

## COUNCIL ACTION SUMMARY

### CITY OF BILLINGS

#### CITY OF BILLINGS VISION STATEMENT:

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

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#### AGENDA

COUNCIL CHAMBERS

May 26, 2015

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember McFadden

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

**MINUTES:** May 11, 2015 - **APPROVED**

**COURTESIES:**

- Councilmember Cimmino shared a poem she had written in honor of retiring City Clerk Cari Martin.
- Mayor Hanel recognized military men and women for their service in honor of Memorial Day.
- Councilmember Crouch complimented Judge Kolar on the successful Treatment Courts.
- Councilmember Swanson thanked Councilmember Pitman for the work on the Veteran's Cemetery in Laurel.

**PROCLAMATIONS:** None.

**ADMINISTRATOR REPORTS - TINA VOLEK**

- **Item C: Amendment #1, W.O. 15-06, Poly Drive, 32<sup>nd</sup> to 38<sup>th</sup> Streets West, Professional Services Contract, DOWL HKM, \$305,715:** The original agenda referenced Amendment #2. It should be Amendment #1. All documents have been corrected.
- **Item J: Donation to Billings Public Library from Billings Public Library Foundation in honor of Foundation Founder Royal C. Johnson; \$25,000:** Staff is asking that the item be separated for a short presentation.

- **Item 5: Public Hearing and Resolution creating SILMD 315, Bench Boulevard (Clevenger Park):** One protest letter from Art Hatveldt was received May 20, 2015. Copy of the letter is filed in the ex parte notebook.
- **Land purchase from Montana Department of Transportation on Airport Road:** Staff recommends adding to agenda as Item 8. Copy of staff report is on Council's desks and filed in the ex parte notebook.

**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 period was closed.

**1. CONSENT AGENDA -- Separations: A5, B, C, J, N2, O1, O2**

**A. Bid Awards:**

1. **SID 1382 Colton Boulevard.** (Opened 5/12/2015) Recommend delay of award until June 8, 2015. **APPROVED**

2. **W.O. 12-31, Yegen Drain Improvements, Phase I.** (Opened 5/26/2015)  
Recommend delay of award until June 8, 2015. **APPROVED**

3. **W.O. 14-14, Reflections at Copper Ridge Pond Improvements.** (Opened 5/26/2015) Recommend delay of award until June 8, 2015. **APPROVED**

4. **W.O. 15-25, 44th Street West Multi-Use Path.** (Opened 5/26/2015)  
Recommend delay of award until June 8, 2015. **APPROVED**

5. **W.O. 15-08, Exposition Gateway.** (Opened 5/19/2015) Recommend delay of award until June 8, 2015. **APPROVED**

**B. Amendment #2, W.O. 14-09, Briarwood Reservoir, Professional Services Contract, Kadrmas, Lee & Jackson, \$43,100. **APPROVED****

**C. Amendment #2, W.O. 15-06, Poly Drive, 32nd to 38th Streets West, Professional Services Contract, DOWL HKM, \$305,715. **APPROVED****

**D. Acknowledge Receipt of Petition to Annex #15-08: approximately 19 acres located at the southwest corner of the intersection of Elysian Road and East Lane; Elysian School, owner; and set a public hearing date of June 8, 2015. **APPROVED****

**E. Easement** with City High Ditch Water Users Association for Arrowhead School Trail. **APPROVED**

**F. Easement** with Montana Dakota Utilities for construction of gas line across City property near Bench Boulevard and Mary Street. **APPROVED**

**G. Easements** with Resource, Support & Development, Inc.; Colt Communications LLC; and Gary & Barbara Klipstein and Karen & Gregory Robey for W.O. 13-15 Calhoun Road Improvements. **APPROVED**

**H. Easements** with Westfeeds, Inc. for W.O. 12-31, Yegen Drain Improvements, Phase I. **APPROVED**

**I. Acceptance of Quitclaim Deed** for portions of Central Avenue road right-of-way that has been annexed into the City of Billings, from Yellowstone County. **APPROVED**

**J. Donation** to Billings Public Library from Billings Public Library Foundation in honor of Foundation Founder, Royal C. Johnson; \$25,000. **APPROVED**

**K. Second and Final Reading Ordinance #15-5653 expanding Ward I (Annexation #15-01)** for portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive) and some alleys in the area of East Billings. **APPROVED**

**L. Resolution of Intent #15-10456** to create SID 1398, Mountain View Boulevard Improvements (street and storm drain), and set a public hearing date of June 22, 2015. **APPROVED**

**M. Resolution of Intent #15-10457** to create SILMD 317, Exposition Gateway, and set a public hearing date of June 22, 2015. **APPROVED**

**N. Final Plat Approval**

1. Cenex Park Subdivision, Lot 10-A-1, Block 3 **APPROVED**

2. Millennium Market Subdivision, Amended Lots 2A-1 and 3A, Block 1 **APPROVED**

3. Goodwin Acres Subdivision, Amended Lot 1A of Amended Lots 1-2 **APPROVED**

4. North Pointe Square Subdivision, 2nd Filing **APPROVED**

**O. Bills and Payroll:**

1. April 27, 2015 **APPROVED 9-0. BROWN AND CIMMINO ABSTAINED.**

2. May 4, 2015 APPROVED 9-0. BROWN AND CIMMINO ABSTAINED.

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION #15-10458** authorizing filing of the annual Federal Transit Administration Section 5307 Grant. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. **PUBLIC HEARING AND RESOLUTION #15-10459** adopting water and wastewater rate and fee schedule effective July 1, 2015. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 9-2. CIMMINO AND PITMAN VOTED IN OPPOSITION.**

4. **PUBLIC HEARING AND RESOLUTION #15-10460** establishing Collection, Disposal, and Landfill Fees effective July 1, 2015. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 8-3. YAKAWICH, CIMMINO, AND PITMAN VOTED IN OPPOSITION.**

5. **PUBLIC HEARING AND RESOLUTION #15-10461** creating SILMD 315, Bench Boulevard (Clevenger Park). Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

6. **PUBLIC HEARING AND SPECIAL REVIEW #924:** a special review to allow four, nine-plex multi-family buildings in a Residential 6000 zone on Lot 4, Block 1, Chalice Acres Subdivision, generally located west of 1442 Bench Boulevard. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

7. **PUBLIC HEARING AND SPECIAL REVIEW #927:** a special review to locate an all-beverage liquor license without gaming in a Highway Commercial zone located on Lot 7, Block 1, Montana Sapphire Subdivision, generally located at 4020 Montana Sapphire Drive. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **COUNCIL APPROVED APPLICANT'S REQUEST TO WITHDRAW.**

8. **ADD-ON ITEM: RESOLUTION #15-10462** authorizing the City to purchase property adjacent to the Walter Pump Station located on Airport Road west of Main. 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.

- **Margy Bonner, 4613 Toyon Drive, Billings, MT** spoke in opposition of Special Review #926 scheduled for the June 22 agenda.
- **Keith Ligman, 4607 Pine Cove, Billings, MT** spoke in opposition of Special Review #926 scheduled for the June 22 agenda.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT** asked why the City was generating revenue from SIDs to supplement the General Fund. He also spoke on the need for Planning to spend down their reserves.

**COUNCIL INITIATIVES** None.

**ADJOURN** 9:26 pm

*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 Billie Guenther, City Clerk, at 657-8210.*