

## COUNCIL ACTION SUMMARY

### CITY OF BILLINGS

#### CITY OF BILLINGS VISION STATEMENT:

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

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#### AGENDA

**COUNCIL CHAMBERS**

**February 11, 2013**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Bird

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

**MINUTES:** January 28, 2013 **APPROVED.** Councilmember Cimmino abstained as she was absent during this meeting.

#### **COURTESIES:**

- Mayor Hanel recognized Councilmember McCall as she was highlighted in a recent article in the Yellowstone Valley Women’s magazine.
- Mayor Hanel also acknowledged an article in the magazine concerning the AmeriCorps\*VISTA program and stated the City of Billings has benefitted greatly from this program.
- Mayor Hanel complimented Councilmember Crouch for his acting part in the Billings Studio Theatre play, “On Golden Pond”.

**PROCLAMATIONS:** None

**ADMINISTRATOR REPORTS - TINA VOLEK** There was no report.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and #4 ONLY.**  
**Speaker sign-in required.** (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or 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: **D, E, K**

**A. Bid Awards:**

1. **W.O. 13-03: #1 City Overlay.** (Opened 1/22/13)(Delayed from 1/28/13) Recommend Knife River; \$1,311,255.89. **APPROVED**

2. **Polyaluminum Hydroxychloride (PACL) for Water Treatment Division.** (Opened 1/29/2013). Recommend Kemira Water Solutions, Inc. (1-year); \$0.363/lb. delivered by railcar. **APPROVED**

3. **Two (2) - 2013 37,000 GVW Axle Trucks with Dump/Sander Spreaders.** (Opened 1/29/2013). Recommend I-State; \$288,525 (includes \$2,585 5-year warranty). **APPROVED**

**B. W.O. 12-05, Five Mile Lift Station**

1. **W.O. 12-05, Five Mile Lift Station Construction Bid Award.** (Opened 1/29/2013) Recommend Western Municipal Construction; \$2,010,821. **APPROVED**

2. **Approval of License Agreement** with BCJM Properties for W.O. 12-05, Five Mile Lift Station construction access and staging. **APPROVED**

**C. Professional Architectural and Engineering Services Contract** for Parks Department Restroom Facility Improvements; A&E Architects PC; \$64,197.50. **APPROVED**

**D. Professional Services Agreement** for W.O. 12-42, Water Treatment Plant Laboratory Renovation; A&E Architects; not to exceed \$117,100. **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

**E. Park 1 Lease Agreement** with BILAW LLC, dba Mann Mortgage Billings (1/1/13 - 12/31/15) with one, 3-year renewal option; revenue first year - \$27,264.60; revenue subsequent years adjusted by CPI. **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

**F. Approval** of application for an AmeriCorps VISTA Project; approximately \$15,000 - \$30,000 annually; and **authorization** for staff to negotiate and finalize the project, if awarded. **APPROVED**

**G. Acknowledging Receipt of Petition to Annex #13-01:** two parcels totalling approximately 93 acres in Tract 1, C/S 2587, and Tract 1, C/S 3329, generally located on the northwest corner of the intersection of Hesper Road and Gabel Road; Industrial

Planning Associates, L.P, owner and petitioner; and setting a public hearing date for 2/25/13. **APPROVED**

**H. Acceptance** of Recreational Trails Program (RTP) grant award for Aronson Connector Trail; \$27,000. **APPROVED**

**I. Grant Application Request and Resolution #13-19243** to submit to Montana Department of Transportation for Section 5310, Section 5311 and Section 5339 Transit Grants for operating assistance and purchase of vehicles; \$650,600 total. **APPROVED**

**J. Resolution of Intent #13-19241** to sell property at 502 South 33rd Street, Billings, Montana, and setting a public hearing date for March 25, 2013. **APPROVED**

**K. Bills and Payroll:**

1. January 22, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND RESOLUTION #13-19242** assessing the annual fee for five additional 2012 encumbrances, obstructions, or encroachments on, over, across or above the streets, avenues, sidewalks, or alleys of the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation). **APPROVED**

**3. PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #CC-2013-01:** A variance from Section 1208(h)(5), pertaining to the number of curb cuts allowed by regulation; and a variance from Section 1208(i)(4), pertaining to allowable distance of a curb cut at a signalized intersection of two arterial streets for property generally located on the northwest corner of Grand Avenue and 24th Street West currently occupied by Western Security Bank. Glacier Bank, Owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**4. APPROVAL OF REPAYMENT** of the appraised value of Lots 23-24, Block 184, and Lots 4-8, Block 226, to the US Department of Housing and Urban Development (HUD) estimated at \$128,625; and reimbursement of property management administrative costs for Block 245 to the Community Development Division estimated at \$52,954 using program income received from the sale of Block 245. 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 in at the cart located at the back of the council chambers or at the podium.*)

The public comment period was opened.

- **Tom Zurbuchen, 1747 Wicks Lane:** Stated he wanted the City to take immediate budgetary action before it is too late.

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

**COUNCIL INITIATIVES** None.

**ADJOURN:** 7:00 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.*