

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

June 22, 2015

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Pitman

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

MINUTES: June 8, 2015 **APPROVED**

COURTESIES:

- Mayor Hanel shared appreciation from the owner of Clocktower Inn. A water main erupted in that area and was promptly repaired. The owner and Mayor Hanel thanked Dave Mumford, Tina Volek, and staff for their work.
- Mayor Hanel relayed sincere appreciation to Tina Volek and staff from the Heart and Sole Race organizer.
- Mayor Hanel shared the success of the Rocky Mountain Tribal Leader Conference that took place in Billings last week. Mayor Hanel thanked Police Chief St. John for the Police involvement in the conference.
- Councilmember McCall also mentioned the success of the Tribal Leader Conference and stated that she is pleased that the City is so engaged with this event.
- Councilmember Crouch stated that the Tribal Leader Conference was an event where the City and the Leaders discussed issues and listened to all sides as equals.
- Councilmember Yakawich noted the success of the Juneteenth event at South Park, organized by the Black Heritage Foundation. The event celebrates the completion of the Emancipation Proclamation, and was a great community event.

PROCLAMATIONS: NONE

Assistant City Administrator Bruce McCandless noted that an agenda item was not submitted for inclusion on tonight's agenda, and staff is requesting to add the item onto the agenda: **PUBLIC HEARING** regarding draft 2015-2019 Transportation Improvement Program (TIP) Amendment I. A copy of the staff report was distributed to Council prior to the meeting, and a copy was also filed in the ex parte notebook. Councilmember McCall moved to add the item as the first item on the Regular Agenda, seconded by Councilmember Cromley. On a voice vote, the motion was approved unanimously.

ADMINISTRATOR REPORTS - TINA VOLEK

- Consent Agenda Item 1I can be removed, as it was previously approved by Council. It will remain on the agenda for reference, but will not be discussed.
- Next Monday is the fifth Monday of the month, so there is no Council meeting or work session.

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: Councilmember Cromley moved to remove Item 1I, seconded by Councilmember McCall. Other separations: 1B7, 1F, and 1G.

A. Mayor Hanel recommends that Council confirm the following

appointments: 1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Brian Hoerner	Board of Appeals	07/01/15	12/31/18
2	Rebecca Bey	Community Development - Low Mod*	07/01/15	12/31/15
3	Bret Rutherford	Community Development - Low Mod	07/01/15	12/31/18

4	Jami Clark	Housing Authority - Resident Comm*	07/01/15	12/31/15
5	No Applications	Human Relations Commission*	07/01/15	12/31/15
6	No Applications	Human Relations Commission*	07/01/15	12/31/18
7	No Applications	Mayor's Homelessness - Lending*	07/01/15	12/31/16
8	Bernard Rose	Mayor's Homelessness - Librarian	07/01/15	12/31/18
9	Richard Schilf	Mayor's Homelessness - Econ Dev*	07/01/15	12/31/16
10	Tracy McLuskie	Mayor's Homelessness - Health Care*	07/01/15	12/31/16
11	No Applications	Parking Advisory Board	07/01/15	12/31/18
12	LaRell Baldwin	Tourism BID Board*	07/01/15	06/30/17
13	Ronald Spence	Tourism BID Board	07/01/15	06/30/19
14	Joe Studiner	Tourism BID Board	07/01/15	06/30/19
15	Clint Peck	Soil Conservation District	07/01/15	06/30/18

APPROVED

B. Bid Awards:

1. **W.O. 13-20, Arrowhead School Path.** (Opened 6/9/2015) Recommend Asphalt Plus, Inc; \$69,313. **APPROVED**
2. **W.O. 13-22, Poly School Sidewalks.** (Opened 6/9/2015) Recommend CMG Construction, Inc.; \$109,885. **APPROVED**
3. **W.O. 15-05, Poly Drive Bike/Ped Project.** (Opened 6/9/2015) Recommend Montana Lines, Inc.; \$340,915.26. **APPROVED**
4. **W.O. 15-22, King Avenue West Trail.** (Opened 6/9/2015) Recommend delay of award until July 13,2015. **APPROVED**
5. **W.O. 15-27, 19th Street West Sidewalks.** (Opened 6/9/2015) Recommend HL Ostermiller Construction Inc.; \$134,414.10. **APPROVED**
6. **W.O. 15-31, Jackson St. Sidewalks.** (Opened 6/9/2015) Recommend Knife River; \$59,502.90. **APPROVED**
7. **W.O. 15-33, Solid Waste Landfill Outbound Scale.** (Opened 6/9/2015) Recommend DPS Company; \$130,839.04. **APPROVED**

8. **W.O. 15-34, Waste Water Treatment Plant Hail Damage Repairs.**
(Opened 6/9/2015) Recommend Commercial Roofing, Inc.; \$381,117.
APPROVED
9. **Pioneer and Castle Rock Parks Tennis Court Reconstruction.**
(Opened 6/9/2015) Recommend The Good Earth Works; \$605,000.
APPROVED

C. **Amendment #2, Ground Lease;** Assignment and Transfer of Ground Lease to Marchi Family Enterprises, LLC; and Consent of Sublease to FAA.
APPROVED

D. **Agreement** with Yellowstone County Sheriff's Department to provide New World Public Safety data processing services. FY 2015-2016; annual revenue - \$131,315. **APPROVED**

E. **Memorandum of Understanding (MOU)** between the City of Billings and Billings Public Schools for school resources officers for the Career Center, middle schools and high schools in the amount of \$195,159 (7/1/15-6/30/16).
APPROVED

F. **Approval of International Travel** for Billings Police Department member of federal drug task force. **APPROVED**

G. **Acknowledging Receipt of Petition to Annex #15-09:** 3.5 acres generally located on the west side of 46th Street West, just south of the intersection of Rimrock Road and 46th Street West; Eggart Enterprises, LLC and RK Development, LLC, owners and petitioners, and setting a public hearing date for 7/13/2015. **APPROVED**

H. **Acceptance of Quitclaim Deed** for 30-foot wide road easement on Broadwater Avenue from Charles G. Yegen and Zellah Farms, LLC.
APPROVED

I. **Approval** of Release of Restrictions on Transfers and Conveyances for TransTech Center Subdivision. **REMOVED FROM AGENDA**

J. **Resolution** relating to East Billings Urban Renewal District (EBURD) Increment Bond; authorizing the sale and prescribing the terms of the bond. **APPROVED**

K. **Resolution and Subdivision Plat** of 3510 7th Ave South. **APPROVED**

1. **Resolution** amending Resolution 13-19329 (permitting the sale of property at 3510 7th Ave South) and correcting the property's legal description. **APPROVED**
2. **Subdivision Plat** of Block 221, Lots 9-12 and vacated right of way, Billings Second Addition, addressed as 3510 7th Ave South, aggregating lots into one parcel.

K. **Resolution** transferring \$23,000 from City Council Contingency Fund to High Sierra Disk Golf Course. **APPROVED**

L. **Resolution** closing pooled sidewalk and SID 1339 Debt Fund balances. **APPROVED**

M. **Cancellation of Checks and Warrants.** **APPROVED**

N. **Bills and Payroll:**

1. May 26, 2015 **APPROVED**

REGULAR AGENDA:

2. **ADD-ON ITEM: PUBLIC HEARING** regarding draft 2015-2019 Transportation Improvement Program (TIP) Amendment I. **APPROVED**
3. **PUBLIC HEARING AND SPECIAL REVIEW #928:** a special review for a beer and wine license with gaming for a proposed Lucky Lil's in an existing vacant structure located in a Controlled Industrial (CI) zone on a 79.524 square foot parcel of land described as: the north half of Lot 4A, Block 1, King Park Subdivision. Alex Tommerup - AT Architecture, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

4. **PUBLIC HEARING AND SPECIAL REVIEW #929:** a special review to add 7,975 square feet onto Trinity Lutheran School in a Residential 9,600 (R-96) zone on a 4 acre parcel of land described as: Lot 2A, Block 1, Oakland Subdivision, 2nd Filing and located at 2802 Belvedere Drive. Jeff Kanning, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**
5. **PUBLIC HEARING AND RESOLUTION** approving and adopting Fourth Quarter Budget Amendments for Fiscal Year 2014-2015. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **PUBLIC HEARING** Regarding Limits of Annexation Map and Annexation Policy. Annexation Committee recommends approval. (Action: approval or disapproval of Annexation Committee recommendation.) **APPROVED 8-1.**
PITMAN VOTED IN OPPOSITION.
7. **PUBLIC HEARING AND RESOLUTION** creating SILMD 317, Exposition Gateway. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
8. **PUBLIC HEARING AND RESOLUTION** creating SID 1398, Mountain View Boulevard. Staff recommends approval. (Action: approval or disapproval or 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.)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT** cited a resolution dictating the maximum charges for property taxes. Mr. Nelson gave examples of three properties and stated that they should be paying more in taxes. Mr. Nelson suggested an assessment on taxable value for these properties.

COUNCIL INITIATIVES: NONE

ADJOURN 8:43 pm