

## REGULAR MEETING OF THE BILLINGS CITY COUNCIL

December 10, 2012

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27<sup>th</sup> Street, Billings, Montana. Mayor Thomas W. Hanel called the meeting to order at 6:30 p.m. and served as the meeting's presiding officer. Councilmember McFadden gave the invocation.

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

### MINUTES:

- November 13, 2012
- November 26, 2012

Councilmember Astle moved for approval of the November 13 and November 26, 2012, minutes, seconded by Councilmember Cimmino. On a voice vote, the motion was unanimously approved.

### COURTESIES:

- Mayor Hanel recognized the Boy Scouts attending the meeting. Thomas Johnson said he was a member of Troop 27 that met at King of Glory Church, and he was attending the meeting in order to earn his Citizenship in the Community Merit Badge. Mr. Johnson introduced his dad and his brother, Andrew.
- Mitchell Foglesong introduced himself and said he used to be a member of Boy Scout Troop 3 that met at King of Glory Church.
- Councilmember Astle recognized Councilmember Ronquillo for his public service and involvement with the South Side Task Force.

**PROCLAMATIONS:** None

### ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following item.

- **Add-on Item: Resolution Declaring an Emergency for the Airport's Chiller Replacement.** Ms. Volek advised Director of Aviation & Transit, Tom Binford, was available to answer questions and asked that the item be added to the Regular Agenda as #3. She said a copy of the staff report was filed in the exparte notebook in the back of the room for public review.

Councilmember Astle moved to add the chiller replacement to the agenda as Item #3, seconded by Councilmember Ulledalen. On a voice vote, the motion was unanimously approved.

**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.

Councilmember Cimmino separated Consent Agenda Items 1A, F1, and F2. Councilmember Pitman moved for approval of the Consent Agenda with the exception of Items 1A, F1 and F2, seconded by Councilmember Astle. On a voice vote, the motion was unanimously approved.

Councilmember Cimmino referenced Item 1A, and said she needed to abstain due to her employment. Councilmember Pitman moved for approval of Item 1A, seconded by Councilmember Astle. On a voice vote, the motion was approved 10 to 0.

Councilmember Cimmino referenced Item F1, Invoice #760592, and Item F2, Invoice #760803, and said she needed to abstain due to her employment. Councilmember Pitman moved for approval of Items F1 and F2, seconded by Councilmember Astle. On a voice vote, the motion was approved 10 to 0.

## **1. CONSENT AGENDA**

**A. Contract for Professional Engineering Services** with Sanderson Stewart for City Stormwater System Study; \$193,365.

**B. Approval** of the purchase of twelve (12) Replacement Police Vehicles from Bison Ford Motor Company of Great Falls for \$27,206.24 each, or a total cost of \$326,474.88, budgeted in the 2013 Equipment Replacement Plan.

**C. Resolution #12-19237** setting parameters for refinancing the Billings Operations Center.

**D. Second/Final Reading Ordinance #12-5592 for Zone Change #905:** a zone change from Residential Manufactured Home (RMH) to Highway Commercial (HC) on a 1.48 - acre parcel described as Lots 12, 13, 14 and 15A of Block 5 of Wanigan Subdivision. BEL, LLC, Owner; William Lane, Agent. Approval of the zone change and adoption of the determinations of the 10 criteria.

**E. Final Plat** of Lake Hills Subdivision, First Filing, Amended Lot 4A, Block 2.

### **F. Bills and Payroll:**

1. November 5, 2012
2. November 13, 2012
3. November 19, 2012

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND FIRST READING ORDINANCE amending the boundaries of Ward IV to include recently annexed property in Annexation #12-07 (ROW): Property described as a 30-foot-wide petitioned county road easement covering approximately 0.167 acres along the front of Tract 1A, Certificate of Survey 2990, and located on the south side of Grand Avenue just west of the Grand Avenue and 48th Street West intersection. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Ms. Volek advised there was no presentation, but staff was available to answer questions.

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

Councilmember McCall moved for approval of Item 2, seconded by Councilmember Astle. On a voice vote, the motion was unanimously approved.

**3. ADD-ON ITEM: RESOLUTION #12-12938 DECLARING AN EMERGENCY FOR THE AIRPORT'S CHILLER REPLACEMENT. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Mr. Binford explained staff needed to use the emergency purchasing procedures allowed in Montana Code, as well as the City's purchasing policy, to order a chiller without advertising for bids to replace the current chiller in the terminal building that had experienced a catastrophic failure earlier in the week. He said the chiller was an important part of the terminal heat recovery system that maintained a constant temperature in the terminal throughout the year. Mr. Binford said Council's approval that evening would allow staff to order the equipment, and then a competitive bid would be advertised for the removal of the old chiller and installation of the new chiller. He said the existing chiller was 20 years old, and in the past three years approximately \$67,000 had been spent to maintain it. He said the refrigerant it used was no longer made, and the unit was in pretty bad shape. Mr. Binford said they would use the money they had planned to use to replace a steam boiler to purchase the chiller, and the steam boiler may need to be pushed back a year. He said the new chiller would also be much more efficient.

Mayor Hanel opened the floor for public comment. There were no speakers, and the public comment period was closed.

Councilmember Astle moved for approval of Item 3, seconded by Councilmember Cimmino. On a voice vote, the motion was unanimously 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. There were no speakers, and the public comment period was closed.

**COUNCIL INITIATIVES**

- **MCCALL**: MOVED to supersede the motion passed by the City Council on October 22, 2012, that required a new proposal process for the relocation of offices for the Planning and Community Services Department, and directed staff to draft a letter to be sent to the top five proposers resulting from the first RFP requesting they resubmit proposals based on criteria listed in the letter; and that the highest rated response would be the location for the new offices for the Planning Division, Building Division, Community Development Division, and Code Enforcement. The motion was seconded by Councilmember Astle. Attorney Brooks clarified that the highest rated response would still need to be presented to the Council for approval. On a voice vote, the motion was approved 10 to 1. Councilmember Pitman voted in opposition.
- **CROUCH**: MOVED to direct staff to provide the number of residential and business false alarms the police had responded to over the last three years; highlighting those residences and businesses that had multiple false alarms, seconded by Councilmember Ronquillo. Councilmember Crouch requested the information be provided to Council in January 2013. On a voice vote, the motion was unanimously approved.

There was no further business, and the meeting adjourned at 6:58 p.m.



CITY OF BILLINGS

BY: Thomas W. Hanel  
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk