

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

October 27, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Ruegamer

ROLL CALL

APPOINTMENT OF WARD II COUNCILMEMBER

MINUTES – October 14, 2008

COURTESIES

PROCLAMATIONS – Billings Adoption Day, November 1, 2008

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 5 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.)

CONFIRMATION OF WARD II COUNCILMEMBER

CONSENT AGENDA:

1. A. Bid Awards:

(1) W.O. 05-09, Wastewater Treatment Plant Generator Installation. (Opened 10/14/08) Recommend Colstrip Electric; \$423,599.

B. Change Order #12, SID 1379 – King Avenue West reconstruction from S. 31st Street West to Shiloh Road; Knife River Corporation, \$139,645.68.

C. Professional Services Contract for W.O. 08-21, Lake Elmo Drive Improvements from Main Street to Wicks Lane; HKM Engineering, Division of DOWL, LLC, \$211,941.

D. Amendment #6, Airport Engineering Services, Morrison-Maierle, Inc. for land acquisition services, including an environmental assessment and appraisal work; \$108,975.

E. Amendment #7, Architectural and Engineering Services, CTA Architects Engineers for emergency electrical generator replacement at Billings Airport Terminal Building; \$56,680.36.

F. Right-of-Way Easement Request from NorthWestern Energy to relocate electric power lines in Sahara Sands Park for Aronson Avenue Road Project; with no financial impact to the City.

G. Approval of extension of Recreational Trails Program Grant with MT Fish, Wildlife and Parks to 10/15/09 for trail development along the Bannister Drain from 29th Street West to the east edge of the BBWA canal south of King Avenue West.

H. Approval and Acceptance of Homeland Security Grant to the Police Department Bomb Squad; \$298,200.

I. Approval and Acceptance of Bureau of Justice Assistance Grant for establishment of an Adult Misdemeanor Mental Health Treatment Court, \$249,415 over three years; city match – approximately \$60,000 per year.

J. Approval and acceptance of donation from Faith Chapel for labor and materials for installation of concrete ramps and pads up to and around existing picnic tables and benches along Heritage Trail on the west end of Swords Park; \$7,000 in materials and labor.

K. Approval of sale of Fire Department surplus property - 8 LifePac® 300 defibrillators and miscellaneous Survivair™ self-contained breathing apparatus equipment.

L. Second/Final Reading Ordinance expanding the boundaries of Ward V to include recently annexed property in Annex #08-08: 55.45 acres described as Tracts 7-A and 6-A-1, Certificate of Survey 2314 and Tract 1-A-1, Certificate of Survey 2702, generally located on the south side of Grand Avenue between 30th Street West to west of Zimmerman Trail. Yegen Grand Avenue Farms, Inc., owner and petitioner.

M. Exempt Plat of Amended Lot 7, Lyons Subdivision, a portion of the Leavens Reservoir site located at Rimrock Road and Normal Avenue north of MSU-B campus; relocation of lot line for 10,000-foot parcel of city land approved for sale to Karen Cabell on 5/27/08.

N. Preliminary Subsequent Minor Plat of E.D. King Subdivision, 3rd Filing, described as three lots on a 2.10-acre parcel of land generally located on the southeast corner of the intersection of Avenue E and Zimmerman Trail; Speculators, Inc., owner; Engineering, Inc., agent; conditional approval of the plat and adoption of the findings of fact.

O. Preliminary Subsequent Minor Plat of Amended Lots 5 & 6, Block 1, Bellville Subdivision, generally located north of Wicks Lane and just west of Hawthorne Lane in Billings Heights; Ray & Dave LLC, owners; Blueline Engineering, LLC, agent; conditional approval and adoption of the findings of fact.

P. Preliminary Major Plat of High Sierra Subdivision, 5th Filing, generally located on the north side of Matador Avenue between Cortez Avenue and Vesca Way in Billings Heights; Dover Ranch, owner; Engineering, Inc., agent; conditional approval and adoption of the findings of fact.

Q. Final Plat Approval

- (1) Romero Subdivision
- (2) Marisela Subdivision

R. Bills and Payroll

- (1) September 26, 2008
- (2) October 3, 2008
- (3) April 1, 2008 – September 30, 2008 (Municipal Court)

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING** for MET Transit Route and Schedule Changes and Fare Increases. Staff recommends approval. **(Action:** approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #850:** A text amendment to the Unified Zoning Regulations, regulating the location of Sexually-Oriented Businesses within the City of Billings; amending Section 27-201, Section 27-405(g), and Section 27-611 BMCC. Zoning Commission recommends approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #849:** A text amendment to the Unified Zoning Regulations, regulating the review and approval of condominium and multi-unit

developments within the Unified Zoning Jurisdiction; amending Section 27-201, Section 27-310(b), and Section 27-622 BMCC. (**Action:** approval or disapproval of Zoning Commission recommendation.)

5. **2008 CTEP PROJECT APPLICATIONS** funding construction of various community pedestrian and/or bicycle facilities. Staff recommends Council formulate a recommendation for presentation at the Policy Coordinating Committee meeting. (**Action:** approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND SPECIAL REVIEW #868:** A special review to allow an All-Beverage Liquor License with gaming in a Controlled Industrial zone on property described as Lots 4C and 4D1, Studer Acreage Tracts; located at the current Doc & Eddy's West, 1251 S. 32nd Street West. George Frank, owner; Design Lab Architects, agent. Zoning Commission recommends conditional approval. (**Action:** approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND SPECIAL REVIEW #869:** A special review to allow a Beer and Wine Beverage License with gaming in a Highway Commercial zone on property described as Lot 3, Block 1, Citizens Center Subdivision; located at 414 Lincoln Lane. Kreitzberg Rentals, LLC, owner; Darrell Kreitzberg, agent. Zoning Commission recommends conditional approval. (**Action:** approval or disapproval of Zoning Commission recommendation.)
8. **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

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 notify Cari Martin, City Clerk, at 657-8210.