

# 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**

**October 22, 2007**

**6:30 P.M.**

**CALL TO ORDER – Mayor Tussing**

**PLEDGE OF ALLEGIANCE – Mayor Tussing**

**INVOCATION – Councilmember Ruegamer**

**ROLL CALL**

**MINUTES – October 9, 2007**

**COURTESIES**

**PROCLAMATIONS**

**ADMINISTRATOR REPORTS – Bruce McCandless**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, and 7 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. Billings Business Improvement District Board Appointment Recommendations** of Gene Burgad, Allison O'Donnell, and Michael Gregory to the Montana Avenue Sign Review Committee.

**B. Change Order No. 5 - W.O. 04-13, Water Treatment Plant Maintenance Building, Schedule II**, Williams Brother Construction, \$1,296.00.

**C. Contract for Professional Services** with Engineering, Inc. for engineering design services for W.O. 07-16, Shiloh Road Corridor Water and Sanitary Sewer System Improvements not to exceed \$456,005.25.

**D. Professional Services Agreement (5-year)** with LSC Transportation Consultants, Inc., for transit operations review, \$128,777.00 approximate FY08 expense; subsequent years to be negotiated.

**E. Approval of License Agreement** with Big Sky Floral Supply, LLC, and Big Sky Transition Exchange, LLC, for bike and pedestrian trail.

**F. Approval and Acceptance** of Homeland Security Grant to the Police Department Bomb Squad, \$10,000.00.

**G. Approval and Acceptance** of a supplemental award to the 2007 High Intensity Drug Trafficking Area (HIDTA) award for the Native American Project, \$50,000.00.

**H. Amendment #1, W.O. 07-19 Yellowstone Country Club Sewer Extension and Services**, Professional Services Contract, Engineering, Inc., \$250,913.53.

**I. Acceptance of Quitclaim Deed** from E & S, Inc. for Lot 10B, Holling Ranch Subdivision, at no cost to the City.

**J. Second/final reading ordinance expanding Ward II (Annexation #07-10)** for 400.94 acres generally located northwest of the Lake Hills Golf Course and north of Matador Avenue in Billings Heights, Frank Sindelar, owner.

**K. Second/final reading ordinance expanding Ward V (Annexation #07-21)** for an approximate 8.868-acre parcel legally described as Tract 1C, Certificate of Survey 2991, generally located west of the intersection of Central Avenue and 29<sup>th</sup> Street West; Raymond and Douglas Kramer, Powers of Attorney for the Lydia Kramer Real Estate Management Trust, owners.

**L. Second/final reading ordinance expanding Ward V (Annexation #07-22)** for an approximate 8.868-acre parcel legally described as Tract 1B, Certificate of Survey 2991, generally located on the southwest corner of the intersection of Central Avenue and 29<sup>th</sup> Street West; Todd Icopini, Legacy Homes, owner.

**M. Second/final reading ordinance** for Zone Change #820, a text amendment to Section 17-705(C), BMCC, Commercial Sign Regulations.

**N. Second/final reading ordinance** for Zone Change #821, a text amendment to City Sign Code amending Sections 27-703, 27-705(c), 27-706(b), and 27-708.

**O. Final Plat** of High Sierra Subdivision, 2<sup>nd</sup> Filing, Amended Lot 1, Block 3.

**P. Bills and Payroll**

- (1) September 21, 2007
- (2) September 28, 2007
- (3) September 1, 2007 – September 30, 2007 (Municipal Court)

**REGULAR AGENDA:**

2. **CHERRY CREEK ESTATES DEVELOPMENT AGREEMENT** compliance approval of Phase I and conditional approval of Phase II. Staff recommends conditional approval. (**Action:** approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** approving expansion of Downtown Business Improvement District No. 0001 to include Stockman Bank property located at the corner of 4<sup>th</sup> Avenue North and North Broadway. Staff recommends approval. (**Action:** approval or disapproval of recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** approving and adopting first quarter budget amendments for Fiscal Year 2007/2008 for Teamster Contract Wage Package, General Fund Departments, and other funds: Building, Street/Traffic, Planning, Library, Community Services (Fair Housing, Home Program, and CDBG), Water, Wastewater, Solid Waste, Airport, Transit, and Motor Pool. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-24:** Property described as Tract 1B, Certificate of Survey 1335, Amended, located in the NE1/4, Section 23, Township 1N, Range 26E, south of the intersection of Wicks Lane and Hawthorne Lane. Hanser Capital Holdings, owner and petitioner. Staff recommends conditional approval. (**Action:** approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND 1<sup>ST</sup> READING ORDINANCE FOR ZONE CHANGE #822:** A zone change from Residential 9,600 to Residential 7,000 Restricted on a 400-acre property located north and west of the High Sierra Subdivision and Lake Hills Subdivision. Dover Ranch, owner; Oakland Companies, developer; and Engineering, Inc., representing agent. Zoning Commission recommends approval except for a 100-foot strip of land that borders Lake Hills Subdivision and adoption of the determination of the 12 criteria. (**Action:** approval or disapproval of Zoning Commission recommendation.)

7. **AGREEMENT** with Lockwood Area/Yellowstone County Water and Sewer District for treatment and disposal of wastewater. (Delayed from 10/9/07 following the public hearing.) Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
8. **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)

### OCTOBER:

10/01/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
10/02/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 <sup>th</sup> Floor Library Council Chambers Airport
10/03/2007	Board of Adjustment	6:00 p.m.	Council Chambers
10/04/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
10/08/2007	COLUMBUS DAY – CITY OFFICES CLOSED		
10/09/2007	Parking Advisory Board Planning Board REGULAR Council Meeting	4:00 p.m. 6:00 p.m. 6:30 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library Council Chambers
10/10/2007	Parks/Recreation/Cemetery Bd  Council Agenda Setting Meeting	11:30 a.m.  5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St. CH Conference Room
10/11/2007	Library Board Committee on Homelessness	NOON 2:00 p.m.	Library 3 <sup>rd</sup> Floor Library
10/15/2007	Energy & Conservation Commission  Council WORK SESSION	3:00 p.m.  5:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Community Center 360 N. 23 <sup>rd</sup> St
10/16/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
10/18/2007	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
10/22/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
10/23/2007	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
10/24/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board	1:00 p.m. NOON	CH Conference Room 4 <sup>th</sup> Floor Library
10/25/2007	Yellowstone County Board of Health (Note: November and December meetings to be combined at a date decided in October)	7:00 a.m.	Community Health Center
10/30/2007	Council Agenda Setting Meeting	5:30 p.m.	CH Conference Room

10/31/2007	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North
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**NOVEMBER:**

11/01/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
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11/05/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
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11/06/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 <sup>th</sup> Floor Conf. Rm. Council Chambers Airport Terminal
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11/07/2007	Board of Adjustment	6:00 p.m.	Council Chambers
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11/08/2007	Library Board Committee on Homelessness	NOON 2:00 p.m.	Library 3 <sup>rd</sup> Floor Library
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11/12/2007 VETERAN'S DAY – CITY OFFICES CLOSED

11/13/2007	Parking Advisory Board Planning Board REGULAR Council Meeting	4:00 p.m. 6:00 p.m. 6:30 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library Council Chambers
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11/14/2007	Parks/Recreation/Cemetery Bd  Council Agenda Setting Meeting	11:30 a.m.  5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St. CH Conference Room
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11/19/2007	Energy & Conservation Commission  Council WORK SESSION	3:00 p.m.  5:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Community Center 360 N. 23 <sup>rd</sup> St
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11/20/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
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11/22/2007 THANKSGIVING DAY – CITY OFFICES CLOSED

11/26/2007	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
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11/27/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
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11/28/2007	Development Process Advisory Review Board (DPARB) Housing Authority Traffic Control Board	1:00 p.m. NOON NOON	CH Conference Room 2415 1 <sup>st</sup> Avenue North 4 <sup>th</sup> Floor Library
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