

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**"THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES."**

AGENDA

COUNCIL CHAMBERS

July 22, 2013

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember McCall

ROLL CALL: Councilmembers present on roll call were:

MINUTES: July 8, 2013

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1 and #8 ONLY.

Speaker sign-in required. (Comments offered here are limited to one (1) minute. 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 agenda.)

1. CONSENT AGENDA -- Separations:

A. Bid Awards:

1. Park Restroom Remodels (Pioneer, Veteran's, Gorham, Central, Optimist, North, Stewart, Sacajawea and Mountview Cemetery) (Opened 7/9/13)
Recommend Fisher Construction, Inc.; \$434,941.

B. Pretreatment Service Agreement with Phillips 66 identifying terms and conditions to permit Phillips 66 Refinery industrial wastewater discharge into the City of Billings wastewater collection system for treatment; fees and rates based on an outside service contract, a one time System Development Fee, three year Industrial Permit Fees, and a monthly wastewater rate based on metered flow measurement.

- C. **Amendment #1, W.O. 12-42: Water Treatment Plant Laboratory Renovation.** Professional Services Contract, A&E Architects, \$21,000; and **extension** of contract term to June 30, 2014.
- D. **Amendment** to Subdivision Improvements Agreement for Montana Sapphire Subdivision, Lot 9A, Block 1, changing Section III (E)(3) to allow a right-in/right-out approach from S. Shiloh Road.
- E. **Approval** to initiate a street name change for South 12th Street West south of Midland Road; and set a public hearing date for August 12, 2013.
- F. **Resolution** creating a Council Ad Hoc Strategic Planning Committee consisting of Councilmembers Becky Bird, Angela Cimmino, Ken Crouch, and Jani McCall.
- G. **Preliminary Major Plat** of Grand Peaks Subdivision, 4th Filing, generally located on the east side of 54th Street West, north of Grand Avenue; J & S Development Company, owner; Sanderson Stewart, agent; conditional approval and adoption of the Findings of Fact.
- H. **Preliminary Major Plat** of Copper Ridge Subdivision, 5th Filing, generally located on the north side of Rimrock Road, east of 70th Street West, west of the existing Copper Ridge Subdivision; Copper Ridge Development Corp, owner; Sanderson Stewart, agent; conditional approval and adoption of the Findings of Fact.
- I. **Preliminary Plan of Subdivision for Rent or Lease** creating 96 residential rental units in four buildings on Tract 2A-3, Partington Park Subdivision, Fifth Filing, generally located on the southeast corner of the intersection of Avenue D and 17th Street West; West Park Shopping Center, LLC, owner; Sanderson Stewart, engineer; conditional approval and adoption of the Findings of Fact.

J. **Bills and Payroll:**

- 1. June 24, 2013
- 2. July 1, 2013

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND RESOLUTION** vacating a 10-foot right-of-way between Lots 10 and 11, Block 5, Wanigan Subdivision; Gerald Watson, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

3. **PUBLIC HEARING AND SPECIAL REVIEW #907:** a special review to allow the expansion of an existing outdoor patio from 1,200 square feet to 1,575 square feet in a Community Commercial zone on Lot 2, Block 1; the south 150 feet of the east 52 feet and the west 96 feet of Lot 3, Block 1; and the south 150 feet of the west 23 feet of Lot 4, Block 1, Van Ornum Subdivision, located at 1525 Broadwater Avenue. Jeff & JoLynne Flatness and Paul DeVerniero, owners; A & E Architects, agent. Zoning Commission recommends conditional approval and granting the waiver of the 600-foot separation. (Action: approval or disapproval of Zoning Commission recommendation.)
4. **PUBLIC HEARING AND SPECIAL REVIEW #908:** a special review for a beer & wine license with gaming in a Community Commercial zone on Lots 1 through 8 (including Lots 6 & 7 of C/S 1716), Block 15, Central Heights Subdivision, 5th Filing, generally located at 111 South 24th Street West, Suite 14, Rimrock Mini-Mall. Rimrock Mini-Mall, LLC, owner; Blueline Engineering, agent. Zoning Commission recommends denial. (Action: approval or disapproval of Zoning Commission recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #913:** a zone change from Community Commercial (CC) to Residential Manufactured Home (RMH) on an 8,832 square foot parcel of land described as Lot 13, Kuhlman Subdivision. Duane and Carol Long, owners; Heather Long, agent. Zoning Commission recommends approval of the zone change and adoption of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #914:** a zone change from Residential 9,600 (R-96) to Residential 8,000 (R-80) on a 1.67 acre parcel of land described as proposed Lot 1, Block 4, Falcon Ridge Estates Subdivision, 2nd Filing. Falcon Ridge II, LLC, owner; Dennis Buscher, agent. Zoning Commission recommends approval and adoption of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** accepting the offer from Asian Sea Grill to purchase the approximate 5,000 square foot restaurant space located on the ground floor of the Empire Parking Garage in the amount of \$251,000. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
8. **MPEA/POLICE 7/1/2013-6/30/2015 UNION CONTRACT.** 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 Cari Martin, City Clerk, at 657-8210.