

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

January 8, 2007

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Peggie Gaghen

ROLL CALL - Councilmembers present on roll call were: Ronquillo, Gaghen, Stevens, Brewster, Veis, Ruegamer, Ulledalen, Boyer, Jones and Clark

MINUTES – December 18, 2006. Approved as printed.

COURTESIES – Mayor Tussing thanked the Councilmembers for their participation on the Strategic Planning Committee.

PROCLAMATIONS

- January 10: Judy Bryngelson Day
- January 15: Martin Luther King, Jr. Day

ADMINISTRATOR REPORTS – Tina Volek

- Ms. Volek informed the Council of the two Board/Commission appointment changes on Item A: Denis Pitman and Bill Lucas.
- She also noted that the Staff requested that ITEM 1D be indefinitely tabled.

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.) **There were no speakers.**

(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: **SEPARATIONS: 1D**

1. **A. Mayor's appointments:**

	Name	Board/Commission	Term	
			Begins	Ends
1.	Jack Bayne	Aviation & Transit Board	01/01/07	12/31/10
2.	Sterling Starr	Aviation & Transit Board	01/01/07	12/31/10
3.	Dave Hawkins	Board of Appeals	01/01/07	12/31/10
4.	Rick Selensky	Board of Appeals	01/01/07	12/31/10
5.	Ronald Crocker	Board of Ethics	01/01/07	12/31/10
6.	Michael Young	Board of Health	01/01/07	12/31/09
7.	Duane Loken	Community Development Board (At Large)	01/01/07	12/31/10
8.	Kamber Kelly	Community Development Board (Low Mod)	01/01/07	12/31/10
9.	David Goodridge	Community Development Board (Low Mod)	01/01/07	12/31/10
10.	Uriah Edmunds	Community Development Board (Low Mod)	01/01/07	12/31/10
11.	Peter Light	EMS Commission	01/01/07	12/31/10
12.	Brad Frank	Exchange Golf Corp. Board	01/01/07	12/31/09
13.	Broc Criswell	Exchange Golf Corp. Board	01/01/07	12/31/09
14.	John Walsh	Housing Authority	01/01/07	12/31/11
15.		Housing Authority	01/01/07	12/31/11
16.	*	Housing Authority	01/01/07	12/31/07
17.	*Skip Godfrey	Human Relations Commission	12/31/09	12/31/09
18.	N. Gregory Kohn	Human Relations Commission	01/01/07	12/31/10
19.	Shosana Tom	Human Relations Commission	01/01/07	12/31/10
20.	Jean Smith	Human Relations Commission	01/01/07	12/31/10
21.	Shari Nault Pullar	Library Board	01/01/07	12/31/10
22.	Randy Hafer	Parking Advisory Board	01/01/07	12/31/10
23.	Gary Temple	Parking Advisory Board	01/01/07	12/31/10

24.	Bruce Simon	Parking Advisory Board	01/01/07	12/31/10
25.	Denis Pitman	Parks/Rec/Cemetery Board	01/01/07	12/31/10
26.	Horace Hudson	Police Commission	01/01/07	12/31/09
27.	Ken Kingman	Police Commission	01/01/07	12/31/09
28.	Angela Cimino	Traffic Control Board	01/01/07	12/31/10
29.	Keith Lange	Traffic Control Board	01/01/07	12/31/10
30.	Bill Iverson	Yellowstone County Board of Planning (Ward 1)	01/01/07	12/31/10
31.	Donna Forbes	Yellowstone County Board of Planning (Ward 3)	01/01/07	12/31/10
32.	Bill Lucas	Yellowstone County Board of Planning (Ward 4)	01/01/07	12/31/10
33.	Fred Rogers	Yellowstone County Board of Planning (Ward 5)	01/01/07	12/31/10
34.	Thomas Grimm	Zoning Commission	01/01/07	12/31/10
35.	*Michael Larson	Zoning Commission	01/01/07	12/31/07

16 Unexpired term of Erica Limberhand (Resident Family)

17 Unexpired term of Linda Parker

35 Unexpired term of James Boyett

B. Bid Awards:

(1) Sale of Used City Transit Buses, One Rebuilt Diesel Engine, and Parts. (Opened 12/19/06). Recommend sale of one used bus to Don Wilkes, \$2,500.00.

(2) Chemicals – Polyaluminum Hydroxychloride Blend for Water Treatment Division. (Opened 12/19/06). Recommend Kemira Water Solutions, term: one year with an option to renew one year at a time for up to three years, \$0.369/lb.

C. Change Order #15, W.O. 04-13: Schedule I – Filter Building Expansion and Improvements, COP Construction, \$1,523.17.

D. Park IV Lease to United Properties, Inc., term: 10 years; 9/1/06 to 8/31/16. **TABLED INDEFINITELY.**

E. Vehicle Lease Agreement with Laurel Ford for the High Intensity Drug Trafficking Area (HIDTA) Task Force, \$4,200.00, term: 1/1/07 – 12/31/07.

F. Contract for health benefit services, Gallagher Benefit Services, Inc., term: 3 years.

G. Acceptance and approval of 2007 High Intensity Drug Trafficking Area (HIDTA) award #I7PRMP606, \$154,915.00.

H. Acceptance of Donation to Animal Shelter, Cynthia A. Kennedy, \$1,000.00.

I. Street Closure: Black Heritage Foundation: Martin Luther King Day Pedestrian March, January 15, 2007, beginning at Courthouse lawn to Lincoln Center.

J. Acknowledging receipt of petition to Annex #07-01: Lot 3, Block 7, Kimble Subdivision, Second Filing, located at 215 Garden Ave., Herbert and Laura Alvin, owners, and setting a public hearing date for 1/22/07.

K. Council appointment to Big Sky Economic Development Authority Board (BSEDA).

L. Resolution #07-18518 relating to financing of certain proposed projects; establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

M. Second/final reading ordinance #07-5396 expanding the boundaries of Ward IV to include recently annexed properties in Annex #06-15, described as: Tract 1A, of Amended Tracts 1 and 2, C/S 3279 and generally located east of the intersection of Grand Avenue and 54th St. W adjacent to Bishop Fox Subdivision, Rod Wilson and Judith Deines, owners & petitioners.

N. Second/final reading ordinance #07-5397 amending Ordinance #02-5219, an ordinance providing that the BMCC be amended by revising Section 13-502: execution of contract; providing authority to and limitations on City Administrator approval of contract change orders.

O. Preliminary Subsequent Minor Plat of Amended Lot 1, Block 3, High Sierra Subdivision, 2nd filing, generally located at the southeast corner of the intersection of Wicks Lane and Sierra Granda Blvd. in the Heights, recommend conditional approval of the plat and adoption of the findings of fact.

P. Final plat of Amended Lot 3, Block 1, Yellowstone Ridge Subdivision.

Q. Bills and Payroll.

- (1) December 1, 2006
- (2) December 8, 2006
- (3) December 15, 2006

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

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION 07- 18519** authorizing the sale, disposal or lease of City-owned property described as: Lot 1, Block 1 and Lots 1 and 2, Block 2, Arlene Subdivision. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.) **APPROVED**
3. **PUBLIC HEARING FIRST 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: the 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. Zoning Commission recommends approval of the zone change and adoption of the twelve criteria. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED ON FIRST READING; SECOND/FINAL READING ON 1/22/07.**
4. **PUBLIC HEARING FIRST READING ORDINANCE FOR ZONE CHANGE 794:** a zone change from Agriculture Suburban to Residential Multi-family-Restricted (RMF-R), Residential-5,000 (R50) and Residential-7,000 (R70) on a 39.55-acre parcel of land described as: Tract 1A, C/S 3279 amended. And located North of Grand Avenue at 52nd Street West. Rod Wilson and Judith Deines, owners; Engineering, Inc. agent. Zoning Commission makes no recommendation, as a result of a tie vote. (Action: approval or disapproval of Zone Change.) **APPROVED ON FIRST READING; SECOND/FINAL READING ON 1/22/07.**
5. **PUBLIC HEARING AND SPECIAL REVIEW #831:** a special review to locate a drive-through service in a Community Commercial zone adjacent to a residential zone on Tract B, C/S 1011 (aka Lot 1, E.D. King Subdivision preliminary plat) and located at the Northeast corner of Grand Avenue and Zimmerman Trail. Rocky Mountain Community Church, owner; Hawkins Company - Jessica Aguilar, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.) **APPROVED**
6. **PUBLIC HEARING AND SPECIAL REVIEW #832:** a special review for an all-beverage liquor license with gaming for a proposed Montecito Pizzeria and Casino in an Entryway Light Industrial zone on a 1.9-acre parcel of land described as: Lot 15, Block 1 Montana Sapphire Subdivision and located at 4240 King Ave. West. Sharon Turbiville, owner; Michael Burke - HGFA Architects,

agent. Zoning Commission recommends conditional approval. **(Action: approval or disapproval of Zoning Commission recommendation.) APPROVED**

- **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.)*
 - **DAVE GELLNER OF 418 E. ALKALI CREEK RD.** said he wants to “hook-up” to the City sewer system. He stated the fee for this service would be \$25,000. At this time, he requested an “extended payment plan” from the Council.
 - **JOE WHITE OF 926 N. 30th ST.** stated he opposes the increase assignment of police patrol cars.
 - **RON HILL OF 2242 WEST SKOKIE** explained to the Council that he attended the Council meeting to “put a face” to the person who sent the email to the Council with reference to the CIP Committee meeting. He further explained his request for the Council to reconsider the Lake Hill Storm Drain Project. He thanked the Council for its consideration.

Council Initiatives

- **BREWSTER:** Moved to have the Heights Wal-Mart checked for its compliance with the subdivision landscape specifications. He also reported that he attended a meeting with the surrounding homeowners and they would not be opposed to a fence. **APPROVED**

ADJOURN – The meeting was adjourned at 9:30 p.m.

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

<p style="text-align: center;">Visit our Web site at: http://ci.billings.mt.us</p>
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