

## 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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<b>COUNCIL CHAMBERS</b>	<b>AGENDA</b> <b>December 19, 2016</b>	<b>6:30 P.M.</b>
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**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Friedel

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, Friedel, Swanson, Clark and Brown. Sullivan was excused. McFadden arrived at 6:37 pm.

**MINUTES:** December 12, 2016 - *NOT Fully-Prepared for Approval.*

#### **COURTESIES:**

- Mayor Hanel recognized the parks and recreation, public works, and streets department for all their efforts and hard work with removing snow from the streets.

**PROCLAMATIONS:** NONE

#### **ADMINISTRATOR REPORTS - TINA VOLEK**

- Ms. Volek did not have any items for her report, but asked David Mumford, Public Works Director, to provide a status report regarding snow removal. Mr. Mumford described the process and challenges with snow removal. He thanked all the departments involved with snow removal which included Streets, Parks and Recreation, and Solid Waste. He also thanked Knife River for allowing the City to utilize their pit for snow disposal. He stated the crews would return to regular business hours on Friday, December 23<sup>rd</sup> to give the crews a chance to rest and make repairs to the equipment.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 3 and 4 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.)

The public comment period was opened.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, Montana**, in reference to Items C and 4, stated there was no tax payment in the lease with Alpine Aviation, Inc. and suggested the City start taxing areas that could be taxed and not raise his taxes and that of his neighbors. He commented on 5 areas of concern with the Dehler Park Agreement. He stated the facility was an excellent facility and had been acknowledged as the best rookie league stadium in recent years. He stated we needed to protect the community’s investment.

There were no further speakers, and the public comment period was closed.

1. **CONSENT AGENDA** – Separations: 1B, 1D, 1E, 1G1, 1G2

A. **Bid Awards:**

1. **Two 58,000 GVW 12 yard dump trucks with plows and sanders.** (Opened 12/13/2016) Recommend delay of award until January 9, 2017. **APPROVED**

2. **Four-Wheel Mechanical Broom High Dump Sweeper.** (Opened 12/13/16) Recommend delay of award until January 9, 2017. **APPROVED**

B. **Utility Relocation Agreement** with Northwestern Energy; \$80,535.44. **APPROVED**

C. **Amendment #2**, to Limited Commercial Aviation Building and Ground Lease with Alpine Aviation, Inc., from 523.79 square foot space in the basement of the Terminal and replacing it with a new 1,029.42 square foot space. **APPROVED**

D. **Approval** of Tax Increment Financing Assistance from East Billings Urban Renewal District Tax Increment Funds to White Heating and Air Conditioning for new sidewalk and drive approaches, landscaping, architect, engineering and permit fees, storm water management, and improvements to utilities at 1125 4th Avenue North; \$21,660. **APPROVED**

E. **Resolution** amending Res. #16-10529 to extend recommendation deadline of Babcock Theater Ad-Hoc Council Advisory Committee. **APPROVED**

**F. Second/Final Reading Ordinance for Zone Change #950:** a zone change from Agriculture-Open Space (A-1), a County zoning district, to Residential 7,000 (R-70) on a total area of 15.107 acres of land, generally located at 4240 Central Avenue on Tract 3 of C/S 1648. Janet Bergman, owner; Marsich Investments, LLC, contract purchaser; Sanderson Stewart, agent. Approval of the zone change and adoption of the findings of the 10 criteria. **APPROVED**

**G. Bills and Payroll:**

1. November 28, 2016 **APPROVED, 8-0, BROWN AND CIMMINO ABSTAINED**
2. December 5, 2016 **APPROVED, 9-0, CIMMINO ABSTAINED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND APPROVAL** of Pretreatment Service Agreement with ExxonMobil Corporation without annexation. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**3. APPROVAL** to purchase property located at Lot 4, Block 9, Sunnyside Subdivision 2nd Filing, and addressed as 2305 9th Avenue North, Billings, Montana. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**4. APPROVAL** of Facility Management, Operation and Use Agreement with Mustangs Baseball, LLC, (Dehler Park). Staff recommends postponement of action until February 13, 2017 Council Meeting. (Action: approval or disapproval of staff recommendation.) **APPROVED 8-2, CROMLEY AND MAYOR HANEL OPPOSED**

**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 Zurbuchen, 1747 Wicks Lane, Billings, Montana**, in reference to the Firefighters contract and possible revisions. Spoke about snow storms in Montana and the City Council's decision to not plow residential streets. He stated the Charter was clear that policies had to be enforced until they were changed and residents need to live with the policy.
- **Jon Phillips, 3227 Lynn Avenue, Billings, Montana**, Chief Finance Officer of YWCA, spoke about snow removal on 9<sup>th</sup> Street West on Wyoming Avenue to 10<sup>th</sup> Street West. He explained that YWCA had Gateway House for victims of domestic violence and have a large center that provides emergency services to the community. He stated the center has nearly 70 students and a child care center. He stated that the facilities were located within a residential area and provided examples of vehicles that became stuck in the snow. He requested that

the YWCA be prioritized on the plowing schedule and stated he was grateful for all services provided by the City.

**COUNCIL INITIATIVES:** None

**ADJOURN:** 8:20 PM