

# CITY OF BILLINGS

**CITY OF BILLINGS' MISSION STATEMENT:  
TO DELIVER COST EFFECTIVE PUBLIC SERVICES  
THAT ENHANCE OUR COMMUNITY'S QUALITY OF LIFE**

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## AGENDA

COUNCIL CHAMBERS

July 11, 2005

6:30 P.M.

CALL TO ORDER – Mayor Tooley

PLEDGE OF ALLEGIANCE – Mayor Tooley

INVOCATION – Councilmember Ed Ulledalen

ROLL CALL

MINUTES – June 27, 2005

COURTESIES

PROCLAMATIONS

BOARD & COMMISSION REPORTS – Billings American Indian Homeownership Partnership

ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #9 & #10 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:**

Action delayed from 6/27/05.

	Name	Board/Commission	Term	
			Begins	Ends
1.		Human Relations	07/01/05	12/31/09
2.		Animal Control	07/01/05	12/31/09
3.		Board of Adjustments	07/01/05	12/31/09

1. Unexpired term of Gayle Tompkins.

**B. Bid Awards:**

(1) **AIP 29 – Schedule I: Taxiway “G” Improvements.** (Opened 6/28/05). Recommend Empire Sand and Gravel, \$1,486,988.05.

(2) **AIP 29 – Schedule II: Commercial Ramp Improvements.** (Opened 6/28/05). Recommend rejecting the sole bid and rebidding at a later date.

(3) **Airport Wheel Loader.** (Opened 6/28/05). Recommend RDO Equipment, \$135,000.00.

(4) **W.O. 04-30: West Wicks Lane & Governors/Gleneagles Blvd. Traffic Signal Installation.** (Opened 6/28/05). Recommendation to be made at meeting.

(5) **W.O. 04-31: Gold Dust Drainage.** (Opened 6/28/05). Recommend C & S Construction, \$29,085.36 and 21 calendar days.

**C. Amendment #3, Professional Services Agreement, W.O. 04-12: Alkali Creek Road Reconstruction, Kadrmas, Lee & Jackson, Inc., up to \$10,000.00.**

**D. Contract for IP-8 Building Mold Remediation, Environmental Contractors, \$27,175.80.**

**E. Professional Services Contract, Library Building Renovation, A & E Architects, \$13,650.00.**

**F. Renewal of Contract for Lobbyist Services, Jani McCall, term: 7/1/05 to 6/30/06.**

**G. Extension of Animal Control Contract with Yellowstone County.**

**H. Acceptance of AIP-29 grant from Federal Aviation Administration (FAA), \$3,111,250.00, City match is \$163,750.00.**

**I. Declaring as surplus one used paratransit van and authorizing staff to negotiate a sale of the van to Eagle Mount.**

**J. Amendment to Development Agreement with Faith Chapel, aka International Church of the Foursquare Gospel, and Douglas W. McGregor and Barbara G. McGregor, Trustees for right-of-way improvements on Shiloh Road.**

**K. Street closures:**

(1) **Billings Association of Realtors 2 and 5-Mile Run.** August 27, 2005. Masterson Circle on Hwy 3 down Airport Road, right on 27<sup>th</sup> Street; right on Rimrock Road; left on Virginia Lane, through Pioneer Park; left on 3<sup>rd</sup> Street West; right on Parkhill; right on 32<sup>nd</sup> Street, to corner of 6<sup>th</sup> Avenue N. and 32<sup>nd</sup>. St.

(2) **Big Sky State Games 5K Run.** July 15, 2005. 3<sup>rd</sup> Street West at Grand Avenue and Parkhill Drive; and Virginia Lane, 3<sup>rd</sup> Street West and Parkhill Drive.

(3) **Big Sky State Games Cycling Race.** July 16, 2005. Usage of 62<sup>nd</sup> Street West up to Block 14 and Track 2 of Molt Road.

(4) **Big Sky State Games Cycling Mountain Bike Race.** July 17, 2005, regarding usage of Black Otter Trail.

(5) **Big Sky State Games Triathlon.** July 17, 2005. Heights area streets.

**L. Resolution of Intent to Create SID 1368:** Annandale Road improvements between Cherry Hills Road and Greenbriar Road and setting a public hearing for 8/8/05.

**M. Resolution of Intent to Create PMD #4028:** Vintage Estates Subdivision and setting a public hearing for 8/8/05.

**N. Second/final reading ordinance** amending the BMCC by adding Sections 18-1101 – 18-1116; prohibiting graffiti, defining terms, providing for a procedure whereby graffiti can be remediated, establishing an effective date and providing a severability clause.

**O. Second/final reading ordinance for zone change #755:** a zone change from Public to R-7,000 on a 14,673 square foot tract of land formerly known as Holfeld Park and located in the SW4 of Section 27, T1N, R26E, north of Swords Lane and south of Alkali Creek and the Billings Bench Water Association canal. Blake Laughlin and PRPL, owners, Engineering, Inc. agent.

**P. Second/final reading ordinance** relating to the Downtown Redevelopment District and the creation of a new Urban Renewal Area; authorizing the removal of certain property from the Downtown Redevelopment District, establishing such property as a new 27<sup>th</sup> Street Urban Renewal Area, adopting an Urban Renewal Plan, therefore including a Tax Increment provision, approving an Urban Renewal Project therein and authorizing the issuance of Tax Increment Urban Renewal Revenue Bonds.

**Q. Final Plat** of Cottonwood Grove Subdivision, 2<sup>nd</sup> Filing.

**R. Bills and Payroll.**

(1) June 10, 2005

(2) June 17, 2005

(3) June 27, 2005

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

## **REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** adopting the Pow Wow Park Master Plan. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #05-04:** a 10.52-acre parcel located near the northeast corner of Grand Avenue and 60<sup>th</sup> Street West intersection, known as Tract 123 of the Sunny Cove Fruit Farms property, aka the proposed Foxtail Village Subdivision, 2<sup>nd</sup> Filing. Mark Kennedy for Kenmark Corporation, petitioner. Staff recommends conditional approval of the annexation. **(Action:** approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #05-06:** a 116.17 acre parcel located on the north side of Rimrock Road at the intersection of 70<sup>th</sup> Street West and extending to the railroad property on the north and west, known as Tract 1, C/S 1871 and Tract 2A, C/S 2465. Larry Staley and Westward Ho Company, petitioners. Staff recommends denial of the annexation. **(Action:** approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC by adding Sections 10-401 through 10-403; providing for the assessment of administrative fees by municipal court as part of the disposition of all citations, criminal and traffic complaints, and time payment contracts. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION** expanding the boundaries of extended Park Maintenance District #4012 for the purpose of maintaining the existing and future park improvements in Circle 50 Subdivision to include Village West Subdivision, and improvements installed by the developer as part of a future construction phase of the subdivision. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** creating Park Maintenance District #4027 for the purpose of maintaining the public area improvements and other portions of improvements made in Ironwood Estates Subdivision. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND RESOLUTION** disposing of City-owned property described as Lots 5,6,8,9 and 10, Blk 92, O.T. and awarding the bid for purchase of the property. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

9. **BID AWARD: \$2,520,000 Pooled Special Improvement District Bonds, Series 2005.** (SIDs 1358, 1365, 1366, and 1371). (Opened 7/11/05). Recommendation to be made at meeting.
10. **RECONSIDERATION OF ZONE CHANGE #757:** a zone change from R-7,000 to R-6,000 on property described as Lot 6, Block 1, Burnstead Sub., 2<sup>nd</sup> filing and located at 945 N. 19<sup>th</sup> St. Larry & Judith Hauk, owners. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12-criteria. (PH on 6/13/05; action delayed from 6/27/05). **(Action:** approval or disapproval of Zoning Commission recommendation.)
11. **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)***

<h1>CALENDAR</h1> <p>(Council AND Boards &amp; Commissions)</p>
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### JULY:

7/11/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
7/12/2005	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
7/13/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
7/14/2005	Library Board	11:30 a.m.	Library
7/18/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
7/19/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library

7/25/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/26/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
7/27/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room
7/28/2005	Yellowstone County Board of Health	7:00 a.m.	Community Health Center

**AUGUST:**

8/01/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
8/02/2005	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
8/05/2005	Human Relations Commission	NOON	CH Conference Room
8/08/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
8/09/2005	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
8/10/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
8/11/2005	Library Board	NOON	Library
8/15/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
8/16/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
8/18/2005	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
8/22/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
8/23/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
8/24/2005	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
8/31/2005	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North