

# 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 January 24, 2005 6:30 P.M.

## **CALL TO ORDER – Mayor Tooley**

## **PLEDGE OF ALLEGIANCE-- Mayor Tooley**

## **INVOCATION – Councilmember Dave Brown**

## ROLL CALL

## **MINUTES – January 3, 2005 and January 10, 2005**

## **COURTESIES – Police Dept**

## **PROCLAMATIONS – Mayor Tooley.**

BOARD & COMMISSION REPORTS – Animal Control Board

## ADMINISTRATOR REPORTS – Kristoff Bauer.

## LEGISLATIVE REPORT – Kristoff Bauer

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1, 2, 10, 11, 12 and 13 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. Bid Awards:

**(1) Cellular Telephone Service.** (Opened 1/04/05). Recommend Verizon Wireless, \$90.859.00, 2 year contract with option to renew.

**(2) Billings Wastewater Treatment Plant Headworks Replacement.**  
(Opened 1/11/05) Recommend delaying award to 2/14/05

**(3) Interior Terminal Painting for Billings Logan International Airport.** (Opened 1/11/05). Recommend Saver Painting. \$39,597.00.

**(4) One New Model (2005) 2WD Tractor with Front End Loader and Optional Attachments.** (Opened 1/11/05). Recommend Yellowstone County Implement, \$36,858.15.00.

**B. W.O. 04-30: Signal Design and Construction Administration for West Wicks Lane & Governors Blvd.**, Contract for Professional Services, Marvin & Associates, \$54,000.00.

**C. W.O. 01-06: Arlene Corridor – Big Ditch Maintenance, Operation & Ownership Agreement,** Big Ditch Company.

**D. Recreational Trails Program Grant Agreement** with Fish, Wildlife and Parks for a portion of the Gabel Road Connector Trail, \$23,500.00.

**E. Subordination of Housing Rehab Loan,** Rochele Wilson, 325 Howard Ave., \$13,400, provided a \$6,600 payment is made to the City.

**F. Resolution** relating to Special Improvement Districts, establishing a policy relating thereto and amending Res 87-15592 (raw land SID policy).

**G. Resolution of Intent to Dispose of City Property** described as Lots 44-46, Block 7, Amended Westside Addition and setting a public hearing for 2/28/05.

**H. Resolution of Intent to De-Annex** a recently annexed parcel described as T1N-R26E-S27: S2N2SW4NE4NE4 located at 637 Lincoln Lane, Bill Dunlap, petitioner, and setting a public hearing for 2/28/05.

**I. Second/final reading ordinance** expanding Ward II to include recently annexed property. (Annexation #04-09): 1.6 acre parcel of land on the northeast corner of the intersection of Main Street and Airport Road described as Tract 3, C/S 90, Gauger Acres, Lamar Outdoor Advertising Montana, petitioner.

**J. Second/final reading ordinance** amending BMCC Section 11-102. changing ward district boundaries to reflect new census information and account for future growth. (Redistricting of the Ward boundaries.) Staff recommends Scenario 1 including placing Rehberg Ranch in Ward II.

**K. Preliminary Plat** of Vintage Estates Subdivision, generally located at the southwest corner of 52<sup>nd</sup> St. West/Grand Ave. intersection; approving the requested variances and conditionally approving the plat based on the written findings of fact.

**L. Bills and Payroll.**

- (1) December 23, 2004
- (2) December 30, 2004

**(Action:** approval or disapproval of Consent Agenda.)

**REGULAR AGENDA:**

- 2. RESOLUTION OF INTENT TO ANNEX (#05-01) WHOLLY SURROUNDED PROPERTY** described as Tract 1, Popelka Industrial Tracts Subdivision, 1<sup>st</sup> filing; Tract A, C/S 289, Sugar Subdivision – Lot 20; Tract A, C/S 289, Sugar Subdivision – Lot 19; Tracts 19B-1 and 19B-2, C/S 289, Sugar Subdivision – Lot 19 and setting a public hearing date for 2/14/05. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
- 3. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #749:** a Planned Development zone change changing the underlying Residential Multi-Family zoning to Neighborhood Commercial in the Parkland West PUD, on a tract described as Lot 5, Block 10, Parkland West Subdivision, 6<sup>th</sup> Filing and located on the west side of 32<sup>nd</sup> St West. Central Capital LLC, owner, Engineering, Inc. agent. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
- 4. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #750:** a zone change from Residential-7000 to Residential Multi-Family Restricted and Neighborhood Commercial on Tract B2-A of C/S 1056 Amended, generally located at the southeast corner of the intersection of Wicks Lane and Bench Boulevard in the proposed King Place Subdivision. King Place LLC, Richard Dorn, owner, Engineering, Inc., agent. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
- 5. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #751:** a zone change Residential-7000 to Residential-7000-Restricted on a 100-acre parcel described as Tract 3A, C/S 3217 Amended, generally located on the north side of Mary Street between Hawthorne Lane and Bitterroot Drive. BRV Development, LLC, owner. City of Billings, petitioner. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)

6. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE** #752: a zone change amending the official Zoning Map to show the extent of the Shiloh Corridor Overlay District, generally located 500 feet east and west from the centerline of Shiloh Road north from King Ave West to Rimrock Road. City of Billings, petitioner. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE** #753: a zone change from Residential-7000 and Residential-6000 to Public zoning, described as Lot 1, Block 27, Lake Hills Subdivision, 6<sup>th</sup> filing. Rocky Mountain College & Billings Heights Water District, owners, Engineering, Inc. agent. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
8. **PUBLIC HEARING CONTINUED AND RESOLUTION** creating SID 1369: Moore Lane improvements consisting of water, sanitary sewer, storm drain, curb and gutter, sidewalk, streetlights and street improvements to the Moore Lane frontage. (Continued from 11/22/04). Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward V to include the recently annexed properties of Annex #04-13, described as a portion of the NW4 of Section 4, T1S, R25E, C/S 1877, Tracts 1 & 2. Jack and Robert Sukin, petitioners. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
10. **SECOND/FINAL READING ORDINANCE** amending BMCC: establishing a *Zoning Overlay District* to extend 500 feet from the center line of Shiloh Road from King Avenue West south to Interstate 90, including Zoo Drive; regulating development standards, landscaping standards, building design standards and other site development standards; and sign standards for commercial, industrial and multifamily developments. Zoning Commission recommended on 5/10/04 approval of the Shiloh Corridor Overlay District as a whole, excluding the portion along Zoo Drive. Staff recommends approval of the South Shiloh Corridor Overlay District, as defined by the area 500 feet from the centerline of Shiloh Road, from King Avenue West south to Interstate 90, including Zoo Drive. **(Action:** approval or disapproval of Staff recommendation.)
11. **2005 TRANSPORTATION PLAN.** Staff recommends approval of the Transportation Plan project goals and both the short-range and long-range project lists and their priority ranking. **(Action:** approval or disapproval of Staff recommendation.)

12. **W.O. 04-14: WASTEWATER TREATMENT PLANT HEADWORKS BUILDING,** Contract Amendment #1 to Professional Services Agreement with HDR Engineering, Inc., \$398,841.00. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
13. **2005 FEDERAL AFFAIRS PROGRAM.** Staff recommends approval of the proposed 2005 Federal Legislative Agenda presented at the 1/18/05 Work Session. (**Action:** approval or disapproval of Staff recommendation.)
14. **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

## EXECUTIVE SESSION

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

## CALENDAR

(Council AND Boards & Commissions)

### JANUARY:

1/24/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
1/25/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
1/26/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room
1/27/2005	Yellowstone County Board of Health	7:00 a.m.	Community Health Center
1/31/2005	Council Goal Setting Retreat	Noon	Airport Operations Center

**FEBRUARY:**

2/01/2005	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
2/04/2005	Human Relations Commission	NOON	CH Conference Room
2/07/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
2/08/2005	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
2/09/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
2/10/2005	Library Board	11:30 a.m.	Library
2/14/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
2/15/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
2/17/2005	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
2/21/2005	PRESIDENT'S DAY – CITY OFFICES CLOSED		
2/22/2005	Council WORK SESSION Planning Board	5:30 p.m. 6:00 p.m.	Community Center 360 N. 23 <sup>rd</sup> St 4 <sup>th</sup> Floor Library
2/23/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room
2/28/2005	Traffic Control Board REGULAR Council Meeting	NOON 6:30 p.m.	4 <sup>th</sup> Floor Library Council Chambers