

# 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

April 10, 2006

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Nancy Boyer

ROLL CALL

MINUTES – March 27, 2006

COURTESIES – Exchange City Golf Corporation (ECGC)

PROCLAMATIONS

- April 21 - Head Start, Inc. Day
- April 21 - Thelma Adolph Day

ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, 9B, & #10 through #12 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:**

	Name	Board/Commission	Term	
			Begins	Ends
1.	Alex Tommerup	City County Planning	04/10/06	12/31/07

\*Unexpired term of Cary Brown (Ward II)

- B. Bid Awards:**  
**(1) Airport Business Park Paving Project.** (Opened 3/28/06).  
Recommend JTL Group, Inc., \$170,787.00.
- C. Architectural Services Agreement** with CTA Architects and Engineers for architectural and contract administration services for AIP 27: Security Access Control & CCTV Upgrades, \$80,673.65, including City match of \$8,067.36.
- D. Approval** of *Shiloh Drain* Acquisition Agreement, \$0.
- E. Acceptance** of AIP 30 grant from Federal Aviation Administration (FAA), \$3,958,490.05, including City match of \$197,924.07.
- F. Acceptance** of *American Dream Downpayment Initiative* grant funding through the Montana Department of Commerce for the First-Time Homebuyers' Program, \$23,078.00.
- G. Acknowledging receipt of petition to annex #06-05:** the remainder of Amended Tract 1, C/S 3223, McCall Development, Inc., petitioner, and setting a public hearing date for 4/24/06.
- H. Resolution of Intent** to create Park Maintenance District #4032: Riverfront Pointe Subdivision and setting a public hearing for 5/08/06.
- I. Second/final reading ordinance** providing that the BMCC be amended by adding a section 13-505; providing for a procedure whereby city contractors can be debarred from bidding on city contracts, establishing an effective date and providing a severability clause.
- J. Second/final reading ordinance for Zone Change #774:** a zone change from Residential 9,600 to Residential 7,000 on Tract 123, Sunny Cove Fruit Farm (Foxtail Village, 2<sup>nd</sup> Filing), located at the northeast intersection of Grand Avenue and 60<sup>th</sup> Street West. Kenmark Corporation, applicant, Engineering, Inc., agent; approval of the zone change and adoption of the determinations of the 12 criteria.
- K. Second/final reading ordinance for Zone Change #775:** a text amendment change to Section 27-706(d) of the City Sign Code Circumstance Signs with the Medical Corridor Permit Zoning District. Billings Clinic & St. Vincent Healthcare, applicants; Mary Scrim Dyre and Doug James, agents; approval of the zone change.
- L. Preliminary Plat** of Arlene Subdivision, generally located on the west side of Zimmerman Trail between Poly Drive and Colton Blvd., conditional approval of the preliminary plat and adoption of the Findings of Fact.
- M. Final Plat** of Morning Star Subdivision.

**N. Bills and Payroll.**

- (1) March 10, 2006
- (2) March 17, 2006

(Action: approval or disapproval of Consent Agenda.)

**REGULAR AGENDA:**

- 2. **PUBLIC HEARING AND RESOLUTION** revising the 2004 Annexation Policy and Map. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)
- 3. **PUBLIC HEARING AND RESOLUTION** annexing a 19-acre parcel described as a portion of C/S 2776 located on the west side of Highway 87, north of its intersection with Main Street in the Heights, 4A's LLC, petitioner, Annex #06-02. Staff recommends conditional approval. (Action: approval or disapproval of Staff recommendation.)
- 4. **FRANK PROPERTY:**
  - A. **PUBLIC HEARING AND RESOLUTION** approving the *Frank Property Urban Planning Study* and expanding the Urban Planning Area to include Tracts 1 and 2, C/S 3139, Tract 1, C/S 2379 and two unplatted tracts containing 79 acres, located near the southwest corner of the Grand Avenue and 56<sup>th</sup> Street West intersection. Douglas and Ronald Frank, owners. Planning Board recommends acceptance of the urban planning study and approval of expanding the urban planning area. (Action: approval or disapproval of Planning Board recommendation.)
  - B. **PUBLIC HEARING AND RESOLUTION** annexing Tracts 1 and 2, C/S 3139, Tract 1, C/S 2379 and two unplatted tracts containing 79 acres located near the southwest corner of the Grand Avenue and 56<sup>th</sup> Street West intersection, Douglas and Ronald Frank, petitioners, Annex #06-03. Staff recommends conditional approval of the resolution. (Action: approval or disapproval of Staff recommendation.)
- 5. **PUBLIC HEARING CONTINUED AND RESOLUTION FOR ANNEXATION #05-06:** a 116.17 acre parcel located on the north side of Rimrock Road at the intersection of 70<sup>th</sup> Street West and extending to the railroad property on the north and west, known as Tract 1, C/S 1871 and Tract 2A, C/S 2465. Larry Staley and Westward Ho Company, petitioners. (Action delayed from 2/27/06). Staff recommends denial of the petition and resolution. (Action: approval or disapproval of Staff recommendation.)

6. **PUBLIC HEARING AND RESOLUTION** creating PMD #4031 for park land maintenance in Copper Ridge Subdivision, 1<sup>st</sup> Filing. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** setting building permit fees at the same level established in 1993 and repealing Res. #03-17998. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #CC05-03:** a variance from Section 6-1208(h)(3) concerning driveway width and Section 6-1203(j)(2) concerning curb cuts on property located on Lots 7-12, Block 91, O.T., generally located between N. 27<sup>th</sup> Street and N. 26<sup>th</sup> Street and between 1<sup>st</sup> Avenue N. and 2<sup>nd</sup> Avenue N., known as the former Smith Funeral Home site. City of Billings, applicant. (Delayed from 2/27/06). Staff recommends delaying approval until approval of the Park II bids. (**Action:** approval or disapproval of Staff recommendation.)
9. **FALCON RIDGE ESTATES:**
  - A. **PUBLIC HEARING AND RESOLUTION** vacating right-of-way for portions of the existing Falcon Ridge Subdivision, 1<sup>st</sup> Filing, at no cost. Dennis Buscher, petitioner. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
  - B. **FINAL PLAT** of Falcon Ridge Estates Subdivision. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
10. **RESOLUTION** authorizing condemnation of six properties on Grand Avenue. (Delayed from 1/9/06). Staff recommends delaying action for 30 days to allow staff to evaluate the market analysis and renegotiate with affected property owners. (**Action:** approval or disapproval of Staff recommendation.)
11. **REPORT FROM AD HOC COMMITTEE** on City Administrator Selection. A recommendation to the Council by the Ad Hoc Committee will be made at the meeting. Staff recommends the Council direct Staff to assist with recruitment and make any budgetary adjustments needed to accomplish the tasks (**Action:** approval or disapproval of Staff recommendation.)
12. **4<sup>TH</sup> AND BROADWAY REDEVELOPMENT – 2005.** Report by the Review Committee will be made at the meeting. Staff recommends the Council grant a 60-day time extension for completing negotiations with both developers. (**Action:** approval or disapproval of Staff recommendation.)
13. **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)**

**Visit our Web site at:  
<http://ci.billings.mt.us>**

## **CALENDAR** **(Council AND Boards & Commissions)**

### **APRIL:**

4/03/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
4/04/2006	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
4/05/2006	Policy Coordinating Committee	8:00 a.m.	4 <sup>th</sup> Floor Library
4/06/2006	EMS Commission  Human Relations Commission	7:30 a.m.  12:15 p.m.	Main Fire Station Conf. Rm 2300 9 <sup>th</sup> Ave. N. CH Conference Room
4/10/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
4/11/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
4/12/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
4/13/2006	Library Board	11:30 a.m.	Library
4/17/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St

4/18/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
4/24/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
4/25/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
4/26/2006	Traffic Control Board	NOON	4 <sup>th</sup> Floor Library
	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North
	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
4/27/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center
			123 So. 27 <sup>th</sup> Street
<b><u>MAY:</u></b>			
5/01/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
5/02/2006	Community Development Board	3:00 p.m.	4 <sup>th</sup> Floor Library
	Zoning Commission	4:30 p.m.	Council Chambers
	Aviation & Transit Commission	5:30 p.m.	Airport Terminal
	Board of Adjustment	6:00 p.m.	Council Chambers
5/03/2006	Policy Coordinating Committee	8:00 a.m.	4 <sup>th</sup> Floor Library
5/04/2006	Human Relations Commission	12:15 p.m.	CH Conference Room
5/08/2006	Parking Advisory Board	4:00 p.m.	CH Conference Room
	REGULAR Council Meeting	6:30 p.m.	Council Chambers
5/09/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
5/10/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
5/11/2006	Library Board	11:30 a.m.	Library
	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
5/15/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
5/16/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
5/22/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
5/23/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
	Traffic Control Board	NOON	4 <sup>th</sup> Floor Library

5/24/2006	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
5/25/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 <sup>th</sup> Street
5/29/2006	MEMORIAL DAY – CITY OFFICES CLOSED		
5/31/2006	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North