

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 24, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Astle

ROLL CALL – Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Stevens, Veis, Ruegamer, McCall, Ulledalen, Astle, and Clark.

MINUTES – **February 25, 2008**, approved as distributed

March 10, 2008, approved as distributed

COURTESIES - None

PROCLAMATIONS - World Water Day – March 29, 2008

Parkinson's Disease Awareness Month – April 2008

Parkinson's Disease Awareness Day – April 11, 2008

ADMINISTRATOR REPORTS – Tina Volek

- City Administrator Tina Volek advised Consent Agenda 1A3, the King Avenue Lift Station Bid, came in considerably higher than anticipated; and staff was asking that Council reject all bids on the item. She said the project would be re-bid in the spring.
- Ms. Volek reviewed the following agenda items forwarded to the City Council in their Friday packets and available in the Ex-parte Notebook in the back of the room for public viewing.
 - ✓ Item M – Pages 5 & 6 of Attachment A - Amendment #6, were inadvertently left out of the Amendment as originally distributed.
 - ✓ Item N1 – Attachment A – Assignment and Transfer of a Non-Commercial Ground Aviation Ground Lease.
 - ✓ Item 5 - Attachment I – Deed Restriction Conditions
- Ms. Volek advised Monday, March 31st, was the 5th Monday of the month, so there would be no Agenda Review Meeting that following evening. She said the next Agenda Review Meeting would be held April 1st for the April 14th Council meeting.

- Ms. Volek advised the City Council was invited to a noon luncheon Friday, March 28th, at the Crown Plaza with the Fire Chief candidates.
- Ms. Volek advised that on Monday, March 31st, at 6:00 p.m., a training session for new councilmembers would be held in the City Hall Conference Room.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 4, 5 and 6 ONLY. Speaker sign-in required. (Comments offered here are limited to 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.)

(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

- **Joe White, Billings, MT**, said he had no problem supporting the Salvation Army parking variance; but he had a concern with the 3-story building they planned to construct.
- **Dick Larson, 1733 Parkhill**, said he represented the Lockwood Water & Sewer District and was available to answer any questions on Agenda Item #4.

CONSENT AGENDA: Separations: 1A3, 1E, 1O, 1P

1. A. Bid Awards:

(1) **Phase 3 Landfill Expansion.** (Opened 3/11/08) Recommend delay of award until April 14, 2008.

(2) **W.O. 08-05, King Avenue East Water Main.** (Opened 3/11/08) Recommend COP Construction, \$148,167.00.

(3) **W.O. 08-06, King Avenue Lift Station.** (Opened 3/11/08) Recommend Williams Brother Construction, \$1,921,000.00. **Staff recommendation to reject all bids was unanimously approved.**

B. Change Order #1 – Airport Improvement Program (AIP) 33 Project, Taxiway “A” Drainage and Rehabilitation, Western Municipal Construction, \$33,052.67 increase.

C. Change Order #1 – Airport Improvement Program (AIP) 33 Project, Taxiway “A” Drainage and Rehabilitation, Riverside Sand and Gravel, \$39,405.30 deduction.

D. Change Order #1 – Airport Improvement Program (AIP) 33 Project, Runway 7/25 Overlay, Riverside Sand and Gravel, \$70,405.29 deduction.

E. Change Order #4 – New Baseball and Multi-Use Stadium Sound System, \$84,950.00, paid for from the Construction Fund. Approved 10 to 1. Councilmember Veis voted ‘no’.

F. Contract with Reporter Office Products to provide paper and office supplies, \$250,000.00 (annual estimate), One-year contract with two, one-year options to renew.

G. Agreement with Jon Dehler for exclusive naming rights of the new ballpark in consideration of his \$1 million donation to the ballpark construction, 20-year term.

H. Agreement with Exxon/Mobil for the 2008 Exxon EPA Emissions Reduction Plan, funding an equipment replacement project with the Department of Parks, Recreation & Public Lands, \$300,000.00.

I. Agreements (3) with Montana Department of Transportation (MDT) for realignment and signalization improvements to the Moore Lane-Monad Road Intersection; and reconstruction and new crossing signals to the Moore Lane Railroad Crossing.

- (1) MDT and City of Billings - Construction Agreement for City-Maintained Routes
- (2) MDT, City of Billings, and Montana Rail Link, Inc. - Construction and Maintenance Agreement
- (3) MDT, City of Billings, and Montana Rail Link, Inc. – Grade Crossing Signals Tri-Party Agreement

J. Amendment #3, Airport - 2008 Miscellaneous Improvements, Engineering Services Contract (5-year term), Morrison-Maierle, Inc., \$137,698.00.

K. Amendment #4, Airport Improvement Program (AIP) 34 Project, Engineering Services Contract (5-year term), Morrison-Maierle, Inc., Staff recommends delaying approval until April 14, 2008.

L. Amendment #6, Airport Operations Center Storage Mezzanine, Architectural Services Contract (5-year term), CTA Architects Engineers, \$6,630.68.

M. Amendment #6, W.O. 04-36 Briarwood Sanitary Sewer Main Extension, Professional Engineering Services Contract, Morrison-Maierle, Inc., \$436,209.00.

N. (1) Assignment and Transfer of Non-Commercial Aviation Ground Lease from Rocky Mountain Bancorporation, Inc. to BVDS, Inc.

(2) Approval of 20-year Limited Commercial Aviation Ground Lease with BVDS, Inc., (4/1/08-3/31/28); \$4,568.28 first year revenue, revenue for subsequent years according to Consumer Price Index for Urban Consumers.

O. Approval of Bikes Belong Grant Application for Swords Park Trail, Phase 2, \$10,000 maximum. **Mayor Tussing recused himself from the vote.** **Approved 10 to 0.**

P. Resolution of Intent to Create #08-18694 SID 1384, Yellowstone Country Club Sanitary Sewer Extension and set a public hearing date of April 14, 2008. **Mayor Tussing recused himself from the vote.** **Approved 10 to 0.**

Q. Rescission of Final Plat of Central West Subdivision.

R. Preliminary Subsequent Minor Plat of Brookshire Subdivision. Conditional approval and adoption of Findings of Fact.

S. Bills and Payroll.

- (1) February 22, 2008
- (2) February 29, 2008

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION #08-18695** vacating a portion of alley within Block 261 of Billings Original Town for a value of \$3,125.00. Turnbull ITC, LLC, owner and petitioner. Staff recommends approval. **(Action:** approval or disapproval of staff recommendation.) **Approved.**
3. **PUBLIC HEARING** on Reallocation of CDBG Funds for Skate Park Restroom Building. Staff recommends approval. **(Action:** approval or disapproval of staff recommendation.) **Approved.**
4. **LOCKWOOD SEWER DISTRICT WASTEWATER AGREEMENT.** Staff recommends approval. **(Action:** approval or disapproval of staff recommendation.) **Approved 7 to 4. Councilmembers Clark, Ulledalen, Ronquillo, and Stevens voted 'no'.**
5. **SITE DEVELOPMENT ORDINANCE VARIANCE #OP-08-01:** A variance from the Site Development Ordinance, Section 6-1203(j), concerning the required number of off-street parking stalls on Lots 11-18, Block 262, Billings Original Town, generally located at 2016 6th Avenue North. Staff recommends approval of the variance request with conditional deed restrictions. Action postponed until March 24, 2008. **(Action:** approval or disapproval of Staff recommendation.) **Approved.**

6. **FIRST READING ORDINANCE FOR ZONE CHANGE #831:** A zone change from Controlled Industrial to Central Business District in an area with general boundaries from the east side of North 25th Street to North 20th Street, and the south side of 6th Avenue North generally south to the railroad right-of-way. Public Hearing was held on January 28, 2008; action delayed until February 25, 2008. Staff recommends withdrawing the application and allowing the Salvation Army to pursue the variance request. (**Action:** approval or disapproval of Staff recommendation.) **Withdrawal unanimously approved following approval of Item #5.**
7. **PUBLIC COMMENT on Non-Agenda Items -- Speaker sign-in required.** (*Restricted to ONLY items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.*) **There were no speakers.**

Council Initiatives - None

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

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<http://ci.billings.mt.us>