

# 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 25, 2005**

**6:30 P.M.**

**CALL TO ORDER – Mayor Tooley**

**PLEDGE OF ALLEGIANCE – Mayor Tooley**

**INVOCATION – Councilmember Nancy Boyer**

**ROLL CALL**

**MINUTES – July 11, 2005**

**COURTESIES**

- **City Attorney's Office: Melanie Pfeifer, 2005 Outstanding Prosecutor Award**
- **City of Billings: Montana Shares Outstanding Workplace Philanthropy Award**

**PROCLAMATIONS**

**BOARD & COMMISSION REPORTS – Planning Board**

**ADMINISTRATOR REPORTS – Tina Volek**

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1, #10 & #11 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 7/11/05.

	Name	Board/Commission	Term	
			Begins	Ends
1.	Stephen Eliason	Animal Control	07/01/05	12/31/09

- B. Bid Awards:**  
**(1) W.O. 05-03, 2005 Street Maintenance Contract #2.** (Opened 7/12/05). Recommend JTL Group, Inc., \$1,045,303.04.
- C. Amended Agreement** for Billings Police STEP OT grant from the Montana Dept. of Transportation, (MDOT), State Highway Traffic Safety Contract 2005-08-02-17 and 2005-13-01-17, \$8,500.00 increase.
- D. CTEP Project Specific Agreement** for *Big Ditch Trail*, a continuation of the Heritage Trail on the west side of the Shiloh Underpass, \$135,169.00 CTEP grant, \$20,951.00 local match.
- E. Approval of Landlord's Consent** for transfer of Commercial Ground Lease for Communication Equipment Site Lease from 3 Rivers PCS, Inc. to MTPCS, LLC for a site at the Billings Regional Landfill, \$5,000.00 annual ground rental and use fee.
- F. Storm Drain Easements, W.O. #04-31: Gold Dust Drainage:**  
(1) Jeff and Rosetta Glover, \$0.00  
(2) Robert L. & Helene N. Knight, \$0.00  
(3) Dennis W. & Deanna J. Rudolph, \$0.00
- G. W.O. 04-12: Acceptance** of Warranty Deed from Kenneth J. Rolle for right-of-way for construction and maintenance of Alkali Creek Road improvements, \$0.00.
- H. Approval of Two (2) Tax Increment Fund Grant Awards** for SoNoMa Development Venture, L.P., 2915 2<sup>nd</sup> Avenue South, (1) \$60,000.00 for housing and (2) \$2,400.00 for parking.
- I. Acknowledging receipt of petition to annex #05-07:** an undeveloped 172-acre parcel located east of the Ironwood Subdivision along Molt Road between the Yellowstone Country Club and the Rims, described as Tract 1, C/S 3030, GSK Partners, LLC petitioner and setting a public hearing for 8/8/05.
- J. Resolution of Intent to Create** a Downtown Business Improvement District (BID) and setting a public hearing for 8/22/05.
- K. Approval of Sale** of surplus Fire Apparatus, 1985 Pierce Arrow Quint to the Columbus Volunteer Fire Department, \$34,000.00.
- L. Street Closure:** Powder Horn Lounge Fundraiser for Montana Troops, Foote Street from Simpson Street to Frontage Road, 11:00 am to 6:00 pm, Sunday, August 7, 2005.

**M. Second/final reading ordinance for 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.

**N. One-year extension** of Final Plat for Hogan Homestead Subdivision, Amended Plat of Lot 4A, Block 5 of the Amended Plat of Lots 1 and 4, Block 5.

**O. Final Plat** of Bishop Fox Subdivision.

**P. Final Plat** of Country Homes Subdivision, Amended Lot 6, Block 1.

**Q. Final Plat** of Parkland West Subdivision, 6<sup>th</sup> Filing, Amended Plat of Lot 3, Block 10.

**R. Bills and Payroll.**  
(1) June 30, 2005

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

## **REGULAR AGENDA:**

- 2. PUBLIC HEARING AND RESOLUTION** approving the filing of a Federal Transit Administration Section 5309 Discretionary Grant. Staff recommends authorization to file the grant and to execute a grant agreement with the Department of Transportation/Federal Transit Administration. **(Action:** approval or disapproval of Staff recommendation.)
- 3. PUBLIC HEARING AND FIRST READING ORDINANCE** extending the boundaries of Ward IV to include the recently annexed properties in Annex #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. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
- 4. PUBLIC HEARING AND RESOLUTION** creating Park Maintenance District #4029 to include Cottonwood Grove Subdivision. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
- 5. PUBLIC HEARING AND RESOLUTION** vacating Holfeld Lane at a cost of \$4,547.50. Blake Laughlin, petitioner. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

6. **PUBLIC HEARING AND RESOLUTION** disposing of City owned property described at Lots 13-19, Block 231, O.T. and located on the 800 Block of South 28<sup>th</sup> Street. Staff recommends that Council (1) direct Staff to re-bid the property, or (2) consider a donation of the property to homeWORD. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** disposing of City-owned property described as Lots 1-8, Block 226, O.T. and located on the 700 Block of South 27<sup>th</sup> Street. Staff recommends that Council re-advertise a request for proposals. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND SPECIAL REVIEW #789:** a special review to permit the location of a restaurant grease recycling plant and transfer facility located at 800 Minnesota Avenue in a Heavy Industrial zone described as Tract 1B of C/S 1037 Amended. Baker Commodities, owner; Dave Hurlburt, Ackerly-Hurlburt, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
9. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #760:** a zone change from Residential Manufactured Home to Highway Commercial on property described as Tract 2, C/S 529 and located at 2202 Main Street. Terrance Luff, owner; Jim Carroll, Downtown Realty, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
10. **2005-2009 TRANSPORTATION IMPROVEMENT PROGRAM.** Staff recommends approval of the Transportation Improvement Program. **(Action:** approval or disapproval of Staff recommendation.)
11. **RESOLUTION Approving Development Agreement** with Downtown Billings Investors, LLC for the redevelopment of Lots 5-10, Block 92, O.T. (Sandstone Downtown Redevelopment Project), providing a subsidy of \$450,000.00 for land, \$2,000,000.00 in Tax Increment Funds (TIF) and \$1,722,500.00 in Parking Funds and authorizing the Mayor to execute said agreement. (Action delayed from 6/27/05). Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
12. **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)***

# CALENDAR

**(Council AND Boards & Commissions)**

### **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