

# CITY OF BILLINGS

**CITY OF BILLINGS' MISSION STATEMENT:**  
***TO DELIVER COST EFFECTIVE PUBLIC SERVICES***  
***THAT ENHANCE OUR COMMUNITY'S QUALITY OF LIFE***

## AGENDA

June 12, 2006

**6:30 P.M.**

## **CALL TO ORDER – Mayor Tussing**

## **PLEDGE OF ALLEGIANCE – Mayor Tussing**

## **INVOCATION – Councilmember Larry Brewster**

## ROLL CALL

## **MINUTES – May 22, 2006.**

## COURTESIES

## PROCLAMATIONS

## ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, and #12 through #14 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. Bid Awards:

**(1) Wastewater Treatment Plant Electrical Transformers.** (Opened 5/9/06). Recommend rejecting all bids.

**(2) Airfield Concrete Ramp Joint Repair.** (Opened 5/23/06).  
Recommend rejecting sole bid received as non-responsive.

**(3) Supply Carpet Tile for the Terminal Concourse for Billings Logan International Airport. (Opened 5/23/06). Recommend Commercial Marketing Associates. \$76,230.00.**

**(4) Restriping Airfield Markings (Runways and Taxiways) for Three (3) Years.** (Opened 5/23/06). Recommend United Rentals. \$103,166.60.

**(5) Water Treatment Plant Electrical Distribution Modifications.** (Opened 5/23/06). Recommend Ace Electric, \$255,100.00.

**(6) W.O. 05-04: Terrace Estates Subdivision, 3<sup>rd</sup> Filing, Drainage Improvements.** (Opened 5/23/06). Recommend Donnes, Inc., \$47,800.00.

**(7) W.O. 04-18: Expansion and Repairs of Park II.** (Opened 5/23/06). Recommend delaying award to 6/26/06.

**(8) Purchase of Eighteen (18) Passenger Shelters for Billings METropolitan Transit.** (Opened 5/23/06). Recommend Bracco International, Inc., \$60,822.00.

**(9) Mileage Tire Leasing Program.** (Opened 5/23/06). Recommend Bridgestone/Firestone, term: 5 years.

**(10) 2006 Billings Water Service Replacement Project.** (Opened 6/06/06). Recommend delaying to 6/26/06.

**B. Amendment #12, Professional Services Contract, W.O. 05-14: Walter Pump Station,** Morrison-Maierle, Inc., \$199,708.00. (Delayed from 5/22/06).

**C. Professional Services Contract** for architectural and engineering services for Fire Station #7, CTA Architects and Engineers, \$106,510.00 and not to exceed an additional \$10,619.00 for potential reimbursable fees.

**D. Contract** for Billings Adult Misdemeanor Drug Court services, Community Solutions, Inc., term: date of execution to 4/30/07.

**E. Agreement** with Billings Housing Authority to fund one Police Officer, \$36,151.00, term: 7/1/06 to 12/31/06.

**F. Vehicle Lease Agreement** with Underriner Motors for City/County Special Investigations Unit (CCSIU), 6 vehicles for \$25,200.00, term: 7/1/06 to 6/30/07.

**G. FY 2006/2007 Landfill Use Agreements:**

- (1) Bighorn County – 1 year
- (2) Town of Bridger – 1 year
- (3) Carbon County – 1 year
- (4) Town of Columbus – 1 year
- (5) Town of Fromberg – 1 year
- (6) Town of Hysham – 1 year
- (7) Town of Joliet – 1 year
- (8) City of Laurel – 1 year
- (9) Musselshell County – 1 year
- (10) City of Red Lodge – 1 year
- (11) Stillwater County – 1 year
- (12) Treasure County – 1 year
- (13) Yellowstone County – 3 years

**H. Memorandums of Understanding for SROs:**

(1) MOU between city of Billings and Billings Public Schools for three (3) High School Resource Officers (SROs), \$60,000.00, term: 7/1/06 to 6/30/07.

(2) MOU between city of Billings and Billings Public Schools for two (2) Middle School Resource Officers (SROs), \$50,000.00, term: 7/1/06 to 6/30/07.

**I. CTEP Project Specific Agreements:**

(1) Bannister Drain Trail, \$384,328.00

(2) Big Ditch Trail II, \$170,500.00

(3) Milton Lane School Route, \$525,000.00

**J. Revolving Fund Loan** to Yellowstone Community Cooperative; increase from \$140,000.00 to \$167,000.00.

**K. Street Closures:**

(1) Yellowstone Art Museum *Arts and Crafts Summerfair*: north lane of 6<sup>th</sup> Ave N from 19<sup>th</sup> St. to 22<sup>nd</sup> St., July 7-9, 2006.

(2) Downtown Billings Association *Movie Nights*: 2<sup>nd</sup> Ave N. from N. 29<sup>th</sup> to N. 28<sup>th</sup> (traffic diverted left only onto N. 29<sup>th</sup>) on June 24, July 22, August 26 and Sept. 23, 2006

(3) Billings Area Chamber of Commerce *Harley Owners' Group (H.O.G) Parade*, July 1, 2006, route: from Al Bedoo Temple/Shrine Auditorium to Metra Park.

(4) Billings Area Chamber of Commerce *Harley Owners' Group (H.O.G) Rally*, July 1, 2006, downtown area – under Skypoint.

**L. Cancellation** of outstanding checks and warrants, \$9,730.38 and bad debts, \$13,139.39.

**M. Acknowledging receipt of petition to annex #06-06:** C/S 1011, Tr. B Amended, located east of 34<sup>th</sup> St. W and north of Grand Ave., Rocky Mountain Community Church, petitioner, and setting a public hearing for 6/26/06.

**N. Acknowledging receipt of petition to annex #06-08:** two portions of C/S 1834, Second Amended, located north of Rimrock Road at 50<sup>th</sup> St. W, Aviara, Inc., petitioner, and setting a public hearing for 6/26/06.

**O. Acknowledging receipt of petition to vacate a portion of Kyhl Lane** across the north portion of Brewington Park and through a portion of C/S 485, Tract A, Steve Kerns, petitioner, and setting a public hearing for 6/26/06.

**P. Resolution** assessing residential/commercial collection, disposal and landfill fees for FY2007.

**Q. Resolution** increasing the amount of the Inter-Fund Loan from the General Fund to the Property/Liability Insurance Fund, \$133,500.00 increase, with repayment in August 2006.

**R. Resolution** to close Special Improvement/Sidewalk Bond Debt Funds to the SID Revolving Fund, \$43,681.97.

**S. Resolution** creating the Electronic Signs Ad Hoc Committee.

**T. SECOND/FINAL READING ORDINANCE FOR ZONE CHANGE #776:** A zone change request from Public to Planned Development on a 60.27 acre parcel of land described as: the NE4NW4NW4, S2NW4NW4 & LOT 3-4 LESS C/S 3223 in Section 20, Township 1S, Range 26 East (a/k/a the proposed Josephine Crossing Subdivision). McCall Development, Engineering, Inc., agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria.

**U. SECOND/FINAL READING ORDINANCE FOR ZONE CHANGE #777:** A zone change request from R-6,000 to Residential Multi-Family on a .92 acre parcel described as: Lots 1-10, Block 1 of Green Acres Subdivision and Lot 1, Block 14 of Suncrest Acres Subdivision 3<sup>rd</sup> Filing. Azalea Co., owner, Matt Brosovich, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria.

**V. Preliminary plat** of Bergquist Subdivision, Amended Lots 2 & 3, Block 1, generally located at 531 and 561 Pemberton Lane; conditional approval of the plat and adoption of the findings of fact.

**W. Final plat** of Gunn Subdivision.

**X. Final plat** of Amended Lot 15, and the east half of Lot 16, Block 3, Rolle Sub.

**Y. Bills and payroll.**

- (1) May 12, 2006
- (2) May 19, 2006
- (3) May 26, 2006
- (4) April 1 – 30, 2006 (Municipal Court)

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

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for FY 2005/2006. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** approving and adopting the budget for FY2007. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTIONS** setting annual assessments for FY2007 for:
  - (A) Park Maintenance Districts
  - (B) Light Maintenance Districts
  - (C) Property Safety Water Supply (i.e. Fire Hydrant maintenance)
  - (D) Street Maintenance
  - (E) Storm SewersStaff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** setting the annual Arterial Construction Fee Assessment Rates for FY2007. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION** setting the annual All-Purpose Mill Levy and Mill Levies for Library Operating, Transit Operating, and Public Safety Funds for FY2007. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND VARIANCE #CC05-03:** a variance from the site development ordinance, Section 6-1208(h)(3) re: driveway width and Section 6-1203(j)(2) re: curb cuts. Staff recommends delaying to 6/26/06. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND VARIANCE #CC06-03:** a variance from the site development ordinance, Section 6-1208(i)(11) re: curb cut regulations. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **PUBLIC HEARING AND RESOLUTION** amending Res. 01-17659: a resolution setting fees and rates for City-owned parking garages and meters. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

10. **PUBLIC HEARING AND FIRST READING ORDINANCE** re: fair ballot language. Staff recommends taking no further action at this time. (**Action:** approval or disapproval of Staff recommendation.)
11. **PUBLIC HEARING AND RESOLUTION** on the appeal of the assessment of the arterial construction fee, James A. (Ziggy) Ziegler, applicant. Staff recommends approval of a resolution denying the request. (**Action:** approval or disapproval of Staff recommendation.)
12. **RESOLUTION** authorizing condemnation of six properties on Grand Avenue. (Delayed from 5/08/06). Staff recommends approval of the resolution authorizing condemnation of five (5) properties on Grand Ave. from 8<sup>th</sup> St. W to 12<sup>th</sup> St. W. (**Action:** approval or disapproval of Staff recommendation.)
13. **VARIANCE #CC06-01:** a variance from the Site Development Ordinance Sections 6-1203(u) re: concrete driveways and curb and gutter on Lot 1, Block 1, Bitterroot Subdivision. Susan J. Zurbuchen, owner. (PH held on 5/22/06 and closed. Action delayed from 5/22/06). Staff recommends denial of the variance and requiring the owner to sign the Waiver of Right to Protest creation of an SID before issuance of a building permit. (**Action:** approval or disapproval of Staff recommendation.)
14. **RESOLUTION** relating to \$851,000.00 Pooled Special Improvement District Bonds, Series 2006 (SIDs 1368, 1370, and 1373); awarding the sale thereof and approving certain matters with respect thereto. Staff recommendation to be made at meeting. (**Action:** approval or disapproval of Staff recommendation.)
15. **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)

#### JUNE:

6/12/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
6/13/2006	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
6/14/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
6/15/2006	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
6/19/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
6/20/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
6/22/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 <sup>th</sup> Street
6/26/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
6/27/2006	Planning Board Traffic Control Board	6:00 p.m. NOON	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
6/28/2006	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room

#### JULY:

7/03/2006	Council WORK SESSION	CANCELLED	
7/04/2006	INDEPENDENCE DAY – CITY OFFICES CLOSED		
7/05/2006	Policy Coordinating Committee Zoning Commission Aviation & Transit Commission Board of Adjustment	8:00 a.m. 4:30 p.m. CANCELLED 6:00 p.m.	4 <sup>th</sup> Floor Library Council Chambers Council Chambers
7/06/2006	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

7/10/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
7/11/2006	Planning Board Community Development Board	6:00 p.m. 3:00 p.m.	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
7/12/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
7/13/2006	Library Board	11:30 a.m.	Library
7/17/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
7/18/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
7/24/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/25/2006	Planning Board Traffic Control Board	6:00 p.m. NOON	4 <sup>th</sup> Floor Library 4 <sup>th</sup> Floor Library
7/26/2006	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 <sup>st</sup> Avenue North CH Conference Room
7/27/2006	Yellowstone County Board of Health	CANCELLED	
7/31/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St