

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

January 14, 2019

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Mayor Cole

ROLL CALL: Councilmembers present on roll call were: Cromley, Yakawich, Neese, Ewalt, Joy, Friedel, Gibbs, Ronning, Clark, Brown

MINUTES: December 17, 2018 - **APPROVED**

COURTESIES:

- Councilmember Yakawich welcomed the North Park Task Force leadership. Members of the task force introduced themselves and presented Council with a donation for \$250 for the USS Billings. The task force members challenged the other task forces to donate as well.
- Mayor Cole stated he and Ron Spence, from the Billings Hotel and Convention Center had attended the commissioning ceremony of the USS Wichita at Naval Station Mayport. He added that it had been a moving experience.
- Councilmember Ronning announced Bill MacIntyre, the owner of Pug Mahon's had passed away. She gave her condolences to his family.

PROCLAMATIONS:

- None

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Mr. Kukulski informed Council that Consent Agenda Item 1D needed to be removed from the agenda. The annexation for the property had been indefinitely placed on

hold. Council would need to approve removal of the item with a super majority vote of 3/4 members.

- Mr. Kukulski reminded Council that next week's Work Session meeting would be held on Tuesday, January 22, rather than Monday, due to the Martin Luther King, Jr. holiday.
- Mr. Kukulski stated there would be a Special Work Session on Saturday, January 26th, at 8:00 am to Noon, at the Community Center, 390 N. 23rd Street.
- Mr. Kukulski informed Council that Regular Agenda Item 2 would need to be withdrawn, due to a request from the applicant. He added Council would need to approve the withdrawal with a simple majority vote.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 ONLY. Speaker sign-in required. (Comments are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign the roster at the cart located at the back of the Council chambers or at the podium. Comments 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 following constituents spoke in favor of Consent Agenda Item M, Zone Change 971:

- **Joshua McIntosh, 5502 Clear Sky Drive, Billings, Montana.**
- **John Beck, 3486 Mountain Circle, Billings, Montana.**
- **Cliff Kirkham, 5505 Sunny Cove, Billings, Montana.**
- **Keisha McIntosh, no address given.**
- **Scott Aspenlieder, Performance Engineering, Billings, Montana.**
- **Brian Parkins, 5309 Sundance Mountain Circle, Billings, Montana:** stated he wanted to retract his previous statement about his neighbors being against the project. He stated it had been directed towards bars and not the proposed business. He added he was in favor of the microbrewery.
- **Ty Schmechel, agent,** stated there would be green space and bike paths in the plan that would benefit the area. He added the lot was chosen due to its size and being located further away from arterial streets.
- **Todd Buchanan, 2046 Pryor Lane, Billings, Montana.**
- **Steven Wells, 4832 Audubon Way, Billings, Montana.**

The following constituents spoke against Consent Agenda Item M, Zone Change 971:

- **Robert Deines, owner of property located at 4915 Grand Avenue, Billings, Montana:** stated the business needed to purchase property that did not require a zone change.
- **Pam Purington, 3606 Quimet Circle, Billings, Montana.**
- **Dennis Ulvestad, 3040 Central Avenue, Billings, Montana.**

1. **CONSENT AGENDA** -- Separations: 1A3, 1B, 1L, 1M, 1N1 and 1N2
 - A. **Bid Awards:**
 1. **W.O. 17-12, Landfill Drop-Off Facility.** (Opened 12/18/18) Recommend delay of award until January 28, 2019. **DELAY AWARD, APPROVED**
 2. **W.O. 17-26, Rimrock and 62nd Stormwater Detention Pond.** (Opened 12/18/18) Recommend FirstMark Construction; \$810,888. **APPROVED**
 3. **W.O. 18-24, WRF Administration Building Improvements.** (Opened 12/18/18) Recommend not awarding a contract. **CONTRACT NOT AWARDED, APPROVED 10-0, EWALT ABSTAINED**
 - B. **Professional Services Contract** for Coulson Park Master Plan; DHM Design; \$89,876. **APPROVED**
 - C. **Amendment No. 2,** Terminal Building Lease, U.S. Government for the benefit of the TSA; \$33,108.96. **APPROVED**
 - D. ~~**Development Agreement** with Doolen Property Trust, for future infrastructure improvements to Meadowcreek Drive and 58th Street West.~~ **REMOVAL OF ITEM D, APPROVED**
 - E. **2018 Domestic Violence Grant** for the Police Department for overtime, training and supplies; \$34,000. **APPROVED**
 - F. **Recreational Trails Program Grant Application** for a restroom facility at the Shiloh Conservation Area; up to \$37,000. **APPROVED**
 - G. **Memorandum of Understanding (MOU)** with Beartooth RC&D Economic Development District; \$12,457.09 annual expense. **APPROVED**
 - H. **Sidewalk Easement** with W2K Animal Services, Inc. **APPROVED**
 - I. **Donation** to the Fire Department from ExxonMobil for emergency response equipment; \$2,500. **APPROVED**
 - J. **Grant Application Request** to submit application for AmeriCorps VISTA and authorize City staff to negotiate and finalize the project if awarded. **APPROVED**
 - K. **Resolution 19-10776** authorizing the issuance and calling for a public bond sale of Series 2019 Solid Waste Revenue Bonds. **APPROVED**

- L. **Second/Final Reading Ordinance 19-5721** amending BMCC, Sections 18-300 through 18-309, Nuisance Code. **APPROVED 9-2, FRIEDEL AND BROWN OPPOSED**
- M. **Second/Final Reading Ordinance 19-5722 for Zone Change 971:** a zone change from Neighborhood Commercial (NC) to Planned Development (PD) with underlying NC, to allow 1 microbrewery license and 1 restaurant beer and wine license (no gaming) on a 3.6 acre parcel of land described as: Lot 4, Bock 1, MK Subdivision, north of Grand Avenue and west of 54th Street West. MYK Enterprises, owner; Scott Aspenlieder, agent. Zoning Commission has **no** recommendation on a vote of 1 in favor and 4 opposed to a motion to recommend approval and adoption of the findings of the 10 criteria. **APPROVED 10-1, YAKAWICH OPPOSED**
- N. **Bills:**
1. December 3, 2018 **APPROVED 8-0, CROMLEY, NEESE AND BROWN ABSTAINED**
 2. December 10, 2018 **APPROVED 10-0, NEESE ABSTAINED**

REGULAR AGENDA:

2. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 972:** a zone change from Residential 7,000 (R-70), Residential Multi-Family Restricted (RMF-R) and Public to RMF-R, Residential Manufactured Home (RMH) and Public on a 29.97 acre parcel of land generally located south of King Ave West and west of South 44th Street West. CK Land, LLC, owner; Propriedad, LLC, agent. Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **WITHDRAWAL OF ITEM 2, APPROVED**
3. **PUBLIC HEARING AND SPECIAL REVIEW 971:** a special review to activate the gaming license to an existing all-beverage liquor license on a 11.179 acre parcel of land generally located at 1801 Majestic Lane. CB Industries, LLC, owner; Carol Brosovich, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED 9-2, NEESE AND GIBBS OPPOSED**

4. **PUBLIC HEARING AND SPECIAL REVIEW 972:** a special review to allow the installation of a 50-foot tall faux tree as a camouflage wireless facility on a 1.304 acre parcel of land generally located at 2420 13th Street West. Presbyterian Church, owner; Kevin Howell, Verizon Wireless, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
MAYOR COLE ABSTAINED FROM VOTING. MOTION OF DENIAL APPROVED 6-4, CROMLEY, NEESE, JOY, FRIEDEL OPPOSED

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Sign-in required.
(Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)

- **Ken Crouch, 1642 Wemibly Place, Billings, Montana:** encouraged Council to approve a non-discrimination ordinance for the City. He invited Council to come to a meeting on Saturday, January 19th at 1:00 pm at Grace United Methodist Church.
- **Carol Gibbs, 78 27th Street West, Billings, Montana:** stated the City could do more to make everyone feel accepted. She encouraged Council to support a non-discrimination ordinance.
- **John Baber, 1745 Avenue C, Billings, Montana:** encouraged Council to research an aerial tramway connecting the airport with the hospitals, colleges and downtown Billings.
- **Dennis Ulvestad, 3040 Central Avenue, Billings, Montana:** encouraged Council to change the speed limit from 25 to 35 mph on 8th Street West between Central and Broadwater.

COUNCIL INITIATIVES:

- None

ADJOURN: 8:50 pm

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 Denise R. Bohlman, City Clerk, at 657-8210.