

## REVISED AGENDA 11/4/2020

### **\*\*ATTENTION\*\***

Due to the COVID-19 health concerns, the format of the City Council meeting will be held in a virtual videoconferencing environment. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws:

- The Agenda Packet is available for viewing on the City's website at: <https://ci.billings.mt.us/117/Agendas-Minutes>
- Councilmembers will attend the meeting via a remote location, using a virtual meeting method. City Hall and the Council Chambers will be closed during the meeting.
- The Public may view the meeting on the Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable. The Public may also view online at [www.comm7tv.com](http://www.comm7tv.com) and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting. The Public may also watch meetings by accessing the City's website at <https://ci.billings.mt.us> and click on "Watch Meetings Online".
- Public comment will be taken only during the Public Comment periods as indicated on the agenda. Comments may be sent to Council via email before 3:00 PM, on Monday, November 9, 2020, at: <https://ci.billings.mt.us/1538/City-Council-E-mail-Messages>.
- Emails received after 3:00 PM will be posted on the Council's webpage the following day for public viewing.
- The Public may call in during specific Public Comment periods at **406.237.6196**. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary.

Future delivery methods may be explored as best practice is learned.

Please contact Denise Bohlman, City Clerk, [bohlmand@billingsmt.gov](mailto:bohlmand@billingsmt.gov), with any questions.

# 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.

**REVISIONS TO THIS AGENDA as of 11/4/2020  
TIME CHANGED to 3:30 PM  
REGULAR AGENDA ITEM 2 DESCRIPTION NOW INCLUDES  
PUBLIC HEARING AND FIRST READING ORDINANCE**

### **AGENDA November 9, 2020**

\*Please note time  
change for this  
meeting only!

**\*3:30 P.M.**

**RECESS TO CLOSED EXECUTIVE SESSION\*** City Administrator, Chris Kukulski's Annual 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.

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Mayor Cole

**ROLL CALL:** Councilmembers present on roll call were:  Shaw,  Yakawich,  Neese,  Ewalt,  Joy,  Choriki,  Purinton,  Ronning,  Boyett,  Brown

**MINUTES:** October 26, 2020

**COURTESIES:**

**PROCLAMATIONS:**

**COUNCIL REPORTS:**

**ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, and 3 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:**

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

1.

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
1	Trudi Paulson	Library Board*	11/08/20	12/31/21

\* 1 Unexpired term of Stella Fong

**B. Bid Awards:**

- 1. Two (2) Enforcer PUC Fire Pumpers.** (Opened 10/20/20) Recommend Pierce Manufacturing, Inc./Hughes Fire Equipment; \$1,295,603.
- 2. 2021 Single Engine Combination Sewer Jet/Vacuum Cleaner.** (Opened 10/13/20) Recommend Titan Machinery; \$396,282.
- 3. 2021 12-Yard Dump Truck with Snowplow Mount.** (Opened 10/13/20) Recommend Istate Truck, Inc.; \$150,687.

**C. Software Agreement with MobileEyes for fire inspection software program; \$19,929 with annual license renewals of \$12,714 per year.**

**D. Other Transaction Agreement (OTA) with the Transportation Security Administration (TSA) for the Law Enforcement Officer Reimbursement Program.**

- E. **Corrected Memorandum of Understanding** between the City of Billings and the Downtown Billings Partnership (DBP); YesterYears Building, 102 North 29th Street.
- F. **Subdivision Improvement Agreement (SIA) Amendment**, Ironwood Estates Subdivision, 5th Filing.
- G. **Acceptance of Warranty Deed** for additional Right-of-Way on Central Avenue.
- H. **Second/Final Reading Ordinance for Zone Change 984:** a zone change from Residential 7,000 (R70) to Residential Multi-Family Restricted (RMF-R) on a 10,056 sq. ft. parcel of land, legally described as Lot 6, Block 2, Sunset Subdivision, generally located at 1219 12th St. West. Christian Helland, owner. Approval of the Zone Change and adoption of the findings of the 10 criteria. **\* Quasi-Judicial**

**\* 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.

- I. **Second/Final Reading Ordinance for Zone Change 986:** a zone change to amend the existing Planned Development (PD) zone for Cardwell Ranch on Zimmerman Trail and Grand Avenue to expand the existing Planning Area 2 to include Lot 15A, Block 2 and to remove the additional special review uses from the list of allowed uses within Planning Area 1 and Area 2, legally described as Lots 4A and 15A, Block 2, Cardwell Ranch Subdivision, 1st Filing, generally located at 3340 Sagegrass Drive and 1310 - 30th Street West, respectively. Yegen Grand Avenue Farm, Inc., owner; Charles G. Yegen, agent. Approval of the Zone Change and adoption of the findings of the 10 criteria. **\* Quasi-Judicial**

**\* 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.

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

1. October 5, 2020
2. October 12, 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 APPROVING PROJECT RECODE** - Zoning Code amendment and Zoning Map update. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)

• *Presented by: Nicole Cromwell, Zoning Coordinator*

**Recommended Motion:** Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission's recommendation for approval and adoption of the findings of the 10 criteria, I move to approve Project ReCode - Zoning Code amendment and Zoning Map update, as recommended by the Zoning Commission.

3. **CITY ADMINISTRATOR'S Annual Performance Evaluation.**

**PUBLIC COMMENT on “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:**

**ADJOURN:**

Council meetings may be viewed at any time by accessing Community 7 Television online at [www.comm7tv.com](http://www.comm7tv.com) and clicking on archived programs.