

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

November 27, 2017

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Cimmino

ROLL CALL: Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, McFadden, Friedel, Sullivan, Swanson, Clark and Brown.

MINUTES: November 13, 2017 - **APPROVED**

COURTESIES:

- Mayor Hanel recognized radio personalities, Paul Mushaben and Mark Wilson of the Breakfast Flakes for the success of this year's Flakesgiving, sponsored by KCTR, which provided 1,500 Thanksgiving meals to those in need in the community.

PROCLAMATIONS: NONE

ADMINISTRATOR REPORTS - BRUCE MCCANDLESS

- In reference to Regular Agenda Item 2, Special Review 958, over 117 emails were received in opposition to the special review and 0 in support. Copies of the emails were placed in the ex parte notebook.
- Reminded Council of the City Administrator Interviews on November 30th.
- Reminded Council that deliberations and selection of a City Administrator was on December 1st.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. 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 meeting.)

- **NONE**
- 1. **CONSENT AGENDA** -- Separations: 1A, 1B, 1H1 and 1H2
 - A. **Professional Services Contract** for the design and construction administration of Schedule 1 of the 2018 Water Main Replacement Projects; DOWL; in the amount not to exceed \$676,070. **APPROVED**
 - B. **Professional Services Contract** for the design and construction administration of Schedule 2 of the 2018 Sanitary Sewer Rehabilitation Projects; Morrison-Maierle, Inc.; in an amount not to exceed \$653,074. **APPROVED 10-0, BROWN ABSTAINED**
 - C. **Approval** of lease renewal of the Non-Commercial Aviation Ground Lease with Larson Family Properties, LLC, for a ten-year term (12/01/2017-11/30/2027), revenue first year \$4,569.60, revenue subsequent years adjusted by CPI-U. **APPROVED**
 - D. **Approval** of Air Transportation Company Operating Permit with Swift Air, LLC. **APPROVED**
 - E. **Acceptance** of Right-of-Way Agreement and Warranty Deed for widening of Central Avenue from Homestead Capital, LLC. **APPROVED**
 - F. **Public Access Easement** from Canyon Creek Ditch Company for a pedestrian bridge over Hogan Slough. **APPROVED**
 - G. **Second/Final Reading Ordinance 17-5700 amending the boundaries of Ward II (De-Annexation 17-04)** for an approximate 49 acres of undeveloped land described as portions of Terrace Estate Subdivision, 3rd filing; James and Jo Ann Boyer, petitioners. **APPROVED**
 - H. **Bills and Payroll:**
 - 1. October 30, 2017 – **APPROVED 9-0, CIMMINO and BROWN ABSTAINED**
 - 2. November 6, 2017 – **APPROVED 10-0, CROMLEY ABSTAINED**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND SPECIAL REVIEW 958:** a special review to locate an all-beverage liquor license in a proposed 5,000 square foot tenant space in a new multi-

tenant building in a Community Commercial (CC) zone, west of the intersection of 54th Street West and Grand Avenue on Lot 2, Block 1 of MK Subdivision. Karls Property, LLC, owners. Roger Beeter, Richard Wrobel, Terra Pierce, agents. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED 7-4; MCFADDEN, FRIEDEL, SULLIVAN, AND BROWN OPPOSED**

The following individuals spoke in opposition of Special Review 958:

- **Denise Joy, 1600 Avenue E, #10, Billings, Montana.**
- **Karen Kosiarek, P.O. Box 911, Billings, Montana.**
- **Larry Arpin, 5240 Vintage Lane, Billings, Montana.**
- **Ron Spence, 5420 Corner Stone Avenue, Billings, Montana.**

The following individuals spoke in support of Special Review 958:

- **Dennis Ulvestad, 3040 Central Avenue, Billings, Montana.**
- **Pam Purinton, 3606 Quimet Circle, Billings, Montana.**
- **Larry Karls, 2980 Providence Place, Billings, Montana.**
- **Terra Pierce, 3623 Quimet Circle, Billings, Montana.**

3. PUBLIC HEARING AND SPECIAL REVIEW 959: a special review to allow the location of two drive-through services in a Community Commercial (CC) zone across an alley from a Residential 7,000 (R-70) zone and to allow the location of a new public parking lot. Hillcrest, Inc., owner. Dennis Randall, 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.) **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.*)

- **NONE**

COUNCIL INITIATIVES:

- Councilmember Sullivan directed staff to research developing an ordinance eliminating spas and massage parlors that contributed to human trafficking, seconded by Councilmember Yakawich. On a voice vote, the motion was unanimously approved.
- Councilmember Friedel directed staff to review the entire Special Review process and provide recommended improvements to the process at a future work session, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

- Councilmember Yakawich directed code enforcement staff to continue providing detailed quarterly reports, highlighting the top “dirty dozen” statistics, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

ADJOURN: 9:30 pm.