

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER AND BUSINESS SUCCEEDS.”

AGENDA

COUNCIL CHAMBER

August 28, 2017

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Sullivan

ROLL CALL: Councilmembers present on roll call were:

MINUTES: August 14, 2017

COURTESIES:

- USS Billings

PROCLAMATIONS:

- American Indian Heritage Day - September 22, 2017

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign in at the cart located at the back of the council chambers or 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. For items not on this agenda, public comment will be taken at the end of the meeting.)

1. **CONSENT AGENDA** -- Separations:

A. **Bid Awards:**

1. **W.O. 18-03, Contract No.1 City Crack Seal.** (Opened 8/15/17) Recommend Wharton Asphalt, LLC, \$199,005.
2. **Winter Traction Material.** (Opened 8/15/17) Recommend Knife River, \$21.00 per ton.
3. **De-Icer / Anti-icer.** (Opened 8/15/17) Recommend Brenntag Pacific, Inc., \$0.94 per gallon.

B. **Amendment No. 4, W.O. 14-11: Water Reclamation Facility Nutrient Upgrade, Expansion & Improvements**, Professional Engineering Services Contract, HDR Engineering, \$89,800.

C. **Perpetual Right-of-Way Easement and License Agreement** with Yellowstone County for W.O. 14-11, Water Reclamation Facility Nutrient Upgrade, Expansion and Improvements.

D. **Acceptance of Quitclaim Deed** for Zimmerman Trail South Park from Yellowstone County.

E. **Recommendation** of approval to the Policy Coordinating Committee (PCC) of the 2018 Unified Planning Work Program (UPWP).

F. **Acceptance** of donation to the Billings Police and Fire Departments from Phillips 66 for SRO training and public education/fire safety programs; \$8,000.

G. **Acceptance** of funds from the Billings Library Foundation for the Senior Outreach Program; \$2,000.

H. **Resolution** authorizing the Change of the Authorized Representative for the Short Term Investment Pool (STIP).

I. **Resolution** relating to \$140,000 special sidewalk, curb, gutter and alley approach bonds, Series 2017; fixing the form and details and providing for the execution, delivery and security.

- J. **Resolution** relating to the financing of the landfill construction projects, establishing compliance with Reimbursement Bond Regulations under the Internal Revenue Code.
- K. **Resolution of Intent to De-Annex #17-04:** approximately 49 acres of undeveloped land described as portions of Terrace Estates Subdivision, 3rd Filing; James and Jo Ann Boyer, petitioners; and set a public hearing for September 25, 2017.
- L. **Second/Final Reading Ordinance expanding Ward II (Annexation 17-02)** for an approximate 5.4 acre parcel of land described as Tract 2B-2 of Amended Tract 2B, Corrected C/S 840, Second Amended, generally located west of Hawthorne Lane and north of Kyhl Lane; Richard and Mae Sartorie, owners.
- M. **Second/Final Reading Ordinance** amending BMCC, Section 22-231, Sidewalk Repairs.
- N. **Preliminary Subsequent Minor Plat** of Amended Lot 4C, Block 1, Shiloh Crossing Subdivision, generally located between Shiloh Road and Shiloh Crossing Boulevard and South of Montana Sapphire Drive; Western Sky Ventures, LLC, owner; Performance Engineering and Consulting, agent.

O. **Bills and Payroll:**

- 1. July 31, 2017
- 2. August 7, 2017

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for FY2017. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 3. **PUBLIC HEARING AND RESOLUTION** setting General Obligation (GO) Debt and Public Safety II (PS II) mill levy rates for FY18. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 4. **PUBLIC HEARING AND RESOLUTION** approving the adoption of the Poly Vista Park Master Plan. Staff and PRC Board recommend approval. (Action: approval or disapproval of staff and PRC Board recommendation.)

5. **PUBLIC HEARING AND RESOLUTION** authorizing the sale of City-owned property described as a .248 acre lot located in Heritage Walk Townhomes Subdivision. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION 17-05:** property described as a portion of Tract A, Certificate of Survey 1651; Tract 1, Certificate of Survey 1871; a portion of Tract 1, Certificate of Survey 2465; Tract 2A, Certificate of Survey 2465; and a portion of the north 30 feet of the NW1/4, NW1/4 of Section 36, T1N, R24E adjacent to Tract 1, Certificate of Survey 2465, generally located at the northwest corner of the intersection of Rimrock Road and 70th Street West and bordering the south side of the Burlington Northern and Santa Fe Railroad corridor. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 960:** a zone change from un-zoned to Residential 7,000 (R-70) and Residential 5,000 (R-50) on Tract 2A of C/S 2465 (R-70) and Tract 1 of C/S 1871 (R-50), a 116.18 acre parcel of land, generally located north of Rimrock Road and west of Copper Ridge Subdivision. Gary Oakland, owner; Mac Folgelsong, agent. Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annexation 17-03: approximately 18 acres of land, generally located at the southeast corner of the intersection of Santiago Boulevard and Blue Creek Road south of the Yellowstone River. Jamey Eisenbath, owner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
9. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 957:** a zone change from Community Commercial (CC), Residential Multi-Family-Restricted (RMF-R), Residential 5,000 (R-50), Residential 7,000 (R-70), Residential 9,600 (R-96) and Public (P) to Planned Development (PD) on an approximate 66 acre parcel of land described as: Lots 3 and 4, Western Sky Subdivision. Mont Vista, LLC, owner; KLJ Engineering, agent. The Zoning Commission recommends approval and adoption of the findings of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
10. **ORDINANCES PROHIBITING MEDICAL MARIJUANA STOREFRONTS:**
 - a. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 959:** a text amendment to Section 27-304, Billings, Montana City Code (BMCC), prohibiting land uses contrary to local, state or federal law. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)

- b. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Section 7-1700, BMCC, relating to medical marijuana dispensaries and storefronts, updating the City Code to remove inconsistencies with state and federal laws. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign in at the cart located at the back of the council chambers or at the podium.*)

COUNCIL INITIATIVES:

ADJOURN:

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Denise R. Bohlman, City Clerk, at 657-8210.