

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

COUNCIL CHAMBERS	AGENDA January 24, 2011	6:30 P.M.
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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: Ronquillo, Gaghen, Pitman, Cimmino, McFadden, Ruegamer, McCall, Ulledalen, Astle, and Clark

MINUTES: January 10, 2011, approved as presented.

COURTESIES:

- **Presentation of \$5,941.80 check from Rick Reid of MDU Resources for the Landfill Methane Project.**
- **Mayor Hanel was wished a happy birthday.**
- **Councilmember McFadden reminded everyone the Girls Scouts were currently selling cookies.**

PROCLAMATIONS: None

ADMINISTRATOR REPORTS – TINA VOLEK

- **City Administrator Volek reminded Council of the Strategic Planning Session scheduled for the following day from 3 p.m. to 5 p.m. at the PD1 complex next to the BOC on Midland Road.**
- **City Administrator Volek advised the first of three CIP meetings would be held the following evening at 5:30 at Castlerock Junior High School. She said the other two meetings were scheduled for January 27 at the Moose Lodge and February 2 at Will James Junior High. She said a copy of the CIP was on line and hard copies were at the Library reference desk and in the City Clerk’s Office.**

- **City Administrator Volek referenced copies of House Bill #'s 231, 301, and 307 that were on the Councilmembers' desk. She advised Lobbyist Ed Bartlett was asking for guidance and asked Council to review them and provide her with feedback, and she would send out a survey the following day. She said HB #231 would be heard that week on Thursday so there was not a lot of time. She noted copies of the House Bills were filed in the ex-parte notebook in the back of the room.**

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1 and 2b ONLY.

Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign up on the clipboard located 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. There were no speakers, and the public comment period was closed.

1. CONSENT AGENDA -- Separations: C, I, M

- A. Approval of lease with McKinstry Montana, LLC, for 10 vehicle parking spaces at the Downtown Transit Transfer Center; 10-month lease (2/1/11-10/30/11) with month-to-month option for additional 12 months; \$500 monthly revenue.
Approved**
- B. Amendment #14, Airport Engineering Services Contract for 2011 AIP Projects; Morrison Maierle, Inc.; \$464, 370. Approved**
- C. Resolution of Intent #11-19018 To Construct W.O. 09-11, Rimrock Road from 17th Street West to Forsythia Boulevard; street widening, installation of curb/gutter, sidewalk, drive approaches, and street lights; and set a public hearing date for February 14, 2011. Approved 10-1. CM Pitman voted 'no'.**
- D. Acceptance of Bequest to Parmly Billings Library from the will of Mr. Lilburn F. "Wally" Wallace; \$5,000. Approved**
- E. Acceptance of Donation from St. Vincent Healthcare on behalf of the Billings Area Resource Network; \$1,000. Approved**
- F. Approval of application for an AmeriCorps*VISTA Project authorizing City staff to negotiate and finalize project if awarded; approximately \$15,000 to \$20,000.
Approved**
- G. Resolution #11-19019 authorizing application submittal and finalization with Montana Department of Transportation for paratransit operations assistance;**

TransADE-\$50,000, 5317 New Freedom-\$65,000, and 5316 JARC-\$150,000.
Approved

- H. **Acceptance** of 2011 AIP grant from Federal Aviation Administration (FAA), \$3,400,000, including City match of \$171,515.15. **Approved**
- I. **Authorization** allowing Judge Mary Jane Knisely to retain her municipal court judicial robe as a gift for her years of service to the City of Billings. **Approved with delay until Judge Kolar's new robe arrives.**
- J. **Resolution #11-19020** recognizing the incorporation of the South Billings Urban Renewal Association and the initial members of its Board of Directors. **Approved**
- K. **Preliminary Plat One-Year Extension** for McCracken Subdivision, 2nd Filing, Amended Lot 1-A, Block 1, generally located west of the intersection of Lake Elmo Drive and Wicks Lane; extending preliminary plat approval to 1/14/2012. **Approved**
- L. **Preliminary Subsequent Minor Plat** of Amended Lot 3, Block 4, Burlington Northern Subdivision, 14th Filing, described as two lots on approximately 1.25 acres of land for commercial and industrial development generally located on the east side of Barnard Street, south of Monad Road. Herbert and Geraldine Mangis, owners; Blueline Engineering, LLC, agent; approval of variance request, conditional approval of plat, and adoption of the Findings of Fact. **Approved**
- M. **Bills and Payroll:**
 - 1. December 23, 2010 – **Approved 10-0. CM Cimmino recused herself.**
 - 2. December 30, 2010 - **Approved**

REGULAR AGENDA:

2. St. Vincent Healthcare Subdivision

- a. **PUBLIC HEARING AND RESOLUTION #11-19021** vacating street rights-of-way within The Village Subdivision. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**
- b. **PRELIMINARY MAJOR PLAT** of St. Vincent Healthcare Subdivision, generally located on the west side of Shiloh Road between Monad Road and King Avenue West. Sisters of Charity of Leavenworth Health System, Inc.,

owner; St. Vincent Healthcare Foundation, Inc., sub-divider. Approval of variance request, conditional approval of preliminary plat, and adoption of the Findings of Fact. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

- c. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #870:** a zone change to allow a mixture of commercial, cultural, medical, clinical and residential uses in a Planned Development on a 111.91 acre parcel of land described as Blocks 1 through 5, The Village Subdivision; Sisters of Charity of Leavenworth Health Systems, owner; Will Ralph, Sanderson Stewart and Doug James, Moulton Bellingham PC, representatives. Zoning Commission recommends approval and adoption of the 12 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

3. PUBLIC HEARING AND RESOLUTION #11-19022 FOR ANNEXATION #11-01: a 1.5 acre parcel located on the northwest corner of King Avenue East and Calhoun Lane, legally described as a portion of the south 310 feet of Lot 24, Sugar Subdivision; Almon R. Blain Jr., owner and petitioner. Staff recommends acceptance of quitclaim deed from Yellowstone County for its interest in a portion of Calhoun Lane right-of-way, annexation of right-of-way, and approval of the Resolution. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **Approved**

4. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #871: a zone change from Residential 9,600 to Entryway General Commercial on a 1.554-acre parcel of land described as the south 310 feet of Lot 24, Sugar Subdivision, less 4,194 square feet for King Avenue East right-of-way, and located at 766 Calhoun Lane. Almon Blain, Jr., owner. Zoning Commission recommends approval and adoption of the 12 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **Approved**

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda; comments limited to three (3) minutes per speaker. Please sign on the clipboard located at the podium.*)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue**, asked why a second master plan was needed for the South Billings Urban Renewal District. He also referenced the open meeting laws and said no public meeting notices were given for the BSEDA meetings.

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

COUNCIL INITIATIVES

- **McFadden:** MOVED to direct staff to investigate and return to the council with recommendations that would modify the city bid award process to create an advantage for local businesses and contractors, seconded by Councilmember Pitman. On a voice vote, the motion was approved 9 to 2. Councilmembers Gaghan and Ulledalen voted 'no'.

ADJOURN: The meeting adjourned at 8:05 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.