

**COUNCIL ACTION SUMMARY  
CITY OF BILLINGS**

**CITY OF BILLINGS VISION STATEMENT:**

**“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE  
PEOPLE PROSPER AND BUSINESS SUCCEEDS.”**

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<b>COUNCIL CHAMBERS</b>	<b>AGENDA July 28, 2014</b>	<b>6:30 P.M.</b>
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**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Yakawich

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

**MINUTES:**

- June 23, 2014 - **APPROVED**
- July 14, 2014 (pending)

**COURTESIES:** Mayor Hanel wished Lonnie Bell, long-time country music DJ, a happy 90<sup>th</sup> birthday from the City of Billings.

**PROCLAMATIONS:** None

**ADMINISTRATOR REPORTS - TINA VOLEK**

- **Item C: Change Order #1 with Tetra Tech for the Empire Parking Garage in the amount of \$13,001.** Council received a copy of Change Order #1 in the July 25<sup>th</sup> Friday Packet. Copy of change order is filed in the ex-parte notebook.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 & 3B 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: B2, C, D, F, L1 and L2

A. **Mayor Hanel recommends that Council confirm the following appointments:**

1. **APPROVED**

	Name	Board/Commission	Term	
			Begins	Ends
1	Jessica Leuthold	Bicycle & Pedestrian Advisory Comm*	07/28/14	12/31/15
2	No Applications	Board of Appeals - Electrical	07/28/14	12/31/17
3	No Applications	Housing Authority Res Comm	07/28/14	12/31/15
4	Jeana Lervick	Library Board*	07/28/14	12/31/14
5	No Applications	Mayor's Homelessness Lending	07/28/14	12/31/16
6	David Fishbaugh	Parking Advisory Board	07/28/14	12/31/17
7	No Applications	Parking Advisory Board*	07/28/14	12/31/14
8	Andy Piccioni	Parking Advisory Board*	07/28/14	12/31/17
9	Pierre Jomini	Traffic Control Board*	07/28/14	12/31/14
10	Jerry Dunning	Traffic Control Board	07/28/14	12/31/17

- 1 Unexpired term of Darryl Wilson
- 4 Unexpired term of Shari Nault Pullar
- 7 Unexpired term of William Gilbert
- 8 Unexpired term of Edward Arnold
- 9 Unexpired term of Brent Krueger

B. **Bid Awards:**

1. **Airport Parking Lot and Road Construction.** (Opened 7/15/2014) Recommend delay of award until August 11, 2014. **APPROVED DELAY UNTIL 8/11/14**

2. **Electronic Waste Disposal.** (Opened 7/15/2014) Recommend Yellowstone E-Waste; \$0.25/per pound for three years. **APPROVED**

C. **Change Order #1 - Empire Parking Garage;** Tetra Tech; \$13,001. **APPROVED**

D. **Empire Parking Garage Management Agreement** between Zootist Hospitality LLC, and the Empire Garage Owner's Association. **DELAYED TWO WEEKS**

E. **Interlocal Agreement** for MT Firefighters Testing Consortium. **APPROVED**

F. **Acceptance of Donation** to the Parks, Recreation and Public Lands Dept. from Bright and Beautiful for tree planting event at Coulson Park; \$5,000. **APPROVED**

**G. Acceptance of Donation** to the Billings Police Department for graffiti abatement equipment from Hanser's Wrecker Company, Inc.; \$3,000. **APPROVED**

**H. Acceptance of Quitclaim Deed** for portions of road right-of-way located on Barrett Road and Kyhl Lane in Billings Heights (Annexation #14-01) from Yellowstone County. **APPROVED**

**I. Resolution #14-10382** providing assistance to the Billings Industrial Revitalization District (BIRD) with \$3.1 million estimated costs for storm water, water and sewer improvements to be developed as part of the Exposition Gateway Infrastructure Plan. **APPROVED**

**J. Public Safety Mill Levy Charter Amendment**

**(1) Second/Final Reading Ordinance #14-5624** providing that the Billings City Charter be amended to add Section 1.05.2; providing for a permanent mill levy to fund Fire, Police, 911 Dispatch Services, and related public safety expenses and submitting the proposed amendment to the electors of the City as provided by law. **APPROVED**

**(2) Resolution #14-10383** referring the ordinance amending the Billings City Charter to provide for a permanent mill levy to fund Fire, Police, 911 Dispatch Services, and related public safety expenses to a vote of the people at an election to be held on November 4, 2014. **APPROVED**

**K. Final Plat Approval**

1. The Estates at Briarwood Subdivision, 2nd Filing **APPROVED**
2. Popelka Commerce Center Subdivision, 2nd Filing **APPROVED**

**L. Bills and Payroll:**

1. June 30, 2014 **APPROVED 9 TO 0. CM BROWN ABSTAINED.**
2. April 1, 2014 - June 30, 2014 Municipal Court **APPROVED 9 TO 0. CM BROWN ABSTAINED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND SPECIAL REVIEW #917:** A special review to locate an approximate 100-unit assisted living facility in a Multi-Family Residential zone on Lot 1, Block 1, Lenhardt Square Subdivision, 1st Filing, generally located on the southeast corner of S. 44th Street West and Monad Road in the Lenhardt Square Planned Development; Stock-Naughton, LLP, owner; Sanderson Stewart, agent. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**3. MONT VISTA SUBDIVISION, 1ST FILING**

**A. PUBLIC HEARING AND RESOLUTION #14-10384** authorizing the exchange of Cynthia Park in Yerger Heights Subdivision for an equal size of parkland in Mont Vista Subdivision, First Filing. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**B. FINAL PLAT OF MONT VISTA SUBDIVISION, 1ST FILING.** 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. The following individuals spoke in opposition of the non-discrimination ordinance.

- **Terry Forke, 341 Rolling Hills Road, Billings, MT**
- **Dick Pence, 4307 Palisades Park Drive, Billings, MT**
- **Mark Carlstrom, 3134 Poly Drive, Billings, MT**
- **Donna Braun, 333 South 38<sup>th</sup> Street West, Billings, MT**
- **Meg Burvainis, 384 W. Daffodil, Billings, MT**
- **Kyndall Miller, 1500 1<sup>st</sup> Avenue North, Billings, MT**
- **Janice Linn, 821 N. 27<sup>th</sup> Street, Billings, MT**
- **John Klier, 2514 Meadow Creek Drive, Billings, MT**
- **Mark Hall, 3952 Chamberlain, Billings, MT**
- **Tom Jones, 519 Carriage Circle, Billings, MT**
- **Susan Smith, 5522 Billy Casper Drive, Billings, MT**
- **Kari Beebe, 712 N. 26<sup>th</sup> Street, Billings, MT**

The following individual spoke in favor of the non-discrimination ordinance.

- **Dennis Ulvestad, 3040 Central Avenue, Billings, MT**

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

**COUNCIL INITIATIVES** None

**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.*