

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

March 12, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Crouch

ROLL CALL: Councilmembers present on roll call were: Cromley, Ronquillo, Pitman, Cimmino, McFadden, Bird, McCall, Ulledalen, Astle, and Crouch

MINUTES: February 27, 2012 **APPROVED**

COURTESIES: AmeriCorps*VISTA Volunteer Introductions

PROCLAMATIONS:

- AmeriCorps Week, March 10 - March 18, 2012
- World Down Syndrome Day - March 21, 2012
- Women's History Month - March 2012

ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following item.

- Item B – Work Order 10-19, Shiloh Conservation Area Professional Services Design Contract with DOWL HKM: Appendix D – Schedule of Professional Fees and Appendix F – Certificates of Insurance were not available at the time the agenda was published and were on Council's desks. She said a copy was in the ex-parte notebook.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #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: L1

A. **Bid Awards:**

1. **W.O. 12-03, 2012 Street Maintenance Program, City Overlay.** (Opened 2/28/2012) Recommend Knife River; \$810,474.55. **APPROVED**

2. **W.O. 12-22, Demolition of Underriner Building at 523 N. 29th Street.** (Opened 2/28/12) Recommend H.L. Ostermiller; \$127,519. **APPROVED**

3. **Terminal Circle Road Rehab Project.** (Opened 2/14/12) (Delayed 2/27/12); Recommend Knife River; \$207,279.95. **APPROVED**

B. **Professional Services Contract for W.O. 10-19, Shiloh Conservation Area.** Contract for Professional Services; DOWL HKM, \$105,909. **APPROVED**

C. **Approval** of (1) Assignment and Transfer of the West End Hangar Ground Lease from Robert Redman to Steven A. Vold Revocable Trust and Susan K. Vold Revocable Trust as Tenants in Common; (2) New 20-year West End Hangar Ground Lease with the Vold Trusts; and (3) Lessor's Consent to Assignment to Secure Financing with First Interstate Bank. **APPROVED**

D. **Approval** of 5-year Non-Commercial Aviation Building and Ground Lease with Corporate Air; 12/1/2011-11/30/2016; revenue first year - \$33,600; revenue subsequent years adjusted by Consumer Price Index for all Urban Consumers (CPI-U). **APPROVED**

E. **Approval** of Limited Commercial Aviation Building and Ground Lease renewal with Alpine Aviation, Inc., DBA Big Sky Ground Support Industries; 3/1/2012 - 2/28/2013; annual revenue - \$12,587.86. **APPROVED**

F. **Approval of Semi Annual Investment Report. APPROVED**

G. **Approval** of Report for Pledged Collateral for First Interstate Bank Certificates of Deposit and US Bank Certificates of Deposit. **APPROVED**

H. **Approval** for Police Officer Shane Winden to travel to Tasmania, Australia, in May 2012 to participate in the Group Study Exchange Program. Total expense funded by the Montana Rotary Club. **APPROVED**

I. **Resolution #12-19142** outlining the parameters of the bonds and the bond sale for SID 1392, Yellowstone Family Park. **APPROVED**

J. Resolution #12-19143 adopting the 2012 Yellowstone County Pre-Disaster Mitigation Plan Update. **APPROVED**

K. Second/Final Reading Ordinance #12-5550 for Zone Change #882: A zone change from Neighborhood Commercial to Planned Development – Neighborhood Commercial with an allowance for the on-premise sale of beer and wine without gaming and the provision of catering services on a 1.3 acre parcel of land described as Lot 2, Rose Park Subdivision, generally located at 1504 through 1528 24th Street West. Larson and Carpenter Partnership, owner; Pam Shires, 6 Degrees Gourmet, representative. Approval of the zone change and adoption of the determinations of the 12 criteria. **APPROVED**

L. Bills and Payroll:

1. February 13, 2012 **APPROVED 10 TO 0. CM CIMMINO ABSTAINED.**

REGULAR AGENDA:

2. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward I to include recently annexed property in Annexation #12-01: Tract 2A of Certificate of Survey 1404 Amended, a fraction of the southwest corner of Lot 4, and a portion of Lot 13, Clark Subdivision; generally located on Nall Avenue with frontage on South 27th Street and addressed as 108 Nall Avenue; Donald Lee, petitioner, on behalf of owners BL Realty, Inc.; The Estate of Richard E. Lee; the Estate of Donald R. Lee; and OE Lee and Company. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. PUBLIC HEARING AND FIRST READING ORDINANCE revising BMCC Chapter 8, Cemeteries, Sections 8-302, 8-331, 8-332, and 8-334, increasing the amount of the Perpetual Care Fund from 30% to 35% and amending certain regulations for graves, markers, and burial. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

4. PUBLIC HEARING AND RESOLUTION #12-19144 ordering construction of improvements identified in W.O. 10-27, a CTEP project on the north side of Central Avenue from 29th Street West to 32nd Street West for the installation of curb, gutter, sidewalk, drive approaches, and street widening. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

5. PUBLIC HEARING AND RESOLUTION #12-19145 approving the FY2013-2017 Capital Improvement Plan (CIP; FY2013 Equipment Replacement Plan (ERP); and the FY2013 Technology Replacement Plan (TRP). 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 limited to 3 minutes. Please sign up on the clipboard located at the podium.*)

The public comment period was opened.

- **Cadet Cody Fryxell, 1731 Clubhouse Way, #3, Billings, MT,** invited the City Council to the Cadet Corps Dinner to be held on March 15, 2012, at 6:00 p.m. in the MSU-B Ballroom.
- **Kevin Nelson, 4235 Bruce, Billings, MT,** asked the City to start enforcing the noise ordinance. He also said the money going back to the City from the south side TIF District was taxpayers' money, and it should be returned to the taxpayers.
- **Carol Mick, 2902 Ramada Drive, Billings, MT,** said she agreed with Mr. Nelson that the noise ordinance needed to be enforced.

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

COUNCIL INITIATIVES None

ADJOURN: 7:47 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.