

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

December 15, 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, Swanson, and Crouch. Councilmembers McCall and Brown were excused.

MINUTES: December 8, 2014 (pending)

COURTESIES: None

PROCLAMATIONS: None

ADMINISTRATOR REPORTS - TINA VOLEK

- **Item E – Approval of Tax Increment Financing Assistance from South Billings Boulevard Urban Renewal District to Big Sky King Properties, LLC for public improvements associated with the development of a Popeye's Louisiana Chicken quick-serve restaurant near the corner of King Avenue East and South Billings Boulevard.** Council received e-mails dated December 15, 2014, from Ed Hostettler, Jeff Meide, J.W. Westman, Brian Lee, and Tom Zurbuchen speaking in opposition. Copy of the e-mails were filed in the ex-parte notebook.
- **Item F – Approval of Tax Increment Financing Assistance from South Billings Boulevard Urban Renewal District to South Billings Urban Renewal Association in collaboration with Orchard School, Billings Clinic, and RiverStone Health for development of a school-based health care center inside Orchard School.** Development Agreement has been modified to include School District #2 as a party to the Agreement. No substantive changes were made. Copy of the modified agreement was filed in the ex-parte notebook.

- **Item 3 – Public Hearing and Resolution creating SID 1382 for Colton Boulevard improvements between 38th Street West and Zimmerman Trail and approval of the professional services contract with Kadrmas, Lee, and Jackson, Inc. for \$162,780.** Council received protest letters via e-mail from the City Clerk from Marlene Ross, Clark Swan, Lewis R. and Sandra Schoenberger, Gloria Herab, Daimon and Amber DeLeon, and J.R. and Melissa Archilla. Copies of the protest letters were filed in the ex-parte notebook.
- Ms. Volek reminded everyone this was the last business meeting of 2014, and the first work session of 2015 was scheduled for January 5.

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.)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, referenced Items E and F. He believed Item F was a worthy project even though there was an interrogation of District 2 and RiverStone Health for almost two hours. They were run up and down the flagpole so many times they wore the rope out. But then when corporate America showed up, there was hardly any discussion; and the Board approved the \$70,000 corporate welfare to the chicken-burning outfit. Mr. Nelson asked whatever happened to less government and lower taxes; a hand up instead of a hand out, because it was just another handout to another business that would put more \$9 an hour jobs on the street. If they were going to give incentives to businesses, the businesses should produce well-paying jobs.
- **Steve Zeier, 5415 Summerstone, Billings, MT**, referenced Items E and F. He said he was present on behalf of the South Billings Urban Renewal Association, and he respectfully disagreed with Mr. Nelson. They were both worthy projects and a good investment of tax increment dollars. He said board members and the applicants were present and available to answer questions.
- **John Felton, 1614 Bronco Drive, Billings, MT**, referenced Item F and said he was the CEO of RiverStone Health. He thanked the urban renewal district and the Council for consideration. It was a school-based health center for Orchard School and a marvelous partnership of RiverStone Health, Billings Clinic, and School District #2 to bring healthcare to kids for whom access was a huge problem. There was ample evidence that getting kids off to a good start with good health was a great first step for the economy.
- **Matthew Colebank, 2029 Cook Avenue, Billings, MT**, referenced Item E and said he was the Managing Director and Chief Operating Officer for Big Sky King, and he was available to answer questions. He advised their investment into the project was approximately \$2.4 million.

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

1. **CONSENT AGENDA** -- Separations: 1A1, D, E, F

A. **Mayor Hanel recommends that Council confirm the following appointments:**

	Name	Board/Commission	Term	
			Begins	Ends
1	Mark Astle	Aviation & Transit Board	01/01/15	12/31/18
2	Ron Spence	Aviation & Transit Board	01/01/15	12/31/18
3	No Applications	Billings BID	01/01/15	12/31/18
4	No Applications	Board of Appeals - Electrical	01/01/15	12/31/17
5	No Applications	Board of Appeals	01/01/15	12/31/18
6	No Applications	Board of Appeals	01/01/15	12/31/18
7	Sandra McKee	Board of Ethics	01/01/15	12/31/18
8	Michael Downing	Board of Ethics*	01/01/15	12/31/15
9	John Dorr MD	Board of Health	01/01/15	12/31/17
10	Katrina Kruger	Community Development - Low Mod	01/01/15	12/31/18
11	Patt Leikam	Community Development - Low Mod	01/01/15	12/31/18
12	Kathleen Candelaria	Community Development - Low Mod	01/01/15	12/31/18
13	No Applications	Community Development - Low Mod	01/01/15	12/31/18
14	No Applications	Community Development	01/01/15	12/31/18
15	Dana Bishop	Exchange City Golf Course	01/01/15	12/31/17
16	Michael Samson	Housing Authority	01/01/15	12/31/19
17	No Applications	Housing Authority - Resident Comm	01/01/15	12/31/19
18	No Applications	Housing Authority - Resident Comm*	01/01/15	12/31/15
19	Diane Foley	Human Relations Commission	01/01/15	12/31/18
20	Charleen Sleeper	Human Relations Commission	01/01/15	12/31/18
21	Chelsie Guilford	Human Relations Commission	01/01/15	12/31/18
22	No Applications	Human Relations Commission	01/01/15	12/31/18
23	Jeana Lervick	Library Board	01/01/15	12/31/18

24	No Applications	Mayor's Homelessness - Lending*	01/01/15	12/31/16
25	Johnnie McClusky	Mayor's Homelessness - Lending	01/01/15	12/31/18
26	Gene Culver	Mayor's Homelessness - Housing	01/01/15	12/31/18
27	No Applications	Mayor's Homelessness - Librarian	01/01/15	12/31/18
28	Lisa Donnot	Mayor's Homelessness - Faith Based	01/01/15	12/31/18
29	No Applications	Mayor's Homelessness - Work Force Ag	01/01/15	12/31/18
30	No Applications	Mayor's Homelessness - Veteran*	01/01/15	12/31/16
31	Barb Perzinski	Mayor's Homelessness - Economic Dev.	01/01/15	12/31/18
32	Denise Smith	Mayor's Homelessness - Civic/Business	01/01/15	12/31/18
33	No Applications	Mayor's Homelessness - Philanthropy	01/01/15	12/31/18
34	No Applications	Mayor's Homelessness - Health Care	01/01/15	12/31/18
35	No Applications	Mayor's Homelessness - Service Provider	01/01/15	12/31/18
36	Francis Morris	Parks, Recreation & Cemetery Board*	01/01/15	12/31/16
37	Rick DeVore	Parks, Recreation & Cemetery Board	01/01/15	12/31/18
38	Mark Wahl	Parks, Recreation & Cemetery - SD 2 Rep	01/01/15	12/31/18
39	No Applications	Parking Advisory Board	01/01/15	12/31/18
40	No Applications	Parking Advisory Board	01/01/15	12/31/18
41	No Applications	Parking Advisory Board	01/01/15	12/31/18
42	No Applications	Planning Board - Ward I	01/01/15	12/31/16
43	Donna Forbes	Planning Board - Ward III	01/01/15	12/31/16
44	Darell Tunnicliff	Planning Board - Ward IV	01/01/15	12/31/16
45	Richard Clark	Planning Board - Ward V	01/01/15	12/31/16
46	Terry Corey	Police Board	01/01/15	12/31/17
47	Todd Cormier	Traffic Control Board	01/01/15	12/31/18
48	Pierre Jomini	Traffic Control Board	01/01/15	12/31/18

49	James Boyett	Zoning Commission	01/01/15	12/31/18
----	--------------	-------------------	----------	----------

*8 Unexpired term of Stephen Sylvester

*18 Vacancy not filled

*24 Vacancy not filled

*30 Unexpired term of Ken Chase

*36 Unexpired term of Alan King

APPROVED 8 TO 0. CM CIMMINO ABSTAINED.

B. Agreement with ProDIGIQ, Inc. for Airport Multi-User Flight Information Display System; \$175,590. **APPROVED**

C. Approval of Declaration of Agricultural Covenant with High Sierra II, Inc. **APPROVED**

D. Amendment #4, W.O. 14-01: Schedule 1, Water Main Replacement and Storm Drain Projects, Professional Engineering Services Contract, Sanderson Stewart; \$10,800. **APPROVED**

E. Approval of Tax Increment Financing Assistance from the South Billings Boulevard Urban Renewal District (SBBURD) to Big Sky King Properties, LLC for public improvements associated with the development of a Popeye's Louisiana Chicken quick serve restaurant near the corner of King Avenue East and South Billings Boulevard; \$70,838.63. **APPROVED**

F. Approval of Tax Increment Financing Assistance from the South Billings Boulevard Urban Renewal District (SBBURD) to South Billings Urban Renewal Association in collaboration with Orchard School, Billings Clinic, and RiverStone Health for development of a School-Based Health Care Center located inside Orchard School; \$47,907. **APPROVED 8 TO 0. CM CROMLEY ABSTAINED.**

G. Recommendation of Approval to the Policy Coordinating Committee for the 2015-2019 Transportation Improvement Plan. **APPROVED**

H. Confirmation of Probationary Police Officer - Jeffrey Richter **APPROVED**

I. Final Plat of Circle Fifty Subdivision, Amended Lot 1C-2, Block 1. **APPROVED**

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #14-10415 FOR ANNEXATION #14-13: Approximately 1.6 acres generally located on the northwest corner of the intersection of Shiloh Road and Central Avenue and addressed as 16 Shiloh Road; Leland and Lorraine Wells, owners. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. PUBLIC HEARING AND RESOLUTION #14-10416 creating SID 1382 for Colton Boulevard improvements between 38th Street West and Zimmerman Trail and **APPROVAL** of professional services contract with Kadrmas, Lee and Jackson, Inc. for \$162,780. 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.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, said last meeting and the meeting before comments were made by the Council that he had a hard time with. He referenced Councilmember Cimmino's comment that she was concerned that Charter was raising their rates \$5. He said that was just the cost of doing business. The school bond issue, library bonds, park maintenance, street maintenance, and arterial fees were all costs that were being passed along to the customer and a direct reflection of Council's actions. To be concerned was alright, but it was Council's votes that caused the increase in the citizens' bills; maybe not 100% but there were some costs that were passed on. He referenced Councilmember McFadden's comment on Legislative Priorities and the education issue about monitoring Head Start or early education. Councilmember McFadden commented he was tired of the schools bringing forward bond issues. Mr. Nelson said it was the cost of doing businesses, and one of the costs of doing business was educating the kids. Sixty percent of the \$70,000 Council just gave to Popeye's Chicken was school dollars, and without the TIF district, it would have gone to the schools. The school district passed their costs along to the rest of the taxpayers to see if they would support the cost of educating the kids. Council needed to think about the actions it took and the effects it had.

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

COUNCIL INITIATIVES None

ADJOURN: 7:50 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.