

## 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

January 22, 2018

6:30 P.M.

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Cromley Yakawich

**ROLL CALL:** Councilmembers present on roll call were:

Cromley,  Yakawich,  Brewster,  Ewalt,  Joy,  Friedel,  
 Ronning,  Clark,  Brown

**MINUTES:** January 8, 2018 (Pending)

#### COURTESIES:

- Councilmember Yakawich recognized participants in the Martin Luther King, Jr. day celebrations.

**PROCLAMATIONS:** Shape Up Montana – February 1, 2018

#### ADMINISTRATOR REPORTS - BRUCE MCCANDLESS

- Placed at each Councilmember's desk was a copy of an email from Wyeth Friday concerning communications between the Planning Division and Councilmember Ewalt regarding the zoning code text amendment process.
- There are no changes to the agenda and nothing was placed in the ex parte notebook.
- Introduced Wyeth Friday, Planning Director, as the interim assistant city administrator on a temporary, part-time basis.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 4b, 5, 6 and 7 ONLY. Speaker sign-in required.** (Comments are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign the roster located on the cart at the back of 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.)

- **Connie Wardell, P.O. Box 21432, Billings, Montana**, in reference to Items 1E, 5 and 7, gave her support for Items 1E and 5. She stated she had hoped there would be a public hearing concerning choosing a city administrator, but that there was no hurry to hire one.

1. **CONSENT AGENDA** -- Separations: 1A1, 1A2

A. **MUNICIPAL COURT / CITY COUNCIL CHAMBERS AUDIO / VISUAL EQUIPMENT REPLACEMENT:**

1. **Contract** with AVI Systems, Inc., \$158,503. **APPROVED 9-1, EWALT OPPOSED**
2. **Resolution 18-10697** approving \$43,503 transfer from Council Contingency to the City Clerk budget for the audio/video system replacement. **APPROVED**

B. **Acceptance** of donation to the Billings Fire Department from ExxonMobil for purchase or upgrades to emergency response equipment for the rescue team; \$2,500. **APPROVED**

C. **Approval** of Tax Increment Finance District funds (TIFD) from East Billings Urban Renewal District (EBURD) to Slow River, LLC, for qualified property improvements reimbursement to properties at 119-123 North 19th Street; \$45,356.97. **APPROVED**

D. **Approval** of Revolving Loan Fund to Jilan Hall-Johnson - The Sassy Biscuit; \$40,000. **APPROVED**

E. **Grant Application Request** to submit the Recreational Trails Program grant application to provide funding for a restroom facility at the Shiloh Conservation Area; up to \$45,000. **APPROVED**

F. **Grant Application Request** to submit FY18-FY19, Montana State Historic Preservation Office Certified Local Government (CLG) Grant application; \$5,500. **APPROVED**

G. **Resolution 18-10683** authorizing grant application request to submit the MDT Transit Planning Division applications for Sections 5310, 5339 or any other available capital grants, and to accept and execute any subsequently awards Grant Agreement(s) for replacement of up to two vans and other capital needs. **APPROVED**

H. **Resolution of Intent 18-10684** to construct W.O. 17-06, reconstruction of Midland Road with improvements, and setting a public hearing date for February 12, 2018. **APPROVED**

I. **Resolution of Intent 18-10685** to create SID 1404, Annafeld Subdivision improvements (parks and street light improvements), and setting a public hearing date for February 12, 2018. **APPROVED**

J. **Resolution of Intent 18-10686** to create SILMD 324, Midland Road (street lights), discontinue SILMD 287, and setting a public hearing date for February 12, 2018. **APPROVED**

K. **Second/Final Reading Ordinance 18-5701 for Zone Change 961:** a zone change from Residential Professional (RP) to Community Commercial (CC) on a 1.42-acre portion of C/S 2465, Parcel 6A, generally located north of Rimrock Road and West of 62nd Street West. Magnus Land Development, LLC, owner; Performance Engineering, agent. Approval of the zone change and adoption of the findings of the 10 criteria. **APPROVED**

L. **Bills and Payroll:**

1. December 26, 2017 **APPROVED**
2. January 2, 2018 **APPROVED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION 18-10687** authorizing filing of the annual Federal Transit Administration Section 5307 Grant Application. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
3. **PUBLIC HEARING AND RESOLUTION 18-10688** approving and adopting budget amendments for FY2018. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
4. **301 ORCHARD LANE:**
  - a. **PUBLIC HEARING AND RESOLUTION 18-10689 FOR ANNEXATION 17-01:** property is located at 301 Orchard Lane on the east side of the street in southwest Billings. L.B. Stone Properties Group, LLC,

Owner; Nick Czalpa, Petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

b. **DEVELOPMENT AGREEMENT** with L.B. Stone Properties Group, LLC, to construct public improvements on recently annexed property, generally located at 301 Orchard Lane. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

**5. BABCOCK THEATRE LEASE / SALE.** Staff recommends Art House Cinema & Pub for the lease of the Babcock Theatre. (Action: approval or disapproval of staff recommendation.) **APPROVED STAFF NEGOTIATING TERMS OF LEASE WITH ART HOUSE 8-0, MAYOR COLE AND RONNING ABSTAINED**

**6. APPROVAL OF CITY COUNCIL COMMITTEE AND BOARD ASSIGNMENTS:** selections to be made at this meeting and assignments made at February 12, 2018 Regular Business meeting. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED THE FOLLOWING ASSIGNMENTS, WILL NOT BE ON THE FEBRUARY 12<sup>TH</sup> AGENDA:**

Big Sky EDA Board – Brown

Community Development Board – Joy

Policy Coordinating Committee – Mayor Cole; Friedel (Alt.)

Montana League of Cities and Towns – Clark

Infrastructure Coalition - Clark

Beartooth RC & D – Ewalt

Bright & Beautiful – Yakawich

DBP Board - Brewster

**7. CITY ADMINISTRATOR REPLACEMENT AND RECRUITMENT.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED NEGOTIATING A CONTRACT WITH INTERIM CITY ADMINISTRATOR BRUCE MCCANDLESS AS CITY ADMINISTRATOR FOR COUNCIL TO APPROVE ON FEBRUARY 12<sup>TH</sup>.**

**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. Please sign the roster located on the cart at the back of Council chambers or at the podium.)

The following individuals expressed concern about the Community and Seniors' Center access and recent changes:

- Rena Bucher, 5646 Lenita Lane, Billings, Montana.
- Willeen Erpenbach, 1715 Street, Andrews, Billings, Montana.
- Gerald Bauck, 924 Steffanich Drive, Billings, Montana, objected to the Parks Department acquiring space formerly used by the senior writers' group and concern for the completion of the proposed Veterans Honor Wall.

- **Robin Grinsteiner, Retired Parks and Recreation employee, 1306 Lewis Avenue, Billings, Montana**, gave some history of the partnerships involved.
- **Joe Fedin, 2533 River Oaks Drive, Billings, Montana**, represented the Board and provided a petition to Mr. McCandless with over 250 signatures. He requested the Board be invited to a future work session and get issues resolved.
- **Clark Johnson, 6180 Masters Boulevard, Billings, Montana**, recommended City Council meet with Senior Citizens' Board.
- **Connie Wardell, P.O. Box 21432, Billings, Montana**, stated the atmosphere had changed at the Center. She inquired about the status of a replacement Ward IV Councilmember.

**COUNCIL INITIATIVES:**

- **NONE**

**ADJOURN:** 9:17 pm.