

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

AGENDA

COUNCIL CHAMBERS

March 28, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Clark

ROLL CALL – Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Cimmino, McFadden, Ruegamer, McCall, Ulledalen, Astle, Clark

MINUTES:

- February 22, 2011 - Special Business Session Legislative Update - Approved
- February 28, 2011 - Special Business Session Legislative Update - Approved
- March 7, 2011 - Special Business Session Legislative Update - Approved
- March 14, 2011 - Regular Business Session - Approved
- March 21, 2011 - Special Business Session Legislative Update - Approved

COURTESIES: Councilmember Gaghen was recognized for ‘getting the Purple 5K Run off to a good start’ the previous Sunday; and Councilmember Ruegamer, Library Director Bill Cochran, and Mayor Hanel’s wife, Robin Hanel, were recognized as participants.

PROCLAMATIONS: None

ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek advised the weekly report from Lobbyist Ed Bartlett had been e-mailed to the City Council that morning. She said a copy of the report was filed in the ex parte notebook and placed on the Council desks that evening.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item #1 and #6B ONLY.
Speaker sign-in required. (Comments offered here are limited to one (1) minute per speaker. Please sign up on the clipboard located 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.)

The public comment period was opened. There were no speakers, and the public comment period was closed.

Legislative Review Conference Call with Lobbyist Ed Bartlett

1. CONSENT AGENDA -- Separations: B, G, Q1 & Q2

A. Bid Awards:

1. 2011 Aerial Truck for Street/Traffic Division. (Opened 3/22/11)
Recommend delay of award until 4/11/11. **Approved**

B. Professional Services Contract for Work Order 11-08, Water Treatment Facility 2011 Transfer Pump Replacement; HDR Engineering; \$71,900. **Approved 10-0.**
Councilmember Cimmino recused herself from the vote due to her employment with HDR Engineering.

C. Certified Local Government Program Contract with the State of Montana Historic Preservation Office activities; \$5,500. Local matches: City of Billings Planning Division - \$1,031; Yellowstone County - \$1,000; City of Laurel - \$469. **Approved**

D. Contract with AECOM Technical Services (ATS) of Seattle, WA for development of a Master Plan for the South Billings Boulevard Urban Renewal District; \$275,000. **Approved**

E. CTEP Project Specific Agreement Modification for the Jackson Street Sidewalk II Project. **Approved**

F. CTEP Project Specific Agreement for the North Broadway Sidewalk - Northern Hotel Project; available funding - \$207,397. **Approved**

G. CTEP Project Specific Agreement for the 25th Street Pedestrian Bridge Project; available funding - \$830,00. **Approved 9 to 2. Councilmembers Ronquillo and McFadden voted 'no'.**

H. Approval of Application Submittal for Summer Associates Program through existing AmeriCorp*VISTA Project. **Approved**

I. Approval of South Billings Urban Renewal Association request to allocate \$15,000 from the South Billings Boulevard Tax Increment Finance account to cover existing and anticipated administrative expenses. **Approved**

J. Approval of Semi Annual Investment Report. **Approved**

K. Approval of Quarterly Report for Pledged Collateral for First Interstate Bank Certificates of Deposit, US Bank Certificates of Deposit, and US Bank Repurchase Account. **Approved**

L. Acknowledge receipt of petition to vacate portions of street right-of-way in Grand Peaks Subdivision; J & S Development Company, owner; and set a public hearing date for April 25, 2011. **Approved**

M. Acceptance of an additional \$9,140 for the U. S. Department of Homeland Security Grant for City of Billings Bomb Squad training and equipment; bringing total grant amount to \$48,000. (original grant approval on 1/10/11 for \$38,860) **Approved**

N. Resolution #11-19041 approving Billings Baseball Preservation Society proposed concept for a baseball museum at Dehler Park. **Approved**

O. Resolution of Intent to Create SID 1392 #11-19042 and Park Maintenance District 4040 #11-19043 - Improvements to Yellowstone Family Park, and set a public hearing date for April 25, 2011. **Approved**

P. Final Plat Approval - Grand Peaks Subdivision, 2nd Filing. **Approved**

Q. Bills and Payroll:

1. **February 25, 2011 – Approved 10-0. Councilmember Cimmino recused herself from the vote.**

2. **March 4, 2011 – Approved 10-0. Councilmember Cimmino recused herself from the vote.**

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #11-19044 vacating portions of Shaw Circle in Twin Oaks Subdivision, 2nd Filing. Twin Oaks Corporation, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

3. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #873: A zone change request from Planned Development – Neighborhood Commercial with Restrictions to Planned Development – Neighborhood Commercial without the restrictions on a 25,600 square foot parcel of land described as Lot 4, Block 2, Rocky Village Subdivision located at 1648 Poly Drive. Rocky Mountain College, owner; Thomas Smith of Moulton Bellingham, representative. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

4. PUBLIC HEARING AND SPECIAL REVIEW #888: A special review for an all-beverage license with gaming in a Highway Commercial zone on a 17,808 square-foot parcel of land described as Lot 1, Cipech Subdivision, and Tracts C, D, & U of Certificate of Survey 59, generally located at 1214 Main Street (former Diamond Jubilee Casino). Bernard Harrington (OFLS, LLC), owner; Bob Pulley, Elite Realty-agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

5. PUBLIC HEARING AND RESOLUTION #11-19045 approving the FY2012-2016 Capital Improvement Plan (CIP); Equipment Replacement Plan (ERP); and Technology Replacement Plan (TRP). Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

6. Rocky Mountain College Energy Performance Project Revenue Bonds

A. PUBLIC HEARING AND RESOLUTION #11-19046 granting approval of revenue bonds for the Rocky Mountain College Energy Performance Project. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

B. RESOLUTION #11-19047 authorizing the issuance and sale of a \$2,610,868 Higher Education Revenue Note, Series 2011, for the Rocky Mountain College Energy Performance Project, approving the form and authorizing the execution and delivery of the note and documentation. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda; comments limited to three (3) minutes per speaker. Please sign up on the clipboard located at the podium.*)

The public comment period was opened.

- **Jim Berg, 233 Wicks Lane**, referenced the part of the Agreement between CableVision and the City of Billings that stated there would be no fee increases and asked the Council if they were aware that Cablevision had increased their fees. He said he felt it was a breach of the agreement. City Administrator Tina Volek said they had been made aware of the fee increases and would be looking into the situation.

COUNCIL INITIATIVES - None

ADJOURN: The meeting adjourned at 8:50 p.m.