

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.**

October 26, 2020

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Boyett

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

MINUTES: October 132, 2020 - **APPROVED**

COURTESIES:

- Neese asked that people on the Zoom meeting please turn off their cameras until their agenda item is considered.
- Shaw stated she forwarded a proposed initiative for the meeting, but decided to wait and would not bring it forward now.

PROCLAMATIONS: None

COUNCIL REPORTS: None

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- There were no ex parte communications received after 3:00 PM regarding items on this agenda.

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.)

1. **CONSENT AGENDA** -- Separations: 1C, 1E, 1F1, 1F2

A. **Bid Awards:**

1. **City Vehicles.** (Opened 10/13/20) Recommend Schedule 1: Billion Auto Group, \$36,082; Schedules 2, 4 and 5: Yellowstone Country Motors, \$140,257; Schedule 3: Ressler Motors, \$45,012; and Schedule 6: Bison Ford, \$54,140.40, plus the add-on amount for lift gates of \$4,410 for a total amount of \$58,550.40. **APPROVED**
2. **Household Hazardous Waste Collection.** (Opened 10/13/20) Recommend rejection of all bids. **APPROVED**
3. **Roll-Off Truck.** (Opened 10/13/20) Recommend Western System; \$173,073.85, with 5-yr. warranty. **APPROVED**
4. **Three New Side Load Trucks.** (Opened 10/13/20) Recommend SWS Equipment; \$907,854, with 5-yr, warranty. **APPROVED**

- B. **Professional Services Contract** with Karpel Solutions for the initial installation, implementation, data conversion, licensing and training in the amount of \$95,600; and for continued support and maintenance in the amount of \$14,800/yr. for the Legal Department. **APPROVED**

- C. **Memorandum of Understanding** between the City of Billings and the ~~Downtown Billings Partnership (DBP) concerning future sale and disposition of funds, YesterYears Building, 102 North 29th Street.~~ **REMOVED FROM AGENDA PER EWALT'S MOTION TO REMOVE AND PLACE ON FUTURE AGENDA WHEN MOU AMOUNT IS CORRECTED TO \$835,750.** **APPROVED REMOVAL 7-4, SHAW, JOY, CHORIKI AND RONNING OPPOSED.**

- D. **Declaration** of surplus property and authorizing the Street/Traffic Division to sell a road patching unit to the City of Miles City; \$22,000. **APPROVED**
- E. **Preliminary Major Plat** of Western Sky Subdivision, Second Amended, Lot 5A, generally located at South of King Avenue West and east of South 48th Street; Western Sky Billings, LLC, owner; Sanderson Stewart, agent. * **Quasi-Judicial** **APPROVED 7-4, NEESE, EWALT, PURINTON, BOYETT OPPOSED**

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

- 1. September 21, 2020 – **APPROVED 10-0, BROWN ABSTAINED**
- 2. September 28, 2020 - **APPROVED 10-0, BROWN ABSTAINED**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND SPECIAL REVIEW 986:** a special review to allow a beer and wine license with gaming for a 2,500 square foot tenant space within a 7,913 multi-tenant building, in a Community Commercial (CC) zone, on a 39,907 square foot parcel of land described as Lot 2, Block 17, Lampman Subdivision, and generally located at 3189 King Avenue West. DAJ Enterprises, LLC, owner; Josh Benson, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) ***Quasi-Judicial** - **APPROVED 10-1, RONNING OPPOSED**
- 3. **PUBLIC HEARING AND SPECIAL REVIEW 987:** a special review to allow an existing all beverage liquor license to relocate from 1911 King Avenue West, Unit 10, to 2499 Gabel Road, a 3,128 square foot building, on a 68,520 square foot parcel of land, described as Lot 3, Block 4, Cenex Park Subdivision. King McCall, LLC, owner; Jason Palaygi, agent. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.) ***Quasi-Judicial** - **APPROVED**
- 4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 984:** a zone change from Residential 7,000 (R70) to Residential Multi-Family Restricted (RMF-R) on a 10,056 sq. ft. parcel of land, legally described as Lot 6, Block 2, Sunset Subdivision, generally located at 1219 12th St. West. Christian Helland, owner. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) ***Quasi-Judicial** - **APPROVED**
- 5. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 985:** a zone change from Residential 6,000 (R60) to Residential Multi-Family Restricted (RMF-R), each parcel of land is 20,250 sq. ft. for a total of 40,500 sq. ft., legally described as Lots 13 and 14, Wolf Subdivision, generally located at

3121 and 3125 Boulder Avenue. Edith Nelson, owner; Rob Pasquarello, agent. Zoning Commission recommends approval and adoption of the 10 criteria.

(Action: approval or disapproval of the Zoning Commission recommendation.) *

Quasi-Judicial – DISAPPROVED 3-8, YAKAWICH, NEESE, EWALT, PURINTON, RONNING, BOYETT, BROWN AND MAYOR COLE OPPOSED

6. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE

986: a zone change to amend the existing Planned Development (PD) zone for Cardwell Ranch on Zimmerman Trail and Grand Avenue to expand the existing Planning Area 2 to include Lot 15A, Block 2 and to remove the additional special review uses from the list of allowed uses within Planning Area 1 and Area 2, legally described as Lots 4A and 15A, Block 2, Cardwell Ranch Subdivision, 1st Filing, generally located at 3340 Sagegrass Drive and 1310 - 30th Street West, respectively. Yegen Grand Avenue Farm, Inc., owner; Charles G. Yegen, agent. Zoning Commission recommends approval and adoption of the 10 criteria.

(Action: approval or disapproval of the Zoning Commission recommendation.) *

Quasi-Judicial - APPROVED

7. PUBLIC HEARING and amendment to agreement with Lockwood Water and Sewer District. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) – **APPROVED 9-2, NEESE AND EWALT OPPOSED**

8. TAX INCREMENT FINANCE ASSISTANCE from East Billings Urban Renewal District (EBURD) to Belle Chemical located at 501 North 22nd Street; \$44,532. Billings Industrial Revitalization District (BIRD) Board recommends approval. (Action: approval or disapproval of BIRD Board recommendation.) - **APPROVED**

PUBLIC COMMENT on “NON-AGENDA ITEMS”. Speaker Sign-in required.

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COUNCIL INITIATIVES: None

ADJOURN: 10:23 pm