

# 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

January 23, 2006

6:30 P.M.

CALL TO ORDER – Mayor Tussing  
PLEDGE OF ALLEGIANCE – Mayor Tussing  
INVOCATION – Councilmember Jim Ronquillo  
ROLL CALL  
MINUTES -- January 9, 2006  
COURTESIES – Billings Assn. of Realtors  
PROCLAMATIONS  
BOARD & COMMISSION REPORTS  
ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #7 thru #9 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. **Bid Awards:**
  - (1) **Two New Current Year Large Area Mowers and One Tandem Trailer.** (Opened 1/17/06). Recommend postponing to 2/13/06.
  - B. **W.O. 04-33: Lake Elmo Road Right-of-Way Acquisition,** Professional Services Contract for surveying, Engineering, Inc., \$60,828.00.
  - C. **W.O. 03-23: Turn Lane for Yellowstone River Road & Hawthorne Lane,** Right-of-Way Agreement with Tracy R. Arnold, Lot 1, Block 2, Fritz Subdivision, \$337.50.

**D. Memorandum of Understanding** with BikeNet for PPL Montana Community Fund grant application for the Big Ditch Trail, Phase 2, \$10,000.00, contingent upon transfer of the grant funds to the City.

**E. Airport Business Park Secured Storage Space Lease** with Big Sky Airlines, \$1,153.20 in the 1<sup>st</sup> year, adjusted annually by CPI-U, term: 2 years.

**F. Limited Commercial Aviation Hangar and Ground Lease** with Billings Clinic, \$21,600.00 1<sup>st</sup> year, adjusted annually by CPI-U, term: 5 years.

**G. Limited Commercial Aviation Hangar and Ground Lease** with Jack Bolme, current lease of \$15,840.00/year, adjusted annually by the CPI-U, term: 5 years.

**H. Consent and Estoppel in regard to Commercial Ground Lease** for communication equipment site lease at the Billings Regional Landfill, MTPCS, LLC, \$5,000.00 lease and use fee in the 1<sup>st</sup> year, adjusted annually by CPI, term: 20-year lease, 15 years remaining.

**I. Consent and Estoppel in regard to Stewart Park Antenna Site Lease**, MTPCS, LLC, \$2,500.00/year ground space rent and \$2,500.00 use fee for each antenna installed on the tower, adjusted annually by CPI, term: 15-year lease, 7 years remaining.

**J. Acknowledge receipt of petition** to vacate a portion of Broadwater Avenue right-of-way located on the existing Tract 3, C/S 1877, Engineering, Inc., petitioner, and setting a public hearing date for 2/13/06.

**K. Second/final reading ordinance** amending BMCC by repealing Chapter 23, Sections 23-101 through 23-1501, declaring them to be null, void and of no effect, and adding a new Chapter 23 with sections to be numbered 23-101 through 23-1107, providing comprehensive subdivision regulations.

**L. Second/final reading ordinance for Zone Change #772:** a zone change from Residential Manufactured Home to Residential 6000 on Lot 6, Block 3, Superior Homes Subdivision, located at 406 Roxy Lane, Ann Bustell, owner, approval of zone change and adoption of 12 criteria.

**M. Final plat** of Tierra Yellowstone Industrial Park Subdivision.

**N. Bills and Payroll.**

(1) December 22, 2005

(2) December 30, 2005

(3) December 1, 2005 (Court)

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

## **REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** to adopt the *Billings Heights Neighborhood Plan*. Planning Board recommends approval of adopting the plan as part of the Yellowstone County/City of Billings 2003 Growth Policy. **(Action:** approval or disapproval of Planning Board recommendation.)
3. **PUBLIC HEARING AND SPECIAL REVIEW #800:** a special review to allow a four-plex and a rehabilitation service center in a Residential-6,000 zone described as Tract A of C/S 2237 and located at 1721 8<sup>th</sup> Avenue North, Rimrock Foundation, David Cunningham, applicant, Design Lab Architects, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
4. **PUBLIC HEARING AND SPECIAL REVIEW #801:** a special review to allow a 72-unit assisted living facility and 7 independent living cottages in a Residential-6,000-Restricted zone described as Tract C of C/S 1011 and located at 3345 Grand Avenue. Robert and Cynthia Cover, applicants, Springer Group Architects, Lowell Springer, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
5. **TOM ROMINE PROPERTY – LOTS 25-27, 38-40, SUNNYCOVE FRUIT FARMS:**
  - (A) **PUBLIC HEARING AND RESOLUTION** approving the *Tom Romine Property Urban Planning Study* and expanding the Urban Planning Area to include the subject property. Planning Board recommends approval. **(Action:** approval or disapproval of Planning Board recommendation.)
  - (B) **PUBLIC HEARING AND RESOLUTION** annexing Lots 5, 6, 26-28, 38 and 39 of Sunnycove Fruit Farms, located south of Rimrock Rd. between 58<sup>th</sup> and 62<sup>nd</sup> Sts. W, Thomas E. Romine and Paul V. Hoyer, petitioners, Annex #06-01. Staff recommends conditional approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **PUBLIC HEARING AND SPECIAL REVIEW #799:** a special review for the production and storage of hydraulic cement and concrete materials in a Controlled Industrial zone on Lot 2, Block 6, Tierra West Industrial Park Subdivision, 2<sup>nd</sup> Filing, generally located at the northeast corner of Hesper and South 32<sup>nd</sup> Street W. Cretex Concrete products West, Inc. (dba Elk River Concrete Products), Steve Wagner, applicant, Engineering, Inc., agent. Zoning Commission recommends conditional approval. (Public hearing continued and action delayed from 1/9/06). **(Action:** approval or disapproval of Zoning Commission recommendation.)
7. **EXCHANGE CITY GOLF CORPORATION (ECGC) 2006 ANNUAL BUDGET.** Staff recommends approval of the budget as presented. **(Action:** approval or disapproval of Staff recommendation.)

8. **AMENDMENT #1, COBB FIELD STADIUM DESIGN AND FEASIBILITY STUDY CONSULTANT CONTRACT.** (Delayed from 12/19/05). HNTB Montana Inc., \$20,000.00. **(Action:** approval or disapproval of Staff recommendation.)
9. **CHANGE ORDER #2: CONTRACT FOR CLASSIFICATION AND COMPENSATION STUDY,** Associated Employers of Montana (AEM) and Employers Association Inc., \$17,550.00. (Delayed from 1/19/06). Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
10. **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)***

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| <h1><b>CALENDAR</b></h1> <p><b>(Council AND Boards &amp; Commissions)</b></p> |
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### **JANUARY:**

|           |   |                                |  |
|-----------|---|--------------------------------|--|
| 1/23/2006 | REGULAR Council Meeting   | 6:30 p.m.                      | Council Chambers   |
| 1/24/2006 | Traffic Control Board<br>Council Agenda Meeting<br>Planning Board         | NOON<br>5:30 p.m.<br>6:00 p.m. | 4 <sup>th</sup> Floor Library<br>CH Conference Room<br>4 <sup>th</sup> Floor Library |
| 1/25/2006 | Housing Authority<br>Development Process<br>Advisory Review Board (DPARB) | NOON<br>1:00 p.m.              | 2415 1 <sup>st</sup> Avenue North<br>CH Conference Room                              |
| 1/26/2006 | Yellowstone County Board of Health  | 7:00 a.m.                      | Community Health Center<br>123 So. 27 <sup>th</sup> Street                           |

### **FEBRUARY:**

|           |                            |            |  |
|-----------|----------------------------|------------|--|
| 2/02/2006 | Human Relations Commission | 12:15 p.m. | CH Conference Room                             |
| 2/06/2006 | Council WORK SESSION       | 5:30 p.m.  | Community Center<br>360 N. 23 <sup>rd</sup> St |

|           |  |  |   |
|-----------|--|--|---|
| 2/07/2006 | Community Development Board<br>Zoning Commission<br>Aviation & Transit Commission<br>Board of Adjustment | 3:00 p.m.<br>4:30 p.m.<br>5:30 p.m.<br>6:00 p.m. | 4 <sup>th</sup> Floor Library<br>Council Chambers<br>Airport Terminal<br>Council Chambers |
| 2/08/2006 | Parks/Recreation/Cemetery Bd   | 11:30 a.m.                                       | Community Center<br>360 N. 23 <sup>rd</sup> St.   |
| 2/09/2006 | Library Board  | 11:30 a.m.                                       | Library   |
| 2/13/2006 | Parking Advisory Board<br>REGULAR Council Meeting  | 4:00 p.m.<br>6:30 p.m.                           | CH Conference Room<br>Council Chambers  |
| 2/14/2006 | Council Agenda Meeting<br>Planning Board   | 5:30 p.m.<br>6:00 p.m.                           | CH Conference Room<br>4 <sup>th</sup> Floor Library                                       |
| 2/16/2006 | Public Utilities Board   | 7:30 p.m.  | Public Works-Belknap<br>2251 Belknap Ave  |
| 2/20/2006 | PRESIDENT'S DAY – CITY OFFICES CLOSED  |  |   |
| 2/21/2006 | Yellowstone Historic Preservation Board<br>Council WORK SESSION  | 8:00 a.m.<br>5:30 p.m.                           | 4 <sup>th</sup> Floor Library<br>Community Center<br>360 N. 23 <sup>rd</sup> St           |
| 2/22/2006 | Housing Authority<br>Development Process Advisory<br>Review Board (DPARB)                                | NOON<br>1:00 p.m.                                | 2415 1 <sup>st</sup> Avenue North<br>CH Conference Room                                   |
| 2/23/2006 | Yellowstone County Board of Health   | 7:00 a.m.  | Community Health Center<br>123 So. 27 <sup>th</sup> Street                                |
| 2/27/2006 | REGULAR Council Meeting  | 6:30 p.m.  | Council Chambers  |
| 2/28/2006 | Traffic Control Board<br>Council Agenda Meeting<br>Planning Board  | NOON<br>5:30 p.m.<br>6:00 p.m.                   | 4 <sup>th</sup> Floor Library<br>CH Conference Room<br>4 <sup>th</sup> Floor Library      |

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<http://ci.billings.mt.us>**