

****ATTENTION****

Due to the COVID-19 health concerns, the format of the City Council meeting will be held in a virtual videoconferencing environment. 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. 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.

Citizens are invited to:

- Review the Agenda Packet on the City's website at:
<https://ci.billings.mt.us/117/Agendas-Minutes>
- View the meeting:
 - On Community 7 TV - Channel 7 or Channel 507 – Spectrum Cable
 - On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.
 - 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.
 - On the City's website at <https://ci.billings.mt.us> and click on "Watch Meetings Online".

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P. O. Box 1178, Billings, MT 59103
- Email: <https://ci.billings.mt.us/1538/City-Council-E-mail-Messages>.
 - Emails received after 3:00 PM on Monday, December 14, 2020, will be posted on the Council's webpage the following day for public viewing.
- Call in during the Public Comment periods as indicated on the agenda:
 - Citizens may call in during specific Public Comment periods at **406.237.6196**. All callers will be placed 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 limited 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.

December 14, 2020

5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Yakawich

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

MINUTES: November 23, 2020

COURTESIES:

PROCLAMATIONS:

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2a, 2b, 5, 6, and 7 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. **Mayor Cole recommends that Council confirm the following appointments:**

1.	Name	Board/Commission	Term	
			Begins	Ends
1	Chuck Tooley	Aviation & Transit	01/01/21	12/31/24
2	David Hummel	Aviation & Transit	01/01/21	12/31/24
3	Steven Tostenrud	Aviation & Transit	01/01/21	12/31/24
4	John Scheuering	Animal Control Board	01/01/21	12/31/24
5	Ronda Smith	Animal Control Board	01/01/21	12/31/24
6	George Maragos	Billings BID	01/01/21	12/31/24
7	No Applications	Billings BID	01/01/21	12/31/24
8	Deborah Davis	Board of Health	01/01/21	12/31/23
9	Rebecca Noell	Community Development	01/01/21	12/31/24
10	Cynthia Finch	County Water District of Billings Heights	01/01/21	12/31/24
11	No Applications	Exchange City Golf Cooperation Board	01/01/21	12/31/24
12	No Applications	Housing Authority - Resident Comm.	01/01/21	12/31/22
13	Kari Boiter	Housing Authority*	01/01/21	12/31/21
14	No Applications	Housing Authority	01/01/21	12/31/25
15	No Applications	Human Relations Commission	01/01/21	12/31/24
16	Chuck Platt	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
17	Lew Morris	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
18	Jami Clark	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
19	Maia Dickerson	Parks, Recreation & Cemetery Board	01/01/21	12/31/24
20	Terry Corey	Police Board	01/01/21	12/31/23
21	Teresa Larsen	Planning Board - Ward I	01/01/21	12/31/22
22	Dennie Stephenson	Planning Board - Ward III	01/01/21	12/31/22
23	Darell Tunnicliff	Planning Board - Ward IV	01/01/21	12/31/22
24	Jon Thompson	Planning Board - Ward V	01/01/21	12/31/22
25	Bill Enright	Public Works Board	01/01/21	12/31/24

*13 Unexpired term of Gloria Boyd

B. **Bid Awards:**

1. **Dozer for the Landfill.** (Opened 12/01/20) Recommend RDO Equipment; \$510,000.

2. **Shredder for the Landfill.** (Opened 12/01/20) Recommend Ecoverse Industries; \$790,400.
3. **Wheel Loader for the Landfill.** (Opened 12/01/20) Recommend Tractor & Equipment Co.; \$261,739.

C. **Professional Services Contract** for W.O. 21-01: Pioneer Park Area Water Main Replacement; Morrison-Maierle, Inc.; \$585,854.

D. **Breathing Air Compressor** emergency replacement for Fire Department; \$127,683.29.

E. **Second/Final Reading Ordinance expanding Ward III (Annexation 20-03)** for an approximate 4.350 acre parcel of land described as Certificate of Survey 1121, Tract 2-A-1, located south of the South Frontage Road and north of the Grey Eagle Ditch. Chuck Hogan and Rick Dorn, on behalf of Hogan Properties, LLC, petitioner.

F. **Resolution of Intent** to create SILMD 329 and amend SILMD 263 on Hallowell Lane and set a public hearing date of January 11, 2021.

G. **FY22 Equipment Replacement Plan (ERP).**

H. **FY22 Technology Replacement Plan (TRP).**

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

1. November 2, 2020
2. November 9, 2020
3. November 16, 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 AND RESOLUTION for Annexation 20-04:** a 37.381 gross and 34.917 net acre parcel of land generally located both north and south of Elysian Road and east of East Lane. Quarnburg Farming Corporation and McCall Development, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Presented by: Monica Plecker, Planning Division Manager

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the Resolution approving Annexation 20-04, as recommended by staff.

a. **Development Agreement** with Quarnburg Farming Corporation for Lot 1, QFC Subdivision, 1st Filing.

• Presented by: Debi Meling, Public Works Director

Recommended Motion: I move to approve the Development Agreement, as recommended by staff.

b. **Development Agreement** with McCall Development for Lot 2A, Block 1, Adam and Mollie Walter Subdivision.

• Presented by: Debi Meling, Public Works Director

Recommended Motion: I move to approve the Development Agreement, as recommended by staff.

3. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 20-04: a 37.381 gross and 34.917 net acre parcel of land located both north and south of Elysian Road and east of East Lane; Quarnburg Farming Corporation and McCall Development, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

• Presented by: Monica Plecker, Planning Division Manager

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve First Reading Ordinance expanding the boundaries of Ward III, as recommended by staff.

4. **PUBLIC HEARING AND FIRST READING ORDINANCE** approving Project ReCode. (*Continued from 11/23/2020 Regular Business Meeting*) - Zoning Code amendment and Zoning Map update. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)

• Presented by: Nicole Cromwell, Zoning Coordinator

Recommended Motion: Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission's

recommendation for approval and adoption of the findings of the 10 criteria, I move to approve Project ReCode - Zoning Code amendment and Zoning Map update, as recommended by the Zoning Commission.

5. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Billings Partnership (DBP) to Downtown Properties, LLC located at 2624 Montana Avenue; up to \$665,765. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

• *Presented by: Mehmet Casey, DBP Board Member*

Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Billings Partnership to Downtown Properties, LLC located at 2624 Montana Avenue, as recommended by DBP Board.

6. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Billings Partnership (DBP) to Kibler & Kirch located at 2807 1st Avenue North; up to \$79,940. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

• *Presented by: Mehmet Casey, DBP Board Member*

Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Billings Partnership to Kibler & Kirch located at 2807 1st Avenue North, as recommended by DBP Board.

7. **TAX INCREMENT FINANCE ASSISTANCE** from Downtown Billings Partnership (DBP) to Halsten Holdings, LLC (Burger Dive) located at 2712 Minnesota Avenue; up to \$466,373. Downtown Billings Partnership Board recommends approval. (Action: approval or disapproval of DBP Board recommendation.)

• *Presented by: Mehmet Casey, DBP Board Member*

Recommended Motion: I move to approve Tax Increment Finance Assistance from Downtown Billings Partnership to Halsten Holdings, LLC located at 2712 Minnesota Avenue, as recommended by DBP Board.

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.