

****ATTENTION****

Due to the COVID-19 health concerns, the format of the City Council meeting will be held in a virtual videoconferencing environment. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws:

- The Agenda Packet is available for viewing on the City's website at:
<https://ci.billings.mt.us/117/Agendas-Minutes>
- Councilmembers will attend the meeting via a remote location, using a virtual meeting method. City Hall and the Council Chambers will be closed during the meeting.
- The Public may view the meeting on the Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable. The Public may also view online at www.comm7tv.com and click on the “Watch Live” icon. Community 7 also has links to their Facebook page and YouTube channel in which to view the meeting.
- Public comment will be taken only during the Public Comment periods as indicated on the agenda, and during the Public Hearings under the Regular agenda. Comments may be sent to Council via email before 3:00 PM, on Monday, July 27, at:
<https://ci.billings.mt.us/1538/City-Council-E-mail-Messages>
- Emails received after 3:00 PM and prior to 5:00 PM, may be read during the meeting.
- The Public may call in during specific Public Comment periods at **406.237.6196**. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary.

Future delivery methods may be explored as best practice is learned.

Please contact Denise Bohlman, City Clerk, bohlmand@billingsmt.gov, with any questions.

Revised 7.21.2020
Regular Agenda Item 2 - Presenters' Changed
Regular Agenda Item 3 - Property Location Corrected
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.

July 27, 2020

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Neese

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

MINUTES:

- June 22, 2020
- July 13, 2020

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 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:

- A. **Bid Awards: None**
- B. **Professional Services Contract** for W.O. 20-46: Landfill Compost Facility; Great West Engineering; \$176,000.
- C. **Donation** to Fire Department from Phillips 66 to replace one standby generator; \$20,000.
- D. **Donation** to Police Department from Yellowstone County DUI Task Force to fund overtime for special DUI shifts; \$4,000.

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

- 1. June 22, 2020
- 2. June 29, 2020

Recommended Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

REGULAR AGENDA:

2. **PUBLIC HEARING** to receive input on the need for senior low-income rental housing project at 78 27th Street West (Central Court Village). No action is necessary.

- *Presented by: Stephen Sandberg and Spencer Hansen, Peak Capital Partners*

3. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 20-02:** a property located at 1053 Lincoln Lane. Propriedad, LLC, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.) * Quasi-Judicial

- *Presented by: Monica Plecker, Planning Division Manager*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to conditionally approve the Resolution approving Annexation 20-02, as recommended by staff.

* Quasi-Judicial – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 978:** a zone change from Entryway Light Industrial (ELI) to Highway Commercial (HC) on a parcel of land located in Montana Sapphire Subdivision to facilitate the construction of a new apartment complex located at 4160 King Avenue West. Montana Sapphire, LLC, owner, Performance Engineering, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) * Quasi-Judicial

- *Presented by: Nicole Cromwell, Planner*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve Zone Change 978 and adopt the findings of the 10 criteria, as recommended by the Zoning Commission.

* Quasi-Judicial – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

5. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 979:** a zone change from R-70-R, a single family only zone district, to R-50 to allow the development of two-family dwellings on a 2.4 acre parcel of land, described as Lots 17-25, Block 31 of High Sierra Subdivision, 16th filing. Gary Owen, owner; Sanderson Stewart, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of the Zoning Commission recommendation.) * Quasi-Judicial

- *Presented by: Nicole Cromwell, Planner*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve Zone Change 979 and adopt the findings of the 10 criteria, as recommended by the Zoning Commission.

* Quasi-Judicial – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

6. **PUBLIC HEARING AND SPECIAL REVIEW 982:** a special review to expand Gordy's Casino building at 2244 and 2248 Grand Avenue. G Rock Building, LLC, owner; Gordy Roma, 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**

- *Presented by: Nicole Cromwell, Planner*

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve Special Review 982 and adopt the findings of the 3 criteria, as recommended by the Zoning Commission.

*** Quasi-Judicial** – Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

PUBLIC COMMENT on “NON-AGENDA ITEMS”. 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.)

COUNCIL INITIATIVES:

ADJOURN:

Council meetings may be viewed at any time by accessing Community 7 Television online at www.comm7tv.com and clicking on archived programs.