

# 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

February 13, 2006

6:30 P.M.

**CALL TO ORDER – Mayor Tussing**

**PLEDGE OF ALLEGIANCE – Mayor Tussing**

**INVOCATION – Councilmember Larry Brewster**

**ROLL CALL**

**MINUTES -- January 23, 2006**

**COURTESIES**

- Airport – American Association of Airport Executives (AAE) Award
- Finance – Government Finance Officers Assn (GFOA) Budget and Financial Reporting Awards

**PROCLAMATIONS**

**BOARD & COMMISSION REPORTS**

**ADMINISTRATOR REPORTS – Tina Volek**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1- 3, #9 and #10 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.		City/County Planning Bd.	2/13/06	12/31/06
2		City/County Planning Bd.	2/13/06	12/31/06
3.		Board of Adjustment	2/13/06	12/31/09
4.		Board of Adjustment	2/13/06	12/31/09

5.		Board of Adjustment	2/13/06	12/31/09
6.		Board of Adjustment	2/13/06	12/31/09

1. Unexpired term of Mick Ohnstad
2. Unexpired term of Carol Gibson (due to Ward redistricting)

**Bid Awards:**

**(1) Two New Current Year Large Area Mowers and One Tandem Trailer.** (Opened 1/17/06). (Delayed from 1/23/06). Recommend Turf Care and Specialty Products, \$94,500.00 including trade-ins and rejecting bids on trailer.

**(2) W.O. 04-18: Expansion and Condition Audit Repair of Park II.** (Opened 1/31/06). Recommend delaying award to 2/27/06.

**(3) SID 1368: Lake Hills Subdivision, Annandale Road.** (Opened 1/31/06). Recommend delaying award to 2/27/06.

**(4) AIP 30 – Runway 10R-28L Rehabilitation.** (Opened 2/7/06). Recommend delaying award to 2/27/06.

**(5) AIP 30 – Incursion Road Paving & Drainage Improvements.** (Opened 2/7/06). Recommend delaying award to 2/27/06.

**(6) Lower Restrooms Upgrades for Billings Logan International Airport.** (Opened 1/24/06). Recommend rejecting all bids, redesigning the project and rebidding at a later date.

**(7) Wastewater Plant Chemicals – Dry Polymer.** (Opened 1/31/06). Recommend Polydyne Inc., \$1.53/lb with the option for renewal up to three (3) years, upon mutual agreement.

**(8) Castle Rock Park Spray Ground.** (Opened 2/7/06). Recommend delaying award to 2/27/06.

**(9) One New Current Model 2006 Trailer with CC Inspection Equipment.** (Opened 2/7/06). Recommend delaying award to 2/27/06.

**C. Agreement for CAD Interface** with Laidlaw Medical Transportation dba American Medical Response (AMR), term: initial term is eight (8) months commencing May 2, 205 and expiring on 12/31/05, with automatic renewal for up to two (2) subsequent one-year periods thereafter.

**D. Approval Recreational Trails Program Grant Agreement** for Bannister Drain Trail., \$23,000.00 reimbursement and use of \$5,750.00 GO Bond funds for matching funds if reimbursement cannot be secured.

**E. Resolution on Inter-Fund Loan** from General Fund to the Property/Liability Insurance Fund, \$300,000.00 until 8/2007.

**F. Grant Award** to 300 N. 25<sup>th</sup> LLC, fka Marchi-Tolliver Partnership for the façade of the Terrace Apartments located at 300 N. 24<sup>th</sup> St., \$29,725.00.

**G. Approval** of Baggage Circulation Study Project with CTA Architects, \$149,210.00.

**H. Downtown Billings Association (DBA) Street Closures:**

- (1) *Food Fairs*: May – Aug (every other Wednesday). 2<sup>nd</sup> Ave. from N. 29<sup>th</sup> to N. 28<sup>th</sup>.
- (2) *Alive After 5*: June 15 (Hooligan's) and July 27 (Montana Brewing Company). N. 28<sup>th</sup> St from 1<sup>st</sup> to 2<sup>nd</sup> Ave. N.
- (3) *Alive After 5*: June 22 (Tiny's Tavern). N. 24<sup>th</sup> St. between 4<sup>th</sup> Ave N. and 3<sup>rd</sup> Ave. N.
- (4) *Alive After 5*: June 29 (CTA Architects). N. 23<sup>rd</sup> St. between Montana Ave and 1<sup>st</sup> Ave. N.
- (5) *Alive After 5*: July 6 (The Carlin). N. 25<sup>th</sup> St. between Montana Ave and 1<sup>st</sup> Ave. N.
- (6) *Alive After 5*: July 20 (Monte Carlo Casino). N. 29<sup>th</sup> St. between Montana Ave. and 1<sup>st</sup> Ave. N.
- (7) *Alive After 5*: August 3 (Don Luis Restaurant). N. 26<sup>th</sup> St. between Montana Ave. and 1<sup>st</sup> Ave. N.
- (8) *Alive After 5*: August 10 (The Q). N. 25<sup>th</sup> St. between Montana Ave. and 1<sup>st</sup> Ave N.
- (9) *Alive After 5*: August 17 (Computers Unlimited). N. 25<sup>th</sup>. St. between Montana Ave. and 1<sup>st</sup> Ave. N.
- (10) *Alive After 5*: August 24 (Pug Mahons). N. 30<sup>th</sup> St. between 1<sup>st</sup> Ave. N and 2<sup>nd</sup> Ave. N.)
- (11) *Strawberry Festival*: June 10. N. 28<sup>th</sup> St. from 1<sup>st</sup> to 3<sup>rd</sup> Ave. and 2<sup>nd</sup> Ave from the alley east of N. 27<sup>th</sup> to N. 29<sup>th</sup> and N. 29<sup>th</sup> from 1<sup>st</sup> to 2<sup>nd</sup> Ave.
- (12) *Montana State Chili Cook-Off*: June 24. N. 28<sup>th</sup> St. from 1<sup>st</sup> to 2<sup>nd</sup> Ave. and 2<sup>nd</sup>. Ave from the alley east of N. 27<sup>th</sup> to N. 29<sup>th</sup>.
- (13) *Farmers' Market*: July 15 thru Oct 7<sup>th</sup> (every Saturday). N. 28<sup>th</sup> from 1<sup>st</sup> to 3<sup>rd</sup> Ave. and 2<sup>nd</sup> Ave. from the alley east to N. 27<sup>th</sup> to N. 29<sup>th</sup> and N. 29<sup>th</sup> from 1<sup>st</sup> to 2<sup>nd</sup> Ave.
- (14) *Farmers' Market*: Aug 2 thru Aug 23 (every Wednesday night). N. 28<sup>th</sup> St. from 1<sup>st</sup> to 2<sup>nd</sup> Ave. and 2<sup>nd</sup> Ave from the alley east of N. 27<sup>th</sup> to N. 29<sup>th</sup>.
- (15) *HarvestFest*: October 14. N. 28<sup>th</sup> St. from 1<sup>st</sup> to 3<sup>rd</sup> Ave. and 2<sup>nd</sup> Ave. from the alley east of N. 27<sup>th</sup> to N. 29<sup>th</sup>.
- (16) *Holiday Parade*: November 24. Established Downtown Parade Route.
- (17) *Christmas Stroll*: December 1. N. 28<sup>th</sup> from 1<sup>st</sup> to 3<sup>rd</sup> Ave and 2<sup>nd</sup>. Ave. from the alley east of N. 27<sup>th</sup> to N. 29<sup>th</sup>.

**I. W.O. 04-11: South Billings Boulevard/SID 1373**, acceptance of the tract of land dedicated with the amended plat of the north half of Lot 6, Sugar Sub, 1.53 acres, from Larry and Marlene Thiel, owners.

**J. Resolution** authorizing the City Administrator to approve/execute contracts totaling \$50,000 or less and repealing Res. 03-18016.

**K. Resolution** approving and adopting the updating Purchasing Policy dated February 2006.

**L. Resolution** relating to financing certain proposed projects, establishing compliance with reimbursement bond regulations under the Internal Revenue Code, regarding the Briarwood sanitary sewer main extension.

**M. 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. (Delayed from 1/23/06).

**N. Preliminary Plat** of Amended Lot 15, and the East Half of Lot 16, Block 3, Rolle Sub., conditional approval of the plat, approval of variance and adoption of the findings of fact.

**O. Bills and Payroll.**

- (1) January 6, 2006
- (2) January 13, 2006
- (3) January 20, 2006

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

**REGULAR AGENDA:**

2. **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. (Delayed from 1/23/06). **(Action:** approval or disapproval of Zoning Commission recommendation.)
3. **RIGHT-OF-WAY COMPENSATION** to Yegen Grand Avenue Farm, Inc. and Yegen Golf Course for Phase II Construction of the Arlene Corridor Project (i.e. Zimmerman Trail Extension from Grand Avenue to Broadwater Avenue), \$575,000.00. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND CITY ADMINISTRATOR SELECTION PROCESS.** Staff recommends the Council approve a selection process and direct Staff to assist in any appropriate way. **(Action:** approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #773:** text amendments to Section 27-611 of the Unified Zoning Regulations regarding sexually-oriented businesses. Zoning Commission recommends approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)

6. **PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for FY 2005/2006. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** vacating Broadwater Avenue right-of-way located directly west of 52<sup>nd</sup> Street, located on the existing C/S 1877, Tract 3, Engineering, Inc., petitioner. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND FIRST 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. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **RESOLUTION** annexing the west half of Lots 5 and 28, and all of Lots 6, 26, 27, 38, and 40 of Sunnycove Fruit Farms, 58.041-acres 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 of the resolution of annexation with conditions. (PH held 1/23/06 and closed. Action delayed from 1/23/06). **(Action:** approval or disapproval of Staff recommendation.)
10. **RECONSIDERATION OF APPROVAL OF BELLVILLE SUBDIVISION.** (Councilmember Brewster request). (Delayed from 1/23/06). Staff makes no recommendation. **(Action:** direction to Staff.)
11. **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)***

## CALENDAR

### (Council AND Boards & Commissions)

#### FEBRUARY:

2/13/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
2/14/2006	Council Agenda Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
2/16/2006	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
2/20/2006	PRESIDENT'S DAY – CITY OFFICES CLOSED		
2/21/2006	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
2/22/2006	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room
2/23/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 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 Council Agenda Meeting Planning Board	NOON 5:30 p.m. 6:00 p.m.	4 <sup>th</sup> Floor Library CH Conference Room 4 <sup>th</sup> Floor Library

#### MARCH:

3/02/2006	Human Relations Commission	12:15 p.m.	CH Conference Room
3/06/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
3/07/2006	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
3/08/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.

3/09/2006	Library Board	11:30 a.m.	Library
3/13/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
3/14/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
3/20/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
3/21/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
3/22/2006	Traffic Control Board Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	4 <sup>th</sup> Floor Library CH Conference Room
3/23/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 <sup>th</sup> Street
3/27/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
3/28/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
3/29/2006	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North

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