

# 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 22, 2007**

**6:30 P.M.**

**CALL TO ORDER – Mayor Tussing**  
**PLEDGE OF ALLEGIANCE – Mayor Tussing**  
**INVOCATION – Councilmember Jim Ronquillo**  
**ROLL CALL**  
**MINUTES – January 8, 2007**  
**COURTESIES – Finance Division**  
**PROCLAMATIONS**  
**ADMINISTRATOR REPORTS – Tina Volek**

**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.)*

**CONSENT AGENDA:**

**1. A. Mayor’s appointments:**

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
			<b>Begins</b>	<b>Ends</b>
1.	Nancy Boyer	Billings Event Ad-Hoc	01/22/07	04/22/07
2.	Vince Ruegamer	Billings Event Ad-Hoc	01/22/07	04/22/07
3.	Chris “Shoots” Veis	Billings Event Ad-Hoc	01/22/07	04/22/07

4.	Karen Sanford Gall	Billings Event Ad-Hoc	01/22/07	04/22/07
5.	Kathleen Gilluly	Billings Event Ad-Hoc	01/22/07	04/22/07
6.	Amber Sundsted	Billings Event Ad-Hoc	01/22/07	04/22/07
7.	Brad Coutant	Billings Event Ad-Hoc	01/22/07	04/22/07
8.	Mike Schmechel	Billings Event Ad-Hoc	01/22/07	04/22/07
9.	Lori Simon	Billings Event Ad-Hoc	01/22/07	04/22/07
10.	Renee Coppock	Billings Event Ad-Hoc	01/22/07	04/22/07

**B. Bid Awards:**

**(1) Laboratory – Gas Chromatograph for Public Works Dept., Water Production Division.** (Opened 1/09/07). Recommend Perkin Elmer LAS, Inc., \$41,342.20.

**(2) 95 Gallon Polyethylene Refuse and Yard Waste Containers.** (Opened 1/09/07). Recommend Toter Incorporated in the amount of \$53.47 each.

**C. Change Order #15, W.O. 04-13: Schedule I – Filter Building Expansion and Improvements, COP Construction, \$27,298.06.**

**D. Amendment #1, AIP 32 Engineering Services Contract, Morrison-Maierle, Inc., \$539,525.00.**

**E. Banking and Depository Services Contract with US Bank, term: 2/1/07 – 2/28/2012.**

**F. Acceptance of Donation to Animal Shelter, Vanguard Group of Pennsylvania on behalf of Karen A. Berg, \$10,000.00.**

**G. Acknowledge receipt of petition to vacate portions of Marbara Lane, Silver Lane, Yucca St. and North Rim Rd. MSU-Billings, petitioner, and setting a public hearing for 2/12/07.**

**H. Council liaison appointment to Community Development Board: replace Peggie Gaghen with Jim Ronquillo.**

**I. Confirmation of Police Officers:**

- (1) Steve Hallam
- (2) Katherine Nash

**J. Resolution of Intention to Create SID 1377: public improvements consisting of water, sanitary sewer, curb and gutter and street improvements on Greenbriar Rd. between Lake Hills Dr. and Hillcrest Dr. , and setting a public hearing for 2/12/07.**

**K. Resolution** authorizing \$1,500.00 from Council Contingency to Mayor's Committee on Homelessness for the Pioneer Human Services Spring Conference, \$1,500.00.

**L. 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 26<sup>th</sup> Street aka Skyline Court Condominiums. Thomas Towe and Court E. Ball Partnership, owner; Susan Lovely, agent.

**M. Second/Final Reading Ordinance for Zone Change 794:** a zone change from Agriculture Suburban to Residential Multi-family-Restricted (RMF-R), Residential-5,000 (R-50) and Residential-7,000 (R-70) on a 39.55-acre parcel of land described as: Tract 1A, C/S 3279 amended and located North of Grand Avenue at 52<sup>nd</sup> Street West. Rod Wilson and Judith Deines, owners; Engineering, Inc. agent.

**N. Amended Plat** of Lot 10, Block 5, O'Leary Sub., and approval of the Quit Claim Deed to Linde Properties, LC.

**O. Bills and Payroll.**

- (1) December 22, 2006
- (2) December 1 - 31, 2006 (Municipal Court)
- (3) January 2, 2007

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

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting second quarter budget amendments for FY 2006/2007. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** for Annex #07-01: annexing 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.)

4. **PUBLIC HEARING FIRST READING ORDINANCE** amending BMCC Section 23-1101; providing updates to regulations on requesting a variance from the subdivision regulations. Planning Board recommends approval. **(Action:** approval or disapproval of Planning Board recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE 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. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #796:** A zone change from Residential-6,000 (R60) to Residential-5,000 (R50) on a 10,506 square foot parcel of land described as: Lot 15B, Mattson Acres Sub. Amended, excepting the north 152.75 feet and located at 723 Mattson Lane. William & Carla Pearson, owners; John Haman, agent. Zoning Commission recommends denial and adoption of the determinations of the 12 criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND SPECIAL REVIEW #833:** A special review to amend the master plan for Harvest Church to include an outdoor water park and community center building in a Residential-9,600 (R96) zone on the north west corner of Lot 1, Block 4 High Sierra Subdivision 1<sup>st</sup> Filing, located at 1235 West Wicks Lane. Harvest Church, owner; Alex Tommerup, AT Architecture, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC Section 2-214, providing that the public comment period on non-agenda items shall start no later than 9:30 p.m. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **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)**

#### **JANUARY:**

1/22/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
1/23/2007	Planning Board	CANCELLED	
1/24/2007	Traffic Control Board Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	4 <sup>th</sup> Floor Library CH Conference Room
1/25/2007	Yellowstone County Board of Health  JOINT City/County/Laurel/School District #2	7:00 a.m.  5:30 p.m.	Community Health Center 123 So. 27 <sup>th</sup> Street MSU-B Downtown – Broadway II Seminar Rm – 214 N. Broadway
1/29/2007	Council WORK SESSION	5:30 p.m.	Community Center
1/30/2007	Council Agenda Setting Meeting	5:30 p.m.	CH Conference Room
1/31/2007	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North

**FEBRUARY:**

2/01/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
2/05/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
2/06/2007	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 Library Council Chambers Airport Terminal
2/07/2007	Board of Adjustment	6:00 p.m.	Council Chambers
2/08/2007	Library Board	11:30 a.m.	Library
2/12/2007	Energy & Conservation Commission  Parking Advisory Board REGULAR Council Meeting	3:00 p.m.  4:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. CH Conference Room Council Chambers
2/13/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
2/14/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
2/15/2007	Committee on Homelessness  Public Utilities Board	1:30 p.m.  6:30 p.m.	YCCHD Conf. Rm. 123 S. 27 <sup>th</sup> St. Public Works-Belknap 2251 Belknap Ave
2/19/2007	PRESIDENT'S DAY – CITY OFFICES CLOSED		
2/20/2007	Yellowstone Historic Preservation Board Council WORK SESSION	8:00 a.m. 5:30 p.m.	4 <sup>th</sup> Floor Library Community Center 360 N. 23 <sup>rd</sup> St
2/22/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 <sup>th</sup> Street
2/26/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
2/27/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
2/28/2007	Housing Authority Development Process Advisory Review Board (DPARB) Traffic Control Board	NOON  1:00 p.m. NOON	2415 1 <sup>st</sup> Avenue North  CH Conference Room 4 <sup>th</sup> Floor Library