

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

April 22, 2013

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Cimmino

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

MINUTES: April 8, 2013 - **APPROVED**

COURTESIES: None

PROCLAMATIONS:

- National Volunteer Week, April 21-27, 2013
- National Crime Victims' Rights Week, April 21-27, 2013

ADMINISTRATOR REPORTS - TINA VOLEK

City Administrator Volek noted there were no ex-parte items that evening and commented on the following agenda item:

- Consent Agenda Item 11 – Resolution of Intent to De-Annex #13-05. Ms. Volek noted the title in the staff report incorrectly referenced Lot 30 instead of Lot 20. Lot 20 was correctly listed in the body of the staff report and resolution. She also noted the resolution had a passage date of April 8, 2013, and it had been corrected to read April 22, 2013.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items #1 and #11 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.

- **Richard Clark, 1207 25th Street West, Billings, MT**, referenced Item 11. He said he felt the new library cornerstone should represent the entire city and not just one organization. He also recommended a plaque with the names of the city council, library board, and steering committee be displayed in the new library similar to the plaques displayed at Dehler Park.

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

1. **CONSENT AGENDA** -- Separations: K1, K2, D

A. IT Conduit to 911 Center Project

1. **W.O. 13-05, IT Conduit to 911 Center Bid Award**; Recommend C & L Service, Inc.; \$204,206. **APPROVED**

2. **Memorandum of Understanding** between the City of Billings and Yellowstone County for the IT Conduit to 911 Center Project. Yellowstone County to provide financial support of \$84,733 in exchange for 50% ownership of 4" conduit. **APPROVED**

B. Library Security System Service Agreement with Kenco Security and Technology; \$64,981.02. **APPROVED**

C. Compensation Agreement with Stock Development for Private Contract P-647, Schedule 1, extension of sanitary sewer in South 44th Street West between King Avenue West and Monad Road (Lots 1 & 2, Block 1, Lenhardt Square Sub); compensation to be based on the final sanitary sewer utility construction costs-estimated \$187,408.50. **APPROVED**

D. Amendment #1, W.O. 12-43: Water Treatment Plant Backup Power, Phase III, Professional Services Contract, HDR Engineering, \$53,600. APPROVED 9 TO 0. CM CIMMINO ABSTAINED.

E. Approval of Right-of-Way Deed for W.O. 09-12, Inner Belt Loop for Parcel No. 8 located on the east half of the southwest quarter of Section 18, Township 1 North, Range 26 East; State of Montana Department of Natural Resources and Conservation; \$8,400. **APPROVED**

F. Subordination of Housing Rehabilitation Loan for Stefanie M. Ruegamer; \$19,980.61. **APPROVED**

G. Acceptance of Donations to Community Development Division for Project Homelessness; Stockman Bank - \$500; First Montana Title - \$500. **APPROVED**

H. Resolution of Intent #13-19259 to create SID 1395, public improvements on Boca Raton Road between Annandale Road and Clubhouse Way, and set a public hearing for May 13, 2013. **APPROVED**

I. Resolution of Intent #13-19260 to De-Annex #13-05: approximately 6.64 acres of undeveloped land described as Lot 20, Block 3, Rolle Subdivision; Robert Honaker, owner and petitioner; and set a public hearing for May 28, 2013. **APPROVED**

J. Final Plat of Grand Peaks Subdivision, 3rd Filing. **APPROVED**

K. Bills and Payroll:

1. March 25, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

2. April 1, 2013 **APPROVED 8 TO 0. CM CIMMINO AND CM CROMLEY ABSTAINED**

3. January 1, 2013 - March 31, 2013 - Municipal Court **APPROVED**

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #13-19261 approving and adopting Third Quarter Budget Amendments for Fiscal Year 2013. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

3. PUBLIC HEARING AND RESOLUTION #13-19262 relating to Special Improvement District No. 1385 Refunding Bonds, Series 2013; authorizing the issuance and private negotiated sale. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

4. PUBLIC HEARING AND RESOLUTION #13-19263 creating SILMD 311, Rimrock Road from Forsythia Boulevard to Shiloh Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

5. PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #OP-13-01: A variance from Section 6-1203 of the Site Development Ordinance pertaining to off-street parking requirements at Great Harvest Bread Company, 907 Poly Drive. Bryan Layton, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

6. PUBLIC HEARING and approval of allocation of FY2013-2014 CDBG and HOME program funds and approval of the FY2013-2014 Action Plan. Staff recommends approval of the Community Development Board's recommendation and prioritization. (Action: approval or disapproval of staff recommendation.) **APPROVED**

7. PUBLIC HEARING AND RESOLUTION #13-19264 FOR ANNEXATION #13-03: Approximately 1.6 acres in Parcel 1, Certificate of Survey 1706, generally located

on the southeast corner of the intersection of Bench Boulevard and Yellowstone River Road; Ryan and Jodi Rookhuizen Family Trust, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)

APPROVED

8. PUBLIC HEARING AND RESOLUTION #13-19265 FOR ANNEXATION #13-04: A portion of existing Tract 2, Certificate of Survey 3295, composed of one parcel totaling approximately two acres generally located on the north side of Grand Avenue just west of the intersection of Grand Avenue and 48th Street West; Mary Beth Gregory, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

9. PUBLIC HEARING AND FIRST READING ORDINANCE amending the boundaries of Ward V to include recently annexed property in Annexation #13-01: two parcels totaling approximately 97 acres in Tract 1, C/S 2587, and Tract 1, C/S 3329, generally located northwest of the intersection of Hesper Road and Gabel Road; Industrial Planning Associates, L.P, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

10. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward III to include recently annexed property in Annexation #13-02: a 63.32-acre parcel of land generally located south of the King Avenue West interchange with Interstate 90 and addressed as 1228 and 1236 Mallowney Lane; Elizabeth Zeiler, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

11. ACCEPTANCE OF THE CORNERSTONE DONATION from the Masons for the new Billings Public Library. Library Board of Trustees recommends conditional approval. (Action: approval or disapproval of Library Board of Trustees recommendation.) **FAILED 5 TO 4. MAYOR HANEL ABSTAINED. COUNCILMEMBERS CROMLEY, BIRD, ULLEDALEN, ASTLE, AND CROUCH VOTED IN OPPOSITION. COUNCILMEMBERS RONQUILLO, PITMAN, CIMMINO, AND MCCALL VOTED IN FAVOR.**

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

COUNCIL INITIATIVES - NONE

ADJOURN: 7:19 p.m.