

**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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**AGENDA**

**COUNCIL CHAMBERS**

**September 23, 2019**

**5:30 P.M.**

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Clark

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

**MINUTES:** September 9, 2019 - **Pending**

**COURTESIES:**

- Councilmember Friedel recognized the passing of a retired vet, L.A. Trudeau, who lost his battle with cancer.
- Councilmember Yakawich mentioned the Boards and Commissions Volunteer Appreciation Dinner, Thursday, October 17<sup>th</sup> at 6:00 PM, at the Billings Community Center, 360 N. 23<sup>rd</sup> Street.
- Councilmember Ronning thanked all who volunteered and attended the Montana International Film Festival – MINT and stated it was a very successful second year. She stated that “Robert the Bruce”, held at the Babcock Theater, had all 750 seats filled for the viewing.

**PROCLAMATIONS:**

- None

## COUNCIL REPORTS:

- Noise Ordinance Subcommittee – Brent Brooks stated consultant has provided a report that will be distributed to committee members for review and follow up.
- Policy Coordinating Committee – Mayor Cole distributed six different options for Exhibition Drive and First Avenue North intersection, stating that area is very congested and the committee was seeking improved pedestrian and bike access for crossing Exhibition Drive safely.

## ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- There were no exparte communications this evening.
- Reminder that next Monday, September 30<sup>th</sup> is a bye week and there will be no Council meetings.
- Reminder that the Work Session on October 7<sup>th</sup> will be held at the Community Center, 390 N. 23<sup>rd</sup> St., and will begin at 4:30 pm with a bus tour of the EBURD area.
- Gave an update on the Laredo Place rock fall / rock slide.
  - City has hired a geotech firm to analyze existing rock formations
  - Concerns about non-residents accessing the area
  - Reader board signs have been posted on the rimrocks above, on the trail and near the rocks for people to stay away
  - Met with neighborhood at 2:30 PM today
  - Will also meet tomorrow at 6:00 PM
  - Council may consider allowing residents in audience to speak earlier during the meeting, rather than at the end of the meeting.

Councilmember Yakawich moved to change the order of business to allow only neighbors affected by the rock fall to make public comment before opening public comment for non-agenda items at the end of the meeting, seconded by Councilmember Ewalt. Motion was approved, unanimously.

- **Dave Sutton, 4104 Laredo Place, Billings, Montana**, requested the City not use any explosive devices to break up the large rocks. His concerns were that any vibrations could dislodge additional rock from above.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 ONLY. Speaker sign-in required.** (Comments are limited to three (3) minutes. 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: 1D, 1M1, 1M2
  - A. **Bid Awards:**
    1. **Medium Duty Conventional Cab Trash Truck.** (Opened 8/27/19) Recommend delay of award until October 15, 2019. **APPROVED**
    2. **Trucks Cabs and Chassis for the Solid Waste Division.** (Opened 9/10/19) Recommend **Schedule 1:** Montana Peterbilt, \$281,441; **Schedule 2:** I-State Truck Center, \$356,734; **Schedule 3:** Montana Peterbilt; \$561,428. **APPROVED**
    3. **W.O. 15-35: Zone 1 WTP Waterline Improvements.** (Opened 9/10/19) Recommend Western Municipal Construction; \$1,309,900. **APPROVED**
  - B. **Five-Year Airport Business Park Building and Ground Lease** with the State of Montana Department of Environmental Quality (DEQ); revenue for five years, \$331,788. **APPROVED**
  - C. **Five-Year Airport Business Park Building and Ground Lease** with the State of Montana Department of Natural Resources and Conservation (DNRC), revenue for five years, \$541,044.60. **APPROVED**
  - D. **Amendment No. 4, Airport Terminal Project,** Professional Engineering Services Contract, Morrison Maierle, Inc.; \$223,545. **APPROVED 10-0, BROWN ABSTAINED**
  - E. **Professional Services Contract** for W.O. 19-16: Belknap Office Remodel; A&E Architects; \$143,096. **APPROVED**
  - F. **Purchase** of MiTel Telephone System; High Point Networks; \$311,980.80. **APPROVED**
  - G. **Donation** of CPR mannequins to Billings Career Center from City of Billings Fire Department. **APPROVED**
  - H. **Resolution 19-10825** approving an extension of the Cable Franchise Agreement with Bresnan Communications, LLC, through January 14, 2020. **APPROVED**
  - I. **Preliminary Plat** Two-Year Extension of Amended Lot 1, Bock 1, Bishop Fox Subdivision located on the north east corner of the intersection of 54th Street West and Grand Avenue; setting a new expiration date of January 23, 2022. **APPROVED**

- J. **Final Minor Plat** of Silver Creek Estates Amended Subdivision. **APPROVED**
- K. **Final Major Plat** of Silver Creek Estates Subdivision, 2nd Filing. **APPROVED**
- L. **Final Major Plat** of Western Sky Subdivision, 2nd Filing. **APPROVED**
- M. **Bills for the Weeks of:**
  - 1. August 19, 2019 – **APPROVED 10-0, BROWN ABSTAINED**
  - 2. August 26, 2019 – **APPROVED 10-0, BROWN ABSTAINED**

**REGULAR AGENDA:**

- 2. **PUBLIC HEARING** to receive input on the City's FY18-19 Draft Comprehensive Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME Programs. No action is necessary.
- 3. **PUBLIC HEARING AND SPECIAL REVIEW 978:** a special review to allow an existing all beverage liquor license with gaming on a 1.37 acre parcel of land generally located at 2018 Main Street. Jem LLC, owner; Jerry T. Ray, 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, with Condition No. 1 identifying Unit No. 1 as the most southern unit with a square footage of 1,422 sq. ft. RONNING AND GIBBS OPPOSED**
- 4. **PUBLIC HEARING AND RESOLUTIONS** spreading assessments on the following:
  - A. SID 1403, **RESOLUTION 19-10826, APPROVED**
  - B. SID 1404, **RESOLUTION 19-10827, APPROVED**
  - C. SID 2914, **RESOLUTION 19-10828, APPROVED 10-1, EWALT OPPOSED**
  - D. Nuisance Abatement, **RESOLUTION 19-10829, APPROVED to assess property at 331 Howard Avenue only and remove the property at 101 N. 24<sup>th</sup> Street.**
  - E. Weed Abatement, **RESOLUTION 19-10830, APPROVED**

Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND RESOLUTION 19-10831** approving reduction of the Arterial Construction Fee assessment for residents in commercial zones. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **PUBLIC HEARING AND RESOLUTION 19-10832** assessing the cost of sidewalk construction and/or repair. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
7. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the Advisory Boards and Commissions Membership Qualifications. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 8-3, with changes to recommendations of 1 year required City residency and required registered voter. YAKAWICH, NEESE AND CLARK 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.)

**COUNCIL INITIATIVES:**

- None

**ADJOURN: 8:47 PM**

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*For more information or to make requests for special arrangements, please contact the City Clerk’s Office at 657-8210 or e-mail [bohlmand@billingsmt.gov](mailto:bohlmand@billingsmt.gov), 72 hours prior to the meeting date.*