

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

May 9, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Astle

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

MINUTES: April 25, 2011 - **Approved**

COURTESIES

PROCLAMATIONS

- Arbor Day, May 12, 2011
- National Women's Health Week, May 8-14, 2011
- Older American Month, May 2011

ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek referenced a memo from Assistant City Administrator Bruce McCandless regarding Item #2 that was sent in the 5/6/11 Friday Packet and filed in the ex-parte notebook.
- Ms. Volek referenced a letter from EBURD in support of Item #2 that was on Council's desk and filed in the ex-parte notebook.
- Ms. Volek reminded Council of the 5:30 p.m. work session on Tuesday; a meeting with the County Commissioners on Wednesday at 5:30 p.m. at the METRA; a Thursday noon luncheon with the School Board Members in the City Hall Conference Room; a meeting with Alec Hansen on May 17 at 10:00 a.m. at the Belknap Conference Room to discuss the legislative session; and a meeting of the MLCT Conference Committee at 11:30 a.m. following the meeting with Mr. Hansen.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item #1 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: B1, O1 and O2

A. **Bid Awards:**

1. **Four (4) 10,000 Gallon Deice Tanks.** (Opened 4/26/2011) Recommend rejection of bid. **APPROVED**

2. **2011 Milling Machine and Trailer.** (Opened 4/26/2011) Recommend Titan Machinery; \$364,458.45. **APPROVED**

3. **W.O. 09-11, Rimrock Road Improvements - 17th Street West to Forsythia Boulevard.** (Opened 4/26/2011) Recommend Knife River-Billings; \$3,550,131.55. **APPROVED**

4. **29th Street Skybridge Rehabilitation.** (Opened 4/26/2011) Recommend General Contractors Construction; \$230,814.00. **APPROVED**

B. **Change Order #5 - W.O. 09-08: WWTP Water Line Replacement;** Becco General, \$11,362.82. **APPROVED 10 TO 0. CM CIMMINO ABSTAINED FROM THE VOTE.**

C. **Approval** of one-year banking contract extension with US Bank from the expiration date of February 2012 to February 2013; additional \$5,800 per month in interest earnings, netting \$121,800 through February 2013. **APPROVED**

D. **CTEP Project Specific Agreement** for the Central Avenue Sidewalk Project; available funding - \$102,000. **APPROVED**

E. **CTEP Project Specific Agreement** for the Broadwater Connection Project; available funding - \$258,175. **APPROVED**

F. **Approval of lease renewal (5-year)** of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic; revenue first year \$25,160.88, revenue subsequent years adjusted by Consumer Price Index for All Urban Consumers. **APPROVED**

G. Approval of Commercial Terminal Building Lease and Operating Permit with Gulfstream International Airlines, Inc.; 5/1/2011 - 4/30/2015; approximate annual revenue for exclusive use space - \$52,084; approximate annual revenue for landing fees - \$45,000. **APPROVED**

H. Amendment #1, Lease Agreement with BILAW LLC, DBA Mann Mortgage Billings, expanding leased area an additional 538 square feet in Park 1; annual revenue - \$2,152.00 (538 square feet x \$4.00). **APPROVED**

I. Street Closures:

1. Reporter Big Sky Office Car Show, 6/11/2011; 9 a.m. to 3 p.m.; North 14th Street between 1st and 2nd Avenues North. **APPROVED**

2. Heart and Sole Run (5K, 10K and 2-mile walk), June 18, 2011; 8:30 a.m. to 1:00 p.m.; starting near 12th Avenue N. and N. 30th Street. Runners head south on N. 30th St; 2-mile walkers turn at 11th Ave. N, 5K runners/walkers turn at 9th Ave. N., and 10K runners/walkers turn at 8th Ave. N., finishing at Dehler Park. **APPROVED**

J. Resolution of Intent #11-19052 to create SILMD 308, Chrysalis Acres Subdivision, Phase II, and set a public hearing date for June 13, 2011. **APPROVED**

K. Resolution #11-19053 related to financing the proposed new Library Building and establishing compliance with reimbursement bond regulations under the Internal Revenue Code. **APPROVED**

L. Second/final reading Ordinance #11-5533 for Zone Change #874: A zone change from Community Commercial (CC) to Highway Commercial (HC) on two parcels of land described as Lots 1 through 17, Block 14 of Suburban Subdivision located at 327 Cook Avenue and 3919 Montana Avenue. Mike Dimich, property owner of 327 Cook Avenue. Gene and April Staudiner, property owners, and Mike Dimich, contract purchaser, of 3919 Montana Avenue. Approval of the zone change and adoption of the determinations of the 12 criteria. **APPROVED**

M. Second/final reading Ordinance #11-5534 for Zone Change #875: A zone change from Community Commercial (CC), Public (P), Residential 6,000 (R-60) and Residential Multi-Family (RMF) to Residential 9,600 (R-96) and Residential 6,000 Restricted (R-60-R) on Lots 10 through 12, Block 16; Lot 15, Block 17; Lots 1 through 4, Block 18; Lots 1 through 4 and 7 & 8, Block 19; Lots 25 through 27, Block 45; Lots 12A, 12B, 13A and 14 through 17, Block 46; Lots 8 through 13, Block 47, Lake Hills Subdivision; and proposed new Lots A through G to be created from golf course land, for a total of 12.651 acres. All lots are currently vacant. Ron Hill, owner; Marshall Phil of Blueline Engineering, representative. Approval of the zone change and adoption of the determinations of the 12 criteria. **APPROVED**

N. Exempt Plat Approval of Foster's Addition Subdivision between Blocks 49 and 53 generally located between 4th and 6th Avenues North on the Parmly Billings Library parking site; City of Billings, owner. **APPROVED**

O. Bills and Payroll:

1. April 8, 2011 – **APPROVED 10 TO 0. CM CIMMINO ABSTAINED.**
2. April 15, 2011 – **APPROVED 10 TO 0. CM CIMMINO ABSTAINED.**

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #11-19054 GRANTING A TAX ABATEMENT TO SSI BIG SKY, LLC, DBA SCHNITZER-BILLINGS (FORMERLY GOLDEN RECYCLING) on industrial equipment purchases. Staff recommends denying the request. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. PUBLIC HEARING AND RESOLUTION #11-19055 approving the transfer of property between the Billings Clinic and the City of Billings; a 24,000-square-foot section on 9th Avenue North between North 28th and North 29th Streets; a 28,000-square-foot section of the south half of North 28th Street between 10th Avenue North and 11th Avenue North; and 60,800 square feet of 28th Street North between 7th Avenue North and 9th Avenue North for a Clinic-owned building at 640 N. Broadway and 8.8 lots along 6th Avenue North between 29th and Broadway to be used as part of the site for a proposed new Library. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are restricted to 3 minutes per speaker. Please sign up on the clipboard located at the podium.*)

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

COUNCIL INITIATIVES - None

ADJOURN: 7:45 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.