

**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**

**January 13, 2014**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Rich McFadden

**ROLL CALL:** Councilmembers present on roll call were: Yakawich, Pitman, Cimmino, McFadden, Bird, McCall, Swanson, Crouch, and Brown. Councilmember Cromley was excused.

**ELECTION OF DEPUTY MAYOR PRO TEMPORE:** Councilmember Pitman was elected Deputy Mayor Pro Tempore.

**MINUTES:**

- December 9, 2013 - **APPROVED**
- January 6, 2014 (Special Session) - **APPROVED**

**COURTESIES:** Billings Police Department Annual Awards

**PROCLAMATIONS:** None

**ADMINISTRATOR REPORTS - TINA VOLEK**

- **Item F – Memorandum of Understanding between City and NWE for energy rebate for installation of a new, high speed turbo blower at the Wastewater Treatment Plant.** The amount of rebate was increased from \$130,000 as noted on the agenda to \$145,000.
- **Item M – Resolution appointing 10 members to Right-of-Way Special Events ad-hoc committee.** Council approved a resolution creating the committee on December 9, 2013; therefore, a resolution appointing the members, as indicated on the agenda, is not necessary.
- **Item #4 – Public Hearing and Zone Change #917: A zone change from Public to R7000 Restricted for Lampman Park located south of Monad and east of 32<sup>nd</sup> Street West.** Council received an e-mail from Kevin Bentz, dated 1/13/14, advising Lampman Park had been identified several years ago as a

prime location for the relocation of Fire Station #5. Copy of e-mail is filed in the ex-parte notebook.

- **Property Sale of 3510 7<sup>th</sup> Avenue South.** At the December 9, 2013, Council meeting staff was directed to re-advertise the call for sealed bids and bring a recommendation to the Council at the January 13, 2014, meeting. Council received a memorandum from Public Works Director, Dave Mumford, in the 12/19/13 Friday Packet advising there were discrepancies with the property description, and sale of the property would not be ready for consideration at the January 13, 2014, meeting. Copy of Mr. Mumford's memorandum is in the ex-parte notebook.
- **Ray Property Offer on Midland Road.** Copy of staff memorandum to Mayor and City Council and a letter and buy/sell agreement from Mr. Ray is on Council's desk and filed in the ex-parte notebook.

**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 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: B, C, F, G, H, I, J, M, N, R, S1, S2, S3, S4, S5

A. **Bid Awards:**

1. **Resurfacing a total of 10 Tennis Courts at Rose and Pioneer Parks.**  
Recommend Hellas Construction, Inc.; \$87,000. **APPROVED**

B. **Approval** to purchase three Police Patrol Ford F150 4x4 SuperCrew Pickup Trucks from Bison Ford Motor Company of Great Falls for \$30,439.88 each, or a total cost of \$91,319.64, budgeted in the approved 2014 Equipment Replacement Plan.  
**APPROVED**

C. **Compensation Agreement** with Copper Ridge Development Corporation for installation of 892 feet of 18" sanitary sewer main in Rimrock Road between Cove Creek Parkway and West Copper Ridge Loop; \$73,999. **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

D. **Memorandum of Understanding** between South Billings Urban Renewal Association, Inc.; Big Sky Economic Development Authority; and the City of Billings for implementation of the South Billings Boulevard Urban Renewal District Master Plan.  
**APPROVED**

**E. Memorandum of Understanding** between Billings Industrial Revitalization District; Big Sky Economic Development Authority; and the City of Billings for implementation of the East Billings Urban Renewal District Master Plan. **APPROVED**

**F. Memorandum of Understanding** between the City of Billings and NorthWestern Energy for an energy rebate of approximately \$130,000 for installation of a new, high speed turbo blower at the Wastewater Treatment Plant in Fiscal Year 2015. **APPROVED 9 to 0. CM CIMMINO ABSTAINED.**

**G. Amendment #2, W.O. 12-31: East End Industrial Area Storm Drain.** Professional Services Contract, Morrison-Maierle, Inc., not to exceed \$389,107. **APPROVED 8 TO 0. CM CIMMINO AND CM BROWN ABSTAINED.**

**H. Amendment #2, W.O. 12-45 3 MG Staples Reservoir Liner.** Professional Services Contract, HDR Engineering; \$5,300. **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

**I. Amendment #7, Engineering Services for Airport West End Sanitary Sewer Improvements.** Morrison-Maierle, Inc.; \$60,094. **APPROVED 8 TO 0. CM CIMMINO AND CM BROWN ABSTAINED.**

**J. Amendment #8, Engineering Services for Airport Detention Pond D Expansion and Outfall Routing.** Morrison-Maierle, Inc.; \$57,700. **APPROVED 8 TO 0. CM CIMMINO AND CM BROWN ABSTAINED.**

**K. Acknowledge receipt of petition to vacate** a portion of Cove Creek Drive in Copper Ridge Subdivision, 2nd Filing; Copper Ridge Development Corporation, petitioner; and setting a public hearing date of February 10, 2014. **APPROVED**

**L. Acceptance of Donations** to the Mayor's Committee on Homelessness from the Home Builder's Association - \$1,500; and Downtown Exchange Club - \$500. **APPROVED**

**M. Approval** of 10 appointees to an ad-hoc committee on Right-of-Way Special Events. **APPROVED**

**N. Grant Application Request** to submit a Montana State Historic Preservation Office Certified Local Government Grant application for FY2014-2015; \$5,225. **APPROVED 9 to 0. CM CIMMINO ABSTAINED.**

**O. Second/Final Reading Ordinance #14-5617** amending Billings, Montana City Code Sections 23-201, 23-306, 23-405, 23-601, 23-602, 23-603, 23-605, and 23-606 providing updates to the Subdivision Regulations. **APPROVED**

**P. Preliminary Plat One-Year Extension** for St. Vincent Healthcare Subdivision generally located at the northwest corner of King Avenue West and Shiloh Road; setting a new expiration date of January 24, 2015. **APPROVED**

**Q. Preliminary Plat One-Year Extension** for High Sierra Subdivision, 6th Filing; generally located north of Annandale Road and east of Greenbriar Road in the Lake Hills area; setting a new expiration date of February 9, 2015. **APPROVED**

**R. Final Plat** of Grand Peaks Subdivision, 4th Filing. **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

**S. Bills and Payroll:**

1. November 25, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**
2. December 2, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**
3. December 9, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**
4. December 16, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**
5. December 23, 2013 **APPROVED 9 TO 0. CM CIMMINO ABSTAINED.**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND RESOLUTION #14-10330** authorizing filing of the annual Federal Transit Administration Section 5307 Grant. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**3. PUBLIC HEARING AND SPECIAL REVIEW #914:** a special review to allow an all-beverage liquor license for a new restaurant located at 1603 Grand Avenue in the West Park Plaza Shopping Center. West Park Plaza Shopping Center, LLC, owner; Scott Heard and Andy Chan, agents. Zoning Commission recommends conditional approval and a waiver of the 600-foot separation distance to a church and a park with playground equipment. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**

**4. PUBLIC HEARING AND ZONE CHANGE #917:** A zone change from Public to Residential 7,000-Restricted on a 5.9-acre parcel known as Lampman Park within Lampman Subdivision generally located south of Monad Road and east of 32nd Street West. City of Billings, owner. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission 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. There were no speakers, and the public comment period was closed.

## **COUNCIL INITIATIVES**

- **Pitman** moved that the money held in reserve from the Better Billings Foundation during the building of the Oasis pool be released back to the Better Billings Foundation for the addition of a second slide, seconded by Councilmember McFadden. After further discussion, Councilmember Pitman amended his motion to place the item on a future business meeting agenda as soon as possible, seconded by Councilmember McFadden. On a voice vote, the motion was unanimously approved.
- **Pitman** moved to direct staff to provide discussion on the zoning 600' separation, seconded by Councilmember Cimmino. Councilmember McCall said she would like staff to research what other communities were doing. On a voice vote, the motion was unanimously approved.

**ADJOURN:** 8:15 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.*