



VISION STATEMENT:
"The Magic City: A diverse,
welcoming community
where people prosper and
business succeeds."

**COUNCIL ACTION SUMMARY
CITY COUNCIL
REGULAR BUSINESS MEETING**

COUNCIL CHAMBERS

**AGENDA
APRIL 24, 2023**

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Purinton

ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I
Councilmember Ed Gulick, Ward I
Councilmember Roy Neese, Ward II
Councilmember Jennifer Owen, Ward II
Councilmember Denise Joy, Ward III
Councilmember Danny Choriki, Ward III
Councilmember Daniel Tidswell, Ward IV
Councilmember Pam Purinton, Ward IV
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

Staff

Present: Chris Kukulski, City Administrator
Kevin Iffland, Assistant City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Wyeth Friday, Planning Director
Monica Plecker, Planning Manager
Jessica Iverson, Building Official
John Caterino, Facilities Superintendent
Brenda Beckett, Community Development Manager
Debi Meling, Public Works Director ???

MINUTES:

- April 10, 2023 **APPROVED 11-0**

COURTESIES:

- The new School District 2 Superintendent Erwin Garcia was introduced and welcomed, along with Billings Public School Board Chair, Scott McCulloch.
- Councilmember Rupsis mentioned Partners for Parks Foundation would hold a fundraiser "Party for Parks – Boots & BBQ" on April 28, 2023, 6 PM- 11 PM, at the Pub Station and invited everyone to join in the fun.
- Councilmember Rupsis introduced Brandon Scala, Senior Vice President of Valley Federal Credit Union, to speak about the second annual HIVE event and introduce the winners.
- Councilmember Neese mentioned that voting had opened for local elections and encouraged everyone to vote.

PROCLAMATIONS:

- Arbor Day – May 5th
- April – National Volunteer Recognition Month – April 29th, Celebrate the Friends and Volunteers of St. Vincent De Paul

COUNCIL REPORTS:

- Mayor's Statement Regarding Settlement of Franchise Fee Lawsuit.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Consent Agenda Item 1C may be separated to review the
- The summary information contained in the staff memo for Item 3 on the Regular Agenda, incorrectly stated 50% abatement. It should have read 100% abated in years 1-4, with Rimrock Kia paying 100% tax value in year 5 and forward.
- Consent Agenda Item 1E (Annafeld Subd., 5th filing Plat) needs to be moved to Regular Agenda Item 5a (AFTER Annexation 23-01). Council will need to make a motion to move it to the Regular Agenda.
- There were no ex-parte items sent to Mayor and Council after 3 pm concerning items on the agenda.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 7 and 8 ONLY. Speaker sign-in required. (Comments are limited to three (3) minutes or as set by the Mayor. 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.)

1. **CONSENT AGENDA** -- Separations: 1C, 1E, and 1F

A.

Bid Awards:

1. **Community Center Hail Repairs.** (Opened 4/4/23) Recommend Finishing Touch Exteriors, Inc. **APPROVED 11-0**

- B. **Agreement** with CityView for Community Development and Business Licensing software. **APPROVED 11-0**
- C. **Agreement** with Montana Rescue Mission for sheltering services data. **DENIED 7-4, NEESE, CHORIKI, BOYETT, MAYOR COLE WERE OPPOSED TO SUBSTITUTE MOTION TO DENY.**
- D. **Acceptance** of the Montana Main Street Impact Grant on behalf of the Downtown Billings Business Improvement District (BID). **APPROVED 11-0**
- E. **Preliminary Major Plat** of Annafeld Subdivision, 5th Filing. ***Quasi-Judicial Moved to Regular Agenda as Item 5a**
- F. **Preliminary Major Plat** of Golden Meadows Subdivision Expansion. ***Quasi-Judicial APPROVED 11-0**
- G. **Second/Final Reading Ordinance** expanding Ward V (Annexation 23-02). **APPROVED 11-0**
- H. **Bills for the Weeks of:**
 - 1. March 20, 2023 **APPROVED 11-0**
 - 2. March 27, 2023 **APPROVED 11-0**

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND APPROVAL** of FY2023-2024 Annual Action Plan and Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Budget Allocations. Community Development (CD) Board recommends approval. **APPROVED 11-0**
- 3. **PUBLIC HEARING AND RESOLUTION** approving a property tax abatement for Rimrock IV, LLC, d/b/a KIA of Billings. Staff recommends approval. **APPROVED 9-2, NEESE AND PURINTON OPPOSED**
- 4. **PUBLIC HEARING AND SPECIAL REVIEW 996**: a special review to allow a 30-foot height increase to an existing wireless communication facility (WCF), in a Corridor Mixed Use 1 (CMU1) zone district located at 1010 Grand Avenue. Zoning Commission recommends conditional approval and adoption of the findings of the 9 review criteria. ***Quasi-Judicial APPROVED 11-0**
- 5. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 23-01**: located East of East Lane and South of Elysian Road. Staff recommends conditional approval. **APPROVED 11-0**
 - a. **Preliminary Major Plat** of Annafeld Subdivision, 5th Filing. ***Quasi-Judicial APPROVED 11-0**
- 6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 23-01: located East of East Lane and South of Elysian Road. Staff recommends approval. **APPROVED 11-0**
- 7. **INITIATION** of Zoning Code Text Amendments. **APPROVED 10-1, TIDSWELL OPPOSED** to initiate the general amendments to the Zoning Code as outlined in the Planning staff presentation on April 3, 2023, and include the following:

Group one:

- Garage entry door location for property zoned NX1 or NX2.
- Sign code amendments to address existing nonconforming wall signs, other nonconforming signs and separations between off-premise signs and residential zones.
- Adjustments to Building and Siting Standards for Neighborhood and Mixed Neighborhood ones
- Fence materials in Commercial and Residential zones

Group two:

- Council action options for special reviews and zone changes
- Open Space provisions in NX and PND district assembly
- Allow rebuild of Residential Structures in Commercial and Mixed Use zones by right
- Step-backs of taller buildings between Neighborhood and Mixed Neighborhood zones

Group three:

- Updates to Administrative Relief provisions
- Landscape Plan clarifications for residential (one and two family) lots
- Housekeeping amendments to correct errors and cross-references in other city codes
- Special Review criteria
- Zoning at Annexation

8. LEGISLATIVE SESSIONS UPDATE.

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 or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)

COUNCIL INITIATIVES: None

ADJOURN: 9:32 P.M.