

**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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<b>COUNCIL CHAMBERS</b>	<b>AGENDA April 14, 2014</b>	<b>6:30 P.M.</b>
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**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember McCall

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

**MINUTES:** March 24, 2014 - **APPROVED**

**COURTESIES:**

- National Dispatcher Week

**PROCLAMATIONS:**

- Arbor Day - April 25, 2014
- National Library Week - April 13-19, 2014

**ADMINISTRATOR REPORTS - TINA VOLEK**

- **Item 4 – Public Hearing and Resolution establishing FY2015 Collection, Disposal, and Landfill Fees effective July 1, 2014** – Additional information was sent to the Council in the April 11 Friday Packet. Copy is available for public view in the ex-parte notebook.
- **Item 7A – Resolution approving \$6,100,000 DNRC, Series 2014 Bonds, fixing the form and details and authorizing execution and delivery of the bonds** – A copy of a memorandum from Finance Director, Pat Weber, with information on various kinds of bonds issued by the City was on Council's desk and filed in the ex-parte notebook.
- **Item C – Appointment of Councilmember Swanson to the Beartooth RC&D Economic Development District Board of Directors** - Beartooth RC&D told her it was up to the City Council to determine term length. Councilmember Swanson indicated an initial 2-year term would be appropriate. The term length was not included in the staff report, but a 2-year term was the recommendation.

At the request of Councilmember Yakawich, Police Chief St. John provided background information on Items E, F, and G. Kristin Lundgren of United Way spoke on Item G.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 7A, and 7B, 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.)

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, referenced Item C and said Mr. Swanson had a potential conflict of interest because he would vote on the budget. The City Council contributed \$10,000 to the Beartooth RC&D Board.

1. **CONSENT AGENDA** -- Separations: B, H1, H2, H3 (Abstentions)

A. **Bid Awards:**

1. **Airport Miscellaneous HVAC Equipment Repair and Replacement.** (Opened 3/25/14) Recommend Klimate Heating and Cooling; \$84,242. **APPROVED**

B. **Consulting Agreement** with Alta Planning + Design for ZooMontana to Riverfront Park Bike/Pedestrian Trail Feasibility Study; \$40,000. **APPROVED 10 TO 0. CIMMINO ABSTAINED.**

C. **Appointment** of Councilmember Swanson to the Beartooth RC&D Economic Development District Board of Directors. **APPROVED**

D. **Acknowledge receipt of request for street name change** of Bonaventure Drive to Bell Drive generally located between Central Avenue and Bell Avenue, one block west of Shiloh Road, MorningStar Senior Living, petitioner; and set a public hearing for May 12, 2014. **APPROVED**

E. **Acceptance of State-Wide Donation** to Montana Internet Crimes Against Children Task Force; Michael Goguen; \$2,000,000. **APPROVED**

F. **Acceptance** of 2014 High Intensity Drug Traffic Area (HIDTA) Award from Executive Office of the President, Office of National Drug Control Policy; \$194,245. **APPROVED**

G. **Approval and acceptance** of United Way of Yellowstone County Grant Funds for Enforcing Underage Drinking Laws (EUDL); \$11,549. **APPROVED**

H. **Bills and Payroll:**

1. March 3, 2014 **APPROVED 9 TO 0. CIMMINO AND BROWN ABSTAINED.**
2. March 10, 2014 **APPROVED 9 TO 0. CIMMINO AND BROWN ABSTAINED.**
3. March 17, 2014 **APPROVED 9 TO 0. CIMMINO AND BROWN ABSTAINED.**

### **REGULAR AGENDA:**

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC Section 8-333, Dedication and Special Rules for Veteran Memorial Plot, providing the disposition of qualifying cremated veterans in either the columbarium or in a dedicated veteran memorial grave at Mountview Cemetery. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
3. **PUBLIC HEARING AND RESOLUTION #14-10348** ordering improvements identified in W.O. 14-02, Miscellaneous Improvements Program. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **PUBLIC HEARING AND RESOLUTION #14-10349** establishing FY2015 Collection, Disposal, and Landfill Fees effective July 1, 2014. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **ON A 7 TO 4 ROLL CALL VOTE APPROVED OPTION 2. YAKAWICH, PITMAN, MCFADDEN, BIRD, SWANSON, CROUCH, AND BROWN VOTED IN FAVOR. CROMLEY, CIMMINO, MCCALL, AND MAYOR HANEL VOTED IN OPPOSITION.**
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** revising BMCC Section 21-213 to include permit agreements with private haulers and Section 21-241 updating and clarifying solid waste regulations. Staff recommends approval. (Action: approval or disapproval of staff recommendations.) **APPROVED**
6. **PUBLIC HEARING AND RESOLUTION #14-10350** approving the FY2015-FY2019 Capital Improvement Plan (CIP); FY2015 Equipment Replacement Plan (ERP); and FY2015 Technology Replacement Plan (TRP). Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
7. **ZONE 3, CHAPPLE RESERVOIR EXPANSION**
  - A. **RESOLUTION #14-10351** approving \$6,100,000 Department of Natural Resources and Conservation Bonds, Series 2014, fixing the form and details and authorizing execution and delivery of the bonds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10 TO 0. CIMMINO ABSTAINED.**
  - B. **W.O. 08-25, Zone 3 Chapple Reservoir Expansion Bid Award.** (Opened 4/1/14) Recommend Western Municipal Construction, Inc. in the amount of \$4,997,556.65. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10 TO 0. CIMMINO ABSTAINED.**

**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.*)

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT**, said the minutes from March 24, 2014, were incomplete. He had heard rumors the City Administrator was planning her retirement. She needed to consider the recruitment expense for her replacement in the budget.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, said the minutes from the last meeting did not reflect Mr. Crouch voting against one of the tax abatements. Councilmember McCall had a conflict of interest serving on the EDC Board.

**COUNCIL INITIATIVES - NONE**

**ADJOURN: 8:02 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.*