



VISION STATEMENT:
"The Magic City: A diverse, welcoming community where people prosper and business"

COUNCIL ACTION SUMMARY

AGENDA

Billings Public Library and remotely via Zoom. Please see coversheet for details and instructions for viewing and participation.

May 24, 2021

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Boyett

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

MINUTES:

- April 26, 2021 - **APPROVED**
- May 10, 2021 - **APPROVED**

COURTESIES: NONE

PROCLAMATIONS: JUNE – MENS' HEALTH MONTH

COUNCIL REPORTS: Yakawich mentioned several committees for which he serves and reminded Council there would be vacancies in all of those when Council term expires, and he encouraged them to consider filling these vacancies. He also shared various meeting and event dates for Council and public to attend.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- All June meetings will have PSML discussion time.
- Zimmerman Trail will be closed for an undeterminable time due to a serious accident that affected the safety barriers and retaining wall. Until that is repaired, Zimmerman Trail will be closed.
- Memorial Day Holiday is Monday, May 31st, as well as a 5th bye week – no meeting.

- Billings Mustangs are returning this week, and everyone was encouraged to go to a ball game and support the team!

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 4 and 5 ONLY.

Speaker identification required. (Comments are limited to three (3) minutes or as set by the Mayor. 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. Public comments during the meeting may be made in-person or remotely by registering as an attendee through Zoom as outlined in the Agenda coversheet.)

CONSENT AGENDA -- Separations: 1F and 1P2

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

1.

	Name	Board/Commission	Term	
			Begins	Ends
1.	No Applications	Billings Parking Board*	05/24/21	12/31/22

*1 Unexpired term of Kevin Heaney **APPROVED**

B. Bid Awards:

1. **W.O. 20-24: Phase 1A, Grand Peaks Lift Stations.** (Opened 05/11/21)
Recommend Western Municipal Construction, Inc.; \$160,037.07. **APPROVED**
2. **W.O. 21-01: 2021 Water Replacement Project.** (Opened 05/11/21)
Recommend Wilson Bros. Construction of Montana, Inc.; \$3,191,697.
APPROVED
3. **SID 1417 Elysian Road.** (Opened 05/11/21) Recommend Knife River - Billings;
\$2,477,123.90. **APPROVED**
4. **Level IIIA Ballistic Shields.** (Opened 04/27/21) Recommend Ambitec, Inc.; \$60,522.
APPROVED
5. **Optimist Park Shelter.** (Opened 05/11/21) Recommend Hanna Construction Inc.;
\$255,840. **APPROVED**

C. Agreement with Guardian Security, Inc. for guard services at the Billings Public Library; \$73,164 per guard, with an option to extend for five (5) additional one-year terms. **APPROVED**

D. Grant Application Request to submit 2021 Transportation Alternatives (TA) grant program for the Pioneer Park Trail Repaving Project and if successful, accept award;\$163,399.72. **APPROVED**

- E. **CDBG Funding Allocation** to NeighborWorks Montana to complete resident owned C & C Community infrastructure improvements; \$155,000. **APPROVED**
- F. **Downtown Revolving Loan** to The Burger Dive; \$250,000. **APPROVED 10-1, BOYETT OPPOSED**
- G. **Donations** to the Billings Public Library from the Library Foundation and a private donor; \$8,493. **APPROVED**
- H. **Preliminary Major Plat** of Yellowstone Landing Commercial Park Subdivision, generally located north side of Highway 3 and east of A J Way; Aviation Properties, LLC, owner; Performance Engineering, agent; conditional approval and adoption of the findings of fact. **APPROVED**
- I. **Preliminary Major Plat** of Lake Hills Subdivision, 39th Filing, generally located along both sides of Gleneagles Boulevard north of Black Diamond Road; Ron Hill, owner; WWC Engineering, agent; conditional approval and adoption of the findings of fact. **APPROVED**
- J. **Preliminary Major Plat** of Bitterroot Heights Subdivision, 3rd Filing, generally located on the west side of Bitterroot Drive and north of Mary Street; BCJM Properties, LLC, owner; PEC Engineering, agent; conditional approval and adoption of the findings of fact. **APPROVED**
- K. **Final Plat** of Amended Lot 4E-1, Block 1, Shiloh Crossing Subdivision. **APPROVED**
- L. **Bond Resolution 21-10950** for the sale of sidewalk bonds for WO 19-02 and WO 19-35. **APPROVED**
- M. **Resolution 21-10951 of Intent to Create** SID 1418 and setting a public hearing date for June 14, 2021. **APPROVED**
- N. **Resolution 21-10952 of Intent to Create** SID 1411 and setting a public hearing for June 14, 2021. **APPROVED**
- O. **Second/Final Reading Ordinance 21-5758** expanding Ward I (Annexation 20-05B): a property located North of Highway 3 and West of AJ Way. **APPROVED**
- P. **Bills for the Weeks of:**
 - 1. April 19, 2021 - **APPROVED**
 - 2. April 26, 2021 – **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION 21-10953** approving and adopting the water and wastewater rate and fee schedule effective July 1, 2021. Staff recommended approval. (Action: approval or disapproval of staff recommendation.) **APPROVED RESOLUTION WITH CORRECTION NOTED TO PAGE 5, SCHEDULE 1A, METER SIZE 6, SECOND COLUMN, FROM \$86.85 TO \$88.15. 8-3, JOY, CHORIKI, PURINTON OPPOSED**
3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 991:** a zone change to amend parts of the Lenhardt Square Planned Development Agreement, generally located at King Avenue West and 44th Street West. Lenhardt Square Master Association - Allan R. Lenhardt, owner; Sanderson Stewart - Rick Leuthold, P.E., agent. Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED 10-0, MAYOR COLE ABSTAINED**
4. **RESOLUTION 21-10954** repealing and replacing Property Purchasing Resolution 93-16740. (Staff recommends approval.) (Action: approval or disapproval of staff recommendation.) **APPROVED AS AMENDED**
5. **TAX INCREMENT FINANCING ASSISTANCE** from South Billings Boulevard Urban Renewal District (SBBURD) to Billings Public School District No. 2 on behalf of the Newman Elementary School PTA for reimbursement of expenses related to improvements to the student pick-up/drop-off area of Newman Elementary School, located at 605 South Billings Boulevard; up to \$61,200. SBURA Board recommends approval. (Action: approval or disapproval of SBURA Board recommendation.) **APPROVED**

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Identification required. (Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes or as set by the Mayor. Public comments during the meeting may be made in-person or remotely by registering as an attendee through Zoom as outlined in the Agenda coversheet.)

COUNCIL INITIATIVES:

- Ronning moved to direct City Administrator Kukulski to form a committee made up of Citizen Police Advisory Board (CPAB) steering committee members, city council members, and appropriate City staff to develop resolution language that would be re-establish a CPAB for the four key objectives: 1) Recruitment, retention, and workplace diversity; 2) Crime prevention and diversion; 3) Community support and engagement; and 4) Data collection and analysis. Committee to present proposed resolution to City Council at a work session to facilitate feedback; and set a public hearing for resolution adoption, seconded by Joy. Motion was approved 10-1, Purinton opposed.

ADJOURN: 10:52 P.M.