



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

CITY COUNCIL REGULAR BUSINESS MEETING

COUNCIL CHAMBERS **AGENDA** **December 13, 2021** **5:30 P.M.**

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Yakawich

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

MINUTES:

- October 11, 2021 - **APPROVED**
- November 8, 2021 - **APPROVED**
- November 22, 2021 - **APPROVED**

COURTESIES:

- Mayor Cole had recently attended the Change-In-Command ceremony for the USS Billings that was held in Florida.
- Councilmember Shaw stated Cedar Hall had recently offered a pediatric Covid-19 vaccination clinic.

PROCLAMATIONS:

- There were no Proclamations.

COUNCIL REPORTS:

- Councilmember Yakawich had attended meetings for the Bicycle and Pedestrian Safety committee and the Aviation and Transit Board. He stated the meetings had great presentations and were very welcoming. He encouraged Councilmembers to attend.
- Councilmember Choriki had attended the Community Traffic Safety Plan meeting and they were focusing on ways to decrease accidents.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Informed Council Monday, December 20th would be a Regular Council meeting and the meeting for December 27 had been vacated.
- Stated there had not been any ex-parte items sent to Mayor and Council after 3 pm.
- Stated he would not attend the December 20th meeting and thanked all outgoing Councilmembers for their support.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 3b, and 5 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: 1A1, 1J, 1K, 1N, 1R2 and 1R3

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

	Name	Board/Commission	Term	
			Begins	Ends
1	Arlyne Zarn	Animal Control Board	01/01/22	12/31/25
2	No Applications	Animal Control Board	01/01/22	12/31/25
3	No Applications	Animal Control Board	01/01/22	12/31/25
4	Kristi Drake	Bicycle & Pedestrian Board	01/01/22	12/31/24
5	Margy Bonner	Bicycle & Pedestrian Board	01/01/22	12/31/24
6	No Applications	Billings BID	01/01/22	12/31/25
7	No Applications	Billings BID	01/01/22	12/31/25
8	David Mitchell	Board of Adjustments	01/01/22	12/31/25
9	Dave Hagstrom	Board of Adjustments	01/01/22	12/31/25
10	Oscar Heinrich Jr.	Board of Adjustments	01/01/22	12/31/25
11	Jeff Bollman	Board of Adjustments	01/01/22	12/31/25
12	No Applications	Board of Adjustments	01/01/22	12/31/25
13	No Applications	Board of Adjustments	01/01/22	12/31/25
14	No Applications	Board of Adjustments	01/01/22	12/31/25
15	No Applications	Board of Appeals - Architect	01/01/22	12/31/25
16	No Applications	Board of Appeals - Electrician	01/01/22	12/31/25
17	Mick Brown	Board of Appeals - Plumber	01/01/22	12/31/25
18	Anne Giuliano	Board of Health	01/01/22	12/31/24
19	Delayed	Citizen Police Advisory Board	01/01/22	12/31/25
20	Delayed	Citizen Police Advisory Board	01/01/22	12/31/25
21	Delayed	Citizen Police Advisory Board	01/01/22	12/31/25
22	Delayed	Citizen Police Advisory Board	01/01/22	12/31/25
23	Delayed	Citizen Police Advisory Board	01/01/22	12/31/25
24	Joe Stockburger	Community Development Board - Low Mod	01/01/22	12/31/25
25	No Applications	Exchange City Golf Cooperation Board	01/01/22	12/31/25

26	No Applications	Housing Authority - Family Res. Comm	01/01/22	12/31/23
27	Tafuna Tusi	Housing Authority*	01/01/22	12/31/24
28	Kari Boiter	Housing Authority	01/01/22	12/31/26
29	Kim Lewis	Human Relations Commission	01/01/22	12/31/25
30	Lloyd Mickelson	Library Board	01/01/22	12/31/25
31	Trudi Paulson	Library Board	01/01/22	13/31/25
32	Staci Samuelson	Library Board	01/01/22	12/31/25
33	Jennifer Smith	Library Board	01/01/22	12/31/25
34	Mark Kary	Parking Board	01/01/22	12/31/25
35	Brandon Scala	Parking Board	01/01/22	12/31/25
36	No Applications	Parking Board	01/01/22	12/31/25
37	No Applications	Parking Board	01/01/22	12/31/25
38	Jarod Greenwood	Parking Board*	01/01/22	12/31/22
39	Jim Rott	Parks, Recreation & Cemetery Board	01/01/22	12/31/25
40	Lloyd Swords	Parks, Recreation & Cemetery Board	01/01/22	12/31/25
41	Jon Thompson	Parks, Recreation & Cemetery Board	01/01/22	12/31/25
42	Ken Kingman	Police Board	01/01/22	12/31/24
43	Stephen Eliason	Police Board	01/01/22	12/31/24
44	Roger Gravgaard	Planning Board - Ward II*	01/01/22	12/31/23
45	Travis Jones	Public Works Board	01/01/22	12/31/25
46	No Applications	Public Works Board	01/01/22	12/31/25
47	No Applications	Traffic Control Board	01/01/22	12/31/25
48	No Applications	Traffic Control Board	01/01/22	12/31/25
49	Keith Edgerton	Yellowstone Historic Preservation Board	01/01/22	12/31/23

*27 Unexpired term of Michael Samson

*38 Unexpired term of Kevin Heaney

*44 Unexpired term of Heidi Jensen-Christison

B. Bid Awards:

1. **Deice Truck.** (Opened 11/16/21) Recommend I-State Truck Center; \$145,531. **APPROVED**
- C. **Purchase** of 4,050 feet of 8" DR 14 fusible PVC pipe from Aegion (Underground Solutions) for pipe-bursting program; \$144,787.50. **APPROVED**
- D. **Purchase** of twelve 2021 Ford Interceptor SUV vehicles from Duval Ford for the Police Department; \$430,836. **APPROVED**
- E. **Ten-year Agreement** with Sky Dine Billings, LLC, to operate the Airport's Restaurant / Lounge Concessions. **APPROVED**
- F. **Consultant Agreement** with Gallagher Benefit Services, Inc. for guidance and direction to the City's Health Insurance Committee; not to exceed \$64,500 first year; \$64,500 second year; \$66,500 third year; \$68,500 fourth year; and \$70,500 fifth year. **APPROVED**

- G. **Memorandum of Understanding** with Beartooth Resource Conservation and Development Area, Inc. (Beartooth RC&D); \$12,887.60. **APPROVED**
- H. **Exchange City Golf Corporation (ECGC) 2022 proposed annual budget and fee structure for Par 3 Golf Course. APPROVED**
- I. **Donation** to the Parks Department from Landon's Legacy Foundation for Poly Vista Park Development Phase I; \$43,547. **APPROVED**
- J. **FY23 Equipment Replacement Plan (ERP). APPROVED**
- K. **FY23 Technology Replacement Plan (TRP). APPROVED**
- L. **Preliminary Plat Extension** for Bishop Fox Subdivision, Amended Lot 1, Block 1, generally located at 54th Street West and Grand Avenue; Bishop Fox Company, owner; Ron Isakson of CushingTerrell, agent.
***Quasi-Judicial APPROVED**
- M. **Final Plat** of Big Iron Subdivision. ***Quasi-Judicial APPROVED**
- N. **Resolution 21-11017** approving and adopting the South Billings Aquatic and Recreation Center Master Plan and Feasibility Study. **APPROVED 7-3, NEESE, EWALT AND PURINTON OPPOSED; RONNING ABSTAINED**
- O. **Second/Final Reading Ordinance 21-5786** repealing and replacing Article 7-900, Billings, Montana City Code (BMCC), granting a renewal cable system franchise to Spectrum Pacific West, LLC, locally known as Charter Communications, Inc. **APPROVED**
- P. **Second/Final Reading Ordinance 21-5787** adding Article 14-600, Billings, Montana City Code (BMCC), Regulation of Fire /Security Alarm Systems. **APPROVED**
- Q. **Second/Final Reading Ordinance 21-5788** adding Article 7-1700, Billings, Montana City Code (BMCC) defining marijuana businesses and permanently prohibiting adult-use (recreational) marijuana dispensaries in the City of Billings. **APPROVED**
- R. **Bills for the Weeks of:**
 - 1. November 1, 2021 **APPROVED**
 - 2. November 08, 2021 **APPROVED 10-0, BROWN ABSTAINED**
 - 3. November 15, 2021 **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND RESOLUTION 21-11018** establishing fees for false fire/security alarm responses. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED AS AMENDED**
- 3. **KB RENTALS, LLC**
 - a. **PUBLIC HEARING AND RESOLUTION 21-11019 FOR ANNEXATION 21-12:** property described as Lot 4A, of Amended Plat of Lots 2, 3, 4, and 5 of, QFC Subdivision, First Filing, located south of the South Frontage Road and east of East Lane. KB Rentals LLC, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) *** Quasi-Judicial APPROVED**

b. **DEVELOPMENT AGREEMENT** with KB Rentals, LLC for infrastructure improvements located south of the South Frontage Road and east of East Lane. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

c. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 21-12: a 16.584 gross acres and 8.785 net acres, more or less, parcel of land located south of the South Frontage Road and east of East Lane. KB Rentals, LLC, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

4. **MCCALL DEVELOPMENT**

a. **PUBLIC HEARING AND RESOLUTION 21-11020 FOR ANNEXATION 21-13:** a parcel located south of Elysian Road in the Annafeld development, southwest of Annafeld Subdivision, Third Filing. McCall Development, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) * **Quasi-Judicial** **APPROVED**

b. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 21-13: approximately 6.792 gross and net acre parcel of land located south of Elysian Road. McCall Development, owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation) **APPROVED**

5. **FY2023-2027 CAPITAL IMPROVEMENT PLAN (CIP).** Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED AS AMENDED 9-2, NEESE AND PURINTON OPPOSED**

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:

- Neese directed staff to bring back information needed to create a Boards and Commissions policy that would require at least one board member from each Ward, seconded by Yakawich. FAILED 5-6, Shaw, Joy, Choriki, Ronning, Brown and Mayor Cole opposed.

ADJOURN: 8:40 PM