

## 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

July 13, 2015

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Cimmino

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

**MINUTES:** June 22, 2015 APPROVED 9-0 (CIMMINO ABSTAINED)

**COURTESIES:**

- Mayor Hanel thanked Councilmember Cimmino for the invocation.
- Mayor Hanel commended Tom Binford, Director of Aviation and Transit, for his work with the City and asked for a round of applause. Mr. Binford will be retiring at the end of this month.

**PROCLAMATIONS:** No new proclamations, but Mayor Hanel mentioned that he read a proclamation at the July 7 Work Session regarding Relay for Life.

**ADMINISTRATOR REPORTS – TINA VOLEK**

- Consent Agenda Items A2 and F: Ms. Volek asked for these items to be separated for discussion.
- The Community Innovation Summit will resume its meetings on Wednesday of this week

**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: **1A2, 1B, 1F, 1I, 1N2, 1N4**

A. **Bid Awards:**

1. **W.O. 15-18, Clearwell No. 2 Interior Re-coat, Design and Construction Administration.** Recommend Kadmas, Lee & Jackson, Inc., \$92,223. **APPROVED**
2. **W.O. 15-22, King Avenue West Trail.** (Opened 6/9/2015) Recommend CMG Construction, Inc., \$122,362. **THIS ITEM WAS STATED INCORRECTLY ON THE AGENDA. THE STAFF RECOMMENDATION WAS TO REJECT ALL BIDS DUE TO A LACK OF FUNDING FOR THE PROJECT. THE RECOMMENDATION TO REJECT ALL BIDS WAS APPROVED.**
3. **W.O. 15-29, West Wicks Lane Multi-Use Path.** (Opened 6/30/2015). Recommend CMG Construction, Inc. in the amount of \$214,880. **APPROVED**

B. **Agreement** for Library Security Guard services with Guardian Security, \$93,500. **APPROVED**

C. **Approval** of lease renewal for storage space at the Billings Airport Business Park to the Yellowstone County Museum Foundation, revenue first year \$4,870.13, revenue subsequent years adjusted by CPI-U. **APPROVED**

D. **Approval** of the Assignment and Transfer of the West End Hangar Ground Lease from Picacho Aviation, L.L.P. to the Experimental Aircraft Association Chapter 57, Inc., dated January 24, 2000. **APPROVED**

E. **Approval** of lease renewal for West End Hangar Ground Lease to R. W. McKamy, revenue first year \$1,228.68, revenue subsequent years adjusted by CPI-U. **APPROVED**

- F. **Approval** of Noise Waiver for Burn the Point Street Dance, extend event end time to 12:30 am, September 5, 2015. **APPROVED**
- G. **Approval** of the Lockwood Non-Motorized Transportation Plan, including review and recommendation to the PCC. **APPROVED**
- H. **Amendment, Facilities Master Plan Contract.** Professional Services Contract, CTA Architects, \$20,000. **APPROVED**
- I. **Amendment #20, Airport Improvement Program Micro-Tunneling Project,** Engineering Services Contract, Morrison-Maierle, Inc., \$189,299. **THIS ITEM WAS SEPARATED, BUT WAS INADVERTENTLY NOT RETURNED TO FOR A VOTE. THE ITEM WILL BE INCLUDED ON THE 7/27 AGENDA.**
- J. **Acceptance** of 2015 Justice Assistance Grant, \$77,820. **APPROVED**
- K. **Acceptance of Right of Way Agreement and Warranty Deed** for Grand Avenue from Michelotti Sawyers & Nordquist Mortuary Inc. **APPROVED**
- L. **Resolution of Intent** to create Road Maintenance District #6, Estates at Briarwood Subdivisions 1st and 2nd Filings (construction of a permanent emergency access road), and set a public hearing date for August 10, 2015. **APPROVED**
- M. **Final Plat Approval** of Amended Lot 4, Block 1, Exchange Subdivision. **APPROVED**
- N. **Bills and Payroll:**
  - 1. June 1, 2015 **APPROVED**
  - 2. June 8, 2015 **APPROVED 8-0, BROWN AND CIMMINO ABSTAINED**
  - 3. June 15, 2015 **APPROVED**
  - 4. June 22, 2015 **APPROVED 8-0, BROWN AND CIMMINO ABSTAINED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #15-09:** Property described as 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. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the City Subdivision Regulation regarding development in the 100-year floodplain. **APPROVED 9-1, YAKAWICH VOTED IN OPPOSITION**
4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently-annexed property in Annexation #15-08: Approximately 20 acres, located at the southwest corner of Elysian Road and East Lane. Elysian School, owner. 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.)

- **Tom Zebruchen, 1747 Wicks Lane, Billings, MT** referenced a public records request that he submitted regarding 911 responses at Cherry Creek and Danube Trailer Courts. Mr. Zebruchen stated that too much of the public safety budget is being used for 911 responses in this area. Mr. Zebruchen stated that Council should examine the issue and consider taking action to abate public nuisances.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT** stated that there is no effort to protect the City, but that the City is making efforts to help locations outside of the City. Mr. Nelson mentioned diesel trucks and reverberations caused by the trucks. Mr. Nelson stated that the Police department should be enforcing the laws that are in the books.

**COUNCIL INITIATIVES:** NONE

Mayor Hanel thanked Bonnie Sutherland, Assistant City Attorney, for attending the meeting in place of City Attorney Brent Brooks.

**ADJOURN** 7:56 pm