

## 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

October 26, 2015

6:30 P.M.

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel. Young Marines presented the colors and were recognized during the reading of the Red Ribbon Week Proclamation.

**INVOCATION:** Councilmember Yakawich

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

**MINUTES:** October 13, 2015 **APPROVED**

**COURTESIES:**

- Mayor Hanel invited Lisa Harmon of the Downtown Billings Association to the podium. Ms. Harmon announced the receipt of the International Downtown Association’s Pinnacle Award for the Community Innovations Initiative.
- Councilmember Yakawich invited Dr. Michael Brown to the podium to present information on the “Know Your Dose” drug abuse prevention program.

**PROCLAMATIONS:**

Red Ribbon Week: October 23-31, 2015

Extra Mile Day: November 1, 2015

**ADMINISTRATOR REPORTS - ~~TINA VOLEK~~ Ms. Volek was not in attendance. Assistant City Administrator Bruce McCandless delivered the Administrator Report.**

- Mr. McCandless announced that the City, County, School District Joint meeting would be taking place at the Library’s Community Room on 10/27 at noon.
- Mr. McCandless requested Council input on the November 2 Work Session. After a discussion, the November 2 Work Session was cancelled due to a lack of topics

other than Quarterly Reports, which were postponed until the November 16 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.)

NONE

**1. CONSENT AGENDA** -- Separations: 1H1, 1H2

**A. Bid Awards:**

**1. W.O. 16-03, Contract # 1 City Crack Seal.** (Opened 10/13/15)  
Recommend Z&Z Seal Coating Inc., \$150,345.19. **APPROVED**

**B. Change Order #3 - W.O. 13-20,** Arrowhead School Path, Asphalt Plus, Inc., \$2,605. **APPROVED**

**C. Acknowledging Receipt of Petition to Annex #15-10:** 40 acres of the southwest corner of the intersection of Grand Avenue and 56th Street West, located at 5640 Grand Avenue, Billings School District #2, petitioner, and setting a public hearing date for November 9, 2015. **APPROVED**

**D. Acknowledging Receipt of Petition to Annex #15-11:** 16.6 acres south of Barrett Road, east of the intersection of Bench Boulevard and Barrett Road, Billings School District #2, petitioner, and setting a public hearing date for November 9, 2015. **APPROVED**

**E. Acceptance of Donation** to Billings Police Department, 2015 Domestic Violence Grant, \$19,022. **APPROVED**

**F. Second/Final Reading Ordinance #15-5660** amending City Code Section 2-565, 2-566, and 2-567, relating to the name and responsibilities of the Parking Advisory Board. **APPROVED**

**G. Final Plat** of DayBreak Subdivision. **APPROVED**

**H. Bills and Payroll:**

2. September 28, 2015 **APPROVED 9-0. BROWN AND CROMLEY ABSTAINED**
3. October 5, 2015 **APPROVED 9-0. BROWN AND CIMMINO ABSTAINED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND SPECIAL REVIEW #932:** a special review to locate a beer and wine license without gaming for a proposed City Vineyard and for a drive through service window for a proposed City Brew in a 12,000 square foot proposed building in a Planned Development zone with underlying Community Commercial (PD-CC) zoning, on a 2.22 acre parcel of land described as: Lot 9, Block 2 Cardwell Ranch Subdivision 1st filing. Beckie Reno, co-owner; Steve Corning, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED 9-1. BIRD VOTED IN OPPOSITION. CROMLEY ABSTAINED.**
3. **PUBLIC HEARING AND SPECIAL REVIEW #933:** a special review to locate a proposed elementary/secondary school (K-8) for the Billings Catholic Schools in an 87,000 square foot proposed building in a residential 9,600 (R-96) zone, on a 26 acre parcel of land described as: Lot 2, Block 1 St. Thomas Subdivision and located on the south side of Colton Boulevard between Woody Drive and 21st Street West. Billings Catholic Schools, owner; Rick Helt, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED 10-0. BIRD ABSTAINED.**
4. **SID 1399, Lake Hills Subdivision 25th Filing**
  - A. **PUBLIC HEARING AND RESOLUTION #15-10508** creating SID 1399, Lake Hills Subdivision, 25th Filing. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-1. BROWN VOTED IN OPPOSITION.**
  - B. **PROFESSIONAL SERVICES CONTRACT** for SID 1399, Lake Hills Subdivision; Kadrmas, Lee and Jackson; \$185,000. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
5. **PUBLIC HEARING AND RESOLUTION #15-10509** authorizing the sale of City-owned property described as Lots 1-8, Block 226, Original Town of Billings, generally located at 716-724 S. 27<sup>th</sup> Street; A.L. Koelzer, \$196,500. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 7-4. YAKAWICH, CIMMINO, BIRD, AND BROWN VOTED IN OPPOSITION.**

6. **PUBLIC HEARING AND RESOLUTION #15-10510** approving and adopting First Quarter Budget Amendments for Fiscal Year 2016. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

7. **PUBLIC HEARING AND RESOLUTION** to waive EBURD Demolition Disposal Fees. Staff recommends disapproval. (Action: approval or disapproval of staff recommendation.) **PITMAN MOVED TO TABLE FOR 11-9 TO ALLOW FOR STAFF TO MAKE REVISIONS TO THE RESOLUTION. PITMAN'S MOTION WAS 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.)

NONE

## **COUNCIL INITIATIVES**

- Councilmember McCall moved to direct staff to produce documents to transfer \$2,500 from Council Contingency fund to the Billings Works Work Force Council, including a presentation at the December 7 Work Session, with action at the December 14 Regular Meeting, seconded by Councilmember Bird. On a voice vote, the motion was approved 10-1, with Councilmember Cromley voting in opposition.
- Councilmember Crouch moved to direct staff to prepare a budget amendment for the November 23 meeting, to transfer General Fund dollars to Public Safety, including hiring four police officers, two firefighters, one EMS training officer, and two dispatchers, before June 30, seconded by Councilmember McCall. Councilmember Pitman amended the motion to include hiring six police officers, one EMS training officer, and two dispatchers, seconded by Councilmember Brown. Councilmember Bird amended the motion to include hiring six police officers, six firefighters, and four dispatchers, seconded by Councilmember McCall. Councilmember Bird withdrew her amended motion, and Councilmember McCall withdrew her second to the amended motion. Councilmember Bird made an amended motion to include hiring six police officers, five firefighters, one EMS training officer, and four dispatchers, seconded by Councilmember McCall. On a voice vote, Councilmember Bird's amended motion was approved 6-5, with Councilmembers Cromley, Yakawich, Pitman, Cimmino, and Brown voting in opposition. Councilmember Crouch's original motion, as amended, was approved 8-3, with Councilmembers Brown, Cromley, and Yakawich voting in opposition.
- Councilmember McCall moved to direct staff to prepare a budget amendment to transfer \$50,000 from unrestricted reserves to the Riverstone Community Health Clinic, seconded by Councilmember Swanson. On a voice vote, the motion was approved 10-1, with Councilmember Cromley voting in opposition.

- Councilmember Pitman moved to schedule a discussion on City Water and Utility bills being paid by individual departments, seconded by Councilmember Yakawich. On a voice vote, the motion failed 6-5, with Councilmembers Yakawich, Pitman, Cimmino, Swanson, and Brown voting in favor and Councilmembers Cromley, McFadden, Bird, McCall, Crouch, and Mayor Hanel voting in opposition.

**ADJOURN 11:07 PM**