

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE
PEOPLE PROSPER AND BUSINESS SUCCEEDS.”**

AGENDA

COUNCIL CHAMBERS

August 25, 2014

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Bird

ROLL CALL: Councilmembers present on roll call were: Cromley, Yakawich, Pitman, Cimmino, McFadden, Bird, McCall, Swanson, Crouch, and Brown.

MINUTES:

- July 28, 2014 - **APPROVED**
- August 11, 2014 (pending)

COURTESIES:

- Mayor Hanel said the Billings Clinic Classic was held the previous weekend. Despite the rain, there was a tremendous turnout, and the organizers had done an excellent job.
- Councilmember Pitman wished his daughter, Diandra, a happy 14th birthday.
- Councilmember Bird reminded everyone that school was starting and drivers needed to be aware of the children who would be walking to and from school.
- Councilmember Bird noted August 26th was Women's Equality Day. The observance commemorated the passage of the 19th Amendment in 1920.
- Councilmember Cimmino remembered Sue Hart, a local educator and published author, who passed away that day. She noted a memorial service was scheduled for 3:00 p.m. Thursday at Petro Hall, and mass was scheduled for noon on Friday at St. Pat's.
- Councilmember Crouch noted there would be a bench dedication in a Heights Park on September 6 in memory of Joan Hurdle.

PROCLAMATIONS: None

ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following items.

- **Item #3, Public Hearing and Resolution setting Park District 1 Assessments for Tax Year 2014.** The resolution included with the agenda packet incorrectly listed the public hearing as September 8, 2014, instead of August 25, 2014. The final resolution will reflect the correct date.
- **Item C, BUFSA Agreement with Yellowstone County.** Staff was suggesting an amendment to Page 2, Section 5 – TERM, as follows: This Agreement shall be effective on July 1, 2014, and shall terminate on June 30, 2019, approval and execution by the parties hereto and shall remain in effect unless renewed by the parties as provided herein.
- Due to the Labor Day Holiday, the work session was scheduled for Tuesday, September 2. There were no items on the agenda for September 2, and she asked if the Council would like to cancel. The Council agreed to cancel the work session.
- Department tours were being scheduled. She said if there were councilmembers who would like to go on any of the tours to let her know. Councilmember Cromley noted he would be interested.
- Council agreed to add a fourth Community Conversations date. The meeting would be held at a south side location to be determined on the evening of September 11.

Councilmember McCall noting she needed to leave the meeting moved for a map amendment for 2707 13th Street West from R-96 to R-60 and for the zone change, seconded by Councilmember Swanson. On a voice vote, the motion was unanimously approved.

NOTE: Councilmember McCall left the meeting at approximately 6:45 p.m.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 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: H, B, N1 and N2

A. Bid Awards:

1. Deicer/Anti-icer, Calcium Chloride Liquid. (Opened 8/12/2014) Recommend Brenntag Pacific; \$0.9275/gallon first year; years two and three based on mutual agreement of the City and the supplier. **APPROVED**

2. Striping and Road Markings for Nine Roundabouts on Shiloh Road and King Avenue. (Opened 8/12/2014) Recommend Arrow Striping & Manufacturing, Inc.; \$107,044. **APPROVED**

3. Winter Traction Material. (Opened 8/12/2014) Recommend Knife River; \$19.95/ton first year; years two and three based on mutual agreement of the City and the supplier. **APPROVED**

B. Adult Resource Alliance of Yellowstone County Funding Agreement Renewal (formerly Yellowstone County Council on Aging) for FY2014-2015; \$26,780. **APPROVED. CM CROMLEY ABSTAINED.**

C. BUFS Agreement with Yellowstone County; 2014 Fee - \$1,088,072. APPROVED AMENDING SECTION 5 – TERM, AS RECOMMENDED IN THE ADMINISTRATOR'S REPORT.

D. Montana Department of Natural Resources (DNRC) Cooperative Agreement with City of Billings Fire Department. **APPROVED**

E. Amendment #1, Airport Terminal and Land Use Planning Studies Agreement, Jacobs Consultancy/LeighFisher, Inc., \$245,467. **APPROVED**

F. Amendment to Subdivision Improvements Agreement for Vintage Estates Subdivision; Vintage Estates, LLC, owner; Sanderson Stewart, agent; no financial impact to the City. **APPROVED**

G. Recommendation of approval to the Policy Coordinating Committee for Draft 2015 Unified Planning Work Program. **APPROVED**

H. Acceptance of donation to Fire Department for purchase of fire safety/public education supplies; IAFF Local 521; \$750. **APPROVED**

I. Preliminary Plat Three-Year Extension for Amended Lot 4A, Block 2, Goodman Subdivision, 4th Filing; generally located on the southeast corner of 41st Street West and Avenue C; setting a new expiration date of August 22, 2017. **APPROVED**

J. Preliminary Major Plat of High Sierra Subdivision, 8th Filing, generally located north of Benjamin Boulevard, on both sides of High Sierra Boulevard in Billings Heights; High Sierra II, Inc., owner; Sanderson Stewart, engineer; conditional approval and adoption of the findings of fact. **APPROVED**

K. Preliminary Major Plan of High Sierra Subdivision, 9th Filing, generally located north of Annandale Road, west of Greenbriar Road in Billings Heights; High Sierra II, Inc., owner; Sanderson Stewart, engineer; conditional approval and adoption of the

findings of fact. **APPROVED**

L. Preliminary Major Plat of High Sierra Subdivision, 10th Filing, generally located north of Annandale Road, west of Greenbriar Road in Billings Heights; High Sierra II, Inc., owner; Sanderson Stewart, engineer; conditional approval and adoption of the findings of fact. **APPROVED**

M. Final Plat Approval

1. Zeiler Subdivision **APPROVED**
2. Hogan Homestead Subdivision, Amended Lot 4, Block 3 **APPROVED**
3. Winemiller Subdivision, Amended Lots 9 & 10 **APPROVED**

N. Bills and Payroll:

1. July 28, 2014 **APPROVED. CM BROWN ABSTAINED.**
2. August 4, 2014 **APPROVED. CM BROWN ABSTAINED.**

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #14-10388 setting tax year 2014 mill levy rates for Public Safety II Fund, General Obligation Debt Service Parks, General Obligation Debt Service Streets, General Obligation Debt Service Library, and General Obligation Debt Service Series A Baseball Stadium. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. PUBLIC HEARING AND RESOLUTION setting Park District 1 assessments for tax year 2014. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **DEFERRED ACTION UNTIL SEPTEMBER 22. SENT BACK TO THE PARKS DEPARTMENT FOR REASSESSMENT CLOSER TO \$1.8 MILLION.**

4. PUBLIC HEARING AND RESOLUTION #14-10389 FOR ANNEXATION #14-04: A parcel totaling approximately 12 acres located south of Elysian Road and just west of the existing Josephine Crossing Subdivision; Roman Catholic Bishop of Great Falls, owner; McCall Development, agent. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

5. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #921: A zone change from Public (P) to Planned Development (PD) Josephine Crossing – Residential Neighborhood on an un-platted 12.263 acre parcel of land directly west of the existing Josephine Crossing Planned Development. Roman Catholic Bishop of Great Falls, owner; McCall Development, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

6. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #922: A zone change from Residential Multi-family-Restricted (RMF-R) to Community Commercial (CC) on Tract 1, Certificate of Survey 979, a 2.5 acre parcel of land generally located at 1125 Lake Elmo Drive; Harvey Capital, LLC, owner; Sanderson Stewart, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

7. PUBLIC HEARING AND SPECIAL REVIEW #918: A special review to allow an all-beverage liquor license in a vacant tenant space in the Babcock Building located in the Central Business District at 116 N. Broadway; Babcock, LLC, owner; Bruce Harper, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission 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.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, distributed copies of county roads and parking lots that had been resurfaced using rotomillings. He asked staff to identify city streets and alleys where rotomillings could be used. He said the use of rotomillings would save the City a lot of money.

The following individuals spoke in favor of a Non-Discrimination Ordinance.

- **Marty Elizabeth Ortiz, 707 1st Street West, Billings, MT**
- **Daniel Mehreno, 527 St. Johns, Billings, MT**

The following individuals spoke in opposition of a Non-Discrimination Ordinance.

- **Abraham Madinger, 226 Terry Avenue, Billings, MT**
- **Mark Hall, 3952 Chamberlain, Billings, MT**

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

COUNCIL INITIATIVES

- **Pitman:** MOVED to direct staff to bring discussion to a work session in the near future involving tow trucks, street parking and first responders, seconded by Councilmember McFadden. On a voice vote, the motion was approved 9 to 1. Councilmember Cromley noted he would not vote in favor of the initiative because 24-hour notice was not provided.

ADJOURN: 9:07 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.