

****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, August 10, 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.

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.

August 10, 2020

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Ewalt

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

MINUTES: July 27, 2020

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2 and 3 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. **Mailing Services Contract** with FP Management, Inc., DBA Mailing Technical Services, Inc.; five-year contract with five additional one-year options to renew; \$65,000 yearly average.
- C. **Professional Services Contract** with Center for Public Safety Management, LLC and National Research Center for Analysis of Fire, EMS and Law Enforcement Services; \$140,860.
- D. **2021 Unified Planning Program (UPWP)**.
- E. **Memorandums of Understanding (MOU)** between the City of Billings and Billings Public Schools and Billings Catholic Schools for School Resource Officer Program; \$365,311.
- F. **Department of Environmental Quality (DEQ) Montana Energy Office** grant to Parking Division for electric car charging stations; \$25,500.
- G. **2019 Project Safe Neighborhood Researchers** grant to Police Department; \$40,000.
- H. **2019 Railroad Trespassing Enforcement** grant to Police Department; \$50,000.
- I. **Donation** from Phillips 66 to Police Department for body camera program; \$50,000.
- J. **Preliminary Subsequent Minor Plat** of Midland Subdivision, 1st Filing, Amended L1, B1, generally located at the northwest corner of South 24th Street West and Marketplace Street , 640 South 24th Street West Associates, LLC, owner; Sanderson Stewart, agent. *** Quasi-Judicial**

* 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.
- K. **Second/Final 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. Approval of the Zone Change and adoption of the 10 criteria. *** Quasi-Judicial**

* **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.

L. Second/Final 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. Approval of the Zone Change and adoption of the 10 criteria. * **Quasi-Judicial**

* **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.

M. Bills for the week of:

1. July 6, 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. **RESOLUTION** vacating the alley right-of-way adjacent to Lots 1-6, Block 1, La Ray Subdivision; Propiedad, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

• *Presented by: Debi Meling, City Engineer*

Recommended Motion: I move to approve the resolution vacating the alley right-of-way, as recommended by staff.

3. **PURCHASE AGREEMENT** with Elmer Fox Estate for approximately 20 acres of land located at 6014 South Billings Boulevard for Billings Operations Center; \$2.1 million.

• *Presented by: Jessica Iverson, Facilities Manager*

Recommended Motion: I move to approve the purchase agreement, as recommended by staff.

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.