

## COUNCIL ACTION SUMMARY

### CITY OF BILLINGS

#### CITY OF BILLINGS VISION STATEMENT:

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

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#### AGENDA

COUNCIL CHAMBERS

May 29, 2012

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Cromley

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Pitman, Cimmino, McFadden, Bird, McCall, Ulledalen, Astle, and Crouch. CM Ronquillo was excused.

**MINUTES:** May 14, 2012 - **Approved**

**COURTESIES:** None

**PROCLAMATIONS:** Purple Heart City

#### ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following items:

- Item 8, Labor Contract with International Association of Firefighters: Council received copy in May 25 Friday Packet. Copy filed in ex parte notebook.
- Item 2, Public Hearing and Resolution Creating SID 1393, Fritz Subdivision: handout from resident placed on Council's desk.
- Reminder of budget work session scheduled for May 30 at 5:30 p.m.

#### **PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 & #8 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to one (1) minute.

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.

1. **CONSENT AGENDA** -- Separations: 1A1, 1A2, 1A4, C, K1 & K2

A. **Bid Awards:**

1. **W.O. 12-23 Wastewater Treatment Plant Headworks Backup Power and West Mechanical MCC-B5 Improvements.** (Opened 5/29/2012) Recommend delay of award until June 11, 2012. **Approved 9 to 0. CM Cimmino abstained.**

2. **W.O. 12-28 Water Treatment Plant Transformer Replacement.** (Opened 5/29/2012) Recommend delay of award until June 11, 2012. **Approved 9 to 0. CM Cimmino abstained.**

3. **W.O. 11-16 Wastewater Treatment Plant Digester Cleaning.** (Opened 5/29/2012) Recommend delay of award until June 11, 2012. **Approved**

4. **W.O. 12-10 Broadwater Trail Connection and Will James Alternate.** (Opened 5/29/2012) Recommend delay of award until June 11, 2012. **Approved**

B. **Contract** for purchase of two (2) Tuthill Blowers, Model 9020-69R2, Vertical, Double Envelope, 2-Lobe Rotors for the Wastewater Treatment Plant; Kirst Engineering, Co.; \$58,852. **Approved**

C. **Contract** with A & E Architects for construction management services for the new public library building; \$209,410. **Approved**

D. **Contract** with OAC Services, Inc. for project management of the Empire Parking Garage; not to exceed \$419,401. **Approved**

E. **Contract** with Sundown Security for city parking garages (2-year with one year option to renew at same annual rate); \$24,000/year, plus \$19.50/hour extra call-out rate. **Approved**

F. **Approval** of purchase of telephone system upgrades at Public Works-Belknap and Billings Operations Center sites; Black Box Network Services; \$53,057.82. **Approved**

G. **Resolution #12-19160** allocating \$1,000 of Council Contingency Funds to the Human Relations Board for public relations expenses. **Approved**

H. **Resolution #12-19161** correcting the boundary description for Downtown Business Improvement District 001. **Approved**

**I. Acknowledge receipt of petition to vacate the alley within Block 49, Foster's Addition, generally located between North Broadway and North 29th Street south of 6th Avenue North for the purpose of constructing a new library building; and setting a public hearing for June 25, 2012. **Approved****

**J. Second/Final Reading Ordinance #12-5568** expanding Ward II (Annexation #12-02) for three parcels totaling approximately 0.85 acres described as Lots 1, 2, and 3 of Skinner Subdivision and located at 325 and 337 Lincoln Lane. Brent Nelson, owner. **Approved**

**K. Bills and Payroll:**

- 1. April 30, 2012 Approved 9 to 0. CM Cimmino abstained.**
- 2. May 7, 2012 Approved 9 to 0. CM Cimmino abstained.**
- 3. October 1, 2011 - March 31, 2012 (Municipal Court) Approved**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND RESOLUTION #12-19162 CREATING SID 1393:** curb and gutter, drive approaches, storm drain and street improvements to Cottonwood Boulevard in Fritz Subdivision. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

**3. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #895:** a text amendment to Billings, Montana City Code (BMCC) Section 27-615 (c); Section 27-615 (d) – Visibility at Intersections, and Section 27-618 – Figure 1a. and Figure 1b., deleting and adding language to clarify the regulation. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

**4. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #896:** a text amendment to Billings, Montana City Code (BMCC) Section 27-601 (a) – Parking and Storage Restrictions, deleting language and adding language to clarify the regulation requirinig setbacks for recreational vehicles parking or stored in driveways in residential zoning districts. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

**5. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #897:** a text amendment revising Billings, Montana City Code (BMCC) Section 27-612 – Supplemental Commercial Development Standards, by adding Section 27-612(e) and Section 27-309 deleting and adding language to establish standards for compatibility between residential uses and new commercial uses. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

**6. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #898:** a text amendment to Billings, Montana City Code (BMCC) revising Section 27-604 – Fences, Walls and Hedges, and Section 27-618 Figure 6. - Illustrations, deleting and adding language to clarify the regulation. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)

**Approved**

**7. PUBLIC HEARING AND SPECIAL REVIEW #899:** a special review for the location of a day care center in a Residential 9,600 zone on a 16,843 square foot parcel legally described as Lots 1 & 2, Block 20, Kober Subdivision, 4th Filing, and located at 1702 Colton Boulevard. Sunday Creek Land Company, LLC, owner; Tom Llewellyn, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved to include the condition that the gate facing Solomon Avenue remains locked during business hours.**

**8. APPROVAL** of 2-year labor contract with the International Association of Firefighters (IAFF) Local 521 (7/1/11- 6/30/13). Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved 9 to 1. CM Ulledalen voted in opposition.**

**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 up on the clipboard located at the podium.*)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, asked for an update on the sandblasting, dust and noise from the business operations on Orchard Lane. He said even though the property was located in the county, the city had an obligation to make sure residents lived in a clean and healthy environment.

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

**COUNCIL INITIATIVES** None

**ADJOURN** 9:00 p.m.

*Additional information on any of these items is available in the City Clerk's Office.*

*Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Cari Martin, City Clerk, at 657-8210.*