

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:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, and 4 ONLY. Speaker sign-in required. (Comments are limited to three (3) 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.)

1. CONSENT AGENDA -- Separations:

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

1.

	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.

C. Change Order No. 3, Centennial Park Development, FirstMark Construction; \$4,543.90.

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

- 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.
- G. **Purchase and Installation** of compatible CCTV camera system components for Police Evidence Facility, TelNet Systems; \$159,144.92.
- H. **Donation** to the Fire Department from Zimmerman Ace Hardware Store of three (3) Traeger pellet grills; \$3,599.97.
- 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.
- J. **Resolution of Intent** to create SID 1408, Wanigan Subdivision Paving, and set a public hearing date for March 23, 2020.
- K. **Resolution of Intent** to create SID 1413, Winged Foot Road and Greenbriar Road Improvements, and set a public hearing date for March 23, 2020.
- L. **Resolution of Intent** to create SILMD 326, King Avenue East Streetlights, and set a public hearing date for March 23, 2020.
- M. **Bills for the Weeks of:**
 - 1. January 21, 2020
 - 2. January 27, 2020

Recommended Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

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.)

Presented by: Kody Christensen-Linton, HRC Chair

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance to

amend Section 2-551-552, BMCC, as recommended by the Human Relations Commission.

- 3. PUBLIC HEARING AND RESOLUTION 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.)

Presented by: Monica Plecker, Planning Division Manager

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution approving Annexation 20-01, as recommended by staff.

- 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.)

Presented by: Chris Hertz, Staff Engineer

Recommended Motion: I move to approve the development agreement with Buggy Bath Car Wash, as recommended by staff.

- 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.)

Presented by: Monica Plecker, Planning Division Manager

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve First Reading Ordinance expanding the boundaries of Ward V, as recommended by staff.

- 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

Presented by: Karen Husman, Planner

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission's recommendation for conditional approval and adoption of the findings of the 3 criteria, I move to approve Special Review 981.

* **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** creating SID 1410, Annafeld Subdivision, 2nd Filing, Parks and Streetlights. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Presented by: Chris Hertz, Staff Engineer

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution to create SID 1410.

8. **PUBLIC HEARING AND RESOLUTION** 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.)

Presented by: Andy Zoeller, Finance Director

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution to adopt the budget amendment, per Council Initiative, which moves the Castle Rock Master Plan from FY2021 to FY2020.

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

Presented by: Andy Zoeller, Finance Director

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution assessing weed cutting and extermination costs.

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.)

Presented by: Andy Zoeller, Finance Director

Recommended Motion: Having conducted a public hearing, considered written

and spoken public testimony, I move to approve the Resolution assessing abatement costs for the property located at 101 N. 24th Street, as recommended by staff.

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 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:

ADJOURN:

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Please exit the chambers as quickly as possible. (Chamber doors will be **CLOSED** 10 minutes after adjournment of the meeting.)

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