

REVISED 6/18/2020

Consent Agenda Item 1K was changed to include the bond interest rate; Regular Agenda Item 6, the staff memo and attached exhibit were changed based on Council direction during the June 15, 2020 Work Session; and Regular Agenda Item 8(b) the draft resolution was attached.

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS.”

AGENDA

**Council Chambers are Closed.
The meeting will be held remotely via
virtual meeting room. Please see
coversheet for details and instructions
for viewing and participation.**

June 22, 2020

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Shaw

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

COVID-19 Update by Unified Incident Command (UIC)

MINUTES:

- May 26, 2020 - Pending
- June 8, 2020 - Pending

COURTESIES:

- None

PROCLAMATIONS: June 13th - Juneteenth National Freedom Day

COUNCIL REPORTS:

- None

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- There were 2 ex parte communications received after 3:00 PM concerning Regular Agenda Item 6 and passage of the budget as it related to keeping the pools and splash pads open.
- Next Monday is a bye week and there will be no meeting.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 8 ONLY.

Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. During COVID-19, the method to take and hear public comment has changed. Individuals wishing to give public comment will call a dedicated phone line (237.6196) and held in queue until it is their turn to comment. 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.)

- None

1. CONSENT AGENDA -- Separations: 1C, 1K, 1L2

A. Bid Awards:

1. **SID 1408: Wanigan Subdivision Improvements.** (Opened 6/9/20) Recommend FirstMark Construction, LLC; \$759,525. **APPROVED**
2. **SID 1410: Annafeld Park Trail Improvements.** (Opened 6/9/20) Recommend FirstMark Construction, LLC; \$103,429. **APPROVED**
3. **SID 1410: Annafeld Subdivision, 2nd Filing, Streetlights.** (Opened 6/9/20) Recommend Ace Electric, Inc.; \$129,530. **APPROVED**
4. **SID 1413: Winged Foot Road and Greenbriar Road.** (Opened 6/9/20) Recommend Knife River - Billings; \$843,704.75. **APPROVED**

5. **W.O. 20-01: 60-inch Sewer Interceptor Trenchless Rehabilitation Project.** (Opened 6/2/20) Recommend Insituform Technologies, LLC; \$2,791,278. **APPROVED**
6. **W.O. 20-11: Lloyd Mangrum and Lake Hills Lift Station Rehabilitation.** (Opened 6/9/20) Recommend rejecting all bids. **APPROVED**
7. **W.O. 20-16: Rectangular Rapid Flashing Beacons Installations.** (Opened 6/9/20) Recommend Montana Lines, Inc.; \$383,660. **APPROVED**
8. **W.O. 20-23: Solid Waste Container Storage Facility.** (Opened 6/9/20) Recommend FirstMark Construction, LLC; \$469,665. **APPROVED**
9. **W.O. 20-39: 2020 Miscellaneous Drainage Improvements.** (Opened 6/9/20) Recommend KLE Construction, LLC; \$417,630. **APPROVED**
10. **W.O. 20-40: Walter Pump Station Generator.** (Opened 6/9/20) Recommend CEI Electrical Contractors; \$281,000. **APPROVED**
11. **W.O. 20-42: North 29th and 30th Street Two-Way Conversion.** (Opened 6/9/20) Recommend Montana Lines, Inc.; \$1,468,327.05. **APPROVED**

B. **Professional Services Contract** for W.O. 20-44: Water Reclamation Facility Nutrient Recovery Improvements Project with HDR Engineering, Inc.; \$638,300. **APPROVED**

C. **Amendment No. 6**, Phase Two Terminal Concourse Expansion Project Professional Services Contract with Morrison-Maierle, Inc.; \$1,707,736. **APPROVED 10-0, BROWN ABSTAINED**

D. **Amendment to Gross Maximum Price (GMP) Agreement** with Sletten Construction for Airport Terminal Concourse Expansion Project, Phases 2-5; \$40,326,911. **APPROVED**

E. **Consultant Agreement** for W.O. 20-30: Hallowell Lane Improvements with Sanderson Stewart; \$306,865. **APPROVED**

F. **Consultant Agreement** for W.O. 20-30: Hallowell Lane Improvements with WWC Engineering; \$308,410. **APPROVED**

G. **Landfill Agreement** with Yellowstone County; \$258,000. **APPROVED**

- H. **Purchase Agreement** for Water Reclamation Facility for 15,000V disconnect and transformer replacements with CTC Solutions, Inc.; \$458,765. **APPROVED**
- I. **Purchase Agreement** of parking access and revenue control system with Flash Parking; in an amount not to exceed \$500,000. **APPROVED**
- J. **Resolution 20-10877** relating to \$1,133,315.78 pooled Special Improvement District bonds, Series 2020 (SID 1408, SID 1410 and SID 1413); fixing the form and details and providing for the execution, delivery and security. **APPROVED**
- K. **Resolution 20-10878** relating to Tax Increment Bonds; fixing the form and details and providing for the execution, delivery and security. **APPROVED**
- L. **Bills for the Weeks of:**
 - 1. May 18, 2020 **APPROVED**
 - 2. May 26, 2020 **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 977:** a zone change to amend the zone district boundary lines within the Planned Development Agreement (PDA) to increase the acres in the underlying Community Commercial (CC) zoning; increase the acres in the Neighborhood Commercial (NC) zoning; decrease the acres in the Residential Multi-family (RMF) zoning; and decrease the acres in the Residential Manufactured Home (RMH) zoning, generally located at King Avenue West and 48th Street West, Western Sky Subdivision. Mont Vista, LLC, owner, Sanderson Stewart, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) **APPROVED 10-0, CM PURINTON WAS EXCUSED DUE TO TECHNICAL PROBLEMS DURING THE VOTE**
- 3. **PUBLIC HEARING AND RESOLUTION** vacating the alley adjacent to Lots 1-6, Block 1, La Ray Subdivision; Propiedad, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED TO TABLE UNTIL CLARIFICATION CONCERNING ANNEXING ADJACENT PARCEL IN THE COUNTY CAN BE ADDRESSED, 9-2, CHORIKI AND SHAW OPPOSED.**
- 4. **PUBLIC HEARING AND RESOLUTION 20-10879** establishing and revising Planning and Engineering Divisions' fees for FY21-FY22. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED WITH CHANGE TO RESOLUTION EFFECTIVE DATE AS UPON ADOPTION OF PROJECT RECODE IN FULL, OR IF APPROVED, IN PART, AND**

REQUIRING ANY SERVICE DESCRIBED IN EXHIBIT B, 9-2 NEESE AND PURINTON OPPOSED

5. **PUBLIC HEARING AND RESOLUTION 20-10880** approving and adopting Public Works right-of-way fees for FY21-FY22. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
6. **PUBLIC HEARING AND RESOLUTION 20-10881** approving and adopting FY21 budget. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-0, CM PURINTON WAS EXCUSED DUE TO TECHNICAL PROBLEMS DURING THE VOTE**
7. 8. **PUBLIC HEARING AND RESOLUTIONS** setting FY21 annual assessments on the following:
 - a. **Business Improvement District, RESOLUTION 20-10882 APPROVED**
Tourism Business Improvement District, RESOLUTION 20-10883 APPROVED
Mill Levy Rates for General Fund, Transit, Library and Public Safety, RESOLUTION 20-10884 APPROVED
 - b. **Road Maintenance District 6, RESOLUTION 20-10885 APPROVED**
 - c. **Arterial Construction, RESOLUTION 20-10886 APPROVED**
 - d. **Street Maintenance District, RESOLUTION 20-10887 APPROVED**
 - e. **Storm Sewer, RESOLUTION 20-10888 APPROVED**
8. 7. **PUBLIC SAFETY MILL LEVY**
 - a. **SECOND/FINAL READING ORDINANCE 20-5736** amending City Charter by repealing and replacing Section 1.05.1. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**
 - b. **RESOLUTION 20-10889** approving ballot language. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED**

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Sign-in required.
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- **Tim Warburton, 3444 Lucky Penny Lane, Billings, Montana**, stated he was disappointed that no one from the Council intervened when he was called names and ridiculed by another Parks' Board Member.

COUNCIL INITIATIVES:

- None

ADJOURN: 10:31 pm