

**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 July 24, 2017</b>	<b>6:30 P.M.</b>
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**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember McFadden

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

**MINUTES:** July 10, 2017 - Special Session - **APPROVED**  
July 10, 2017 - Regular Business - **APPROVED**

**COURTESIES:**

- Mayor Hanel recognized Karen Sanford Gall and her staff their organization of the Big Sky State Games.
- Mayor Hanel stated Relay for Life was a huge success and thanked Ms. Volek and City staff for their assistance at the events.
- Wyeth Friday, Planning Director, introduced the new Planning Division Manager, Monica Plecker.

**PROCLAMATIONS: NONE**

**ADMINISTRATOR REPORTS - TINA VOLEK**

- Ms. Volek reminded Council that the following Monday, July 31, 2017, was a bye week and no Council meetings would be held.
- Ms. Volek reminded Council that the new 911 center groundbreaking would be on Monday, July 31<sup>st</sup>, at 10:00 a.m. at 911 North 24<sup>th</sup> Street.
- Ms. Volek stated, in reference to Regular Agenda Item 4, a response email from Ms. Volek addressed Councilmember Cromley’s question concerning Landmark,

LLC's background and partnership in the One Big Sky Center. A copy of the email had been placed on the Council's desks and in the ex parte notebook.

- Ms. Volek stated, in reference to Regular Agenda Item 5, an email was received from Todd Buchanan supporting the Downtown Billings Partnership's recommendation to approve TIF assistance for Alberta Bair Theater Corporation. A copy of the email had been placed on the Council's desks and in the ex parte notebook.

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 4 and 5 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 following citizens gave testimony in favor of Regular Agenda Items 4 and/or 5:

- **Bill Gottwals, President of Alberta Bair Theater, 5252 High Trail Road, Billings, Montana.**
- **Jan Dietrich, Director of Alberta Bair Theater, 2018 Green Terrace Drive, Billings, Montana.**
- **Jim Duncan, 2711 Gregory Hills Drive North, Billings, Montana. John Brewer, Billings Chamber of Commerce and VisitBillings, 815 South 27<sup>th</sup> Street, Billings, Montana.**
- **Mike Matthew, 115 North Broadway, Billings, Montana.**
- **Corby Skinner, 622 North 29<sup>th</sup> Street, Billings, Montana.**
- **Jacqueline Laferriere, 226 Alderson Avenue, Billings, Montana.**
- **Kathleen Benoit, 2247 Old Highway 10, Laurel, Montana.**
- **Harvey Singh, Owner of Seva restaurant, 2720 Poly Drive, Billings, Montana.**
- **Darrin Rich, Director of Billings Symphony and Chorale, 3803 Palisades Park Drive, Billings, Montana.**
- **Ron Yates, 4912 Stoneridge Circle, Billings, Montana.**
- **Greg Krueger, Downtown Billings Partnership (DBP), 2515 2<sup>nd</sup> Avenue North, Billings, Montana.**
- **Connie Wardell, P.O. Box 21432, Billings, Montana,** in reference to Item 4, she expressed disappointment and concern about another extension of the MOU.
- **Kirk Jenson, 3992 Parkwood Drive, Billings, Montana.**
- **Dennis Ulvestad 3040 Central Avenue, Billings, Montana.**
- **Alex Heineman 1253 Yellowstone Avenue, Billings, Montana.**
- **Kay Foster, 115 North Broadway, Billings, Montana.**
- **Arlo Thomas, 521 Avenue F, Billings, Montana.**

1. **CONSENT AGENDA** -- Separations: 1B, and 1J1
  - A. **Bid Awards:**
    1. **Rose Park Pool Operations Building Demolition.** (Opened 12/20/16; Awarded 01/09/17) Recommend rejecting all bids. **APPROVED**
  - B. **Professional Services Contract** for W.O. 17-12, Landfill Drop-Off Facility; HDR Engineering, Inc.; \$2,681,000. **APPROVED 10-0, CIMMINO ABSTAINED**
  - C. **Approval** of ten-year airport office building lease renewal with the United States Government for Transportation Security Administration (TSA) (12/01/16 - 11/30/26). **APPROVED**
  - D. **Approval** of ten-year airport hangar lease renewal with the United States Department of Agriculture, Animal, and Plant Health Inspection Services (USDA-APHIS) (07/01/17 - 06/30/27). **APPROVED**
  - E. **Acknowledging Receipt of Petition to Annex #17-03:** approximately 10.87 acres, located at the southeast corner of the intersection of Blue Creek Road and Santiago Boulevard south of the Yellowstone River, Jamey Eisenbarth, owner; Sanderson Stewart, petitioner, and setting a public hearing date for 08/14/17. **APPROVED**
  - F. **Confirmation of Probationary Police Officers** - Steven Gaertner, Tracy Icard, Moses Richardson, and Daniel Shreeve. **APPROVED**
  - G. **Subordination** of First Time Home Buyer Program loan for \$15,000; M & T Bank, Refinancing. **APPROVED**
  - H. **Preliminary Minor Plat** of Tierra Yellowstone Subdivision, generally located on the northwest corner of South 32<sup>nd</sup> Street West and Conrad Road; Red Lodge Investment, LLC, owner; Sanderson Stewart, agent. **APPROVED**
  - I. **Preliminary Major Plat** of Sartorie Subdivision, 2nd Filing, generally located at 1880 Hawthorne Lane; Richard Jr. and Mae Sartorie, owners; Blueline Engineering, agent. **APPROVED**
  - J. **Bills and Payroll:**
    1. June 26 and 27, 2017 - **APPROVED 9-0, CIMMINO AND BROWN ABSTAINED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #958:** a zone change from Planned Development (PD) and Residential Multi-family (RMF) to Residential Professional (RP) on a 1.12 acre parcel of land, generally located at the southwest corner of 7th Avenue North and North 25th Street. Campos/Dorn, LLC, owner; Sanderson Stewart, agent. Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of staff Zoning Commission recommendation.) **APPROVED**
  
3. **PUBLIC HEARING AND SPECIAL REVIEW #956:** a special review to allow the construction of 2 new four-unit multi-family buildings in a Residential 6,000 (R-60) zone on a 37,600 square foot parcel of land, generally located at 422 Roxy Lane. Ann Bustell, owner; Tom Reiner and Neil Thompson, agents. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**
  
4. **AMENDMENT NO. 2 TO MEMORANDUM OF UNDERSTANDING (MOU)** with MontDevCo, LLC and MontDevCo II, LLC, extending its termination date for One Big Sky Center project. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-1 BY SUBSTITUTE MOTION TO EXTEND TERMINATION DATE TO DECEMBER 11, LIST LANDMARK, LLC, AND ADD MONTHLY UPDATES, CROMLEY OPPOSED.**
  
5. **APPROVAL** of Tax Increment Financing Assistance from Expanded N. 27th Street Urban Renewal District, Fund 203, to Alberta Bair Theater Corporation; \$3.5 million. Downtown Billings Partnership (DBP) recommends approval. (Action: approval or disapproval of DBP 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.*)

- **Dennis Ulvestad, 3040 Central Avenue, Billings, Montana,** asked about the history of Council Contingency funds. Ms. Volek provided an explanation and various instances wherein funds were utilized for emergencies and non-budgeted projects. She stated Council passed budget amendment resolutions when funds were utilized and all unexpended funds were returned to the General Fund.

## **COUNCIL INITIATIVES:**

- Councilmember Brewster moved to direct staff to provide Council with cost-effective options to improve unpaved streets within the City, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.
- Councilmember Clark moved to direct staff to provide Council with financing options for Centennial, Castle Rock and Optimist Parks toward completion of their projects, seconded by Councilmember Brewster. After Council discussion, Councilmember Clark provided a substitute motion to direct staff to provide Council with financing options for Centennial, Castle Rock and Optimist Parks toward completion of their projects at a work session prior to January pre-budgeting sessions, seconded by Councilmember Friedel. On a voice vote, the motion was approved 10-1, Councilmember Cromley opposed.

**ADJOURN:** 9:21 pm.