

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

AGENDA

COUNCIL CHAMBERS

November 22, 2010

6:30 P.M.

****Fire Department's new Quick Response Vehicle - 6:15 p.m., 2nd Avenue North**

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember McFadden

ROLL CALL – Councilmembers present on roll call were Ronquillo, Gaghen, Pitman, Cimmino, McFadden, Ruegamer, McCall, Ulledalen, Astle, Clark

MINUTES: November 8, 2010, approved

COURTESIES - None

PROCLAMATIONS - None

ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek referenced Item 1F and noted a listing of the legislative priorities had been placed on the Council desks and was filed in the ex-parte notebook.
- Ms. Volek referenced Item 2 and noted a copy of the ordinance had been inadvertently excluded from the agenda packet and a copy had been placed on the Council desks and filed in the ex-parte notebook.
- Ms. Volek requested that Item G be removed from the Consent Agenda and placed on the Regular Agenda to allow for further discussion.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1 ONLY. Speaker sign-in required. (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. **Please sign your name and address on the clipboard located at the podium.**)

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

CONSENT AGENDA -- Separations: **D, E, F, G, K1 and K2**

A. Bid Awards:

1. Two (2) 5-Yard Double Dump Trucks. (Opened 11/9/2010) Recommend delay of bid award until December 13, 2010. **APPROVED**

2. W.O. 10-24, Rimrock Park Irrigation and Seeding. (Opened 11/9/2010) Recommend A-1 Landscaping; \$58,750. **APPROVED**

B. Professional Services Contract for W.O. 10-13, Safe Routes to School Study Phase II; Sanderson-Stewart; \$55,350. **APPROVED**

C. Professional Services Contract for design and construction administrative services for the 2011 Chapple Area Water Main Improvement Projects; Morrison-Maierle, Inc.; not to exceed \$272,188. **APPROVED**

D. Professional Services Contract for landscape architectural and engineering design services for the extension of the Heritage Trail east past Yellowstone Kelly's Grave and Skeleton Cliff connecting to the existing tunnel under Airport Road and the existing trail segment at the Aronson Interchange; Sanderson Stewart; \$230,808.25. **APPROVED**

E. Professional Services Contract for System Development Fees and Water Re-Sale Rate Study; CDM, Inc.; \$59,900. **APPROVED 10-0. CM CIMMINO RECUSED HERSELF FROM THE VOTE.**

F. Approval of Billings Legislative Priorities. **APPROVED**

G. Approval of Resolution creating an 8-member ad-hoc committee to interview Municipal Judge candidates and recommend a nominee to City Council by December 17, 2010, for approval at the December 20, 2010, business session. **CM ULLEDALEN MOVED TO REMOVE ITEM G FROM CONSENT AGENDA AND PLACE ON REGULAR AGENDA AS ITEM 3, SECONDED BY CM GAGHEN. UNANIMOUSLY APPROVED.**

H. Second/Final Reading Ordinance #10-5525 amending the boundaries of Ward I to exclude Tract 2A, C/S 2544, in the Briarwood PUD, (Annexation #10-03). **APPROVED.**

I. Preliminary Major Plat of Grand Peaks Subdivision, 2nd Filing, generally located northeast of the intersection of Grand Avenue and 54th Street West; Sanderson Stewart, agent; conditional approval and adoption of the findings of fact. **APPROVED.**

J. Final Plat Approval of McKay Acres Subdivision Amended East Half of Lot 17, except the south 100 feet; and **approval** of variance reducing required right-of-way dedication for Rimrock Road. **APPROVED.**

K. Bills and Payroll:

1. October 25, 2010 – **APPROVED 10-0. CM CIMMINIO RECUSED HERSELF.**
2. October 29, 2010 – **APPROVED 10-0. CM CIMMINO RECUSED HERSELF.**

REGULAR AGENDA:

2. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #869: A zone change from Public (P) to Residential 6,000 (R-60) on a 50-foot by 150-foot lot in the northeast corner of Lot 3 in Section 9, Township 1S, Range 26E located at 412 Hallowell Lane. Lean 2 LLP, owner; Marshall Phil, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) APPROVED.

3. APPROVAL OF RESOLUTION creating an 8-member ad-hoc committee to interview Municipal Judge candidates and recommend a nominee to City Council by December 17, 2010, for approval at the December 20, 2010, business session. (Moved from Consent Agenda G) APPROVED CREATION OF A 5-MEMBER SUBCOMMITTEE CONSISTING OF CM CLARK, CM RUEGAMER, CM CIMMINO, CM PITMAN, AND MAYOR HANEL AND SETTING A PRELIMINARY MEETING TO FORMAT QUESTIONS ON 12/10/2010 AT 4:00 P.M. WITH THE ASSISTANCE OF A REPRESENTATIVE FROM THE LEGAL DEPARTMENT.

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Please sign up on the clipboard located at the podium.*)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue**, referenced the zoning map from the Zone Change #869 presentation (Agenda Item 2) and said he felt the zoning should be R7000. He recommended cleaning up the zoning irregularities in that area.

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

COUNCIL INITIATIVES

- **Gaghen:** Moved that a letter be written on behalf of the Council to the Governor urging the issuance of a permit to transport the large cokers for the

Conoco Refinery, seconded by Councilmember McCall, and suggested the letter be individually signed by the Mayor and Council. **APPROVED**

ADJOURN – The meeting adjourned at 7:30 p.m.

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Cari Martin, City Clerk, at 657-8210.