30, 2017 – **APPROVED 9-0 CIMMINO ABSTAINED**
2. February 6, 2017 – **APPROVED 8-0 BROWN AND CIMMINO ABSTAINED**

REGULAR AGENDA:

2. **APPROVAL** of Revised Use Agreement with Amend Park Development Council (APDC); one (1) year, renewable for a like term, for each year up to five (5) years. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **BREWSTER MOVED TO ADD AN ADDENDUM OF RATES AND FEES STRUCTURE AT ANNUAL RENEWAL. APPROVED**
3. **PUBLIC HEARING AND RESOLUTION NO. 17-10605**, assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **HOBBYIST BEEKEEPING:**
 - a. **PUBLIC HEARING AND FIRST READING ORDINANCE** allowing hobbyist beekeeping in the City limits. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
 - **Lonnie Larson, President of the Yellowstone Valley Beekeepers, 2154 North 8 Road, Huntley, Montana**, spoke in favor of the ordinance and addressed questions concerning membership and beekeeping.

- **Cara Chamberlain, 933 Yale Avenue, Billings, Montana**, spoke in favor of the ordinance and how local, naturally-produced honey could enhance the quality of life for the community.
- **Chuck Bushey, Member of the Animal Control Board, 1333 Colton Boulevard, Billings, Montana**, spoke in favor of the ordinance and stated the honey industry was a multi-million dollar business and North Dakota and Montana are major contributors to the industry.
- **Bruce Kelling, 2006 McKay Lane, Billings, Montana**, spoke in favor of the ordinance and stated he has honey bees outside of the City limits but wished to have them in town.
- **Sonia Davis, 341 Wyoming Avenue, Billings, Montana**, spoke in favor of the ordinance as the general manager of Good Earth Market. She stated Good Earth Market supported local retailers and having another source of local honey would be very good for the community.

b. **RESOLUTION NO. 17-10606** amending Resolution No. 12-19226, establishing an annual hobbyist beekeeper permit fee, assessed by Animal Control Division. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

5. **PUBLIC HEARING AND FIRST READING ORDINANCE** repealing Section 7-602 of the Billings, Montana City Code (BMCC) regarding allowing a City official access to hotel guest registries. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

- **Shelli Mann, General Manager of Boothill Inn, 1006 Mary Street, Billings, Montana**, spoke in favor of repealing the ordinance. She stated her business associates would be cooperative in any emergency situation wherein a specific guest may be sought by law enforcement, but that she was not comfortable providing a complete guest registry to just any City official upon request.

6. **PUBLIC HEARING AND APPROVAL** of the FY2017-2018 Master Work Plan. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **CIMMINO MADE AN AMENDED MOTION TO ADD THE SHELTER AT THE HIGH SIERRA DOG PARK TO THE MASTER WORK PLAN. APPROVED**

7. **RESOLUTION** creating an ad-hoc Council advisory committee for the City Administrator selection process and selecting its committee members. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **BREWSTER MOVED FOR APPROVAL OF THE RESOLUTION. AFTER COUNCIL DISCUSSION, COUNCILMEMBER BREWSTER WITHDREW HIS MOTION AND MADE A SUBSTITUTE MOTION CREATING A SUBCOMMITTEE OF COUNCILMEMBERS BREWSTER, CIMMINO, FRIEDEL, CLARK AND MAYOR HANEL WHOSE PURPOSE WAS**

**TO FORMULATE THE PROCESS TO SELECT A CITY ADMINISTRATOR.
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.*)

- **Linda Healow, 312 Clark Avenue, Billings, Montana**, spoke to the recent shooting that occurred at Rimrock Mall over the weekend.
- **Senator Jen Gross, 211 S. 33rd St., Billings, Montana**, introduced herself to the Council and stated her appreciation for the Council's efforts and the process. She stated she was aligned with the City's priorities.

COUNCIL INITIATIVES: NONE

ADJOURN: 8:33 PM