

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

November 13, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Astle

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

MINUTES:

- October 9, 2012 - **APPROVED**
- October 22, 2012 - **PENDING**

COURTESIES:

- Mayor Hanel recognized all military men, women, and families for their dedication and sacrifices in honor of Veteran's Day.
- Mayor Hanel recognized former Councilmember and Aviation & Transit Board Member, Norm Koplin; and Bruce Putman, former Director of Aviation & Transit, who both had recently passed away.
- Leslie Modrow, Parmly Billings Library Foundation Development Director, advised the library, in partnership with School District #2, had been chosen to receive a \$100,000 grant from the Institute of Museum and Library Services and the MacArthur Foundation to help develop and equip a learning lab where young people could connect with mentors and peers, as well as new media and traditional materials to pursue their interests and connect new skills to academics, career and civic engagement.
- Jeff Ewelt, ZooMontana Director, provided an update on the events at the zoo. He introduced Troy Paisley, the new Education Director, who talked about several educational programs. Mr. Ewelt and Mr. Paisley introduced a couple of Madagascar Hissing Cockroaches, who were residents of the zoo's Living Wall.

PROCLAMATIONS: None

ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following item:

- Item 5 – Amendment to the April 13, 2009, agreement between City of Billings and the Billings Industrial Revitalization District changing the status of the Tax Increment Finance District Coordinator:
 - ✓ Copy of letter, dated October 19, 2012, from Billings Industrial Revitalization District sent via mail to Mayor & Council.
 - ✓ Copy of revised staff report sent to Mayor & Council in the November 9th Friday packet.
 - ✓ Copy of e-mail from Marty Connell sent to Mayor & Council on November 12.
 - ✓ Copy of letter from Matthew McDonnell sent to Mayor & Council via e-mail on November 13.

Ms. Volek noted all items were filed in the ex-parte notebook for public review.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item #'s 1, 5, and 6 only.

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

Please sign up on the clipboard located at the podium or in the back of the room. 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.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, referenced Item 5 and recommended the combination all of the TIF Districts with the Mayor appointing a board to oversee all of them. He said there was approximately \$3 million in revenues with nearly \$500,000 expended on administration. He said the administration costs should only be 10% or \$300,000.
- **Marty Connell, Billings Industrial Revitalization Board President**, referenced Item 5 and said they did not need an administrator to run the districts. He said it took community and landowner involvement to get the enthusiasm and help build the tax base.

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

1. **CONSENT AGENDA** -- Separations: **1A5**

A. **Bid Awards:**

1. **Airport Wheel Loader.** (Opened 10/23/12) Recommend RDO Equipment Company; \$207,650. **APPROVED**

2. **Water Treatment Facility Roofs.** (Opened 10/23/12) Recommend Donaldson Construction and Roofing, Inc.; \$63,900. **APPROVED**
3. **Purchase of Two Solid Waste Cabs and Chassis.** (Opened 10/23/12) Recommend I-State; \$283,973. **APPROVED**
4. **Purchase of 14 City Vehicles in Car and Light Truck Class.** (Opened 10/23/12) Recommend Bid Schedules I, IV, VII, VIII, IX and XI with trades to Denny Menholt Chevrolet of Billings for \$227,002.68; Bid Schedules III, VI and X with trades to Archie Cochrane Ford of Billings for \$55,187; and Bid Schedules II & V with trades to Bison Ford of Great Falls for \$39,177.23. **APPROVED**
5. **W.O. 11-11, Water Treatment Facility Rapid Mixer System Improvements.** (Opened 10/30/12) Recommend COP Construction; \$953,000. **APPROVED 10 TO 0.**
CM CIMMINO ABSTAINED.

- B. **Change Order #2 - Empire Garage,** OAC Services; \$50,962. **APPROVED**
- C. **Compensation Agreement** for Private Contract No. 639 - Legends West Subdivision; \$38,783.50. **APPROVED**
- D. **Library RFID Conversion and Upgrade Project Agreement for Phase I,** with 3M Library Systems; \$119,765. **APPROVED**
- E. **Acceptance of Donation** of property located at 634 Bench Boulevard from Eileen Stoltz Stumpf as part of the Bench Boulevard North-Phase I Project; estimated value - \$11,000. **APPROVED**
- F. **Approval of Application for State Revolving Fund Loan** for W.O. 12-05, 5-Mile Creek Lift Station; \$3,450,000. **APPROVED**
- G. **Acceptance** of a Department of Justice grant for \$200,000 over a 2-year period and a Substance Abuse and Mental Health Services Administration grant for \$971,630 over a 3-year period for the Billings Adult Misdemeanor Treatment Courts. **APPROVED**
- H. **Resolution #12-19235** relating to \$4,385,000 General Obligation Refunding Bonds, Series 2004A and 2007B, determining the form and details and authorizing the execution and delivery of the bonds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- I. **Second and Final Reading Ordinance #12-5589** amending Article 23-600 of the City of Billings Subdivision Regulations bringing the Regulations into compliance with the Montana Subdivision and Platting Act. **APPROVED**
- J. **Final Plat** of Josephine Crossing Subdivision, 3rd Filing. **APPROVED**

K. Bills and Payroll: APPROVED

1. October 9, 2012
2. October 15, 2012
3. October 22, 2012

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #12-19236 AS PART OF

ANNEXATION #12-07: Property described as a 30-foot-wide petitioned county road easement covering approximately 0.167 acres along the front of Tract 1A, Certificate of Survey 2990, and located on the south side of Grand Avenue just west of the Grand Avenue and 48th Street West intersection. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. PUBLIC HEARING AND FIRST READING ORDINANCE amending the Expanded N. 27th Street Urban Renewal Plan to include a Retail Retention and Recruitment Program as a project eligible for tax increment financing. Downtown Billings Alliance recommends approval. (Action: approval or disapproval of Downtown Billings Alliance recommendation.) **APPROVED**

4. PUBLIC HEARING AND FIRST READING ORDINANCE repealing Sections 2-533 through 2-535 of the Billings, Montana Municipal Code, disbanding the Emergency Services Board. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 8 TO 3. CM PITMAN, CIMMINO AND BIRD VOTED IN OPPOSITION.**

5. AMENDMENT to the April 13, 2009, agreement between the City of Billings and the Billings Industrial Revitalization District (BIRD) changing the status of the Tax Increment Finance District (TIFD) Coordinator from a City position to a private, contract position. Staff recommends action be postponed until the December 17, 2012, council meeting. (Action: approval or disapproval of staff recommendation.) **APPROVED THE PROPOSED AMENDED AGREEMENT 10 TO 1. CM CIMMINO VOTED IN OPPOSITION.**

6. APPROVAL of draft letter to the Montana Districting and Apportionment Commission (DAC) submitting comments on the Commission's tentative House District Plan for the DAC's November 15 public hearing. 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 here are limited to 3 minutes. Please sign up on the clipboard located at the podium or in the back of the room.*)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, asked why the SBURD meeting held on Friday night was not advertised. He said the public needed to be noticed on any type of meeting.

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

COUNCIL INITIATIVES - None

ADJOURN: 7:58 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.