

**REVISED 3/20/2020**  
**Consent Agenda Item R has been changed**  
**regarding Confirmation of COVID-19 Emergency Declaration**

**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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**Council Chambers are Closed.**  
The meeting will be held remotely via  
virtual meeting room. Please see  
coversheet for details and instructions  
for viewing and participation.

**AGENDA**

**March 23, 2020**

**5:30 P.M.**

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Joy

**ROLL CALL:** Councilmembers present on roll call were:  Shaw,  Yakawich,

Neese,  Ewalt,  Joy,  Choriki,  Purinton,  Ronning,  Boyett,

Brown

**MINUTES:**

- February 24, 2020 - **PENDING**
- March 9, 2020 - **APPROVED**

**COURTESIES:** None

**PROCLAMATIONS:**

- National Census Day - April 1, 2020
- National Service Recognition Day - April 7, 2020

## COUNCIL REPORTS:

- Mayor Cole stated the Montana League of Cities and Towns had a scheduled meeting which would take place via teleconferencing with other government officials from around the State concerning the COVID-19 response. He asked that if anyone had something to share to provide it to him to pass along.

## ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Introduced KC Williams, Yellowstone County Disaster and Emergency Services Coordinator for a COVID-19 update.
- Reviewed COVID-19 protocols for essential service providers.
- DBP is recommending removal of Item 5 on the Regular Agenda as they continue to negotiate with Mr. Holden.
- Regarding Consent Agenda Item 1A3, Belknap Remodel Bid Award, provided the Staff's recommendation.
- Regarding Consent Agenda Item 1J, Acknowledge receipt of petition to discontinue the alley within block 142, there are errors in the location description. The staff memo references 1<sup>st</sup> and 2<sup>nd</sup> Avenues several times without the distinction of north or south. All references to 1<sup>st</sup> and 2<sup>nd</sup> Avenues should be south.
- Exparte communications received after 3:00 PM, included:
  - An email of support for Coulson Park Master Plan from Melanie Schwarz, Director of Business Development, Big Sky Economic Development.
  - An email of support for the Missing Sidewalk Program from Kristi Drake, Billings TrailNet.
  - An email from Joe Holden regarding Item 5 of the Regular Agenda, suggested Council review the "Final" document prepared by DBP, dated January 1, 2018.
- Reminded Council that there would be no meeting on March 30<sup>th</sup>, as it was a bye week. No Council meetings until April 6<sup>th</sup>.

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 4b, 5 and 6 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: 1A6, 1S3, 1H, 1J, 1P and 1Q

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

1. **90-100 Gallon Refuse Carts.** (Opened 3/10/20) Recommend Schafer; \$176,778. **APPROVED**

2. **W.O. 18-22: Leavens Reservoir Waterline and Improvements.** (Opened 3/17/20) Recommend delay of award until April 13, 2020. **APPROVED**
  3. **W.O. 19-16: Belknap Office Remodel.** (Opened 3/17/20) Recommendation will be made during the meeting. **APPROVED TO DELAY TO APRIL 13, 2020 REGULAR BUSINESS MEETING**
  4. **W.O. 20-03: Contract No. 2, City Overlay.** (Opened 3/10/20) Recommend Schedule 1: Knife River - Billings; \$1,213,427.70 and Schedule 2: Askin Construction; \$170,245.50. **APPROVED**
  5. **W.O. 20-10: WRF Equipment Installation.** (Opened 2/25/20) Recommend Dick Anderson Construction; \$1,135,570. **APPROVED**
  6. **W.O. 20-19: North Park Irrigation System Replacement.** (Opened 3/10/20) Recommend The Good Earth Works Co., Inc.; \$423,000. **APPROVED**
  7. **W.O. 20-32: Water Treatment Plant Sediment Hauling.** (Opened 3/10/20) Recommend Winkler Excavating, Inc.; \$110,650. **APPROVED**
- B. Professional Services Contract** for W.O. 20-24: West End Storm System Improvements; DOWL; \$136,526.75. **APPROVED**
- C. Security System Expansion Agreement** for Evidence Facility Expansion; Kenco Security; \$94,188.39. **APPROVED**
- D. Lease Renewals** of the Non-Commercial Aviation Ground Leases with B & J Properties Limited, LLC, for a ten-year term (4/01/2020-3/31/2030), primary lease revenue first year; \$11,330.88, auxiliary lease revenue first year; \$1,315.44, revenue subsequent years adjusted by CPI-U. **APPROVED**
- E. Grant Application Request** to submit to FTA and/or MDT Transit Planning Division applications for 5310, 5339 or other available capital grants, and to accept and execute any subsequently awarded grant agreement(s) to purchase vehicles or provide other capital assistance. **APPROVED**
- F. 2020 High Intensity Drug Traffic Area (HIDTA) Award** from the Executive Office of the President, Office of National Drug Control Policy; \$244,249. **APPROVED**
- G. Donation** to the Fire Department from ExxonMobil Pipeline Company for the purchase of fire/rescue equipment and supplies; \$2,500. **APPROVED**

- H. **Acknowledge receipt of petition to vacate** a portion of South 26th Street fronting Lots 23 and 24, Block 142 and Lots 1 and 2, Block 141 of the Billings Original Townsite; Yellowstone Health Partnership, petitioner; and set a public hearing for April 13, 2020. **APPROVED 10-0, NEESE ABSTAINED**
- I. **Acknowledge receipt of petition to vacate** portions of Grand Peaks Drive and Sundance Mountain Trail; J & S Development, petitioner; and set a public hearing for April 13, 2020. **APPROVED**
- J. **Acknowledge receipt of petition to discontinue** the alley within Block 142 of Original Townsite, Riverstone Health, petitioner; and set a public hearing for April 13, 2020. **APPROVED 10-0, NEESE ABSTAINED**
- K. **Preliminary Major Plat** of Emma Jean Heights Subdivision, 4th Filing, generally located on the west side of Bitterroot Drive and South of Wicks Lane; Felton Associates, Inc., owner; Northern Engineering and Consulting Inc., agent. **APPROVED**
- L. **Preliminary Major Plat** of High Sierra Subdivision, 10th Filing, generally located north of Annandale Road and west of Greenbriar Road; High Sierra II, Inc., owner; Sanderson Stewart, agent. **APPROVED**
- M. **Preliminary Major Plat** of High Sierra Subdivision, 14th Filing, generally located northwest of Gleneagles Boulevard and north of Matador Avenue; High Sierra II, Inc., owner; Sanderson Stewart, agent. **APPROVED**
- N. **Preliminary Major Plat** of High Sierra Subdivision, 15th Filing, generally located northwest of Gleneagles Boulevard and north of Matador Avenue; High Sierra II, Inc., owner; Sanderson Stewart, agent. **APPROVED**
- O. **Preliminary Major Plat** of High Sierra Subdivision, 16th Filing, generally located northwest of Gleneagles Boulevard and north of Matador Avenue; High Sierra II, Inc., owner; Sanderson Stewart, agent. **APPROVED**
- P. **Resolution 20-10857** adopting Coulson Park Master Plan. **APPROVED**
- Q. **Resolution 20-10858** ordering improvements - 2020 Missing Sidewalk/Miscellaneous Program. **APPROVED 8-3 ON AN AMENDED MOTION TO REMOVE ARONSON FROM THE PROGRAM FOR 2020, MADE BY PURINTON, SECONDED BY BOYETT. YAKAWICH, EWALT AND NEESE OPPOSED.**
- R. **Confirmation** of Joint Declaration of Emergency **Resolution 20-10856** concerning COVID-19 Health Crisis with Yellowstone County. **APPROVED**

**S. Bills for the Weeks of:**

1. February 10, 2020 **APPROVED**
2. February 18, 2020 **APPROVED**
3. March 2, 2020 **APPROVED 10-0, BROWN ABSTAINED**

**REGULAR AGENDA:**

**2. PUBLIC HEARING AND RESOLUTION 20-10859** creating SILMD 326, King Avenue East street lights. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 9-2, NEESE AND EWALT OPPOSED**

**3. PUBLIC HEARING AND RESOLUTION 20-10860** creating SID 1408, Wanigan Subdivision Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**4. SID 1413:**

**a. PUBLIC HEARING AND RESOLUTION 20-10861** creating SID 1413, Winged Foot Road and Greenbriar Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**b. PROFESSIONAL SERVICES CONTRACT** for SID 1413, Winged Foot Road and Greenbriar Road; WWC Engineering; \$166,587. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**5. ~~WITHDRAWAL~~** of the unexecuted Development Agreement with WC Commercial. Downtown Billings Partnership Board (DBP) recommends approval. (Action: approval or disapproval of DBP Board recommendation.) **REMOVED FROM AGENDA BY MOTION MADE BY NEESE, SECONDED BY PURINTON. APPROVED UNANIMOUSLY.**

**6. TAX INCREMENT FINANCE ASSISTANCE** from Downtown Urban Renewal District to Clocktower Inn for a redevelopment project at 2511 1st Ave North; \$116,000. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.) **APPROVED 10-0, NEESE ABSTAINED**

**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:** None

**ADJOURN:** 9:48 PM