

REGULAR MEETING OF THE BILLINGS CITY COUNCIL
February 22, 2016

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27th Street, Billings, Montana. Mayor Thomas W. Hanel called the meeting to order at 6:30 p.m. and served as the meeting's presiding officer. Councilmember Cimmino gave the invocation.

ROLL CALL: Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, McFadden, Friedel, Sullivan, Swanson, Clark, and Brown.

MINUTES: February 8, 2016: Councilmember Brewster moved for approval, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

COURTESIES: There were no courtesies.

PROCLAMATIONS: Mayor Hanel read a proclamation declaring March 7-12, 2016 as "Boys & Girls Club Week." Brian Dennis, President and CEO of Billings Boys & Girls Club, stated that Billings has over 600 kids in attendance at four club locations. Three Boys & Girls Club members spoke about their positive experiences.

ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek stated that due to a decision made at the February 16, 2016 work session, Public Comment time limits on Non-Public Hearing Items would change to one minute for a single topic or three minutes for multiple topics. This change would go into effect at the March 14, 2016 Council meeting.
- Ms. Volek reminded Council that February 29, 2016 would be a bye week and there would not be a work session scheduled for that week.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1 and #8 ONLY.

Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or at the podium. Comment 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.)

The public comment period was opened.

There were no speakers, and the public comment period was closed.

1. CONSENT AGENDA -- Separations:

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

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Amber Sundsted	Bicycle & Pedestrian Advisory Comm	02/22/16	12/31/18
2	No Applications	Billings BID	02/22/16	12/31/19
3	Oscar Heinrich	Board of Adjustment*	02/22/16	12/31/17
4	No Applications	Board of Appeals - Builder	02/22/16	12/31/19
5	Laura Gittings-Carlson	Community Development Board*	02/22/16	12/31/18
6	No Applications	Housing Authority - Resident Comm*	02/22/16	12/31/16
7	No Applications	Housing Authority - Resident Comm	02/22/16	12/31/17
8	Erin Ortiz Blanco	Human Relations Commission*	02/22/16	12/31/18
9	Kathleen Walters	Human Relations Commission*	02/22/16	12/31/18
10	No Applications	Human Relations Commission	02/22/16	12/31/19
11	No Applications	Human Relations Commission	02/22/16	12/31/19
12	No Applications	Human Relations Commission	02/22/16	12/31/19
13	No Applications	Mayor's Homelessness - Lending*	02/22/16	12/31/16
14	No Applications	Mayor's Homelessness - Consumer*	02/22/16	12/31/16
15	Andrew Zoeller	Billings Parking Board*	02/22/16	12/31/18
16	Kallie Parsons	Billings Parking Board*	02/22/16	12/31/18
17	Mark Kary	Billings Parking Board*	02/22/16	12/31/17
18	Jerry Williams	Yellowstone Soil Conservation District*	02/22/16	06/30/17

* 3 Unexpired term of Matthew McDonnel
* 5 Unexpired term of Nate Fawcett
* 6 Unexpired term of Kathleen Grooms
* 8 Unexpired term of Charlene Sleeper
* 9 Unexpired term of Chelsie Guilford
*13 Vacancy not filled
*14 Unexpired term of Gary Knopp
*15 Vacancy not filled
*16 Unexpired term of Gordon Gooselaw
*17 Unexpired term of Andy Piccioni
*18 Unexpired term of David Mosdal

B. Bid Awards:

1. Polyaluminum Hydroxchloride (PACL) Blend for Water Treatment Division. (Opened 02/09/2016). Recommend Kemira Water Solutions Inc., \$0.391/lb when delivered by railcar.

C. Solid Waste Route Management Hardware and Software Agreement
with Routeware, Inc., \$293,997 for first year, \$38,585.59 for three years of ongoing support.

D. **Memorandum of Understanding** with Beartooth RC&D Economic Development District; \$9,871.54 annual expense.

E. **Approval** of lease renewal of the Limited Commercial Aviation Building and Ground Lease with Billings Clinic, revenue first year \$27,085.08, revenue subsequent years adjusted by CPI-U.

F. **Acceptance of Warranty Deed** for Lots 1 and 2, Block 2, Yerger Heights Subdivision from Beatrice Rice, \$44,625.

G. **Acceptance of Sub-grant** to the Billings Public Library, National Writing Project, \$5,000.

H. **Grant Application Request** to submit MDT Transit Planning Division applications for Sections 5310, 5339, and any other available grants, and to accept and execute any subsequently awarded Grant Agreement(s) for replacement of two vans and other capital needs.

I. **Grant Application Request** to submit 2016 Recreational Trails Program (RTP) application; up to \$45,000 with required 20% local match.

J. **Resolution** amending Resolution 06-18388 and adopting a purchasing policy.

K. **Resolution** amending Resolution 06-18387 and increasing City Administrator signing authority.

L. **Preliminary Major Plat** of Glynn Abbey Subdivision, generally located on the north side of Rimrock Road between the intersection of 54th Street West and Rimrock Road and the intersection of Mickey Wright Lane and Rimrock Road; Glynn Abbey, LLC, owner; Performance Engineering and Consulting, agent; conditional approval and adoption of the findings of fact.

M. Bills and Payroll:

1. January 19, 2016
2. January 25, 2016

Councilmember Yakawich separated Item 1K for discussion.

Councilmember Brown separated Item 1M2 in order to abstain.

Councilmember Cimmino separated Item 1A1, 1C, and 1L for discussion.

Councilmember Cimmino separated Item 1M1 in order to abstain.

Councilmember Brewster moved for approval of the Consent Agenda, with the exception of Items 1A1, 1C, 1K, 1L, 1M1, and 1M2, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

Councilmember Yakawich separated Item 1K to ask Pat Weber, Finance Director, to explain the amendment. Mr. Weber stated that increasing the City Administrator's signing authority to \$80,000 would decrease the amount of change orders that are brought to Council for approval, as well as allow construction to proceed at a faster pace. Councilmember Brown asked if the City would be in violation of State Law if this increase did not pass. Mr. Weber stated that the City would not be in violation. Councilmember McFadden asked if a construction project had ever been delayed while waiting for Council to approve a change order. Dave Mumford, Public Works Director, stated that some projects had been delayed. Liz Kampa-Weatherwax, Purchasing Agent, explained the bidding process and threshold amounts to Council. Ms. Kampa-Weatherwax stated that change orders and contract amendments can be approved by the City Administrator if they are cumulatively less than 10% of the total contract price. By changing the signing authority amount to \$80,000, it would reduce the amount of changes that Council has to approve. Ms. Kampa-Weatherwax stated that if the first change order exceeds 10%, then Council must approve every change order after that as well, regardless how small the amount. Councilmember Yakawich made a motion to disapprove Item K, seconded by Councilmember Friedel. Councilmember McFadden stated that due to inflation and increased costs, he would support increasing the signing authority amount. Councilmember Brewster stated that he has never seen a change order turned down and holding up a project for Council's approval is not cost effective. Mayor Hanel stated that he did not see a problem with approving the signing authority increase and that it would streamline the process. On a roll call vote, Councilmember Yakawich's motion to disapprove Item 1K was approved 6-4, with Councilmembers Yakawich, Cimmino, Friedel, Sullivan, Clark, and Brown voting in favor, and Councilmembers Cromley, Brewster, McFadden, and Swanson voting in opposition. Mayor Hanel ended the roll call after Councilmember Brown, and did not vote.

Councilmember Cimmino separated Item 1A1 to ask if recruitment for the vacancies on the Boards and Commissions would continue. Mayor Hanel stated that the City would wait until mid-year for legal advertising cost reasons. Ms. Volek stated that if there was a commission that was unable to achieve a quorum, the City would bring that commission forward for action. Ms. Volek added that the Mayor's Commission on Homelessness was due to sunset this year, so adding people to that committee would be difficult. Councilmember Clark asked if the same committees seemed to have vacancies. Mayor Hanel stated that they are all important committees, but some are more difficult to fill than others. Councilmember Cimmino moved for approval of Item 1A1, seconded by Councilmember Brown. On a voice vote, the motion was unanimously approved.

Councilmember Cimmino separated Item 1C for clarification on the cost of ongoing support. Jennifer Duray, Public Works Financial Manager, stated that the ongoing support costs would not start until FY17. Councilmember Brown asked how this equipment would save the City money. Mr. Mumford stated that it would save time by allowing drivers to see their routes on the computer and show them the most efficient way to pick up the receptacles. Councilmember Clark asked how long it would take for the equipment to be cost effective. Ms. Duray stated that a preliminary cost benefit analysis showed that the City could see savings and increased revenue in about 2 ½ years. Ms. Duray stated that it should save the City approximately \$20 per route per day for a savings of \$133,000 per year. Councilmember Sullivan asked if consumers would see these savings. Ms. Duray stated that the equipment and fuel savings could be passed on to the consumers. Ms. Duray stated that the equipment would also allow better communication between the office and the field. Councilmember Friedel asked how long this equipment should last. Ms. Duray stated that the company estimates it will last five to seven years. Councilmember Brewster moved for approval of Item 1C, seconded by Councilmember Cromley. On a voice vote, the motion was approved unanimously.

Councilmember Cimmino separated Item 1L to ask Candi Millar, Planning and Community Services Director, about the location details. Ms. Millar stated that the property does not have an address but is closer to 58th Street West. Councilmember Cimmino asked for clarification on how the park land would be managed. Ms. Millar stated that the homeowners association would be responsible for maintaining the park land. Councilmember Cimmino moved for approval of Item 1L, seconded by Councilmember Clark. On a voice vote, the motion was approved unanimously.

Councilmember Brewster moved for approval of Item 1M1, seconded by Councilmember Cromley. On a voice vote the motion was approved 10-0, with Councilmember Cimmino abstaining.

Councilmember Brewster moved for approval of Item 1M2, seconded by Councilmember Cromley. On a voice vote the motion was approved 10-0, with Councilmember Brown abstaining.

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Ms. Millar stated that Code Enforcement administers the weed program and it takes up about one quarter of their case load. There were 1,172 cases this year, which were approximately 250 more cases than last year. Ms. Millar stated that if Code Enforcement receives a complaint regarding unkempt property, they will notify the property owner, and allow them 10 days to rectify the situation. If the property owner does not comply, the Department of Parks, Recreation and Public Lands will cut the weeds, and the property owner will be charged by the City for the service. Ms. Millar stated that if they do not pay, the property will be assessed for the extermination services on their tax statement.

The public hearing was opened.

There were no speakers, and the public hearing was closed.

Councilmember Sullivan moved for approval of Item 2, seconded by Councilmember Yakawich. On a voice vote, the motion was approved unanimously.

**3. PUBLIC HEARING AND RESOLUTION assessing the cost of abatement for property located at 1413 18th Street West. Staff recommends approval.
(Action: approval or disapproval of staff recommendation.)**

Ms. Millar stated that Item 3 was an open storage issue. Ms. Millar stated that the property owner had been given notice to abate the property, but had not brought the property into compliance. Therefore, Municipal Court had ordered abatement of the property.

The public hearing was opened.

There were no speakers, and the public hearing was closed.

Councilmember Swanson moved for approval of Item 3, seconded by Councilmember Clark. On a voice vote, the motion was approved unanimously.

**4. PUBLIC HEARING AND RESOLUTION authorizing filing of the annual Federal Transit Administration Section 5307 Grant. Staff recommends approval.
(Action: approval or disapproval of staff recommendation.)**

Ms. Volek stated that staff did not have a presentation, but was available for questions.

The public hearing was opened.

There were no speakers, and the public hearing was closed.

Councilmember Brewster moved for approval of Item 4, seconded by Councilmember Cimmino. Councilmember Yakawich asked if this grant would be used specifically for MET Transit. Kevin Ploehn, Director of Aviation and Transit, stated that this was an annual operating grant from the FDA that offers a 50% match of daily operating costs at MET Transit. Mr. Ploehn stated that MET had been receiving the grant for many years and it was instrumental in the successful operation of MET. On a voice vote, the motion was approved unanimously.

5. PUBLIC HEARING AND RESOLUTION vacating a portion of 10th Street West from Wyoming Avenue to the alley north of Wyoming Avenue; YWCA and Bonini Enterprises, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Wyeth Friday, Planning Manager, began a brief PowerPoint presentation for Item 5, giving an overview of the property and proposed vacation. Mr. Friday stated that due to infill in the area, the City would like to maintain a pedestrian connection to Lewis and Clark School, going south between Broadwater Avenue and Lewis Avenue. Councilmember Friedel asked why 10th Street and Yellowstone had not been connected. Mr. Friday stated that there is a steep incline at this location and the City has not been able to get the right of way. Councilmember Cimmino asked if the City was donating the land to the YWCA after the vacation. Mr. Mumford stated that the YWCA had originally donated the land on the east side, so they would get it back at no cost.

The public hearing was opened.

- **Merry Lee Olson, 909 Wyoming Avenue, Billings, MT, CEO of YWCA Billings**, stated that the YWCA would like the City to consider returning the land that was donated, so that they could continue with the development of the Gateway Vista Project. Ms. Olson stated that this area is currently being used by all-terrain vehicles and unauthorized construction trucks. She stated that a public pathway directly near the Gateway Vista Project would be counterintuitive due to the sensitive nature of the occupants.
- **Joe Bonini, 8470 Longmeadow Drive, Billings, MT, Bonini Enterprises**, stated that he supports the vacation of this property, but questions the valuation of the west portion due to the steep incline.

There were no further speakers, and the public hearing was closed.

Councilmember Sullivan moved for approval of Item 5, without the condition that an easement be preserved for a multi-use path, seconded by Councilmember Friedel. Councilmember Cromley asked for clarification regarding what will happen to the west portion of property if the adjoining owner does not want to pay the amount requested. Brent Brooks, City Attorney, stated that Council can place conditions on the vacation regarding donating the east portion and keeping the current valuation on the west

portion of the property. Mr. Mumford stated that even if the property is vacated, the City would still own the west portion of property, but it would no longer be City right of way.

Mayor Hanel stated that this property is useless to the City due to the steep terrain that cannot be developed and spoke in favor of keeping the motion as it was originally presented. Councilmember Clark stated that Councilmembers Sullivan's motion does not state what Council is going to do with the property after vacation. Mr. Brooks stated that Council needs to clarify what they want to do with the property after vacation. Councilmember Sullivan offered to withdraw his original motion. Councilmember Sullivan moved for approval of the vacation without the condition that the easement be preserved for a multi-use path, donate the east half to YWCA, and give the opportunity for sale, at the appraised value, of the west half to Bonini Enterprises, seconded by Councilmember Friedel. Councilmember Clark asked for clarification on the valuation of the property. Mr. Mumford stated that through a market analysis the property was valued at \$11,000, therefore, the west portion would be valued at \$5,500. Councilmember Cromley stated that he would support this motion. Councilmember Brown stated that he would not support this motion because he believed the property was worthless due to the steep terrain and would like to see both sides be vacated and given to the respective parties. Councilmember Friedel stated that he would support this motion because Bonini Enterprises had stated he would be willing to purchase it. Mayor Hanel stated that he would not support the motion due to the City's liability, trespassing issues, and maintenance concerns. Councilmember McFadden stated that he supported the Mayor's position and would like to see the City get out from under the liability of the property. Councilmember Brown made an amended motion to vacate without the condition that an easement be preserved for a multi-use path, donate the east half to YWCA, and offer the west half to Bonini Enterprises at no charge, seconded by Councilmember McFadden. Councilmember Clark stated that he would not support Councilmember Brown's amended motion. Councilmember Sullivan stated that he would support Councilmember Brown's amended motion and offered to withdraw his motion. Councilmember Clark made a substitute motion to vacate without the condition that an easement be preserved for a multi-use path, donate the east half to YWCA, and give the opportunity of sale at the appraised value of the west half to Bonini Enterprises, seconded by Councilmember Brewster. Mr. Brooks stated that by approving the substitute motion, it would eliminate any previous amended motions. Councilmember Cromley stated that he was in favor of the substitute motion because he could see problems with donating property to private investors. Councilmember Brown stated that he would support the substitute motion because Mr. Bonini had stated he would be willing to pay the appraised value for the property. Councilmember McFadden stated that he would withdraw his second of Councilmember Brown's amended motion. Councilmember Clark called the question, seconded by Councilmember Sullivan. Mayor Hanel stated that the discussion on the substitute motion was terminated and called for a vote on the question. On a voice vote, the motion to call the question was unanimously approved. On a voice vote, Councilmember Clark's substitute motion was approved 9-2 with Mayor Hanel and Councilmember Cimmino voting in opposition.

6. **PUBLIC HEARING AND SPECIAL REVIEW #938: a special review to construct two triplexes and two fourplexes in a Residential 6,000 (R-60) zone on a 38,379 square foot parcel of land described as: Lot 6, Wolf Subdivision and located at 3104 Boulder Avenue. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)**

Karen Husman, Planner, began a brief PowerPoint presentation for Item 6, giving an overview of the property and summarizing the criteria.

1. The special review approval is for the two 3-plex and two 4-plex multifamily dwellings on Lot 6, of Wolf Subdivision, a 38,379 square foot parcel of land located at 3104 Boulder Ave. (14 dwelling units total). No other use or development is intended or implied by this approval.
2. Any expansion in gross floor area of the proposed buildings or off-street parking greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval.
3. All exterior lighting, including security lighting shall have full cut-off shields so no part of the fixture or lens projects below the cut-off shield. The maximum height of any light pole in the outdoor areas shall be 15 feet above grade.
4. All proposed drive approaches will be reviewed by City Traffic Engineering for final approval and location.
5. No construction activity will occur before 7 am or after 8 pm daily.
6. Prior to Building Permits being issued, a Master Site Plan Review must be submitted to the Planning Division and approved for the project.
7. The site will be developed in substantial conformance with the submitted site plan including landscaping, parking and building locations, and so there is not vehicular access between Colton Blvd. and Boulder Ave. and install a minimum of 4 trees at each private street entrance on Boulder Ave. and Colton Blvd.
8. A trash receptacle must be provided with a 3 sided site obscuring fence and a closing gate.
9. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.
10. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.

Ms. Husman stated that staff had concerns about the proposed driveway being used as an alternative route between Colton Boulevard and Boulder Avenue and, therefore they had requested the development be separated into a north and south neighborhood with a pedestrian connection only. Ms. Husman stated that the property is

currently zoned to allow 10 multi-family dwellings. Ms. Husman stated that staff had received six letters opposing parking problems, traffic issues, and noise concerns. Ms. Husman stated that the applicant had addressed some of these issues by submitting an amended site plan that moved the triplexes to the south side, added additional parking spaces, created a snow removal area and adding trees to reduce noise issues.

Councilmember Clark stated that he had received a letter in opposition of Item 6. Councilmember Sullivan and Councilmember Swanson stated that they had also received letters of opposition to this item. Councilmember Cimmino asked for clarification on if Council was reviewing the original site plan or the amended site plan. Ms. Friday stated that the amended site plan had been created to try to appease the neighborhood concerns and that Council could consider either site plan.

The public hearing was opened.

- **Travis McDowell, 2029 Forest Park Drive, Billings, MT**, stated that due to the concerns of the residents in the area, the site plan had been amended.
- **Rob Morehead, 1014 N. 32nd, Billings, MT** stated that the Zoning Commission special review had been a good process and had allowed the concerns to be addressed. Mr. Morehead stated that the developers had created a homeowners' association to establish rules that would address some of the issues.
- **Dennis Ulvestad, 3040 Central Avenue, Billings, MT** stated that he was testifying as a concerned citizen rather than a Zoning Commission member. Mr. Ulvestad stated that he was very concerned with the traffic in this area.
- **Jase Norsworthy Jr., 2340 Crimson Road, Billings, MT** stated that it would be very difficult to make a profit if they were to build less than 14 units and quality would be sacrificed. Mr. Norsworthy stated that they were working to address the issues that had been brought forward by the neighbors.
- **Maureen Earnest, 3155 Fairmeadow Drive, Billings, MT** stated that Boulder Avenue and Colton Boulevard are very busy streets, especially during school hours. Ms. Earnest stated that she does not support 14 units being built on the property.
- **Terrald Earnest, 3155 Fairmeadow Drive, Billings, MT** stated that he is concerned with snow removal issues and wonders who will be responsible for enforcing the HOA rules.
- **Jase Norsworthy Sr., 3840 Rimrock Road, Billings, MT** stated that when the property was purchased, it included an abandoned house with asbestos which was very costly to remove. Mr. Norsworthy stated that the development they intend to build would improve the area.
- **Olivia Holden, 2090 Hope Circle, Billings, MT** stated that the proposed development may be an improvement to the multi family structures to the east and west, but the single family homes to the south would not benefit. Ms. Holden stated that she does not support allowing 14 units on the property.
- **Benjamin Holden, 2090 Hope Circle, Billings, MT** stated that there was too much density in the area and he does not support 14 units being built.

There were no further speakers, and the public hearing was closed.

Councilmember Clark moved to postpone the decision until March 14, to allow more time for neighbors to examine the updated site plans, seconded by Councilmember Sullivan. Mr. Brooks stated that Council could hold the hearing open and continue it on March 14, but would need to move to reconsider the closing of the public hearing. Councilmember Clark moved to reconsider the closing of the public hearing, seconded by Councilmember Sullivan. Councilmember Clark moved to withdraw his original motion and Councilmember Sullivan withdrew his second. Councilmember Brewster stated that people would have an opportunity to comment during the public comment period on non-public hearing items, therefore he would not support reopening the public hearing. Mayor Hanel stated that he agreed with Councilmember Brewster and would not support reopening the public hearing. Councilmember Cromley stated that people would have an opportunity to speak at the beginning of the Council meeting and did not feel the need to reopen the public hearing. Councilmember Cimmino stated that continuing the public hearing would allow people an opportunity to review the amended site plans and give their opinions. Councilmember Sullivan stated that he would support Councilmember Clark's motion due to the number of concerned homeowners. Councilmember Brown moved to call the question, seconded by Councilmember Cimmino. On a voice vote, the motion to call the question was unanimously approved. On a voice vote, the motion to reconsider the closing of the public hearing was approved; a roll call vote was not conducted. Councilmember Clark moved to postpone the decision until March 14, seconded by Councilmember Yakawich. On a voice vote, the motion was approved 9-2, with Councilmembers Brewster and Cromley voting in opposition.

7. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #16-01: property described as Tract 11, Certificate of Survey 1406, located east of the United States Post Office property on South 27th Street between Lillian Avenue and what would be 7th Avenue South. Phillips 66 Company, owner and petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)**

Wyeth Friday, Planning Manager, began a brief PowerPoint presentation for Item 7, giving an overview of the property and proposed annexation. Mr. Friday stated that the property owner was in attendance and available for questions.

The public hearing was opened.

- **Dee Oakland, 2626 Lillian Avenue, Billings, MT**, Real Estate Services Right of Way Agent for Phillips 66 Billings Division, stated that Phillips 66 had drafts ready and was looking forward to starting the building process once the annexation was approved.

There were no further speakers, and the public hearing was closed.

Councilmember Yakawich stated that he would abstain from voting on Item 7, due to his participation on the Citizens Advisory Council. Councilmember Cromley moved for approval of Item 7, seconded by Councilmember Brewster. On a voice vote, the motion was approved 10-0, with Councilmember Yakawich abstaining.

8. APPROVAL OF CITY COUNCIL COMMITTEE AND BOARD ASSIGNMENTS:
selections to be made at this meeting. Staff recommends approval. (Action:
approval or disapproval of staff recommendation.)

Ms. Volek stated that the updated appointments were as follows:

- Beartooth RC&D: Councilmember Yakawich
- Bright and Beautiful: Councilmember Cimmino with Councilmember Brown as an alternate
- BSEDA: Councilmember Yakawich
- Community Development Board: Councilmember Brewster with Councilmember Cimmino as an alternate.
- Policy Coordinating Committee: Councilmember Brewster with Councilmember Clark as an alternate.
- MT League of Cities and Towns: Mayor Hanel
- Downtown Billings Partnership: Councilmember Sullivan

On a voice vote, the motion was approved unanimously.

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign in at the cart located at the back of the council chambers or at the podium.)

The public comment period was opened.

- **Rodney Garcia, 114 Orchard Lane, Billings, MT** stated that he would like Council to create a policy for blocking access to obscene material on the computers at the Public Library. Mayor Hanel stated that the topic had been discussed at the January 25, 2016 Council meeting and would be brought forward again after budget discussions.

There were no further speakers, and the public comment period was closed.

COUNCIL INITIATIVES - There were no Council initiatives.

There was no further business, and the meeting adjourned at 10:40 pm.



CITY OF BILLINGS

BY: *Thomas W. Hanel*
Thomas W. Hanel, Mayor

ATTEST:

BY: *Billie Guenther*
Billie Guenther, City Clerk

