

## REGULAR MEETING OF THE BILLINGS CITY COUNCIL

March 9, 2020

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27th Street, Billings, Montana. Mayor Cole called the meeting to order at 5:30 p.m. and served as the meeting's presiding officer. Councilmember Ewalt gave the invocation.

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

### MINUTES:

**February 10, 2020** – Councilmember Joy moved for approval, seconded by Councilmember Purinton. On a voice vote, the motion was unanimously approved.

The minutes for the February 24, 2020 meeting were pending.

### COURTESIES:

- Mayor Cole stated the 2020 Consensus was starting and added they were still in need of some help. He encouraged everyone to participate.
- Mayor Cole stated March marked the 75<sup>th</sup> anniversary of Morrison-Maierle and congratulated them on 75 years.

### PROCLAMATIONS:

- Mayor Cole proclaimed March 8-14, 2020, as Girl Scout Week.
- Mayor Cole proclaimed March 30-April 5, 2020, as Native American Pow Wow Week and Gathering at MSU-Billings. Dr. Joe McGeshick invited the City and Council to attend the upcoming events at MSU-B. Walter Runsabov sang an Honor Song written by his father.

### COUNCIL REPORTS:

There were no reports.

### ADMINISTRATOR REPORTS - CHRIS KUKULSKI

- Mr. Kukulski stated there were no exparte items in the notebook.
- Mr. Kukulski stated the City was taking precautionary health measures in response to the Corona Virus. He added the Facilities Department was taking extra steps in sanitizing City Facilities that were frequented by the public. He added the City was looking to the Unified Health Command Team for further directions.

**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. 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.)

The public comment period was opened.

There were no speakers, and the public comment period was closed.

**1. CONSENT AGENDA**

**A. Bid Awards:**

1. **W.O. 20-10, WRF Equipment Installation.** (Opened 2/25/20)  
Recommend delay of award until March 23, 2020.

**B. Airfield Lighting Computer System Equipment Upgrade Agreement with Airside Solutions, Inc.; \$115,656.**

**C. Annual Federal Aviation Administration Airport Improvement Program (AIP) Grants for 2020.**

**D. Storm Drain Easement with Mont Vista, LLC for storm drain outfall to the Hogan Slough.**

**E. Final Plat of MK Subdivision, 2nd Filing.**

**F. Adoption of 2020-2021 Council Goals.**

**G. Second/Final Reading Ordinance 20-5733 expanding Ward V (Annexation 20-01) described as Lot 22-A of Amended Lots 1 and 22, Block 2 of Certificate of Survey No. 2727M, generally located northwest of the intersection of Shiloh Road and Central Avenue. Amy Iwata, Trustee of Amy Iwata Revocable Trust, owner and petitioner.**

**H. Second/Final Reading Ordinance 20-5734 amending Section 2-551-552, Billings, Montana City Code (BMCC). Human Relations Commission (HRC) recommends approval.**

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

**1. February 3, 2020**

Councilmember Brown separated Item 111 in order to abstain.

Mr. Kukulski stated the 2020-2021 Council Goals had been updated to reflect changes suggested by Council at the March 2<sup>nd</sup> Work Session meeting. He added that he had posted the updated list on the City website and Council had received a hand out.

Councilmember Purinton separated Item 1F for discussion.

Councilmember Yakawich moved for approval of the entire Consent Agenda, with the exception of Items 1F and 1I1, seconded by Councilmember Boyett.

Mayor Cole, in reference to Item 1E, asked for clarification on how staff kept track of the money for the traffic control measures listed in the SIA. Dave Mumford, Public Works Director, stated Public Works placed the amount as a line item in a separate account that was monitored each year.

Councilmember Choriki, in reference to Item 1G, asked how a person could find out the results of a soil geological report if they were considering buying property in an area. Wyeth Friday stated the developer or the Planning Department would have a copy of the report that could be viewed by interested parties.

Councilmember Ewalt asked for clarification on previous Council discussions regarding a trail being added during the final plat process. Mr. Friday stated the conditions of the plat stated the developer was responsible for installation of the trail or a financial security met in place of installation.

Councilmember Ewalt stated he was concerned with the lack of clarification stating when the conditions would be met. Councilmember Neese asked if the developer had given a deposit to the City for the trail. Mr. Friday stated he was uncertain which of the two conditions had been met, but in order to get to the final plat process, he assured Council that the conditions had been met.

Councilmember Ewalt asked if there would be issues with Council postponing Item 1E, in order to clear up questions about how the conditions were being met. Mr. Friday stated the developer was aware of the timeline process and the building process was in motion, so he was unsure of the ramifications of a postponement.

Councilmember Brown questioned how Council could be reassured that the conditions had been met. Mr. Friday reiterated that either a bond had been issued or the trail had been constructed, in order to reach the final plat portion of the process.

Mayor Cole stated Council could make an amendment that their approval depended on staff's confirmation that the final plat conditions had been met.

Mr. Kukulski stated staff had found the portion of the memo, being questioned by Council, and it stated the trail had been bonded.

Councilmember Choriki, in reference to Item 1D, asked if staff would be presenting further information regarding the overall storm drain utilities policy. Mr.

Kukulski stated staff was researching storm water utilities based on guidelines from the DEQ and EPA. He added that it was on the Council priority list under the category "Further Considerations".

Councilmember Choriki stated he would like to see how the City assesses capacity and monitors quality of outflow. Mr. Kukulski stated he would take note to include that information.

Councilmember Ewalt, in reference to Item 1B, asked for clarification on what was needed for the project. Kevin Ploehn, Aviation and Transit Director, stated Windows 7 was no longer supported, so the Airfield Lighting Computer System was being upgraded to Windows 10. He stated the FAA, Operations Center and the electrical vault would be able to communicate with the new system upgrade.

On a voice vote, the entire Consent Agenda, with the exception of Item 1F and 111, were unanimously approved.

Councilmember Purinton, in reference to Item 1F, stated Council had too much on their plate to tackle the spa/massage parlor business license ordinance. She added that the One Big Sky Plan and Downtown Tax Increment Finance District did not need to be placed under the "medium category" on the Council Priorities list. She added that the list needed another section for "ongoing priorities".

Councilmember Ewalt stated the spa/massage parlor business license ordinance was an initiative and those items remained on the list until resolved. He added Council had spent a lot of time and hard work creating the list and it should be left alone.

Mr. Kukulski stated even initiatives needed to be on the Council Priorities list so that staff could keep track of them and Council could prioritize their importance.

Councilmember Ronning stated the spa/massage parlor business license ordinance initiative had been unanimously approved and added that extensive work and multiple public meetings had taken place.

Council discussed their individual preferences on items they wanted to be prioritized. Mr. Kukulski stated staff would still be working on hundreds of items, even if they weren't on the Council Priorities list.

Councilmember Choriki made a motion to amend the proposed 2020/2021 City Council Priorities sent out by Mr. Kukulski on March 6, 2020, seconded by Councilmember Neese. The amendment would: remove One Big Sky Plan (as it was assumed to be included in the Stimulate Downtown Revitalization) and Downtown Tax Increment Finance District extension/expansion, and move Molt Road/Highway 3 connector and generalize it as a 3<sup>rd</sup> option to connect Rims to the valley under Future Consideration category.

On a voice vote, the amended motion was approved 10-1, Councilmember Purinton opposed.

Councilmember Yakawich moved for approval of Item 111, seconded by Councilmember Neese. On a voice vote, the motion was unanimously approved.

**REGULAR AGENDA:**

There were no Regular Agenda items.

**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.)*

The public comment period was opened.

**Kevin Nelson, 4235 Bruce Avenue, Billings, Montana:** stated at the last TIF meeting, board members were going to talk to A & E Architects about costs for the aquatic center. He stated the City needed to utilize a public arena for transparency on costs. He stated that there had been three applicants for the board vacancy and none had been chosen. Mr. Nelson stated the TIF Board had discriminated against the three applicants so they could get the applicant they wanted.

There were no further speakers, and the public comment period was closed.

**COUNCIL INITIATIVES:**

There were no Council initiatives.

There was no further business, and the meeting adjourned at 7:07 pm.

CITY OF BILLINGS



By: William A. Cole  
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman  
Denise R. Bohlman, City Clerk