

## 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**

**November 12, 2019**

**4:00 P.M.**

**CLOSED EXECUTIVE SESSION\*** City Administrator, Chris Kukulski's One Year Review

\*Note: The Executive Session will be closed, as allowed in Section 2-3-203(3), MCA, as discussions relate to matters of individual privacy and wherein the demands of individual privacy exceed the merits of public disclosure.

**5:35 P.M. CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Neese

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

**MINUTES:** October 28, 2019 - Pending

#### **COURTESIES:**

- Mayor Cole thanked Veterans' for their service.
- Councilmember Ronning welcomed all of the newly elected Councilmembers.

#### **PROCLAMATIONS:**

- None

#### **COUNCIL REPORTS:**

- Councilmember Joy stated she had attended the Community Development Board meeting and would answer any questions Council may have.
- Councilmember Yakawich stated the USS Billings crew would be visiting Billings November 20-23, 2019.

## ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Melissa Anderson, Healthy by Design: invited Council and public to a Community Health Public forum on November 22<sup>nd</sup>, 2019.
- There were no exparte communications.
- In reference to Item 1L, gave an update concerning the repeal of Resolution 92-16531, Franchise Fees.

### **PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, 4, and 5**

**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.)

- **Jason Hanson, 2320 Lewis Avenue, Billings, Montana:** in reference to Item 1N, stated the code was very vague and more consideration was being given to the applicant than the neighbors. He added the neighborhood was not against commercial development, but wanted more say in what could be allowed. He suggested that the proposed car wash be moved to the Councilmembers neighborhoods.
- **Ronda Carlson, 831 Avenue E, Billings, Montana:** in reference to Item 1N, stated the Zoning Commission had denied the application due to lack of compliance and encouraged Council to deny the zone change.
- **Scott Aspenlieder, Performance Engineering, 608 North 29<sup>th</sup> Street, Billings, Montana:** in reference to Item 1N, stated changes had been made to improve the project for the neighborhood and looked forward to presenting the project to Council.
- **Mike Nelson, Northern Hotel, Billings, Montana:** in reference to Item 1K, stated the money would go to small businesses in order to make them safer. He added that he would be adding \$5,000 to the fund to help businesses.

#### 1. **CONSENT AGENDA** -- Separations: 1A2, 1D, 1E, 1K, 1L, 1N, 1O1 and 1O2

##### A. **Bid Awards:**

1. **2019 Patching Unit.** (Opened 10/29/19) Recommend Normont Equipment; \$234,433. **APPROVED**
2. **Police Evidence Facility.** (Opened 10/29/19) Recommend T.W. Clark Construction; \$3,383,000 and Alternate No. 1; \$44,000. **APPROVED 8-3, CROMLEY, NEESE, AND BROWN OPPOSED**

##### B. **Amendment No. 1, Scheduled Airline Operating Agreement and Terminal Building Leases,** Allegiant Air, LLC, United Airlines, Inc., Horizon Air Industries, Inc., and Delta Air Lines, Inc.; \$1,228,000. **APPROVED**

- C. **Consultant Services Agreement** with Jacobs Engineering for an Asset Management Program; \$409,130.36. **APPROVED**
- D. **Declaration of Agricultural Covenant** with Dover Ranch. **APPROVED**
- E. **Memorandum of Agreement (MOA)** between the City of Billings and Montana Department of Transportation (MDT) for the expansion of fiber network along 27th Street. **POSTPONE UNTIL 11/25/19 TO ALLOW TERMINOLGY CHANGES, APPROVED 9-2, CROMLEY AND RONNING OPPOSED**
- F. **Professional Engineering Services Contract** for W.O. 20-08: Low Service Pump Station No. 1 Backup Generator; HDR Engineering, Inc.; \$135,200. **APPROVED**
- G. **Purchase** of 11 vehicles from Bison Ford for 2020 Ford Interceptor SUV vehicles; \$395,580.68. **APPROVED**
- H. **Purchase** of 77 In-Car Digital Video Cameras; \$449,999.38. **APPROVED**
- I. **Appointment** of Teague Westrope as part-time Judge for Billings Municipal Court. **APPROVED**
- J. **2019 State Homeland Security Grant** for backfill, overtime and replacement of equipment for the Billings HazMat team; \$250,000. **APPROVED**
- K. **Allocate** \$20,000 in Tax Increment Financing (TIF) funds from the North 27th Street Urban Renewal District (URD) for the creation of the Crime Prevention Through Environmental Design (CPTED). **APPROVED**
- L. **Resolution 19-10836** repealing Resolution 92-16531, Water and Wastewater Franchise Fees. **APPROVED**
- M. **Second/Final Reading Ordinance 19-5727 expanding Ward II (Annexation 19-02)** for an approximate 12.053 gross acre parcel of land described as Tract 1-A of Amended Tract 1 of the Corrected Certificate of Survey No. 840, Second Amended, generally located east of Kiwanis Trail and southeast of the intersection of Barrett Road and West Echo Drive. Barrett Road, LLC, owner. **APPROVED**
- N. **Second/Final Reading Ordinance for Zone Change 973:** a zone change from Residential Professional (RP) to Neighborhood Commercial (NC), on Lot 7A Amended, South 150' of Lots 6 and 7, of Arnold Subdivision 2<sup>nd</sup> Filing, a 30,772 square foot parcel of land, generally located at 2335 Lewis Ave. Ed Sermon, owner; Scott Aspenlieder, Performance Engineers, agent. Staff recommends approval. **MOTION TO DENY APPROVED 6-5, CROMLEY, JOY, FRIEDEL, RONNING, MAYOR COLE OPPOSED**
- O. **Bills for the weeks of:**

1. October 7, 2019 **APPROVED 10-0, CROMLEY ABSTAINED**
2. October 15, 2019 **APPROVED 10-0, BROWN ABSTAINED**

### **SPECIAL PRESENTATION:**

2. **Northwestern Energy's Billings LED Street Lighting Project Update.**

### **REGULAR AGENDA:**

3. **PUBLIC HEARING AND RESOLUTION 19-10837** approving and adopting budget amendments for FY2020. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **NOMINATION AND ELECTION OF DEPUTY MAYOR AND DEPUTY MAYOR PRO TEMPORE.** Staff recommends City Council nominate and elect a Deputy Mayor and Deputy Mayor Pro Tempore. (Action: approval or disapproval of staff recommendation.) **COUNCILMEMBER YAKAWICH'S NOMINATION APPROVED**
5. **CITY ADMINISTRATOR'S Annual Performance Evaluation. 1.5% SALARY INCREASE APPROVED 10-1, NEESE 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.)*

- **Kevin Nelson, 4235 Bruce Avenue, Billings, Montana:** stated SBURA was spending money without providing documentation of how it was being used. He added that the City needed to hold SBURA accountable.

### **COUNCIL INITIATIVES:**

- Councilmember Gibbs made an initiative to enact a conflict of interest policy between City Council and entities with contractual relationships with the City of Billings, seconded by Councilmember Neese. On a roll call vote, the initiative was approved 6-5, Cromley, Joy, Ronning, Brown and Mayor Cole opposed.

**ADJOURN: 9:20 PM**

*Council Chambers are readily accessible to individuals with physical disabilities.*

*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.*