

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

July 10, 2006

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Mayor Tussing

ROLL CALL

MINUTES

COURTESIES

PROCLAMATIONS

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, and #8

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.		Yellowstone Soil Conservation District	07/01/06	06/30/08

B. Bid Awards:

(1) W.O. 05-10: Stewart Park Trail – Billings, Federal Aid No. STPE 1099(40), MDT CN5290. (Opened 6/27/06). Recommend base bid, alternate #1 and alternate #2 to CMG Construction, Inc., \$179,436.00 and 45 calendar days, contingent on CTEP concurrence.

(2) Truck Cabs and Chassis for the Solid Waste Division. (Opened 6/27/06). Recommend Schedule I: Tri-State Truck & Equipment, \$113,708.00; Schedule II: Northwest Truck & Trailer, \$190,196.00; Schedule III: Northwest Truck & Trailer, \$285,294.00.

(3) Refuse Compactor Bodies for the Solid Waste Division. (Opened 6/27/06). Recommend Schedule I: Kois Brothers Equipment, \$92,989.00; Schedule II: Kois Brothers Equipment, \$62,946.00; Schedule III: Kois Brothers Equipment, \$182,011.00.

C. Change Order #5 (Final, Balancing), SID 1370: Interlachen Drive, Phase 1, H.L. Ostermiller Construction, Inc, \$27,117.26.

D. Amendment #11, Passenger Facility Charge (PFC) Project – Airfield Lighting Vault, engineering services, Morrison-Maierle, Inc., \$35,409.00.

E. Agreement approving the hourly rate for the second year of a three-year agreement with Guardian Security for security guard services at the Library.

F. Renewal of Commercial Aviation Ground Lease with Edwards Jet Center for use of Commercial Lot 2, term: 1 year, \$11,422.00.

G. Renewal of Lease for Edwards Jet Center's West End Fuel Farm, term: 5 years, \$3,637.00 for first year, adjusted annually by the CPI-U.

H. Easement with NorthWestern Energy for a strip of land in City Park, running from the east side of Blonco Circle to the west side of Gold Dust Circle, to provide electric service to Blonco Circle, \$0.00.

I. Acceptance of additional American Dream Downpayment Initiative Grant funding from the Montana Dept. of Commerce, \$11,516.00.

J. Acknowledging receipt of petition to annex #06-10: a 288-acre parcel described as: N2 of Section 20, T1N-R26E and C/S 1904, State of Montana Dept. of Natural Resources and Conservation (DNRC), petitioner, and setting a public hearing for 7/24/06.

K. Street Closures:

(1) Lewis and Clark Bicentennial Commission's *Clark on the Yellowstone* Bicentennial Signature Event, 2nd Ave. N between alley west of 27th St. N. and 29th St. N and N. Broadway between 1st Ave. N and 3rd Ave. N on July 21, 2006.

(2) Skyview High School's *Homecoming Parade*, Wicks Lane from Skyview Parking Lot to St. Bernard's Church, on September 8, 2006.

L. Second/final reading ordinance for Zone Change #779: A zone change from Residential Professional to Neighborhood Commercial on a 1.26-acre parcel described as: Lots 2B and 2C, Block 1 of Hancock Grand Subdivision, and located at: 3737 Grand Avenue. Darrell Kreitzberg, applicant. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria.

M. Second/final reading ordinance for Zone Change #781: A zone change from Community Commercial to Public on a 6.14-acre parcel described as: Tract 1-B-2 of C/S 2277 Amended, and located at: 3803 Central Avenue. Board of Regents of Higher Education, owner; Engineering, Inc., agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria.

N. Second/final reading ordinance for Zone Change #782: A zone change from Agriculture Open-Space to Community Commercial on a 3.96-acre parcel described as: Tract B of C/S 1011 Amended, and located on the northeast corner of the intersection of Zimmerman Trail and Grand Ave. Rocky Mountain Community Church, applicant; Engineering, Inc., agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria.

O. Final plat of Gunn Estates Subdivision.

P. Bills and payroll.

- (1) June 9, 2006
- (2) June 16, 2006

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION FOR ANNEX #06-07: annexing 57 acres in T1N-R26E-S23: N2NE4 Less C/S 515 and C/S 1335, but including C/S 999, generally located south of Wicks Lane between Hawthorne Lane and Bitterroot Drive, Felton Associates LLC, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.)

3. **PUBLIC HEARING AND RESOLUTION FOR ANNEX #06-09:** annexing 2.1371 acres in T1S-R25E-S23: NE4 described as C/S 2771, Tract 2, generally located on the south side of Hesper Road west of S. 32nd St. W, Rice Wagon, LLC, petitioner, Brady Wagner and Carrie Orr-Wagner, owners. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND FIRST READING ORDINANCE amending** the BMCC by revising Sections 23-304, 23-308 and 23-410, providing a procedure for review of subsequent minor subdivisions and providing updates to regulations on provisions of utility easements for subdivisions. Planning Board recommends approval of the amendments to Sections 23-304 and 23-308 and postponing amendments to Section 23-410 to an unspecified date. **(Action:** approval or disapproval of Planning Board recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed properties in Annex #06-06, described as 5.651 acres in C/S 1011, Tr. B Amended, and adjoining rights-of-way in Grand Ave. and Zimmerman Trail, generally located east of 34th St. W and north of Grand Ave., Rocky Mountain Community Church, petitioner. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed properties in Annex #06-08, described as two portions of C/S 1834, Tract 3-C-1, generally located north of Rimrock Rd. at 50th St. W, Aviara, Inc., petitioner. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **RESOLUTION** temporarily suspending BMCC Section 24-411 to allow camping in the Shrine Auditorium parking lot for the *2006 Big Sky Polka Festival* from August 31 through September 4, 2006. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
8. **4TH AND BROADWAY REDEVELOPMENT – 2005 Update.** (Delayed from 4/10/06). Ad Hoc Committee will report the status of negotiations and requests additional guidance from the City Council regarding development incentives and a time extension. **(Action:** direction to Ad Hoc Committee and Staff.)
9. **WASTEWATER SERVICE AGREEMENT** with Lockwood Water and Sewer District, initial term: 15 years. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
10. **MPEA/Police Union 2006 – 2009 contract.** Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

11. 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)

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 th 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 th 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 th Floor Library 4 th Floor Library
7/12/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd 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 rd St
7/18/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 th 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 th Floor Library 4 th Floor Library
7/26/2006	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st 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 rd St

AUGUST:

8/01/2006	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 th Floor Library Council Chambers Airport Terminal Council Chambers
8/02/2006	Policy Coordinating Committee	8:00 a.m.	4 th Floor Library
8/03/2006	Human Relations Commission	12:15 p.m.	CH Conference Room
8/07/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
8/08/2006	Planning Board	6:00 p.m.	4 th Floor Library
8/09/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
8/10/2006	Library Board	NOON	Library
8/14/2006	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
8/15/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
8/17/2006	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
8/21/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St

8/22/2006	Planning Board Traffic Control Board	6:00 p.m. NOON	4 th Floor Library 4 th Floor Library
8/23/2006	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
8/24/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street
8/28/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
8/30/2006	Housing Authority	NOON	2415 1 st Avenue North