

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

September 10, 2018

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Friedel

ROLL CALL: Councilmembers present on roll call were:

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

MINUTES: August 27, 2018 **APPROVED**

COURTESIES:

- Mayor Cole reminded Council of the City College memorial on September 11, 2018 at 7:30 a.m. in observance of 9/11. He added that there would also be a memorial at noon on the Courthouse lawn.
- Councilmember Yakawich thanked Phillips 66 for their BBQ at South Park.
- Councilmember Friedel stated that the Terry/Central Task Force would be having a BBQ on Saturday, September 15 at 2:00 p.m. at Terry Park.
- Councilmember Clark stated the West End Task Force would be having a social on Sunday, September 16, 2018 from 3:00-5:00 p.m. at the playground behind Faith Evangelical Church.

PROCLAMATIONS:

- None

ADMINISTRATOR REPORTS - BRUCE MCCANDLESS

- Mr. McCandless informed Council the resolutions for Items 2A through 2K, had been modified so they consistently reflected “the matter was considered by Council.”

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 2B 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.)

- **Mike Mayott, 2424 Locust Street, Billings, Montana:** supported Item 1B and stated it would be an asset to the City and Amend Park.
- **Steve Zeier, South Billings Urban renewal Association (SBURA):** encouraged Council to support Item 1B.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, Montana:** stated the market value price was lower than the asking price and had some concerns with the property.

1. CONSENT AGENDA -- Separations: 1B, 1D, 1F and 1O2

A. Bid Awards:

1. **New Current 5500 Series Dual Rear Wheel Truck with Service Body.** No bids received. Recommend re-bidding at a later date. **APPROVED**
2. **Three New 2019 40,000 lb. 4 CY Wheel Loaders.** (Opened 8/28/18) Recommend Tractor & Equipment Co.: \$571,949. **APPROVED**

B. Buy/Sell Agreement to purchase Lots 3A - 1A, and Lots 3A-4 and 3A-5, Popelka Commerce Center Subdivision, 2nd filing; \$934,500. **SUBSTITUTE MOTION TO INCLUDE COMPLETION OF DUE DILIGENCE, APPROVED**

C. Professional Services Contract for W.O. 18-21, Water Treatment Plant Intake Redundancy; AE2S; \$182,900. **APPROVED**

D. Professional Services Contract for Centennial Park Development; Steiner Thuesen; \$331,111. **APPROVED**

E. Professional Services Contract for sampling and analysis of the Yellowstone River; HDR Engineering, Inc.; \$254,900. **APPROVED**

F. Amendment No. 3, Airport Terminal Expansion Project, Professional Engineering Services Contract, Morrison-Maierle, Inc.; \$4,295,590. **APPROVED
10-0, BROWN ABSTAINED**

- G. **Warranty Deed** for Lot 4 of Annafeld Subdivision, 1st Filing, from McCall Development, Inc. **APPROVED**
- H. **Warranty Deed** for Tracts 2A-2 and 2A-3 of Certificate of Survey 2063, from Hanser Capital Holdings, LLC. **APPROVED**
- I. **Warranty Deed** for Lot 1B of the Amended Plat of Lot1, Block 1 of Lenhardt Square Subdivision, 1st Filing, from Stock-Naughton, LLP. **APPROVED**
- J. **Assignment and Transfer** of the Automobile Rental Concession and Lease from Corpat, Inc. DBA Alamo/National Car Rental to Enterprise RAC Company of Montana/Wyoming, LLC. **APPROVED**
- K. **Limited Commercial Aviation Hangar and Ground Lease** 10-Year Renewal on Lot 7, East Hangar, with Billings Clinic (9-1-2018-8/31/2028); first year revenue - \$31,212; subsequent years adjusted annually using the Consumer Price Index for All Urban Consumers (CPI-U). **APPROVED**
- L. **Funding Allocation** from HOME to NeighborWorks Montana; \$56,710. **APPROVED**
- M. **Preliminary Subsequent Minor Plat** of O'Malley Farms Subdivision, generally located on the southwest corner of the intersection of O'Malley Drive and Virginia Lane; Big Sky Endeavors, LLC, agent. **APPROVED**
- N. **Preliminary Subsequent Minor Plat** of Sunnyside Subdivision, 1st Filing, Amended Lot 3, Block 5, generally located on the northeast corner of the intersection of 10th Avenue North and North 27th Street; Opportunity Bank of Montana, owner; Stahly Engineering & Associates, agent. **APPROVED**

O. Bills and Payroll:

- 1. August 13, 2018 **APPROVED**
- 2. August 20, 2018 **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

2. PURCHASING PROCEDURE AMENDMENTS:

- A. **PUBLIC HEARING AND FIRST READING ORDINANCE** repealing BMCC, Section 13-502, City Administrator Signing Authority for contract amendments and change orders. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

- B. RESOLUTION 18-10756** repealing Resolutions 06-18387 and 16-10523, City Administrator signing authority. **APPROVED WITH AN EFFECTIVE DATE TO COINCIDE WITH ORDINANCE REPEAL**
- 3. PUBLIC HEARING AND RESOLUTION 18-10757** adopting annual Special Improvement Light Maintenance District assessments for FY19. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 4. PUBLIC HEARING AND RESOLUTION 18-10758** setting General Obligation (GO) Debt and Public Safety (PS II) mill levy rates for FY19. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 5. PUBLIC HEARING AND RESOLUTIONS** spreading assessments on the following:
 - A. Encroachments, RES. 18-10759 APPROVED**
 - B. Park District 1, RES. 18-10760 APPROVED**
 - C. Park Maintenance Districts, RES. 18-10761 APPROVED 9-2, BREWSTER AND FRIEDEL OPPOSED**
 - D. Road Maintenance District 6, RES. 18-10762 APPROVED 10-1, FRIEDEL OPPOSED**
 - E. SID 1401, RES. 18-10763 APPROVED**
 - F. SID 1403, RES. 18-10764 APPROVED**
 - G. SID 1404, RES. 18-10765 APPROVED**
 - H. SID 2911, RES. 18-10766 APPROVED**
 - I. SID 2912, RES. 18-10767 APPROVED**
 - J. SID 2913, RES. 18-10768 APPROVED**
 - K. SID 2914, RES. 18-10769 APPROVED 10-1, EWALT OPPOSED**

Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

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.)

- **Jason Smith, 4515 Palisades Park, Billings, Montana:** stated he would like to see the City change its business license policy regarding medical marijuana businesses. He gave Council a handout referring to Bozeman's medical marijuana ordinances and business license policy.

COUNCIL INITIATIVES:

- None

ADJOURN: 7:36 pm