

## 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

**City Hall Conf. Room, Council Chamber                      May 9, 2016                      5:45 P.M.**

**CALL TO ORDER:** Mayor Hanel, City Hall Conference Room

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Clark

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, McFadden, Friedel, Sullivan, Swanson, Clark, Brown.

**RECESS TO CLOSED EXECUTIVE SESSION** (meeting will be called back to order at 6:30 pm in Council Chamber)

\*Note: The closed Executive Session is solely for the purpose of discussing litigation strategy in which the only parties are NOT public bodies or associations, as described in Section 2-3-203(1) and (2). The meeting is closed, as allowed by Section 2-3-303, MCA, "to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position" of the City of Billings.

**MINUTES:** April 25, 2016 **APPROVED**

#### **COURTESIES:**

- Councilmember Yakawich recognized Dr. Donald Harr of the Suicide Prevention Society.
- Mayor Hanel praised the success of the 35<sup>th</sup> annual Women's Run.
- Mayor Hanel recognized the recent passing of Peter Yegen III and Conrad Burns.
- Dr. Harr spoke about mental health issues and mentioned a local advisory council meeting that takes place the first Thursday of each month at the Community Crisis Center.

**PROCLAMATIONS:** Mental Health Month; Pediatric Stroke Awareness Month

## ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek reminded Council of the Tuesday, May 10 work session to discuss the FY17 budget.
- Councilmember Brewster noted that he would not make a motion to reconsider the Orchard Lane construction bid award. Councilmember Brewster stated that he would like to have a future work session discussion regarding the striping on Orchard Lane.

### **PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and #6 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. 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.)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, in regards to Item 1C, stated that the City should be aggressive and complete the plan by September.
- **Steve Zeier, Big Sky Economic Development**, in regards to Item 1C, stated that the park has been in the works for years, and that he would like to see Council's support.

### 1. **CONSENT AGENDA** -- Separations: 1A4, 1C, 1G, 1E, 1H, 1K1, 1K2, 1B

#### A. **Bid Awards:**

1. **W.O. 16-01, Schedule 2B, Sanitary Sewer Main Replacement Project.**  
(Opened 4/26/16) Recommend Western Municipal Construction, Inc., \$1,102,651.60. **APPROVED**
2. **W.O. 16-01, Schedule 3, 17th Street West Water Main Replacement Project Phase 2.** (Opened 4/26/16) Recommend COP Construction, LLC, \$708,102. **APPROVED**
3. **W.O. 16-06, South Billings Urban Renewal District (SBURD) Sanitary Sewer, Phase 2.** (Opened 4/26/16) Recommend COP Construction, LLC, \$729,600. **APPROVED**
4. **Pond D Storm Water Detention and Conveyance System.** (Opened 4/26/16) Recommend COP Construction, LLC, \$2,658,745.10. **APPROVED**

**B. Professional Services Contract** for W.O. 16-09, Grand Avenue (48th Street West to 58th Street West) Engineering Design; Sanderson Stewart; \$556,900. **APPROVED 10-0, CIMMINO ABSTAINED**

**C. Professional Services Contract** for Optimist Park master plan; Land Design, Inc.; \$49,615. **APPROVED**

**D. Development Agreement** with School District 2 for Ben Steele Middle School. **APPROVED**

**E. Agreement** with Yellowstone County Sheriff's Department to provide New World Public Safety data processing services. FY 2016-2017; annual revenue \$134,521. **APPROVED**

**F. Acknowledge receipt of petition to vacate** a portion of Montgomery Street near Hansen Lane, Popelka Enterprises, petitioner; and setting a public hearing date of June 13, 2016. **APPROVED**

**G. Acceptance of Donation** to Billings Fire Department, St. Vincent Healthcare employees, Share Our Spirit Associate Giving Campaign, \$2,500 for the purchase of patient lift devices. **APPROVED**

**H. Recommendation of approval** to the Policy Coordinating Committee for Amendment III of the 2015-2019 Transportation Improvement Program (TIP). **APPROVED**

**I. Resolution #16-10542** relating to the financing of South Billings Urban Renewal District improvement projects, establishing compliance with Reimbursement Bond Regulations under the Internal Revenue Code. **APPROVED**

**J. Preliminary Subsequent Minor Plat** of 23rd Street Subdivision, Amended Plat of the North 100 feet of Lot 1, Block 8, Sunnyside Subdivision, Second Filing, generally located at 11th Avenue North and North 23rd Street; Mark Wright, owner; Territorial Landworks, Inc., agent; conditional approval and adoption of the findings of fact. **APPROVED**

**K. Bills and Payroll:**

1. April 11, 2016 **APPROVED 9-0, BROWN AND CIMMINO ABSTAINED**

2. April 18, 2016 **APPROVED 9-0, BROWN AND CIMMINO ABSTAINED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for FY16. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-1, CIMMINO VOTED IN OPPOSITION**
3. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #16-03:** a 6.4 acre portion of an 89 acre parcel of land described as the N1/2 NE1/4, SWNE1/4, Section 31, Township 1 North, Range 25 East, generally located south of Rimrock Road at the southwest corner of the intersection of 54th Street West and Trail Creek Drive; Yellowstone Meadows Partners, LLC, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **PUBLIC HEARING AND SPECIAL REVIEW #941:** a special review to allow the construction of an LDS Meetinghouse, in a Residential 9,600 (R-96) zone on a 5.6 acre portion of an 89.98 acre un-platted parcel of land described as: the N1/2 NE1/4, SWNE 1/4 in Section 31, Township 1 North, Range 25 East, generally located at 54th Street West at Trail Creek Drive. Scott Nielson, NBW Architects, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation #16-02: located south of Elysian Road and west of the Hogan Slough between Mallowney Lane and East Lane; McCall Development and the Yellowstone Boys and Girls Ranch Foundation, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **AUTHORIZATION OF PROPERTY PURCHASE** by the Downtown Billings Partnership (DBP) at 1st Avenue North and North 29th Street for a price and expenses not to exceed \$850,000; and granting a waiver to the appraisal requirements of Resolution 93-16740. DBP Board recommends authorizing the property purchase by the DBP. Staff recommends approval of the waiver. (Action: approval or disapproval of DBP Board and staff recommendations.) **APPROVED 10-0, CROMLEY ABSTAINED**

**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.*)

- **Ken Crouch, 1642 Wembly Place, Billings, MT** read a poem written by a transgender woman.
- **Dennis Ulvestad, 3040 Central Avenue, Billings, MT** stated that he was concerned about the County's charges for housing inmates in the Yellowstone County Detention Facility.

## **COUNCIL INITIATIVES**

- Councilmember Brewster moved to direct staff to provide or formulate solutions for higher crime areas, seconded by Councilmember Cimmino. On a voice vote the motion was unanimously approved.
- Councilmember Sullivan moved to direct staff to present to Council preliminary plans for Complete Streets streets two years prior to construction. There was no second to the motion.

**ADJOURN** 9:41 pm