

# CITY OF BILLINGS

**CITY OF BILLINGS' MISSION STATEMENT:**  
***TO DELIVER COST EFFECTIVE PUBLIC SERVICES***  
***THAT ENHANCE OUR COMMUNITY'S QUALITY OF LIFE***

## AGENDA

## **COUNCIL CHAMBERS**

July 25, 2005

**6:30 P.M.**

## **CALL TO ORDER – Mayor Tooley**

## **PLEDGE OF ALLEGIANCE – Mayor Tooley**

## **INVOCATION – Councilmember Nancy Boyer**

## ROLL CALL

## MINUTES – July 11, 2005

## COURTESIES

- **City Attorney's Office: Melanie Pfeifer, 2005 Outstanding Prosecutor Award**
- **City of Billings: Montana Shares Outstanding Workplace Philanthropy Award**

## **PROCLAMATIONS**

## BOARD & COMMISSION REPORTS – Planning Board

## **BOARD & COMMISSION REPORTS – Plan ADMINISTRATOR REPORTS – Tina Volek**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #10 & #11 ONLY.** Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item.)

*(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)*

## **CONSENT AGENDA:**

## **1. A. Mayor's Appointments:**

Action delayed from 7/11/05.

Name		Board/Commission	Term	
			Begins	Ends
1.	Stephen Eliason	Animal Control	07/01/05	12/31/09

**B. Bid Awards:**

(1) **W.O. 05-03, 2005 Street Maintenance Contract #2.** (Opened 7/12/05). Recommend JTL Group, Inc., \$1,045,303.04.

**C. Amended Agreement** for Billings Police STEP OT grant from the Montana Dept. of Transportation, (MDOT), State Highway Traffic Safety Contract 2005-08-02-17 and 2005-13-01-17, \$8,500.00 increase.

**D. CTEP Project Specific Agreement** for *Big Ditch Trail*, a continuation of the Heritage Trail on the west side of the Shiloh Underpass, \$135,169.00 CTEP grant, \$20,951.00 local match.

**E. Approval of Landlord's Consent** for transfer of Commercial Ground Lease for Communication Equipment Site Lease from 3 Rivers PCS, Inc. to MTPCS, LLC for a site at the Billings Regional Landfill, \$5,000.00 annual ground rental and use fee.

**F. Storm Drain Easements, W.O. #04-31: Gold Dust Drainage:**

- (1) Jeff and Rosetta Glover, \$0.00
- (2) Robert L. & Helene N. Knight, \$0.00
- (3) Dennis W. & Deanna J. Rudolph, \$0.00

**G. W.O. 04-12: Acceptance** of Warranty Deed from Kenneth J. Rolle for right-of-way for construction and maintenance of Alkali Creek Road improvements, \$0.00.

**H. Approval of Two (2) Tax Increment Fund Grant Awards** for SoNoMa Development Venture, L.P., 2915 2<sup>nd</sup> Avenue South, (1) \$60,000.00 for housing and (2) \$2,400.00 for parking.

**I. Acknowledging receipt of petition to annex #05-07:** an undeveloped 172-acre parcel located east of the Ironwood Subdivision along Molt Road between the Yellowstone Country Club and the Rims, described as Tract 1, C/S 3030, GSK Partners, LLC petitioner and setting a public hearing for 8/8/05.

**J. Resolution of Intent to Create** a Downtown Business Improvement District (BID) and setting a public hearing for 8/22/05.

**K. Approval of Sale** of surplus Fire Apparatus, 1985 Pierce Arrow Quint to the Columbus Volunteer Fire Department, \$34,000.00.

**L. Street Closure:** Powder Horn Lounge Fundraiser for Montana Troops, Foote Street from Simpson Street to Frontage Road, 11:00 am to 6:00 pm, Sunday, August 7, 2005.

**M. Second/final reading ordinance for ordinance** amending BMCC by adding Sections 10-401 through 10-403; providing for the assessment of administrative fees by municipal court as part of the disposition of all citations, criminal and traffic complaints, and time payment contracts.

**N. One-year extension** of Final Plat for Hogan Homestead Subdivision, Amended Plat of Lot 4A, Block 5 of the Amended Plat of Lots 1 and 4, Block 5.

**O. Final Plat** of Bishop Fox Subdivision.

**P. Final Plat** of Country Homes Subdivision, Amended Lot 6, Block 1.

**Q. Final Plat** of Parkland West Subdivision, 6<sup>th</sup> Filing, Amended Plat of Lot 3, Block 10.

**R. Bills and Payroll.**

(1) June 30, 2005

(Action: approval or disapproval of Consent Agenda.)

## **REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** approving the filing of a Federal Transit Administration Section 5309 Discretionary Grant. Staff recommends authorization to file the grant and to execute a grant agreement with the Department of Transportation/Federal Transit Administration. (Action: approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** extending the boundaries of Ward IV to include the recently annexed properties in Annex #05-04: a 10.52-acre parcel located near the northeast corner of Grand Avenue and 60<sup>th</sup> Street West intersection, known as Tract 123 of the Sunny Cove Fruit Farms property, aka the proposed Foxtail Village Subdivision, 2<sup>nd</sup> Filing. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** creating Park Maintenance District #4029 to include Cottonwood Grove Subdivision. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** vacating Holfield Lane at a cost of \$4,547.50. Blake Laughlin, petitioner. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)

6. **PUBLIC HEARING AND RESOLUTION** disposing of City owned property described at Lots 13-19, Block 231, O.T. and located on the 800 Block of South 28<sup>th</sup> Street. Staff recommends that Council (1) direct Staff to re-bid the property, or (2) consider a donation of the property to homeWORD. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** disposing of City-owned property described as Lots 1-8, Block 226, O.T. and located on the 700 Block of South 27<sup>th</sup> Street. Staff recommends that Council re-advertise a request for proposals. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND SPECIAL REVIEW #789:** a special review to permit the location of a restaurant grease recycling plant and transfer facility located at 800 Minnesota Avenue in a Heavy Industrial zone described as Tract 1B of C/S 1037 Amended. Baker Commodities, owner; Dave Hurlburt, Ackerly-Hurlburt, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
9. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #760:** a zone change from Residential Manufactured Home to Highway Commercial on property described as Tract 2, C/S 529 and located at 2202 Main Street. Terrance Luff, owner; Jim Carroll, Downtown Realty, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
10. **2005-2009 TRANSPORTATION IMPROVEMENT PROGRAM.** Staff recommends approval of the Transportation Improvement Program. **(Action:** approval or disapproval of Staff recommendation.)
11. **RESOLUTION Approving Development Agreement** with Downtown Billings Investors, LLC for the redevelopment of Lots 5-10, Block 92, O.T. (Sandstone Downtown Redevelopment Project), providing a subsidy of \$450,000.00 for land, \$2,000,000.00 in Tax Increment Funds (TIF) and \$1,722,500.00 in Parking Funds and authorizing the Mayor to execute said agreement. (Action delayed from 6/27/05). Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
12. **PUBLIC COMMENT on Non-Agenda Items -- Speaker sign-in required.** (Restricted to ONLY items not on the printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)

## COUNCIL INITIATIVES

## ADJOURN

**(NOTE: Additional information on any of these items is available in the City Clerk's Office)**

### CALENDAR (Council AND Boards & Commissions)

#### JULY:

7/11/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
7/12/2005	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
7/13/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
7/14/2005	Library Board	11:30 a.m.	Library
7/18/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
7/19/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
7/25/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/26/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
7/27/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room
7/28/2005	Yellowstone County Board of Health	7:00 a.m.	Community Health Center

#### AUGUST:

8/01/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
8/02/2005	Community Development Board Zoning Commission Aviation & Transit Commission Board of Adjustment	3:00 p.m. 4:30 p.m. 5:30 p.m. 6:00 p.m.	4 <sup>th</sup> Floor Library Council Chambers Airport Terminal Council Chambers
8/05/2005	Human Relations Commission	NOON	CH Conference Room
8/08/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
8/09/2005	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
8/10/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
8/11/2005	Library Board	NOON	Library
8/15/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
8/16/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
8/18/2005	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
8/22/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
8/23/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
8/24/2005	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
8/31/2005	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North