

## 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 are Closed.**

**The meeting will be held remotely**

**via virtual meeting room. Please see**

**coversheet for details and**

**instructions for viewing and**

**participation.**

**September 28, 2020**

**5:30 P.M.**

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Purinton

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

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

Brown

**MINUTES:** September 14, 2020 – **APPROVED AS AMENDED BY NEESE**

#### **COURTESIES:**

- Mayor Cole stated COVID-19 cases were now reported at over 300 per day consistently in Montana. He urged everyone to continue social distancing, wear masks then that was not possible and wash their hands frequently.

**PROCLAMATIONS:** None

**COUNCIL REPORTS:** None

#### **ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

- There were 3 ex-parte communications received after 3:00 regarding in opposition to Zone Change 983.

- Regarding Regular Agenda Item No. 4, Public Hearing and First Reading Ordinance - Zone Change 983, Cherry Creek Estates Subdivision, the Zoning Division received a written request from the applicant’s agent to delay the public hearing on this zone change until the October 12<sup>th</sup> regular business meeting. Council may grant this request through a motion and a majority vote. Recommended that the Council move the item to be acted upon immediately after the Administrator’s Report portion of the agenda.
- Reminded Council the next Regular Business meeting will be held on October 12<sup>th</sup>, Columbus Day, this year and will not be delayed to the following Tuesday.
- Brent Brooks, City Attorney, announced his retirement on November 30<sup>th</sup>.

**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: 1F1**

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

**1.**

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
1	No Applications	Library Board*	10/01/20	12/31/21
2	Thelma Armstrong	Parks, Recreation & Cemetery Board*	10/01/20	12/31/21
3	Joe Studiner	Tourism BID	10/01/20	10/01/24
4	Ron Spence	Tourism BID	10/01/20	10/01/24

\* 1 Unexpired term of Stella Fong

\* 2 Unexpired term of Clark Johnson

**APPROVED**

**B. Bid Awards:**

**1. Fire Station #6 Exterior Repairs.** (Opened 9/15/20) Recommend TW Clark; \$156,900. **APPROVED**

**2. Winter Traction Material.** (Opened 9/15/20) Recommend Knife River, \$23.00/ton, for one year with option for years two and three based upon mutual consent. **APPROVED**

3. **Two 2021 37,000 G.V.W. Single Axle Trucks with Dump/Sander/Plow.** (Opened 9/15/20) Recommend I-State Truck Center; \$322,264. **APPROVED**
  4. **Three 2021 58,000 G.V.W. 12-yd. Dump Truck with Snowplow Assembly and Sanders.** (Opened 9/15/20) Recommend Tri-State; \$662,569.48. **APPROVED**
- C. Reimbursement Agreement** with High Sierra II, Inc. for construction of public water and sanitary sewer main. **APPROVED**
- D. Resolution 20-10906** amending the boundaries of SILMDs 14, 97, and 99, and discontinuing SILMD 248. **APPROVED**
- E. Second/Final Reading Ordinance 20-5742** expanding Ward I (Annexation 20-02) for approximately .475 gross acres located at 1053 Lincoln Lane. Propriedad, LLC, owners. **APPROVED**
- F. Bills for the Weeks of:**
1. August 24, 2020 **APPROVED 10-0, BROWN ABSTAINED**
  2. August 31, 2020 **APPROVED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING** to receive input on the City's FY2019-2020 Draft Comprehensive Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME Programs. **No action necessary.**
3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 982:** a zone change from Residential Professional (RP) to Residential Multi-Family (RMF) on Block 4, Lot 4-8, Sunset Subdivision, a 39,793 square foot parcel of land, generally located at 1127 Alderson Avenue. 1127 Alderson Avenue, LLC, owner; Michael Burke, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED 10-1, YAKAWICH OPPOSED**
4. ~~**PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 983:** a zone change from Public to Residential 8,000 (R-80) for the southern 1.98 acres of Lot 2, Block 1, Cherry Creek Estates Subdivision. Cherry Island, LLC, owner; Blueline Engineering, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED REMOVING FROM AGENDA AND GRANTING DELAY OF PUBLIC HEARING UNTIL OCTOBER 12<sup>th</sup> or**~~

**OCTOBER 26<sup>th</sup> REGULAR BUSINESS MEETING, TO BE DETERMINED BY STAFF. 7-4, YAKAWICH, NEESE, EWALT, BOYETT OPPOSED.**

5. **PUBLIC HEARING AND RESOLUTION 20-10907** adopting annual Special Improvement Light Maintenance District (SILMD) assessments for FY21. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **PUBLIC HEARING AND RESOLUTION 20-10908** approving reduction of the Arterial Construction Fee assessment for residents in commercial zones. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
7. **PUBLIC HEARING AND RESOLUTION 20-10909** assessing the nuisance property abatements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
8. **PUBLIC HEARING AND RESOLUTION 20-10910** assessing the weed abatements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
9. **PUBLIC HEARING AND RESOLUTION 20-10911** setting General Obligation (GO) Debt and Public Safety II (PS II) mill levy rates for FY21 per the passage of 60 mills. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-1, NEESE OPPOSED TO LIBRARY GO DEBT UNDER SEPARATE VOTE**
10. **PUBLIC HEARINGS AND RESOLUTIONS relating to:**
  - A. **RESOLUTION 20-10912 Revising** encroachment rental fees for FY21. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 9-2, with change to Resolution wording “The City Engineer may determine in their discretion the boundaries of the encroachment area, which may be larger than the physical dimensions of an item placed in the right-of-way.” PURINTON AND BROWN OPPOSED.**
  - B. **RESOLUTION 20-10913 Adopting** the encroachment assessments for FY21. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 9-2, with change to Resolution that the monies collected be paid to the Public Works Engineering Fund, instead of the General Fund. PURINTON AND BROWN OPPOSED.**

**“NON-AGENDA ITEMS”. 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.)

**COUNCIL INITIATIVES:** None

**ADJOURN:** 9:05 pm