

## REGULAR MEETING OF THE BILLINGS CITY COUNCIL

**September 23, 2019**

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 Cole called the meeting to order at 5:30 p.m. and served as the meeting's presiding officer. Councilmember Clark gave the invocation.

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Neese, Ewalt, Joy, Friedel, Gibbs, Ronning, Clark and Brown.

**MINUTES:** September 9, 2019 - pending

### **COURTESIES:**

- Councilmember Friedel recognized the passing of a retired vet, L. A. Trudeau, that lost his battle with cancer.
- Councilmember Yakawich mentioned the Boards and Commissions Volunteer Appreciation Dinner, Thursday, October 17<sup>th</sup> at 6:00 PM, at the Billings Community Center, 360 N. 23<sup>rd</sup> Street.
- Councilmember Ronning thanked all who volunteered and attended the Montana International Film Festival – MINT and stated it was a very successful second year. She stated that “Robert the Bruce”, held at the Babcock Theater, had all 750 seats filled for the viewing.

### **PROCLAMATIONS:**

There were no proclamations.

### **COUNCIL REPORTS:**

Noise Ordinance Subcommittee - Councilmember Joy asked for a status. Brent Brooks, City Attorney, responded that the consultant had conducted its study and prepared a report that would be forwarded to the committee members for review.

Policy Coordinating Committee – Mayor Cole distributed six different options for Exhibition Drive and First Avenue North intersection, stating that area was very congested and the committee was seeking improved pedestrian and bike access for crossing Exhibition Drive safety.

### **ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

- Mr. Kukulski stated there were no ex parte communications in the notebook.
- Mr. Kukulski reminded Council that Monday, September 30<sup>th</sup> was a bye week and there would be no Council meetings.

- Mr. Kukulski reminded Council that the Work Session on October 7<sup>th</sup> would be held at the Community Center, 390 N. 23<sup>rd</sup> St., and it would begin at 4:30 pm with a bus tour of the EBURD area.
- Mr. Kukulski gave an update on the Laredo Place rock fall / rock slide.
  - City hired a geotech firm to analyze existing rock formations;
  - City listened to concerns about non-residents accessing the area;
  - Reader board signs were posted on the rimrocks above, on the trail and near the rocks advising non-resident onlookers to stay away;
  - Mr. Kukulski met with the neighborhood at 2:30 PM today; and another meeting was scheduled for 6:00 PM the following day;
  - And he asked Council to consider allowing residents in the audience to speak earlier during the meeting, rather than at the end of the meeting.

Councilmember Yakawich moved to allow any attending neighbors from the affected rock slide area to speak before Public Comment on Non-Public Hearing items, seconded by Councilmember Ewalt. On a voice vote, the motion was unanimously approved.

- **Dave Sutton, 4104 Laredo Place, Billings, Montana**, stated he had experience with engineering and remediation efforts and he and his family were impressed with the City's response to security concerns. He continued that the main concern was an unsupported large mass of rock that remained above the slide area. He asked that the City remove that rock as soon as possible. He stated his second concern was the large fallen rock removal on the properties and road below. Mr. Sutton continued that he did not support any kind of excavation and clean up that required jack hammering or would cause vibrations in the area that may dislodge the unsupported large mass of rock. He asked that the City consider other options to remove the rock slide debris.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 ONLY. Speaker sign-in required.** (Comments are limited to three (3) minutes. 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.)

The public comment period was opened.

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

**1. CONSENT AGENDA**

**A. Bid Awards:**

1. **Medium Duty Conventional Cab Trash Truck.** (Opened 8/27/19)  
Recommend delay of award until October 15, 2019.

2. **Trucks Cabs and Chassis for the Solid Waste Division.** (Opened 9/10/19) Recommend **Schedule 1:** Montana Peterbilt, \$281,441; **Schedule 2:** I-State Truck Center, \$356,734; **Schedule 3:** Montana Peterbilt; \$561,428.
3. **W.O. 15-35: Zone 1 WTP Waterline Improvements.** (Opened 9/10/19) Recommend Western Municipal Construction; \$1,309,900.

**B.** **Five-Year Airport Business Park Building and Ground Lease** with the State of Montana Department of Environmental Quality (DEQ); revenue for five years, \$331,788.

**C.** **Five-Year Airport Business Park Building and Ground Lease** with the State of Montana Department of Natural Resources and Conservation (DNRC), revenue for five years, \$541,044.60.

**D.** **Amendment No. 4, Airport Terminal Project**, Professional Engineering Services Contract, Morrison Maierle, Inc.; \$223,545.

**E.** **Professional Services Contract** for W.O. 19-16: Belknap Office Remodel; A&E Architects; \$143,096.

**F.** **Purchase** of MiTel Telephone System; High Point Networks; \$311,980.80.

**G.** **Donation** of CPR mannequins to Billings Career Center from City of Billings Fire Department.

**H.** **Resolution 19-10825** approving an extension of the Cable Franchise Agreement with Bresnan Communications, LLC, through January 14, 2020.

**I.** **Preliminary Plat** Two-Year Extension of Amended Lot 1, Bock 1, Bishop Fox Subdivision located on the north east corner of the intersection of 54th Street West and Grand Avenue; setting a new expiration date of January 23, 2022.

**J.** **Final Minor Plat** of Silver Creek Estates Amended Subdivision.

**K.** **Final Major Plat** of Silver Creek Estates Subdivision, 2nd Filing.

**L.** **Final Major Plat** of Western Sky Subdivision, 2nd Filing.

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

1. August 19, 2019
2. August 26, 2019

Councilmember Brown separated Consent Agenda Items 1D, 1M1 and 1M2 in order to abstain.

Councilmember Clark moved for approval of the entire Consent Agenda, with the exception of Items 1D, 1M1 and 1M2, seconded by Councilmember Friedel.

Councilmember Cromley asked for a status update on Consent Agenda Item 1H. City Attorney, Brent Brooks, responded that there had been several meetings during the extension with Tim Harrington of Community Seven and others concerning relocation, however, it is the City's and Channel Seven's preference that the station remain where it is. Mr. Brooks stated he was hopeful that this would be resolved soon.

Councilmember Ewalt asked about whether the increase in revenue for Consent Agenda Item 1B was enough over a 5-year lease period. Kevin Ploehn, Aviation and Transit Director, responded that the Montana DEQ wanted a flat rate and a 5-year lease. He explained how the amount for the rate was arrived at. He stated the DEQ was a good tenant and provided solid revenue.

Councilmember Clark, in reference to Consent Agenda Item 1H, asked City Administrator, Chris Kukulski, who was selected to negotiate the cable franchise agreement. Mr. Kukulski stated he considered his staff experts, the City Attorney, and others who are experts in the community concerning cable franchises, to serve on the committee. Mr. Brooks reiterated that the committee also contained a nationally known telecommunications expert and attorney who represented only local governments in cable television franchise agreements.

Councilmember Ewalt, in reference to Consent Agenda Items 1J and 1K, asked Wyeth Friday, Planning Director, about approval of the final plats on basically the same plot of land. Mr. Friday responded that there were several different pieces of property moving and the owner of the property was reconfiguring the platting. Mr. Friday confirmed that 1J was removing the old plat line and 1K was establishing a new plat line. He continued to explain the difference between a minor and major plat.

On a voice vote, the motion was unanimously approved.

Councilmember Clark made a motion to approve Consent Agenda Item 1D, seconded by Councilmember Ronning. On a voice vote, the motion was approved 10-0, Councilmember Brown abstained.

Councilmember Clark made a motion to approve Consent Agenda Items 1M1 and 1M2, seconded by Councilmember Neese. On a voice vote, the motion was approved 10-0, Councilmember Brown abstained.

**REGULAR AGENDA:**

**2. PUBLIC HEARING to receive input on the City's FY18-19 Draft Comprehensive Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME Programs. No action is necessary.**

Brenda Beckett, Community Services Manager, gave a PowerPoint presentation reviewing the draft performance report for FY18-FY19, the fourth year of the five-year consolidated plan. She reviewed the Community Development Division structure and its board. She reviewed the funds received for CDBG and HOME programs and their expenditures. She continued that the program anticipated five homeowner assistance projects, but were actually able to help eight homeowners with repairs. She reviewed the affordable housing opportunities. She stated the AmeriCorps VISTA program served 575 individuals during FY18-FY19 and provided leveraging statistics. She acknowledged the City's beneficiaries were more than 50% minorities and there was a large distribution range for home repair and first time homebuyer programs. Ms. Beckett continued, stating over \$9 million was leveraged during that time and gave examples of how leveraging occurred and applicable ratios.

Councilmember Ronning asked whether Billings' was adequately reaching minorities for assistance. Ms. Beckett responded that the minority population was about 15% in Billings, so it was a small population to serve. She added that 30% of the households served by the programs were minorities and that was a very good percent of the overall beneficiaries.

Councilmember Joy asked how contractors were chosen for the rehabilitation projects. Ms. Beckett responded that Tam Rodier, Housing Rehabilitation Specialist, conducted a lot of outreach with contractors and recently, due to a shortage of available contractors due to hail storms in the area, it was difficult to recruit. She continued to explain that there was a very specific process contractors had to go through to become certified.

Councilmember Yakawich asked how Billings could acquire more low income housing units. Ms. Beckett explained that in the 1970s and 1980s there was more money available for such projects. She gave examples of housing units that worked well and those that had not. She gave information about how the Community Development Division and Housing Authority worked together and how their programs differed.

The public hearing was opened. There were no speakers and the public hearing was closed.

**3. PUBLIC HEARING AND SPECIAL REVIEW 978: a special review to allow an existing all beverage liquor license with gaming on a 1.37 acre parcel of land generally located at 2018 Main Street. Jem LLC, owner; Jerry T. Ray, agent. 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, gave a brief PowerPoint presentation and identified the subject properties. She stated the Zoning Commission's recommendation was for conditional approval and she reviewed the conditions as set forth by the Commission. She stated the conditions were that the all beverage liquor license with gaming would be allowed for Unit No. 1, only; no LED illumination could be placed on the fascia of the building; the development would comply with all other limitations; and that the conditions would run with the land.

Councilmember Ewalt asked whether there was a tenant ready to occupy the space. Ms. Husman stated the owner did not have a tenant at this time, but was seeking approval of the special review to open opportunities for potential tenants.

Councilmember Ronning confirmed that the license would not be a new or additional license, but would be an existing license moved from one location to the new location.

Councilmember Neese asked about signage and lighting as a condition. Ms. Husman quoted Special Review criteria in Section 27-1503(c), BMCC, that allows the Zoning Commission to place specific criteria to 8 areas.

Council discussion ensued concerning whether it was possible that all of the units could fall under the liquor license or that Unit No. 1 could expand into the other three units; or that different units could be renumbered to change where Unit No. 1 was located, i.e., the southern most to the northern most unit.

Wyeth Friday answered questions about how Project Recode may affect some of the zoning in the future. He stated once the special review was approved there was no specific timeline that the owner needed to retain a tenant in the building, as it would run with the land. He explained that a special review did not require a neighborhood meeting, like that of a zone change. He continued that the property was posted with signage to identify to property owners in the surrounding area that a special review was requested and a legal ad was published.

Mayor Cole suggested that the Planning Department consider larger notification signs to post on properties in the future so they are seen more easily.

Councilmember Ewalt stated the request was unusual in light that there was no identified business seeking to relocate.

Councilmember Neese clarified that if a church or school wanted to move into one of the other units in the building, they would have to be advised about the potential of a business with a liquor license being in Unit No. 1 and that there would be a conflict with the distance requirements.

The public hearing was opened.

- **Amelia Marquez, 1522 Virginia Lane, Billings, Montana**, stated that Medicine Crow and Bitterroot Schools were located near the proposed site for the liquor license.

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

Councilmember Ewalt moved for approval of Item 3, with condition no. 1 to identify Unit No. 1 as being on the most southern unit with a square footage of 1,422 sq. ft., seconded by Councilmember Neese. The motion was approved 9-2, Councilmembers Ronning and Gibbs opposed.

**4. PUBLIC HEARING AND RESOLUTIONS spreading assessments on the following:**

- A. **SID 1403, RESOLUTION 19-10826,**
- B. **SID 1404, RESOLUTION 19-10827,**
- C. **SID 2914, RESOLUTION 19-10828,**
- D. **Nuisance Abatement, RESOLUTION 19-10829,**
- E. **Weed Abatement, RESOLUTION 19-10830,**

**Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Andy Zoeller, Finance Director, addressed Items 4(A) through 4(C) regarding spreading the assessments on the SIDs.

Councilmember Ewalt asked why there was an increase in the assessments for SID 2914, Poets Streets. Jennifer Duray, Public Works Deputy Director, responded that the property owners paid for the work performed directly in front of their homes and the City paid for the street improvements. Councilmember Ewalt acknowledged that the project had experienced some construction difficulties with saturated ground and inquired who paid for extra work that was needed. Ms. Duray responded that the waterline was replaced and originally it was not expected to be replaced. She stated that the entire City's portion of the project was paid by the Water Department, including improvements to the streets. Mayor Cole asked whether any of the extra expenses could be allocated to the individual property owners. Ms. Duray explained they could not because once a bond was set, there could not be any adjustments made to it. She continued that another SID would have to be approved for the extra expenses.

Wyeth Friday, Planning Director, spoke about Items 4(D) and 4(E) and asked Council to move for the removal of the 101 N. 24<sup>th</sup> Street property from the assessments. He explained that there was a notification issue with the property. He gave a presentation about the nuisance abatement that occurred at 331 Howard Avenue and what measures were taken to accomplish the abatement.

Mr. Friday reported there were fewer weed abatement complaints this year than in previous years.

Councilmember Yakawich thanked staff for their efforts to remedy and reduce the number of nuisance properties. He asked whether repeat offenders of the weed abatement were given prior notice to inspections. Mr. Friday responded that letters were sent to repeat offenders early in hopes of reducing repeats. He said the communications were positive and appeared somewhat effective.

The public hearing was opened.

- **Frank Dominguez, 130 Avenue B, Billings, Montana**, asked how much the abatement cost City taxpayers for the property at 331 Howard Avenue.

Wyeth Friday, Planning Director, responded that the total was over \$4,000 and the property owner was being assessed the entire amount.

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

Councilmember Yakawich moved for approval of Item 4(A), seconded by Councilmember Neese. The motion was unanimously approved.

Councilmember Yakawich moved for approval of Item 4(B), seconded by Councilmember Neese. The motion was unanimously approved.

Councilmember Yakawich moved for approval of Item 4(C), seconded by Councilmember Neese. The motion was approved 10-1, Councilmember Ewalt opposed.

Councilmember Cromley moved for approval of Item 4(D) to assess the property at 331 Howard Avenue only and to remove the property at 101 N. 24<sup>th</sup> Street from the assessment, seconded by Councilmember Yakawich. The motion was unanimously approved.

Councilmember Yakawich moved for approval of Item 4(E), seconded by Councilmember Joy. Mayor Cole stated the fee was \$25 and he asked staff to research how long it had been since there was an increase in the fee. The motion was unanimously approved.

**5. PUBLIC HEARING AND RESOLUTION 19-10831 approving reduction of the Arterial Construction Fee assessment for residents in commercial zones. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Jennifer Duray, Public Works Deputy Director, explained the exemption in the Code that allowed residents in commercial zones to present a petition to reduce arterial construction fees for their properties, annually. Mayor Cole asked whether a permanent exemption to those properties could be considered.

The public hearing was opened. There were no speakers and the public hearing was closed.

Councilmember Clark moved for approval of Item 5, seconded by Councilmember Ronning. The motion was unanimously approved.

**6. PUBLIC HEARING AND RESOLUTION 19-10832 assessing the cost of sidewalk construction and/or repair. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Jennifer Duray, Public Works Deputy Director, explained that the process of financing the program and assessing property owners for sidewalk construction and/or repairs had changed in recent years. She stated a new funding method for the sidewalk "tripper" program was adopted. Ms. Duray explained that the grinding method of trippers was less expensive to property owners and effective. She explained that property owners are notified when there was a problem reported with their sidewalks and they had 30 days to remedy it or the City would take care of it. The property owner has 60 days to reimburse the City for its expenses or be assessed. Ms. Duray stated that this program, rather than being financed internally by bonds, was financed with gas tax and then reimbursed to the gas tax fund as property owners paid the assessments. She explained that if the amount to be assessed was less than \$500, it would go on taxes in one lump sum, unless an exception was granted, and if the amount was \$500 or greater the amount would be assessed on taxes over 5 years.

Mayor Cole asked whether it was necessary in the future for these small assessment to be brought before the Council for approval. Ms. Duray explained that a public hearing was necessary and Council was required to approve the assessments.

Councilmember Neese asked whether administrative costs were considered with the assessments. Ms. Duray responded that the permit costs were included in the assessments and the interest charged over 60 days covered administration costs.

Councilmember Ewalt asked whether the 30-days to remedy a tripper was seasonally adjusted, because it if was reported during the winter, it would not be possible to do concrete work at that time. Ms. Duray stated the City had a contractor that provided the work and sometimes it was not possible, due to the weather to do the

work needed within 30 days. Councilmember Ewalt asked about when the Kiwanis Trail concrete breaks would be fixed. Ms. Duray stated she would look into it.

The public hearing was opened. There were no speakers and the public hearing was closed.

Councilmember Yakawich moved for approval of Item 6, seconded by Councilmember Clark. The motion was unanimously approved.

Councilmember Ewalt stated he would like there to be a reference to seasonal adjustments. City Attorney, Brent Brooks, stated he would research the State statutes about it.

The motion was unanimously approved.

**7. PUBLIC HEARING AND FIRST READING ORDINANCE amending the Advisory Boards and Commissions Membership Qualifications. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Brent Brooks, City Attorney, outlined the proposed amendments to the Advisory Boards and Commissions membership qualifications, i.e., residency and age requirements.

Patty Webster, Housing Authority, stated that by law, the Housing Authority was required to have a board appointed by the Mayor. She stated that because of the way the current Ordinance read, most of the population that the Housing Authority served lived outside of the City of Billings and even outside of Yellowstone County and therefore, could not serve on her board. She asked that the ordinance amendments be approved to relax the residency requirements so the Housing Authority Board could be comprised of individuals more representative to the population the Housing Authority served.

Mr. Brooks stated the Housing Authority Board could be better served by the City and the Housing Authority entering into a Memorandum of Understanding or interlocal agreement as suggested in the draft language to the Ordinance.

Council continued discussions about entering into Memorandums of Understanding for certain boards, relaxing the residency requirements to allow new residents to serve on a board, and US citizen requirements.

Councilmember Yakawich stated he was supportive of interlocal agreements, but he opposed the proposed residency requirements and eliminating qualified voters for consideration. Councilmember Neese echoed support of Councilmember Yakawich's comments.

Councilmember Ronning stated that residency requirements to serve on an advisory board were more strict than those for becoming a Councilmember and that seemed wrong.

The public hearing was opened.

- **Pam Purinton, 3606 Quimet Circle, Billings, Montana**, stated she was in agreement with Councilmember Yakawich. She continued that she serves on the Human Relations Commission and she had concerns about absenteeism and loss of membership. She stated that board members who were continually absent needed to be replaced more expeditiously.
- **Dennis Ulvestad, 3040 Central Avenue, A102, Billings, Montana**, stated his support to have residency requirements to serve on a board.
- **Amelia Marquez, 1522 Virginia Lane, Billings, Montana**, stated she reviewed the Secretary of State's office website for information on requirements for becoming a registered voter. Ms. Marquez reminded Council that they hired a City Administrator who was not a resident of Billings and advisory board members should not be held to stringent residency requirements, but to welcome those from outside the City to bring their experiences and viewpoints to boards.
- **Anita Gonzalez, 4702 Rebecca Place, Billings, Montana**, stated she supported Councilmember Ronning's view on who should be eligible to serve on advisory boards. She also supported that a person be a registered voter and that Council check to make certain an applicant was a registered voter. She stated the City should welcome new residents to serve on boards if they apply, but she wanted there to be a 6-month or 1-year residency requirement.
- **Judy Henry, 3100 Valley View Drive, Billings, Montana**, stated when she was a new resident with 3 young children and when she moved to Billings she wanted to serve on an advisory board, but the residency restriction of 3 years prohibited her from applying. She stated that 2 years was long enough to become familiar with the City.
- **Rhiannan Schiller, P. O. Box 23371, Billings, Montana**, stated she lived in Billings for several years, then moved to Laurel, but still worked in Billings. She stated that disqualified her from serving on a board for which she was otherwise qualified.

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

Councilmember Yakawich moved to deny the proposed changes in Item 7, seconded by Councilmember Neese.

Councilmember Cromley moved for approval of a substitute motion to refer Item 7 to the committee to make amendments per the public testimony, i.e., residency requirements – 1 year in the City; keep registered voter requirement; keep the proposed vacancies and attendance requirements to replace absentee board members; and keep the proposed language concerning interlocal agreements, seconded by Councilmember Joy. Councilmember Joy stated these changes allowed for more people to serve. Mayor

Cole addressed the vacancies and attendance inconsistencies and stated he supported the proposed language to eliminate confusion. Councilmember Ronning stated that a number of the changes made to the proposed ordinance did not stem from her initiative, however, she was supportive of the motion.

Mayor Cole asked Councilmember Cromley to serve on the committee he referenced in his motion as there was no committee. Councilmember Cromley stated he would lead a committee.

Councilmember Friedel stated he supported a residency requirement, whether it was 1 year or 2 years and that a board member must be a qualified/registered voter and three strikes to remove someone from a board for absenteeism. He continued that he did not believe a committee was necessary to make these decisions.

Councilmember Cromley rescinded his substitute motion and Councilmember Joy rescinded her second to the substitute motion.

Councilmember Friedel moved for approval of a substitute motion to require City residency for 2 years, registered voter requirement, and all other proposed changes to be included, seconded by Councilmember Ewalt.

Councilmember Neese stated he would not support the motion if it included language about interlocal agreements.

Councilmember Cromley stated he agreed with the substitute motion, except for the 2-year residency requirement, it should be no longer than 1 year.

Councilmembers Joy and Brown stated they would not support the 2-year residency requirement, that 1 year was enough.

Councilmember Friedel rescinded his substitute motion, Councilmember Ewalt rescinded his second.

Councilmember Friedel moved for approval of a substitute motion to require City residency for 1 year, registered voter requirement, and all other proposed changes to be included, seconded by Councilmember Joy.

Councilmember Neese stated he would not support the motion.

Councilmember Brown and Mayor Cole gave their support of the motion.

On a roll call vote, the substitute motion as approved 8-3, Councilmembers Yakawich, Neese and Clark 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. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)*

The public comment period was opened.

- **Amelia Marquez, 1522 Virginia Lane, Billings, Montana**, stated she supported the passage of a Non-Discrimination Ordinance and stated she had been a Billings resident her entire life, but protections needed to be in place.
- **Dennis Ulvestad, 3040 Central Avenue, A102, Billings, Montana**, stated he was a Billings resident for the past 56 years. He stated that a Non-Discrimination Ordinance should be placed on a ballot as a referendum and let the citizens of Billings decide whether Billings should pass a Non-Discrimination Ordinance.
- **Anita Gonzalez, 4702 Rebecca Place, Billings, Montana**, stated she supported a Non-Discrimination Ordinance to protect everyone.
- **Shauna Goubeaux, 310 North 27<sup>th</sup> Street, Billings, Montana**, stated she was the president of 406 Pride and she supported a Non-Discrimination Ordinance that would protect sexual orientation and gender identity. She stated there are no federal or state statutes that protected this population.
- **Frank Dominguez, 130 Avenue B, Billings, Montana**, stated he had new ideas for his billboards that would honor victims of DUI drivers. He asked that Council approve a charge of \$200 to \$300 to every DUI fine to be allocated toward paying for the billboards or require them to work community service or pay for a billboard. He stated that there had been 130 DUIs in Yellowstone County during the past month. He continued that an increased fine would pay for 1 or 2 of the billboards a year.

There were no 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 8:47 p.m.

CITY OF BILLINGS



By: William A. Cole  
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman  
Denise R. Bohlman, City Clerk