

## **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**

**March 13, 2017**

**6:30 P.M.**

**CALL TO ORDER:** Deputy Mayor Cromley

**PLEDGE OF ALLEGIANCE:** Deputy Mayor Cromley

**INVOCATION:** Councilmember McFadden

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

**MINUTES:** February 13, 2017 and February 27, 2017 **APPROVED**

**COURTESIES: NONE**

**PROCLAMATIONS: NONE**

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

- Ms. Volek stated, in regards to Item 1C, Utility Easement with Cenex Pipeline to install an 8-inch pipeline across Coulson Park, Council had received an email from CHS with a Groundwater Monitoring Status Report and the report had been included in the ex parte notebook.
- Ms. Volek reminded Council that the Chamber of Commerce and the Parks (PRPL) Department had requested that staff add two items to the March 13, 2017 agenda. She stated that a donation of \$375,000 had been received from the Chamber of Commerce for the Yellowstone Kelly Grave & Interpretive Site and there had been a 2<sup>nd</sup> change order for the Yellowstone Kelly Interpretive Site. She added that a  $\frac{3}{4}$  majority vote would be required to add the items to the agenda. Ms. Volek stated that this would allow materials to be purchased and site dedication to remain on schedule.
- Ms. Volek stated that there would be a Council Subcommittee meeting regarding Dehler Park at 3:00 pm on March 14, 2017 with Erin McCrady, the City's bond

counsel from Dorsey & Whitney. She added that there would also be a meeting on March 22, 2017 with Dave Heller, owner of the Billings mustangs.

- Ms. Volek thanked Jeanette Vieg, Animal Control Board Member, for bringing Councilmembers a jar of honey. Ms. Vieg stated the honey that had been given to Council would be similar to the honey produced if the hobbyist beekeeping ordinance was approved. She thanked Council for their time.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 & #2 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.)

- **Bill Cole, Chamber of Commerce Board of Directors**, in reference to Item 1L and 1M, stated that adding these two items to the agenda would help the project to be completed in time. He encouraged Council to approve the donation and the change order.

1. **CONSENT AGENDA** -- Separations: 1D, 1J, 1K1 and 1K2
  - A. **Memorandum of Understanding (MOU)** with Beartooth RC&D Economic Development District; \$9,949.78 annual expense. **APPROVED**
  - B. **Development Agreement** with Marsich Investment, LLC, to construct public improvements on recently annexed property, generally located west of Shiloh Road between Central Avenue and Bell Avenue. **APPROVED**
  - C. **Utility Easement** with Cenex Pipeline, LLC to install an 8 inch pipeline across Coulson Park. **APPROVED**
  - D. **Utility Easement** with NorthWestern Energy to replace deteriorated underground electric distribution service lines in the Parkland West Park. **APPROVED**
  - E. **Approval of Donation** to Laurel Police Department from Billings Police Department; Cameras and Related Equipment, \$2,165. **APPROVED**
  - F. **Second/Final Reading Ordinance** allowing hobbyist beekeeping in the City limits. **APPROVED**
  - G. **Second/Final Reading Ordinance** amending Billings Montana City Code (BMCC) Section 7-504, Acceptable Forms of Identification to Pawnbrokers. **APPROVED**

- H. **Second/Final Reading Ordinance** repealing Section 7-602 of the Billings, Montana City Code (BMCC) regarding allowing a City official access to hotel guest registries. **APPROVED**
- I. **Preliminary Subsequent Minor Plat** of Amended Lot 2B-1A, Block 2, Southgate Subdivision, 2nd Filing, generally located at 5110 Southgate Drive; Billings Lodging Investors, LLC, owner; Sanderson Stewart, agent. **APPROVED**
- J. **Final Plat Approval** of Harmony Meadows Subdivision, 2nd Filing. **APPROVED**
- K. **Bills and Payroll:**
  - 1. February 13, 2017 **APPROVED 8-0, CIMMINO ABSTAINED**
  - 2. February 21, 2017 **APPROVED 8-0, BROWN ABSTAINED**
- L. **Acceptance of Donation** to the Parks, Recreation and Public Lands Department from the Billings Chamber of Commerce for the Yellowstone Kelly grave and interpretive site, \$375,000. **ADDED TO CONSENT AGENDA PER COUNCIL VOTE - APPROVED**
- M. **Change Order #2** - Yellowstone Kelly Interpretive Site, Hardy Construction, Inc., \$89,182.08. **ADDED TO CONSENT AGENDA PER COUNCIL VOTE - APPROVED**

**REGULAR AGENDA:**

- 2. **RESOLUTION** declaring an emergency and authorizing the payment of repair costs to install a new water main to the Airport Terminal Building. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 3. **PUBLIC HEARING AND RESOLUTION** authorizing filing of the annual Federal Transit Administration Section 5307 Grant. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 4. **PUBLIC HEARING AND RESOLUTION** vacating a portion of Patagonia Court within Riverfront Point Subdivision, Riverfront Pointe, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 6-3, BREWSTER, SULLIVAN AND BROWN OPPOSED**

**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.*)

- **Amaya Garcia, 206 Avenue C, Billings, Montana**, Human Relations Commission, encouraged Council to make a proclamation that states that the City of Billings values the diversity of its citizens and has zero tolerance towards hate crimes, bigotry, misogyny, and any other form or sign of discrimination towards a member of another group. She stated that furthermore, a proclamation should affirm that the City of Billings encourages civil discourse and respect towards people of every sex, race, nationality, religious affiliation, political affiliation, sexual orientation, and gender identity.
- **Pastor Rob Kirby, 408 Alderson Avenue, Billings, Montana**, encouraged Council to take a stand against discrimination. He added that the Human Relations Commission only had power if Council acted on their suggestions. He encouraged Council to do the hard work by drafting a statement.
- **Kathy Walters, 3104 Radcliffe Drive, Billings, Montana**, Human Relations Commission, stated that several cities in Montana had made public statements that they would not tolerate hate. She encouraged the City of Billings to join in by making a public statement of zero tolerance.

**COUNCIL INITIATIVES: NONE**

**ADJOURN: 7:25 PM**