

COUNCIL ACTION SUMMARY

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 – Councilmembers present on roll call were: Ronquillo, Gaghen, Brewster, Veis, Ruegamer, Ulledalen, Boyer, Jones and Clark. Councilmember Stevens was excused.

MINUTES – January 22, 2007. Approved as printed.

COURTESIES -- None

PROCLAMATIONS

- **February 18 – 24: National Engineers Week**

ADMINISTRATOR REPORTS – Tina Volek

- **City Administrator Tina Volek reported that copies of two (2) exparte communications were in the binder at the back of the Council Chambers this evening. The first item was a letter from Mr. Towe regarding Item R. The second item was a letter from Engineering Inc. regarding Item 4.**
- **Ms. Volek noted that on Item 4, the vacation action had been properly advertised, but it was discovered that the other two action requests had not been properly noticed. She said Staff is recommending that the Council take no action on the Quit Claim Deed on Normal Ave.**
- **She reminded the Council that the regular Agenda Review Meeting would be held tomorrow evening at 5:30 p.m. in the City Hall Conference Room. Thursday evening Lockwood is hosting a meeting in the Blue Room at the Lockwood School to discuss the City's recommendations on the annexation of Lockwood.**
- **Ms. Volek also noted that the next work session is scheduled for a Tuesday (rather than Monday), February 20, due to the President's Day holiday.**

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.)

- **There were no public comment speakers.**

CONSENT AGENDA: **SEPARATIONS: R, U**

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. Leapoldt, \$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 and Resolution of Intent to Annex 07-18526: 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 07-18523 to Create Park Maintenance District #4036: Josephine Crossing Subdivision and setting a public hearing for 3/12/07.

Q. Second/final reading ordinance 07-5399 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. **ZONE CHANGE REQUEST WITHDRAWN.**

S. Second/final reading ordinance 07-5400 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. **APPROVED**

V. Bills and Payroll.

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

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

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.) **APPROVED ON FIRST READING; SECOND/FINAL READING ON 2/26/07.**
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.) **PUBLIC HEARING AND ACTION DELAYED TO 2/26/07.**
4. **PUBLIC HEARING AND RESOLUTION 07-18524** vacating 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.) **NOTE: ONLY THE VACATION, I.E. PART A WAS APPROVED; ACTION ON PARTS B AND C WAS CONTINUED TO 3/12/07.**

5. **PUBLIC HEARING AND RESOLUTION 07-18525** creating SID 1377: water, sewer, curb & gutter and street improvements to Greenbriar Rd. Staff recommends approval. **(Action: approval or disapproval of Staff recommendation.) APPROVED.**
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.)* **THERE WERE NO SPEAKERS.**

Council Initiatives

- **Brewster: MOVED to direct Staff to start the process of placing the Inner Belt Loop in the Billings Urban Transportation Plan. APPROVED**
- **Brewster: MOVED to direct Staff to begin buying right-of-way (ROW) for the Inner Belt Loop to be completed in 5 years, and beginning with the next budget cycle. APPROVED**
- **Rueqamer: MOVED to direct Staff to move ahead with the Billings Kiwanis to create a license plate for the City of Billings. APPROVED**

ADJOURN -- 7:30 p.m.

(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>**