

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

AGENDA

COUNCIL CHAMBERS

November 24, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

OATH OF OFFICE CEREMONY – Larry Brewster

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Ronquillo

ROLL CALL – Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Brewster, Veis, Ruegamer, McCall, Ulledalen, Astle, and Clark

MINUTES – November 10, 2008 – approved as distributed

November 13, 2008 Special Meeting - pending

COURTESIES - None

PROCLAMATIONS - None

ADMINISTRATOR REPORTS – Tina Volek

- Ms. Volek asked that Agenda Item 1A3 be delayed until 12/15/08 to allow staff more time to review funding and timelines.
- Ms. Volek referenced a letter received from the Yellowstone County Board of Planning recommending approval of the expansion of the South Billings Boulevard TIFD and modification to the Urban Renewal Plan. She said a copy of the letter was in the Ex-Parte Notebook in the back of the room for public review.
- Ms. Volek advised that a valid protest had been received for Item 6a. She said at least 40 pieces of correspondence had been received protesting the zone change, as well as petitions signed by 163+ individuals. She said copies were in the Ex-Parte Notebook in the back of the room for public review.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 2 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.)

The public comment period was opened.

- **Joe White, Billings, MT**, spoke on Item 1A1, the bid award for a crime scene investigation vehicle. He said there had been a lot of complaints against the Police Department, and he was opposed to the purchase of the vehicle.

CONSENT AGENDA: Separations: 1A1, 1A3, 1B

1. A. Bid Awards:

(1) **Crime Scene Investigation Vehicle.** (Opened 11/12/08) Recommend Emergency Vehicles, Inc., \$298,385. **APPROVED.**

(2) **W.O. 03-07, Alkali Creek Multi-Use Path-Segment 1B (Main Street Tunnel).** (Opened 9/30/08)(Delayed until 10/27/08)(Delayed until 11/24/08) Recommend rejection of all bids received.

(3) **W.O. 04-12, Alkali Creek Road Slope Improvements, Schedule I.** (Opened 10/28/08)(Delayed until 11/24/08). Recommend COP Construction, \$1,762,687.50. **DELAYED UNTIL 12/15/08.**

B. Contract with Rich & Associates, Inc. for Downtown Billings Parking Study, \$68,500. DELAYED UNTIL 12/8/08 ON AN 8 TO 3 VOTE. COUNCILMEMBERS ULLEDALEN, GAGHEN, AND MAYOR TUSSING VOTED AGAINST THE DELAY.

C. Amendment No. 2, W.O. 08-01 2008 Water and Sewer Replacement Project. Professional Services Contract, Morrison-Maierle, Inc., \$1,108,435.50.

D. Amendment No. 6, W.O. 03-25 Rimrock Road. Professional Services Contract, DOWL HKM, \$10,000.

E. Acknowledging receipt of petition to vacate Boundary Waters Circle located within Riverfront Pointe Subdivision; Cal Kunkel, owner and petitioner, and setting a public hearing for December 15, 2008.

F. Approval of support for Yellowstone County's FEMA PDM Plan update grant application submittal; and **Authorization** for the Mayor to sign letter of support.

G. Preliminary Plat of Amended Lots 1-8, Block 2; Lots 1-8, Block 3; and Lots 1-9, Block 4, of Reflections at Copper Ridge Subdivision, located approximately one quarter of a mile northwest of the Molt Road and Rimrock Road

intersection; Reflections at Copper Ridge, LLC, owner; Engineering, Inc., agent; conditional approval of the plat and adoption of the Findings of Fact.

H. Preliminary Plat of Housing Authority of Billings Subdivision, located on the west side of Lake Elmo Drive north of Uinta Park Drive in Billings Heights; Housing Authority of Billings, owner; Engineering, Inc., agent; conditional approval of the plat and adoption of the Findings of Fact.

I. Final Plat Approval

- (1) Superior Homes Subdivision
- (2) Shiloh Crossing Subdivision, Amended Lot 5E, Block 1
- (3) Tierra Yellowstone Industrial Park Subdivision, Amended Lot 1, Block 1A

J. Payment of Claims

- (1) October 24, 2008
- (2) October 31, 2008

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

REGULAR AGENDA:

- 2. SETTLEMENT AGREEMENT** with Police Officers Hagen, Leonard, and Gauthier. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
- 3. PUBLIC HEARING** approving the Mayor's Committee on Homelessness' recommendation to provide a \$465,000 zero interest, deferred payment loan to Interfaith Hospitality Network for purchase and rehabilitation of two duplex housing units located at 1427 Avenue C. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
- 4. PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the North 27th Street Urban Renewal Area – 2008. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
- 5. PUBLIC HEARING ON MODIFIED URBAN RENEWAL PLAN AND FIRST READING ORDINANCE** for the Modified South Billings Boulevard Urban Renewal District. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10 TO 1.** **COUNCILMEMBER VEIS VOTED 'NO'.**
- 6. (a) PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #851:** A zone change from Residential 9600 to Community Commercial, Residential Multi-Family, Residential Multi-Family Restricted, Residential 6000, Residential 7000, Residential 7000 Restricted, and Public

on a 63.89-acre parcel of land legally described as Tracts 1 and 2, Certificate of Survey 2054, generally located on the southeast corner of the intersection of Rimrock Road and 54th Street West and known as the Mont Vista Subdivision. Krutzfeldt Ranch, LLC, owner; Tom Llewellyn, agent. Zoning Commission recommends approval, with the exclusion of Community Commercial and Public zoning, and adoption of the determinations of the 12 criteria. (**Action:** approval or disapproval of Zoning Commission recommendation.) **APPLICANT'S WITHDRAWAL OF ITEMS 6A AND 6B APPROVED 9 TO 2. COUNCILMEMBER PITMAN AND MAYOR TUSSING VOTED 'NO'.**

(b) PUBLIC HEARING FOR SPECIAL REVIEW #870: A special review to allow multi-family residential uses in a Residential 6000 zoning district within the proposed Mont Vista Subdivision on property legally described as proposed Lots 1-4, Block 4; and Lots 2 and 3, Block 5, generally located on the southeast corner of the intersection of Rimrock Road and 54th Street West. Krutzfeldt Ranch, LLC, owner; Tom Llewellyn, agent. Zoning Commission recommends denial. (**Action:** approval or disapproval of Zoning Commission recommendation.) **SEE ITEM 6A.**

7. **PUBLIC HEARING AND RESOLUTION #08-18770** approving a tax incentive for RSP Holdings, LLC, dba Carrie's Quilts and Iron, 1737 King Avenue West, for building remodel, expansion, or reconstruction. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.) **APPROVED.**
8. **PUBLIC HEARING AND RESOLUTION #08-18771** approving a tax incentive for Golini Real Estate, LLC, dba All American Pharmaceutical, 2376 Main Street, for building remodel, expansion, or reconstruction. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.) **APPROVED.**
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.)

There were no speakers.

Council Initiatives - None

ADJOURN: The meeting adjourned at 10:00 p.m.

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please contact Cari Martin, City Clerk, at 657-8210.

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