

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

August 24, 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: August 10, 2020 - **APPROVED**

COURTESIES:

- Mayor Cole mentioned Yellowstone County now represents 51% of the positive COVID-19 cases. Continue to be
- Ewalt – commended Chief St. John for Breakfast Flakes – generous
- Ronning – Educated the public during radio, thanked everyone for attending the Ward PSML presentations well attended.

PROCLAMATIONS: None

COUNCIL REPORTS: None

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Council moved to amend the agenda to include a COVID update at the beginning of the meeting.
- There were no ex-parte communications received after 3:00 this afternoon concerning items on this agenda.
- Monday, August 31st is a bye week and there will be no meetings.

Councilmember Choriki moved to revise the agenda to add a COVID-19 update to be heard before Public Comment, seconded by Councilmember Purinton. By a show of hands vote, the motion was approved 10-1. Councilmember Ewalt voted in opposition.

COVID-19 UPDATE: John Felton, Yellowstone County Health Officer, provided current information concerning children returning to area schools and athletic program restrictions, safety measures and policies that were in place. He provided current statistics of positive cases and the area hospitals' capacity.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 ONLY. Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. During COVID-19, the method to take and hear public comment has changed. Individuals wishing to give public comment will call a dedicated phone line (237.6196) and held in queue until it is their turn to comment. 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: 1E, 111

A. **Bid Awards:**

1. **W.O. 20-36: WRF Piping Modifications.** (Opened 8/11/20)
Recommend Star Service, Inc.; \$274,500. **APPROVED**

B. **Agreement** with Yellowstone County to transfer Rural Special Improvements Districts to the City of Billings. **APPROVED**

C. **Development Agreement** with Propriedad, LLC for infrastructure improvements at 1053 Lincoln Lane. **APPROVED**

D. **2020 Justice Assistance Grant (JAG) Application**, Memorandum of Understanding (MOU) with Yellowstone County, and award to the City of Billings Police Department; \$84,237. **APPROVED**

E. **Utility Easement** with Northwestern Energy for a power line north of the Shiloh Conservation Area. **APPROVED AMENDED MOTION TO CHANGE THE AMOUNT FOR THE EASEMENT TO \$3,000 TO BE RECEIVED FROM NORTHWESTERN ENERGY.**

- F. **Preliminary Subsequent Minor Plat** of Lake Hills Subdivision, 37th Filing located along Greenbriar Road, south of Annandale Road, east of Clubhouse Way; Ron Hill, owner; WWC Engineering, agent. **APPROVED**
- G. **Final Plat** of Grand Peaks Subdivision, 5th Filing. **APPROVED**
- H. **Resolution 20-10897** relating to the financing of the West End Reservoir, establishing compliance with Reimbursement Bond Regulations under the Internal Revenue Code. **APPROVED**
- I. **Bills for the Weeks of:**
 - 1. July 13, 2020 **APPROVED 10-0, BROWN ABSTAINED**
 - 2. July 20, 2020 **APPROVED**
 - 3. July 27, 2020 **APPROVED**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND RESOLUTION 20-10898** approving and adopting budget amendments for FY2020. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
- 3. **PUBLIC HEARING AND RESOLUTION** authorizing the disposal and transfer of a parcel of land located at Sahara Park. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED STAFF TO DRAFT A LEASE WITH BETTER BILLINGS FOUNDATION FOR A TERM OF 25 YEARS, AN ANNUAL FEE OF \$1 AND EXCEPTIONS FOR CERTAIN EVENTS IN WHICH THE PUBLIC MAY BE CHARGED FOR USAGE OF THE EQUIPMENT, GROUNDS, ETC. TO BE BROUGHT TO COUNCIL FOR APPROVAL AT A LATER DATE. NO RESOLUTION NECESSARY SINCE THE CITY WILL BE ENTERING A LEASE AND NO ACTUAL TRANSFER OF PROPERTY HAS OCCURRED.**
- 4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 980:** a zone change from Entryway General Commercial (EGC) to Neighborhood Commercial (NC), on Block 5, Lot 1, Pinnick Subdivision, 3rd Filing, and Lot 24 of Sugar Subdivision, a 4.418 acre parcel of land. Christ the King Lutheran Church, owner; Collaborative Design Architects, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED**

5. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 981:** a zone change to add auto sales as an allowed use in the Yellowstone Planned Development - Neighborhood Commercial (NC) zone, on Block 4, Lot 27-31 and 26A, 26B of the Yellowstone Addition Subdivision, a 24,450 square foot parcel of land. Russ and Colleen Cherry, owners; Dusty and Tiffany Sims, agents. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED**

6. **PUBLIC HEARING AND SPECIAL REVIEW 985:** a special review to allow a drive through service across the alley from a residential zone for a new 860 square foot coffee shop located at 446 Grand Avenue. Wag Tag, LLC, owner; Lawrence A. Smith, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED WITH ADDED CONDITION THAT THE EAST SIDE OF THE PROPERTY BE FENCED, UNLESS THE ADJACENT PROPERTY OWNER OBJECTS.**

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Sign-in required.

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COUNCIL INITIATIVES: None

ADJOURN: 8:50 pm