



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

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

COUNCIL CHAMBERS

SEPTEMBER 11, 2023

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Joy

ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I – Left at 7:43 P.M.
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
Toni Keehner, Deputy City Clerk
Else Monat, Active Transportation Planner
Brenda Beckett, Community Development Manager
Wyeth Friday, Planning Director
Tina Hoeger, Code Enforcement Manager
Jennifer Duray, Deputy Public Works Director
Debi Meling, Public Works Director
Andy Zoeller, Finance Director

MINUTES:

- July 24, 2023 - Pending
- August 28, 2023 - Pending

COURTESIES:

PROCLAMATIONS:

- September – National Recovery Month
- September 14, 2023 – United Way Day to “Rally for our Community”
- September 17, 2023 – Suicide Prevention Day

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRISKUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 11a and 11b 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.)

SPECIAL PRESENTATION: Greg Burns and Jim Davenport, Thorn Run Partners, Federal Government Advocates

Regular Agenda Item's 11a and b moved to after Consent Agenda.

Regular Agenda Item's 7a-e and 10 delayed.

1. **CONSENT AGENDA** -- Separations: 1A1

A. **Bid Awards:**

1. **Cardboard Recycling.** (Opened 8/15/23) Recommend Earth First Aid.

APPROVED 7-4, NEESE, OWEN, TIDWELL AND PURINTON OPPOSED

B. **Purchase** of an irrigation pump station for Mountview Cemetery from Granite Peak Pump Service. **APPROVED 11-0**

C. **Professional Services Agreement** for W.O. 24-01: Contract 3, Cedar Park Subdivision Water Main Replacement; Morrison-Maierle, Inc. **APPROVED 11-0**

D. **2023 Justice Assistance Grant (JAG) Application**, Memorandum of Understanding (MOU) with Yellowstone County, and award to the City of Billings Police Department. **APPROVED 11-0**

E. **Perpetual Right-of-Way Easements** from Sisters of Charity of Leavenworth Health Services Corporation. **APPROVED 11-0**

F. **Exempt Plat** Amended Yellowstone Meadows, Phase Three. ***Quasi-Judicial APPROVED 11-0**

G. **Second/Final Reading Ordinance 23-5851** for Zone Change 1033: St. Vincent's Healthcare Subdivision. ***Quasi-Judicial APPROVED 11-0**

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

1. August 07, 2023 **APPROVED 11-0**

2. August 14, 2023 **APPROVED 11-0**

REGULAR AGENDA:

2. **PUBLIC HEARING** to receive input on FY2022-2023 Draft Comprehensive Annual Performance Evaluation Report (CAPER) and Community Needs. No action is necessary.
3. **PUBLIC HEARING** and amendment to the FY2023-2024 Annual Action Plan. Staff and Community Development Board recommends approval. **APPROVED 11-0**
4. **PUBLIC HEARING AND RESOLUTION 23-11149** revising Encroachment Rental fees. Staff recommends approval. **APPROVED 11-0**
5. **PUBLIC HEARING AND RESOLUTION 23-11150** setting Special Improvement Lighting Maintenance District (SILMD) assessments. Staff recommends approval. **APPROVED 11-0**
6. **PUBLIC HEARING AND RESOLUTIONS** allocating assessments on the following:
 - a. **Sidewalk Construction and/or Repairs (RES. 23-11151) APPROVED 11-0**
 - b. **Delinquent Sewer and Solid Waste Services (RES. 23-11152) APPROVED 11-0**
- ~~7. **PUBLIC HEARING AND RESOLUTIONS** allocating assessments on the following:~~
 - ~~a. **SID 1411 RES. 23-11153 DELAYED**~~
 - ~~b. **SID 1419 RES. 23-11154 DELAYED**~~
 - ~~c. **SID 1423 RES. 23-11155 DELAYED**~~
 - ~~d. **SID 2924 RES. 23-11156 DELAYED**~~
 - ~~e. **SID 2925 RES. 23-11157 DELAYED**~~
8. **PUBLIC HEARING AND RESOLUTIONS** allocating assessments on the following:
 - a. **Nuisance Property Abatements (RES. 23-11158) APPROVED 11-0**
 - b. **Weed Abatements (RES. 23-11159) APPROVED 11-0**
9. **PUBLIC HEARING AND RESOLUTIONS** setting annual levy/assessments on the following:
 - a. **General Fund, Transit, Library, Public Safety I, II, III, and General Obligation Debt (RES. 23-11160) APPROVED 9-2, NEESE AND PURINTON OPPOSED**
 - b. **Downtown Business Improvement District (RES. 23-11161) APPROVED 11-0**
 - c. **Tourism Business Improvement District (RES. 23-11162) APPROVED 11-0**
- ~~10. **PUBLIC HEARING AND RESOLUTION 23-11163** assessing Park Maintenance Districts (PMDs). Staff recommends approval. **DELAYED**~~

11. PUBLIC ARTS POLICY:

- a. **RESOLUTION 23-11164** rescinding and repealing Resolution 04-18101, establishing a Public Arts Policy and Ad Hoc Committee. Staff recommends approval. **APPROVED 10-1, NEESE OPPOSED**
- b. **RECOMMENDATION** for Public Arts Projects. Staff, Ad Hoc Art Review Committee, Parks and Cemetery Board and Mobilize the Magic City Advisory Committee recommend approval. **APPROVED 10-1, NEESE 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.)

COUNCIL INITIATIVES:

ADJOURN: 9:55 P.M.