

## 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

January 28, 2013

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Mayor Hanel

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

**MINUTES:** January 14, 2013 **APPROVED**

**COURTESIES:**

- Police Chief Rich St. John recognized the Police Department 2012 Medal and Annual Awards Recipients.
- Mayor Hanel recognized the Billings Fire Fighters for their winter coat contributions to Head Start.
- Mayor Hanel commended members of the Mayor's Committee on Homelessness, the various social services, and all other participants for a successful Billings Community Connect recently held at the Shrine Auditorium.
- Councilmember Ronquillo reported that Garfield School had been named to the National Register of Historic Places and read a brief history of the school.

**PROCLAMATIONS:** None

#### ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following items.

- **Item 4A, Empire Parking Garage Approval of Declaration of Unit Ownership and Owners Association Bylaws.** Final versions of Bylaws, Declaration of Unit Ownership, and Owners Association Articles of Incorporation were sent in the January 25<sup>th</sup> Friday Packet. Copies are filed in the ex parte notebook.

- **Item 4B, Empire Parking Garage Approval of Amendment #1 to Northern Hotel Development Agreement.** Copy of Amendment to Development Agreement was sent in the January 25<sup>th</sup> Friday Packet. Copy is filed in the ex-parte notebook.
- **Item 4C, Empire Parking Garage Approval of Amendment to City-Zootist Option Agreement and Lease, Valet Parking Proposal, and Skybridge Operation and Maintenance Proposal.** Copy of Amendment to Option Agreement and Lease on Council's desk. Copy is filed in the ex-parte notebook.
- **Item 4D, Empire Parking Garage Parameters Resolution for Tax Increment Urban Renewal Revenue Bonds.** Final resolution sent in January 25<sup>th</sup> Friday Packet. Copy is filed in the ex-parte notebook.
- **Weekly Legislative Report.** Copy on Council's desk and filed in the ex-parte notebook.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #3, #4A, #4B, #4C & #4D ONLY. Speaker sign-in required.** (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or 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: None

A. **Bid Awards:**

1. **W.O. 13-03, #1, 2013 Street Maintenance Program, City Overlay.** (Opened 1/22/2013) Recommend delay of award until February 11, 2013. **APPROVED**

B. **Professional Services Contract** for System Development Fees and Water Re-Sale Rate Study; CDM Smith, Inc.; \$103,550. **APPROVED**

C. **Contract** with High Tech Construction Company, Inc.; Rose Park Pool Improvements; not to exceed \$270,000. **APPROVED**

D. **Law Enforcement Officer Reimbursement Agreement #HSTS0213HSLR757** with Transportation Security Administration (TSA) **accepting** partial reimbursement for 3-year program and **authorizing** Mayor to execute Statement of Joint Objectives (SOJO); first year reimbursement - \$116,800. **APPROVED**

E. **Amendment #1, Airport Building and Ground Leases** with State of Montana Department of Natural Resources (DNRC) and Department of Environmental Quality (DEQ); additional revenue for remaining year of leases - \$7,406.81. **APPROVED**

**F. Amendment #2, W.O. 10-29, Wastewater Treatment Plant West Mechanical Motor Control Centers (MCC) Replacement.** Professional Services Contract, HDR Engineering, Inc.; \$10,900. **APPROVED**

**G. Recommendation of approval** to Policy Coordinating Committee (PCC) for Amendment I of 2012-2016 Transportation Improvement Program (TIP). **APPROVED**

**H. Recommendation of approval** to Policy Coordinating Committee (PCC) for Urban Boundary Update. **APPROVED**

**I. Approval and acceptance** of additional United Way of Yellowstone County Grant Funds for Enforcing Underage Drinking Laws (EUDL); \$14,079.58. **APPROVED**

**J. Resolution of Intent #13-19239** to construct W.O. 09-20, Rimrock Road from Forsythia Boulevard to Shiloh Road; street widening, curb/gutter, sidewalk, drive approaches, street lights, and other miscellaneous items; and set a public hearing date for February 25, 2013. **APPROVED**

**K. Second/Final Reading Ordinance for Zone Change #906:** A zone change from Residential Multi-family-Restricted (PD-RMF-R) to Planned Development – Neighborhood Commercial (PD-NC) on a 45,950 square foot parcel of land described as Lot 2, Block 28, Harvest Subdivision, 3rd Filing, generally located at 3225 Rosebud Drive. Terry Havener, Susan Havener, Brittany Evans, Kimberly Erbacher, John Erbacher, Folmer Christensen, and Mari Christensen, owners; R. L. McComish and Sanderson Stewart, agents. Approval of the zone change and adoption of the determinations of the 10 criteria. **APPROVED**

**L. Preliminary Major Plat** of Trails West Subdivision, 2nd Filing, generally located on the south side of Grand Avenue just west of 56th Street West; conditional approval of the plat and adoption of the Findings of Fact. **APPROVED**

**M. Bills and Payroll:**

1. January 7, 2013 **APPROVED**
2. January 14, 2013 **APPROVED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND SPECIAL REVIEW #902:** a special review to allow the demolition and reconstruction of a major portion of an existing church and installation of a new parking lot on property located in a Residential 7,000 zoning district legally described as Lots 1-7 & 15, Block 1, Lillis Subdivision, 2nd Filing, and Tracts 1 & 2, C/S 3112, and addressed as 1108 24th Street West. Lutheran Church of the Good Shepherd, owner; Alex Tommerup, AT Architecture, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED 6 TO 2. COUNCILMEMBERS**

**RONQUILLO, PITMAN, MCFADDEN, MCCALL, ASTLE, AND MAYOR HANEL VOTED IN FAVOR. COUNCILMEMBERS BIRD AND ULLEDALEN VOTED IN OPPOSITION.**

**3. 2012 CTEP PROJECT RECOMMENDATIONS TO POLICY COORDINATING COMMITTEE (PCC)** for funding of the Shiloh Conservation Area, Hope Church Sidewalk, Arrowhead School Safe Routes to School Trail, Poly Drive School Safe Routes to School, City-Wide Wayfaring and Directional Signage, Swords Park Trail Outlet (Boothill to Intersection of 6th Ave. N. & Hwy 87), and Ponderosa School Safe Routes to School Trail. Staff recommends formulating a recommendation of the CTEP projects to be taken to the Policy Coordinating Committee (PCC) meeting on February 19, 2013, by the City's PCC representative. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**4. EMPIRE PARKING GARAGE**

**A. APPROVAL OF DECLARATION OF UNIT OWNERSHIP AND OWNERS ASSOCIATION BYLAWS.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**B. APPROVAL OF AMENDMENT #1 TO NORTHERN HOTEL DEVELOPMENT AGREEMENT.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**C. APPROVAL OF AMENDMENT TO CITY-ZOOTIST OPTION AGREEMENT AND LEASE, VALET PARKING PROPOSAL, AND SKYBRIDGE OPERATION AND MAINTENANCE PROPOSAL.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**D. RESOLUTION #13-19240** outlining parameters for Tax Increment Urban Renewal Revenue Bonds for Empire Garage. 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 in at the cart located at the back of the council chambers or at the podium.*)

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

**COUNCIL INITIATIVES** None

**ADJOURN:** 8:57 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.*