



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

## COUNCIL ACTION SUMMARY

**REVISED 7/24/2023 TO CORRECT THE ORDER OF REGULAR AGENDA ITEMS**

### CITY COUNCIL REGULAR BUSINESS MEETING

#### AGENDA

**COUNCIL CHAMBERS**

**JULY 24, 2023**

**5 :30 P.M.**

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Gulick

#### ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I – Left the meeting at approximately 9:00 PM  
Councilmember Ed Gulick, Ward I  
Councilmember Roy Neese, Ward II  
Councilmember Denise Joy, Ward III  
Councilmember Pam Purinton, Ward IV – Via Zoom  
Councilmember Mike Boyett, Ward V  
Councilmember Tom Rupsis, Ward V  
Mayor William Cole

Absent/  
Excused: Councilmember Jennifer Owen, Ward II  
Councilmember Danny Choriki, Ward III  
Councilmember Daniel Tidswell, Ward IV

Staff  
Present: Kevin Iffland, Assistant City Administrator  
Karen Schexnider, Assistant City Attorney  
Denise Bohlman, City Clerk  
Monica Plecker, Planning Manager  
Hunter Kelly, Planner  
Nicole Cromwell, Zoning Coordinator  
Jennifer Duray, Public Works Deputy Director  
Andy Zoeller, Finance Director  
Mike Pigg, Parks and Recreation Director  
Jeff Roach, Aviation and Transit Director  
John Caterino, Facilities Manager

#### MINUTES:

- May 22, 2023 APPROVED 8-0, Councilmembers Owen, Choriki and Tidswell  
Absent/Excused

- June 12, 2023 **APPROVED 8-0**, Councilmembers Owen, Choriki and Tidswell Absent/Excused
- June 26, 2023 - Pending
- July 10, 2023 - Pending

## COURTESIES:

**PROCLAMATIONS:** None

## **COUNCIL REPORTS:**

### **ADMINISTRATOR REPORTS - CHRIS KUKULSKI KEVIN IFFLAND, ASSISTANT CITY ADMINISTRATOR**

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 and 5b 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.) **None**

1. **CONSENT AGENDA** -- There were no separations.
  - A. **Contract with Fabricon, LLC, for Skypoint Sail Replacement.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - B. **Contract with Alta Planning + Design, Inc., in association with Sanderson Stewart, for 2023 Pedestrian and Bicycle Master Plan update.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - C. **Compensation Agreement with Daniel Properties, LLC, extension of a public water main from the intersection of Rimrock Road and 62nd Street West, along the frontage of Tule Ridge Subdivision.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - D. **Services Agreement with Airside Solutions, Inc. for Airfield Lighting System Equipment Upgrade.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - E. **Services Agreement to NEOGOV for onboarding employees.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - F. **Amendment No. 6, with HDR Engineering for W.O. 14-11: WRF Nutrient Upgrade, Expansion and Improvements Project.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - G. **Change Order No. 1, Hail Repairs at Billings Community Center, Finishing Touch Exteriors, Inc.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - H. **Quitclaim Deed from the City to Todd and Michelle Vralsted.** **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - I. **Preliminary Major Plat of Howard Billings Industrial Subdivision.** **\*Quasi-Judicial APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**

J. **Bills for the Week of:**

1. June 19, 2023 **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION 23-11141** approving and adopting FY2023 budget amendments. Staff recommends approval. **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC, Article 21-200, Solid Waste Collection and Disposal. Staff recommends approval. **APPROVED with clarification to yard rubbish to street right-of-way and removing the word "inflammables" and leaving it as flamables only, (Mayor's suggestions, too) 7-1, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED, NEESE OPPOSED**
4. **CITY-OWNED PROPERTY NORTHEAST OF BILLINGS-LOGAN INTERNATIONAL AIRPORT:**
  - a. **JOINT PUBLIC HEARING FOR ANNEXATION 23-05 AND ZONE CHANGE 1032:**
    - i. **RESOLUTION 23-11142 APPROVING ANNEXATION 23-05:** City-owned lands located west and north of the Billings-Logan International Airport. Staff recommends approval. **\*Quasi-Judicial APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
    - ii. **FIRST READING ORDINANCE FOR ZONE CHANGE 1032:** to allow the annexation of city-owned land adjacent to the Billings Logan International Airport and bring all current airport property into the City Limits. Zoning Commission recommends approval and adoption of the 10 criteria. **\*Quasi-Judicial APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
  - b. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward I to include recently annexed property in Annexation 23-05: a parcel located west and north of the Billings Logan International Airport. Staff recommends approval. **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED JOY OPPOSED**
5. **MACK AND SPAENY PROPERTIES:**
  - a. **JOINT PUBLIC HEARING FOR ANNEXATION 23-06 AND ZONE CHANGE 1030:**
    - i. **RESOLUTION 23-11143 APPROVING ANNEXATION 23-06:** a parcel located north of King Avenue West, west of Saint Mary Way and east of South 44th Street West. Staff recommends conditional approval. **\*Quasi-Judicial APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
    - ii. **FIRST READING ORDINANCE FOR ZONE CHANGE 1030:** three parcels of land located on King Ave. W. between the St. Vincent's Healthcare Subdivision and the Lenhardt Square Subdivision. Zoning Commission recommends approval and adoption of the 10 criteria. **\*Quasi-Judicial APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
6. **ANNEXATION AGREEMENT** with Molly and Darrell Spaeny and Michelle Amen. Staff recommends approval. **AMENDED TO INCLUDE STANDARD REIMBURSEMENT CLAUSE APPROVED 7-1, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED JOY OPPOSED**
7. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward V to include recently annexed property in Annexation 23-06: a parcel located north of King Avenue West, west of Saint Mary Way and east of South 44th Street West. Staff recommends approval. **APPROVED 8-0, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**

8. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1031:**  
Text Amendments - Phase II - Action Options for Zoning Commission and City Council; Open Space in NX districts and PND; Rebuild of Residential in Commercial and Mixed Use; Stepbacks for structures in NX2/NX3. Zoning Commission recommends approval.

- **Sec. 27-1623. - Special review uses – Action Options for Zoning Commission and City Council - APPROVED 8-0, indicating 60% majority vote of Council present, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
- **Sec. 27-307. - NX1 district; Sec. 27-308. - NX2 and NX3 district; and Sec. 27-800 – Open Space – DELAYED TO A FUTURE WORK SESSION, APPROVED 6-1, SHAW EXITED MEETING, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED, JOY OPPOSED**
- **Sec. 27-1504.C(3)(a).2 – Reconstruction of Residential Structures in Commercial and Mixed-Use Zone Districts - APPROVED 7-0, SHAW EXITED MEETING, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED**
- **Sec. 27-308. NX2 and NX3 district. Related to Stepbacks for structures in NX2/NX3 zone districts. APPROVED TO DENY 5-2, SHAW EXITED MEETING, OWEN, CHORIKI, TIDSWELL ABSENT/EXCUSED, NEESE AND BOYETT 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 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.*) **None**

**COUNCIL INITIATIVES:** None

**ADJOURN:** 10:07 P.M.