

COUNCIL ACTION SUMMARY

REVISED 2/18/2020

**Consent Agenda Item 1A1 has been updated with
Mayor's Appointments to Boards and Commissions
There is NO Consent Agenda Item 1E**

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

February 24, 2020

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Neese

ROLL CALL: Councilmembers present on roll call were: Shaw, Yakawich,
Neese, Ewalt, Joy, Choriki, Purinton, Ronning, Boyett, Brown

MINUTES: February 10, 2020 - *Pending*

COURTESIES:

- Mayor gave the parameters for which the meeting and public comment would be heard, including reducing public comment from 3 minutes to 2 minutes.

PROCLAMATIONS: None

COUNCIL REPORTS:

- Councilmember Yakawich reported he attended a recent USS Billings meeting. He stated they were going forward with forming a non-profit. He mentioned that a crew from the USS Billings would be in Billings for a visit in April. He encouraged anyone interested to attend monthly meetings.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- There were no exparte communications in the notebook.
- Staff recommended that Consent Agenda Item 1B1 be removed from the agenda.
- Staff recommended that the public hearing be held concerning Regular Agenda Item 10, but that there be no action taken as the property owner paid the abatement costs after the agenda was published and the public hearing was noticed.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 4 ONLY. Speaker sign-in required. (Comments are limited to three two (3)(2) minutes or as set by the Mayor. 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.)

None

1. CONSENT AGENDA -- Separations: 1B, 1C, 1M2

A. Mayor Cole recommends that Council confirm the following appointments:

1. APPROVED

	Name	Board/Commission	Term	
			Begins	Ends
1	Becky Rogers	Billings BID	02/24/20	12/31/23
2	George Maragos	Billings BID*	02/24/20	12/31/20
3	David Ruff	Board of Appeals - Electrician	02/24/20	12/31/21
4	Miles Borges	Board of Appeals - Engineer	02/24/20	12/31/22
5	Thomas Staycheff	Board of Appeals*	02/24/20	12/31/22
6	Trina White	City Zoning Commission	02/24/20	12/31/23
7	Shane Noble	Community Development Low Mod	02/24/20	12/31/23
8	Hannah Olson	Community Development Low Mod	02/24/20	12/31/22
9	Larry Mathew	Billings Parking Board	02/24/20	12/31/23
10	Heidi Jensen-Christison	Planning Board - Ward II	02/24/20	12/31/23

* 2 Unexpired term of Eddie Schmidt

* 5 Unexpired term of Brian Hoerner

B. Bid Awards:

1. ~~W.O. 20-27: WRF Fill Material Removal Project. (Opened 2/11/20)
Recommend Warren Transport; \$128,853.~~ **MOTION APPROVED TO REMOVE ITEM FROM AGENDA**

C. Change Order No. 3, Centennial Park Development, FirstMark Construction; \$4,543.90. **APPROVED 9-2, EWALT AND NEESE OPPOSED**

D. Amendment No. 1, Scheduled Airline Operating Agreement and Terminal Building Lease with American Airlines, Inc.; Approx. \$172,000. **APPROVED**

F. Professional Services Contract for Billings Adult Misdemeanor Treatment Courts for one (1) year with four (4) one-year options to renew; Community Solutions, Inc.; not to exceed \$44,400 per year. **APPROVED**

G. Purchase and Installation of compatible CCTV camera system components for Police Evidence Facility, TelNet Systems; \$159,144.92. **APPROVED**

H. Donation to the Fire Department from Zimmerman Ace Hardware Store of three (3) Traeger pellet grills; \$3,599.97. **APPROVED**

I. Perpetual Right-of-Way Easement from Judith Deines to the City for construct a turn lane at the intersection of Grand Avenue and Grand Peaks Drive. **APPROVED**

J. Resolution of Intent 20-10849 to create SID 1408, Wanigan Subdivision Paving, and set a public hearing date for March 23, 2020. **APPROVED**

K. Resolution of Intent 20-10850 to create SID 1413, Winged Foot Road and Greenbriar Road Improvements, and set a public hearing date for March 23, 2020. **APPROVED**

L. Resolution of Intent 20-10851 to create SILMD 326, King Avenue East Streetlights, and set a public hearing date for March 23, 2020. **APPROVED**

M. Bills for the Weeks of:

1. January 21, 2020 **APPROVED**

2. January 27, 2020 **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Section 2-551-552, Billings, Montana City Code (BMCC). Human Relations Commission (HRC) recommends approval. (Action: approval or disapproval of HRC recommendation.) **APPROVED**

Presented by: Kody Christensen-Linton, HRC Chair

3. **PUBLIC HEARING AND RESOLUTION 20-10852 FOR ANNEXATION 20-01:** property described as Lot 22-A of Amended Lots 1 and 22, Block 2 of Certificate of Survey No. 2727M, generally located northwest of the intersection of Shiloh Road and Central Avenue. Amy Iwata, Trustee of Amy Iwata Revocable Trust, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

Presented by: Monica Plecker, Planning Division Manager

4. **DEVELOPMENT AGREEMENT** with Buggy Bath Car Wash for infrastructure improvements at the northwest corner of Central Avenue and Shiloh Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

Presented by: ~~Chris Hertz~~ Debi Meling, Staff Engineer

5. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward V to include recently annexed property in Annexation 20-01: an approximate 5.818 gross and 4.708 net acres more or less, described as Lot 22-A of Amended Lots 1 and 22, Block 2 of Certificate of Survey No. 2727M, generally located northwest of the intersection of Shiloh Road and Central Avenue. Amy Iwata, Trustee of Amy Iwata Revocable Trust, owner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

Presented by: Monica Plecker, Planning Division Manager

6. **PUBLIC HEARING AND SPECIAL REVIEW 981:** a special review to allow a stand-alone car wash facility, in a Neighborhood Commercial (NC) zone, on a 4.708 acre parcel of land, described as Lot 22A, Block 2 of Certificate of Survey 2727M, and generally located on the Northwest corner of Shiloh Road and Central Avenue. Amy Iwata, Trustee, owner; Bryan Alexander, Sanderson Stewart, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) ***Quasi-Judicial APPROVED**

Presented by: Karen Husman, Planner

*** Quasi-Judicial** – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

- 7. PUBLIC HEARING AND RESOLUTION 20-10853** creating SID 1410, Annafeld Subdivision, 2nd Filing, Parks and Streetlights. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

Presented by: ~~Chris Hertz~~ Debi Meling, Staff Engineer

- 8. PUBLIC HEARING AND RESOLUTION 20-10854** approving and adopting the budget amendment moving the Castle Rock Master Plan into FY2020 from FY2021 per Council Initiative. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

Presented by: Andy Zoeller, Finance Director

- 9. PUBLIC HEARING AND RESOLUTION 20-10855** assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

Presented by: ~~Andy Zoeller, Finance Director~~ Wyeth Friday, Planning Director

- 10. PUBLIC HEARING AND RESOLUTION** assessing the cost of abatement for property located at 101 N. 24th Street. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **NO ACTION TAKEN, ABATEMENT COSTS PAID BY PROPERTY OWNER PRIOR TO PUBLIC HEARING.**

Presented by: ~~Andy Zoeller, Finance Director~~ Wyeth Friday, Planning Director

PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required.

(Restricted to ONLY items not on this printed agenda. Comments are limited to ~~three~~ two (2) minutes or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)

COUNCIL INITIATIVES:

- Councilmember Ronning moved to set a public hearing for First Reading Ordinance regarding the Welcoming Diversity Ordinance for the August 24th Agenda, seconded by Councilmember Joy. **MOTION FAILED 7-4, YAKAWICH, NEESE, EWALT, PURINTON, BOYETT, BROWN AND MAYOR COLE OPPOSED.**

ADJOURN: 10:50 PM

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