

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

FEBRUARY 12, 2007

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Larry Brewster

ROLL CALL

MINUTES – January 22, 2007

COURTESIES

PROCLAMATIONS

- February 18 – 24: National Engineers Week

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 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:

	Name	Board/Commission	Term	
			Begins	Ends
1.	Skip Godfrey	Human Relations Commission	01/01/07	12/31/09

2.	Bill Iverson	Yellowstone County Board of Planning (Ward 1)	01/01/07	12/31/08
3.	Donna Forbes	Yellowstone County Board of Planning (Ward 3)	01/01/07	12/31/08
4.	Bill Lucas	Yellowstone County Board of Planning (Ward 4)	01/01/07	12/31/08
5.	Fred Rogers	Yellowstone County Board of Planning (Ward 5)	01/01/07	12/31/08

1. Beginning term was listed as 12/31/09
2. Yellowstone County Board of Planning terms were listed as 4 year terms instead of 2 year terms.

B. Bid Awards:

(1) **W.O. 06-20: Downtown Billings Wayfinding Signage.** (Opened 1/23/07). Recommend Epcon Sign Company, \$191,567.80.

(2) **W.O. 06-11: Heated Storage Addition.** (Opened 1/12/07). Recommend High Tech Construction, \$547,400.00

C. Change Order #1, AIP #29: Taxiway G Improvements, Empire Sand and Gravel, deduct \$54,585.11.

D. Amendment #1 to Scheduled Airline Operating Agreement & Terminal Building Lease:

- (1) Big Sky Airlines
- (2) Horizon Air
- (3) Northwest Airlines
- (4) SkyWest Airlines
- (5) United Airlines

extending the contract expiration date to 6/30/07.

E. W.O. 05-20: Aronson Avenue, Professional Services Contract with HKM Engineering, Inc., \$316,199.00.

F. W.O. 04-33: Lake Elmo Drive (Hilltop Rd to Wicks Ln) Right-of-Way Acquisition:

- (1) Parcel 81: Portion of Lot 15, Block 1, Arrowhead Sub., Gary A. Leopoldt, \$2,450.00.
- (2) Parcel 80: Portion of Lot 16, Block 1, Arrowhead Sub., Troy C. Wolff, \$2,550.00.
- (3) Parcel 79: Portion of Lot 17, Block 1, Arrowhead Sub., Clarence H. Hein, \$1,750.00.

(4) Parcel 69: Portion of Lot 3, Block 4, Arrowhead Sub., Joseph A. Deigert, \$2,250.00.

(5) Parcel 72: Portion of Lot 6, Block 4, Arrowhead Sub., Roberta A. Mee, \$2,400.00.

(6) Parcel 36: Portion of Lot 16, Barkley Subdivision, Richard A. Fox and Judy K. Fox, \$3,950.00.

(7) Parcel 5: Portion of Lot 2, Windsor Sub., Hanson Brothers, \$6,200.00.

G. Memorandum of Understanding (MOU) with Beartooth Resource Conservation and Development Area, Inc. (RC&D), \$8,380.00.

H. Acceptance of Easement on Lots 1-2, Block 1, Cellan Acre Tracts, Gammy Group, LLP, owners, \$0.00.

I. Revolving Fund Loan to Kimberly A. Pettit d/b/a The Rims Montessori Academy for Children, \$19,575.00.

J. Approval of Grant application submittal and finalization for a subgrant from the Montana Board of Crime Control, Stop Violence Against Women (VAWA) Funds, \$60,000.00.

K. Acceptance of Donation to Animal Shelter, Donald and Carol Roberts Foundation in memory of Virginia K. Weston, Inc., \$500.00.

L. Acceptance of Donation to Southwest Cop Shop, Jim Brown, \$3,000.00.

M. Approval of Certified Local Government (CLG) Grant application for a grant from the Montana State Historic Preservation Office, \$4,031.00.

N. Acknowledging receipt of Annex petition #07-02: a petition to annex 13.01 acres described as Lot 65A-4, Amended Plat of Lot 65A of Amended Plat of Amended Lots 65-68, 93-100 and 125-128, Sunny Cove Fruit Farms, Mary Kramer, petitioner, and setting a public hearing for 2/26/07.

O. Acknowledging receipt of Annex petition #07-03: a petition to annex 3 parcels totaling 2.44 acres and described as (1) N2 of Lot 3 & All of Lot 4, Sandra Subdivision and 63,784 sf combined with Lot 15A, (2) S2, Lot 7, Sandra Subdivision, and (3) N2, Lot 7, Sandra Subdivision, City of Billings, petitioner, and setting a public hearing for 3/26/07.

P. Resolution of Intention to Create Park Maintenance District #4036: Josephine Crossing Subdivision and setting a public hearing for 3/12/07.

Q. Second/final reading ordinance amending BMCC Section 23-1101; providing updates to regulations on requesting a variance from the subdivision regulations.

R. Second/final reading ordinance for Zone Change #793: a zone change from Residential Multi-family (RMF) to Neighborhood Commercial (NC) on 14,000 sf of an existing parcel of land described as: S/2 of Lots 13 through 21, Block 59 Foster's Addition and located at 632 North 26th Street aka Skyline Court Condominiums. Thomas Towe and Court E. Ball Partnership, owner; Susan Lovely, agent. (Delayed from 1/22/07). Approval of the zone change and adoption of the determinations of the 12 criteria.

S. Second/final reading ordinance for Zone Change #795: A zone change from Residential-7,000 to Neighborhood Commercial (NC) and Residential Multi-family-Restricted (RMF-R) on a 4.69 acre parcel of land described as: Tracts 1 – 5, Brittain Acres Subdivision and located at 803 Yellowstone River Rd., and 821 & 823 Bench Blvd. Big Sky Floral Supply, owner. Approval of the zone change and adoption of the determinations of the 12 criteria.

T. Subdivision Plats for Scott Subdivision, Lots 1, 2, 4 and 6 and vacated portions of Zimmerman Trail.

U. Preliminary Major Plat of Grand Peaks Subdivision generally located East of the intersection of Grand Ave. and 54th St. W, adjacent to Bishop Fox Sub., conditional approval of the plat, approval of the variance and adoption of the Findings of Fact.

V. Bills and Payroll.

- (1) January 5, 2007
- (2) January 12, 2007
- (3) January 19, 2007

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward I to include recently annexed property described as: Annex

#07-01: an 11,160 square foot parcel of property described as Lot 3, Block 7, Kimble Subdivision, Second Filing and located at 215 Garden Ave. and including all adjacent right-of-way of Garden Avenue. Staff recommends conditional approval. (**Action:** approval or disapproval of Staff recommendation.)

3. **PUBLIC HEARING AND RESOLUTION OF INTENT** to adopt the Highland Neighborhood Plan as part of the Yellowstone County and City of Billings 2003 Growth Policy. Planning Board recommends approval. (**Action:** approval or disapproval of Planning Board recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** portions of Marbara Lane, Silver Lane, Yucca St. and North Rim Rd. MSU-Billings, petitioner, \$115,164.99. Staff recommends approval of: (a) the vacation, (b) the Quit Claim Deed to MSU-B for Normal Avenue, and (c) a right-of-way Easement for public utilities running through the vacated streets and Normal Ave. (**Action:** approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** creating SID 1377: water, sewer, curb & gutter and street improvements to Greenbriar Rd. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
6. **PUBLIC COMMENT on Non-Agenda Items -- Speaker sign-in required.**
(Restricted to ONLY items not on this 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)

Visit our Web site at:
<http://ci.billings.mt.us>

CALENDAR **(Council AND Boards & Commissions)**

FEBRUARY:

2/12/2007	Energy & Conservation Commission REGULAR Council Meeting	3:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Council Chambers
2/13/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 th Floor Library
2/14/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
2/15/2007	Committee on Homelessness Public Utilities Board	1:30 p.m. 6:30 p.m.	YCCHD Conf. Rm. 123 S. 27 th St. Public Works-Belknap 2251 Belknap Ave
2/19/2007	PRESIDENT'S DAY – CITY OFFICES CLOSED		
2/20/2007	Yellowstone Historic Preservation Board Parking Advisory Board Council WORK SESSION	8:00 a.m. 4:00 p.m. 5:30 p.m.	4 th Floor Library CH Conference Room Community Center 360 N. 23 rd St
2/22/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street
2/26/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
2/27/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 th Floor Library
2/28/2007	Housing Authority Development Process Advisory Review Board (DPARB) Traffic Control Board	NOON 1:00 p.m. NOON	2415 1 st Avenue North CH Conference Room 4 th Floor Library

MARCH:

3/01/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
3/05/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St

3/06/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 th Floor Library Council Chambers Airport Terminal
3/07/2007	Board of Adjustment	6:00 p.m.	Council Chambers
3/08/2007	Library Board Committee on Homelessness	11:30 a.m. 1:30 p.m.	Library 3 rd Floor Library
3/09/2007	Community Development Board	3:00 p.m.	Tentative – Call for Info.
3/12/2007	Energy & Conservation Commission Parking Advisory Board REGULAR Council Meeting	3:00 p.m. 4:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. CH Conference Room Council Chambers
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3/22/2007	Yellowstone County Board of Health Community Development Board	7:00 a.m. 9:00 a.m.	Community Health Center 123 So. 27 th Street 4 th Floor Library
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3/28/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board Housing Authority	1:00 p.m. NOON NOON	CH Conference Room 4 th Floor Library 2415 1 st Avenue North