

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

January 12, 2015

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Boy Scout Troop 10 Presented the Colors and lead the Pledge of Allegiance.

INVOCATION: Mayor Hanel

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

MINUTES:

- December 8, 2014 - **APPROVED**
- December 15, 2014 - **APPROVED**

COURTESIES: Police Department 2014 Annual Awards

PROCLAMATIONS:

- Martin Luther King, Jr. Day, January 19, 2015
- Kiwanis Day - Wednesday, January 21, 2015

ADMINISTRATOR REPORTS - TINA VOLEK

- Reminded the Council that all City Offices would be closed on Monday, January 19, in observance of Martin Luther King, Jr. Day.
- **Item 8 – Reconsideration of Second/Final Reading Ordinance** amending BMCC Section 14-400 regulating public fireworks displays. Ms. Volek advised a copy of the ordinance was sent to Council in the January 9, 2015, Friday Packet. A copy was filed in the ex parte notebook.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 6, 7 & 8 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: **F, G, I, J, M2, M3, M4**

A. Approval of award to Donnes Construction for supply and placement of rip rap along the Yellowstone River; \$72,000. **APPROVED**

B. Approval of the City-County Special Investigations Unit (CCSIU) Agreement with Yellowstone County for calendar year 2015. **APPROVED**

C. Professional Services Agreement for Water and Wastewater Rate Study; Advanced Engineering and Environmental Services, Inc.; \$107,087. **APPROVED**

D. Subordination Agreement for Southern Lights. **APPROVED**

E. Approval of Limited Commercial Aviation Building and Ground Lease with Edwards Jet Center for additional building and ground space to garage deicing vehicles and equipment, and ground handling equipment (11/1/14-4/30/15); 6-month revenue - \$4,968.72. **APPROVED**

F. Amendment #16, Engineering Services for conversion of former Airport Employee Parking Lot to Airport Long-Term Parking Credit Card Lot; Morrison-Maierle, Inc.; \$111,047. **APPROVED 9 TO 0. BROWN ABSTAINED.**

G. Acceptance of the 2015 High Intensity Drug Traffic Area (HIDTA) Award from the Executive Office of the President, Office of National Drug Control Policy; \$196,001. **APPROVED**

H. Approval of application for State Revolving Fund Loan for W.O. 14-09, Briarwood Reservoir Expansion, \$2,600,000 (20-year amortization with 2.5% interest rate). **APPROVED**

I. Acknowledging Receipt of Petition to Annex #14-06, #14-07, #14-08, #14-09, #14-10, #14-11, #14-12: approximately 18 acres, including road rights-of-way, in the area of East Billings between the East Billings Urban Renewal District (EBURD) and MetraPark; and setting a public hearing date for January 26, 2015. **APPROVED**

J. Acknowledging Receipt of Petition to Annex #14-14: approximately 80 acres located at the southwest corner of the intersection of Shiloh Road and Broadwater Avenue; Billings Clinic, owner and petitioner; and setting a public hearing date for January 26, 2015. **APPROVED**

K. Resolution of Intent #15-10417 to create SILMD 314, Calhoun Lane Improvements; and setting a public hearing date for February 9, 2015. **APPROVED**

L. Preliminary Subsequent Minor Plat of Lenhardt Square Subdivision, Third Filing, described as two lots on approximately 25.18 acres of land generally located on the southwest corner of South 44th Street West and Georgina Drive; Stock Development, owner; Sanderson Stewart, agent; conditional approval of the plat and adoption of the findings of fact. **APPROVED**

M. Bills and Payroll:

1. November 24, 2014 **APPROVED**
2. December 1, 2014 **APPROVED 7 TO 0. BROWN, CROMLEY, AND CIMMINO ABSTAINED.**
3. December 8, 2014 **APPROVED 8 TO 0. BROWN AND CIMMINO ABSTAINED.**
4. December 15, 2014 **APPROVED 8 TO 0. BROWN AND CIMMINO ABSTAINED.**
5. December 22, 2014 **APPROVED**

REGULAR AGENDA:

2. PUBLIC HEARING AND SPECIAL REVIEW #920: A special review to allow a 22-space parking lot in a Residential 6,000 zone at 816 Avenue B and the addition of a drive-through service window adjacent to a residential zone in a Community Commercial zone at 819 Avenue B. Michael D. Stock, owner; Collaborative Design Architects, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

3. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #928: A zone change from Residential Professional to Residential 7,000 on Lots 4 and 5, Block 2, Justiss Subdivision, generally located northeast of the intersection of S. 24th St. West and King Avenue West and addressed as 2313 and 2321 Henesta Drive. Boris Krizek, owner of Lot 4 and the Dean Hardin Trust, owner of Lot 5; Lowell Cooke, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

4. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward V to include recently-annexed property in 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 approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

5. PUBLIC HEARING and approval of substantial amendment to the FY2014-2015 Consolidated Plan - Annual Action Plan for CDBG and HOME funding. Staff

recommends approval. (Action: approval or disapproval of staff recommendation.)
APPROVED

6. **APPROVAL** of final payment to Safetech for library demolition asbestos abatement; \$89,025.25. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

7. **RESOLUTION #15-10418 AMENDING AND RESTATING RESOLUTION 14-10409:** A resolution authorizing the issuance and private negotiated sale of up to \$7,250,000 General Obligation Bonds, Series 2015, to Piper Jaffray & Company for construction of Dehler Park. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

8. **RECONSIDERATION OF SECOND/FINAL READING ORDINANCE #15-5635** amending BMCC Section 14-400 regulating public fireworks displays. 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

- **Swanson:** MOVED that the City Council initiate rezoning a 6-plex owned by F. Wayne Gustafson located at 1229-1239 Poly Drive from R9600 to R6000 at the City's expense, seconded by Councilmember Cromley. On a voice vote, the motion was unanimously approved.
- **Bird:** MOVED that \$15,000 of Council Contingency Funds supplement the \$10,000 of Council Contingency Funds approved last year in support of developing a master plan for Optimist Park. The South Billings Urban Renewal Association (SBURA) offered to match the \$25,000 bringing the total amount for the master plan to \$50,000. The motion was seconded by Councilmember Yakawich. On a voice vote, the motion was unanimously approved.
- **Bird:** MOVED that the City Council consider holding quarterly meetings to be held in January, April, July, and October that would allow the Council ample opportunity to talk at length about important or emergent issues relevant at that time, seconded by Councilmember Crouch. On a roll call vote, the motion failed 5 to 5. Yakawich, Cimmino, Bird, Crouch, and Brown voted in favor. Cromley, Pitman, McFadden, Swanson, and Mayor Hanel voted in opposition.

ADJOURN: 8:55 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.