

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

December 19, 2005

6:30 P.M.

CALL TO ORDER – Mayor Tooley

PLEDGE OF ALLEGIANCE – Mayor Tooley

INVOCATION – Councilmember Dave Brown

ROLL CALL

MINUTES – Not available at this time

COURTESIES

PROCLAMATIONS

BOARD & COMMISSION REPORTS

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, and #6 through #12 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. **Approval of Consultant Selection** of CTA Architects/Engineers for architectural and engineering design services for the Downtown MET Transit Operations Center.

B. **Modification of Trust Indenture** with Securities Building LLC, establishing reductions to its revolving loan as portions of the building are sold.

C. **Corporate Certificate of Authority** for procurement card approval, authorizing application for *One Card*, a new procurement card through U.S. Bank.

D. **Authorization** of new signatory documents with US Bank to reflect the change of mayor.

E. Assignment of West End Hangar Ground Lease from Julia Holdings LLC to First Interstate Bank to secure financing, \$0.00.

F. Correction to Professional Services Contract, W.O. 05-15: Howard Heights Storm Drain, Phases I & II, Interstate Engineering, Inc., \$125,700.00.

G. Professional Services Contract with PBS&J for the West Billings Flood Hazard Assessment, \$297,600.00.

H. Bills and Payroll.

(1) November 25, 2005

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward 1 to include recently annexed property described as a 0.91-acre parcel of property located on the east side of Blue Creek Road at the intersection of Santiago Blvd., described as Tract 1C, C/S 566, Tract 1, 2nd Amended (and all adjacent right-of-way of Montana Highway #416 (Blue Creek Road), Jeffrey V. Essmann, petitioner. (Annex #05-10). Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC Chapter 26: Water and Wastewater Utilities; revising public utilities to public works, revising definition of "special benefit facilities", revising definition of "harmful contribution", revising remedies and penalties under Section 26-610 to allow the City to recover costs associated with discharge violations. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC by repealing Chapter 23, Sections 23-101 through 23-1501, declaring them to be null, void and of no effect, and adding a new Chapter 23 with sections to be numbered 23-101 through 23-1107, providing comprehensive subdivision regulations. Planning Board recommends approval. (Action: approval or disapproval of Planning Board recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC Sections 2-213, 2-214, and 2-222, updating procedure for amending agenda at the council meeting, moving board and commission reports to the work session and updating public participation language. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)

6. **RESOLUTION OF INTENT TO ADOPT** the *Billings Heights Neighborhood Plan* as part of the Yellowstone County/City of Billings 2003 Growth Policy. Planning Board recommends approval. (**Action:** approval or disapproval of Planning Board recommendation.)
7. **AFFORDABLE HOUSING FUND APPLICATION** from homeWORD for a \$300,000.00 grant, to be funded from the HOME/CHDO Reserve and transfer of additional funds as needed from the Affordable Housing Fund. CD Board and Staff recommend approval. (**Action:** approval or disapproval of CD Board and Staff recommendations.)
8. **ACCEPTANCE** of donations to the Animal Shelter from the Louise Hobeck Trust and Walmart totaling \$47,072.90. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
9. **RESOLUTION** setting the annual salary of the Municipal Court Judge. (Delayed from 11/28/05). Staff recommends approval of adjusting the base salary to \$91,250.00 and providing longevity pay for years of service. (**Action:** approval or disapproval of Staff recommendation.)
10. **RESOLUTION** pursuant to BMCC Chapter 12: Eminent Domain, declaring public purpose and use, describing the properties to be taken and authorizing City officials to proceed with condemnation of six properties on Grand Avenue. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
11. **LEGAL ADVICE** on Tussing Settlement Agreement. Staff recommends the Council review the attorney's report and direct Staff regarding further action. (**Action:** direction to Staff.)
12. **MAYOR'S APPOINTMENTS.** (Delayed from 12/12/05).

	Name	Board/Commission	Term	
			Begins	Ends
1.	Lyn McKinney	Board of Adjustment	01/01/06	12/31/09
2.	Troy Boucher	Board of Adjustment	01/01/06	12/31/09
3.	Leon Pattyn	Board of Adjustment	01/01/06	12/31/09
4.	Tom Holden	Board of Appeals	01/01/06	12/31/09
5.	Mike Schmidt	Board of Appeals	01/01/06	12/31/09
6.	Russell Fagg	Board of Ethics	01/01/06	12/31/09
7.	Michael Dennis	Board of Health	01/01/06	12/31/08
8.	Cary Brown	City/County Planning Board	01/01/06	12/31/07
9.	Kathleen Gilluly	Community Development Board (Low Mod)	01/01/06	12/31/09
10.		Community Development Board (Low Mod)	01/01/06	12/31/09

11.	*Kathleen Walters	Community Development Board (at Large)	01/01/06	12/31/07
12.	Skip Godfrey	EMS Advisory Commission	01/01/06	12/31/09
13.	Reese Holle	EMS Advisory Commission	01/01/06	12/31/09
14.	Mike Hennessy	Housing Authority	01/01/06	12/31/10
15.	Erica Limberhand	Housing Authority	01/01/06	12/31/07
16.	David Jernigan	Human Relations Commission	01/01/06	12/31/09
17.	Ken Nicholson	Parking Advisory Board	01/01/06	12/31/09
18.	Scott Wetzel	Parking Advisory Board	01/01/06	12/31/09
19.	Pamela Godfrey	Parking Advisory Board	01/01/06	12/31/09
20.	Wanda Walker	Parks/Rec/Cemetery Board	01/01/06	12/31/09
21.	Mike Erickson	Parks/Rec/Cemetery Board	01/01/06	12/31/09
22.	Carol Green	Police Commission	01/01/06	12/31/08
23.	Rod Wilson	Public Utilities Board	01/01/06	12/31/09
24.	Patrick Dawson	Public Utilities Board	01/01/06	12/31/09
25.	Doug Kary	Traffic Control Board	01/01/06	12/31/09
26.	Walt Willett	Traffic Control Board	01/01/06	12/31/09
27.	Brian Roberts	Yellowstone Historic Preservation Board	01/01/06	12/31/07

11* - Unexpired term of Dorothy Nelson (At Large)

13. **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)

DECEMBER:

12/12/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
12/13/2005	Planning Board	6:00 p.m.	4 th Floor Library
12/14/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
12/15/2005	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
12/19/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23rd St.
	NOTE: Work Session CANCELLED to hold rescheduled Regular Meeting. REGULAR Council Meeting	6:30 p.m.	Council Chambers (Rescheduled)
12/20/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
12/22/2005	Yellowstone County Board of Health	TO BE ANNOUNCED	
12/26/2005	CHRISTMAS DAY OBSERVED – CITY OFFICES CLOSED		
12/27/2005	Planning Board REGULAR Council Meeting	6:00 p.m. 6:30 p.m.	4 th Floor Library Council Chambers
	NOTE: Rescheduled to 12/19/05		
12/28/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st Avenue North CH Conference Room

JANUARY:

1/02/2006	NEW YEAR'S DAY – CITY OFFICES CLOSED		
1/03/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St.
	Community Development Board	3:00 p.m.	4 th Floor Library
	Zoning Commission	4:30 p.m.	Council Chambers
	Aviation & Transit Commission	5:30 p.m.	Airport Terminal
	Board of Adjustment	6:00 p.m.	Council Chambers
1/05/2006	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room

1/09/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
1/10/2006	Planning Board	6:00 p.m.	4 th Floor Library
1/11/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
1/12/2006	Library Board	NOON	3 rd Floor Library
1/16/2006	MARTIN LUTHER KING DAY – CITY OFFICES CLOSED		
1/17/2006	Yellowstone Historic Preservation Board Council WORK SESSION	8:00 a.m. 5:30 p.m.	4 th Floor Library Community Center 360 N. 23 rd St
1/23/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
1/24/2006	Planning Board	6:00 p.m.	4 th Floor Library
1/25/2006	Traffic Control Board Housing Authority Development Process Advisory Review Board (DPARB)	NOON NOON 1:00 p.m.	4 th Floor Library 2415 1 st Avenue North CH Conference Room
1/26/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street

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<http://ci.billings.mt.us>