

COUNCIL ACTION SUMMARY

**REVISED
Consent Agenda Item 1A5 Description Changed**

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 29, 2018

6:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Clark

ROLL CALL: Councilmembers present on roll call were:

Cromley, Yakawich, Brewster, Ewalt, Joy, Friedel,
 Gibbs, Ronning, Clark, Brown

MINUTES: May 14, 2018 (Pending)

COURTESIES:

- Councilmember Ronning thanked citizens for participation in National Gun Violence Awareness Day on June 1 and weekend activities.
- Councilmember Yakawich recognized Lora Mattox, the Pioneer Park Task Force and Western Heritage Center, for their work in establishing a historical district in the Pioneer Park area. He thanked members of the Red Cross who had installed smoke detectors in many of the homes in Ward 1.
- Mayor Cole recognized County Disaster and Emergency Services, Brad Shoemaker, and others for flood disaster preparedness.

PROCLAMATIONS:

- National Gun Violence Awareness Day – June 1, 2018
- Dementia Friendly Billings Day - June 5, 2018

ADMINISTRATOR REPORTS - BRUCE MCCANDLESS

- Nothing had been placed in the ex parte communications notebook concerning agenda items.
- Reminded Council of a Budget Only Work Session meeting, Wednesday, May 30, 2018, at 5:30 pm in Council Chambers.
- Reminded Council was invited to attend an update/briefing on One Big Sky development planning agreement on Wednesday, May 30th at 12:00, in the Yellowstone Conf. room, Granite Towers, 222 N. 32nd St.
- Reminded Council they were invited to attend a luncheon with Assistant City Administrator candidates at Noon, Thursday, May 31st, at the airport Gateway Restaurant meeting room; and
- Reminded Council that on June 5th the Montana Municipal Summit (training by MLCT, MMIA, LGC staff, primarily for governing body members) would be held in Roundup, Montana.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 ONLY. Speaker sign-in required. (Comments are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign the roster located on the cart at the back of Council chambers or at the podium. Comments 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.)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, Montana**, in reference to Item 1C, suggested the Council wait to approve and order equipment for the park and consider other design options to better utilize the monies in the budget.
- **Steve Zeier, South Billings Urban Renewal District, P. O. Box 21462, Billings, Montana**, in reference to Item 1C, gave his support for the approval of the playground equipment purchase.

1. CONSENT AGENDA -- Separations: 1A3, 1C, 1D, 1F, 1G, 1J, 1O2

A. Bid Awards:

1. **W.O. 18-01, Schedule 1, North 27th Street Water Main Replacement Project.** (Opened 5/15/18) Recommend COP Construction, LLC; \$2,144,572. **APPROVED**
2. **W.O. 18-02, Miscellaneous Concrete Project.** (Opened 5/29/18) Recommend delay of award until June 11, 2018. **APPROVED**
3. **Parking Structures I, II and III, Concrete Restoration - Phase III.** (Opened 5/15/18) Recommend John Rohrer Contracting Company, Inc.;

\$158,768. **APPROVED** with condition that contract includes a 1 year warranty.

4. **Fire Station No. 3 Roof Replacement.** (Opened 5/15/18) Recommend Empire Roofing; \$83,858. **APPROVED**
5. **New BLM Storage Building.** (Opened 5/01/18) Recommend delay of award until June 11, 2018. **APPROVED**

B. **Approval** of purchase agreement for Water Treatment Plant - transfer pump H5 replacement with Power Service; \$83,270. **APPROVED**

C. **Approval** of playground equipment purchase for Optimist Park, Gametime; \$29,089.18, and Landscape Structures, Inc.; \$140,025. **APPROVED**

D. **Acceptance** of donation to the Fire Department from Phillips 66 for the purchase of physical fitness equipment; \$15,000. **APPROVED**

E. **Approval** of Tax Increment District Funds from South Billings Boulevard Urban Renewal District (SBBURD) for development of a website; \$3,000. **APPROVED**

F. **Resolution 18-10723 of Intent** to Annex 18-04, Coulson Park, a 13.52 acre parcel of land generally located south of Interstate 90, and setting a public hearing for 06/25/18. **APPROVED 10-1, EWALT OPPOSED**

G. **Resolution 18-10724 of Intent** to Annex 18-05, Phipps Park, a 347.321 parcel of land generally located south of Molt Road and northwest of Copper Ridge Subdivision, and setting a public hearing for 06/25/18. **APPROVED**

H. **Resolution 18-10725** relating to \$1,275,000 pooled special sidewalk, curb, gutter and alley approach bonds, Series 2018; fixing the form and details and providing for the execution, delivery and security. **APPROVED**

I. **Resolution 18-10726** ordering improvements identified in W.O. 18-02, Miscellaneous Program. **APPROVED**

J. **Resolution 18-10727** allocating \$15,000 of Council Contingency Funds for the 2019 USS Billings commissioning event. **APPROVED 8-3, FRIEDEL, CLARK, BROWN OPPOSED**

K. **Resolution 18-10728** approving an extension of the Cable Franchise Agreement with Bresnan Communications, LLC, to October 9, 2018. **APPROVED**

L. **Second/Final Reading Ordinances 18-5706 and 18-5707** amending Billings, Montana City Code, Sections 22-232 and 13-1200, for sidewalk repairs. **APPROVED**

- M. **Second/Final Reading Ordinance 18-5708** amending Billings, Montana City Code, Sections 17-106 and 17-107, Noise Ordinance. **APPROVED**
- N. **Preliminary Subsequent Minor Plat** of Wolf Subdivision, N½ of Lot 1, generally located on the southwest corner of the intersection of Rehberg Lane and Boulder Avenue; 2120 Rehberg, LLC, owner; Stahly Engineering & Associates, agent. **APPROVED**
- O. **Bills and Payroll:**
 - 1. April 30, 2018 **APPROVED**
 - 2. May 7, 2018 **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 964:** A zone change to Section 27-306 – Commercial and Industrial Uses – to allow Gymnastics Instruction in all Residential Professional (RP) zones. Zoning Commission recommends denial. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED Staff recommendation to approve an amendment in the Residential Professional zone to allow Gymnastics Instruction; 6-5, FRIEDEL, GIBBS, RONNING, CLARK, BROWN OPPOSED.**
- 3. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward V to include recently annexed property in Annexation 18-01: an approximate 42.035 acre parcel located west of Zimmerman Trail and north of Grand Avenue. Billings Opportunities, LLC, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward I to include recently annexed property in Annexation 18-02: an approximate 6,250 square foot parcel of land located east of Jackson Street and south of Orrel Street. Ricky Savage, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 5. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward II to include recently annexed property in Annexation 18-03: an approximate 8.733 acre parcel of land located ~~east~~ west of Lake Elmo Drive and south of Unita Park Drive. William and Kathy Baumann, owners. Sanderson Stewart, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED with correction to location description from east of Lake Elmo Drive to west of Lake Elmo Drive.**

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Sign-in required.
(Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes. Please sign the roster located on the cart at the back of Council chambers or at the podium.)

- **Dennis Ulvestad, 3040 Central Avenue, A102, Billings, Montana**, requested a speed study be conducted on 8th Street West between Central Avenue and Broadwater Avenue to consider increasing the speed limit from 25 mph to 35 mph.

COUNCIL INITIATIVES:

- Councilmember Clark moved for staff to research amending City Code to provide for a change in the time Council regular business meetings would begin to 5:30 p.m. from 6:30 p.m., seconded by Councilmember Friedel. **APPROVED 10-1, CROMLEY OPPOSED**
- Councilmember Yakawich moved for staff to draft a resolution to create a USS Billings Commission Ad-Hoc Subcommittee, seconded by Councilmember Cromley. **APPROVED**

ADJOURN: 9:35 pm