

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

May 9, 2005

6:30 P.M.

CALL TO ORDER – Mayor Tooley

PLEDGE OF ALLEGIANCE-- Mayor Tooley

INVOCATION – Councilmember Peggie Gaghen

ROLL CALL

MINUTES – April 25, 2005

COURTESIES

PROCLAMATIONS – Mayor Tooley

- **Police Week: May 15-21, 2005**

- **Buckle Up America Month: May 9 – June 5, 2005**

BOARD & COMMISSION REPORTS – Human Relations Board

ADMINISTRATOR REPORTS – Kristoff Bauer

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #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.)

CONSENT AGENDA:

1. A. Bid Awards:

(1) Uniform Rental Service for Public Works Dept – Utilities.
(Opened 4/19/05). Recommend AlSCO/American Linen, \$41,945.28.

(2) Demand Response Software Package with AVL and MDT Integrated Modules for MET Transit. (Opened 4/26/05). Recommend delaying award to 6/13/05.

(3) W.O. 04-11: SID 1373: South Billings Boulevard – King Ave East to Underpass Avenue. (Opened 4/12/05). Reconsidered and delayed from 4/27/05. Recommend JTL Group, Inc., \$2,037,141.70.

B. Security Contract for the City's four parking garages, D-N-D Security, \$21,900.00, one-year contract with one-year option to renew.

C. Contract for Professional Services for Park II Garage Expansion and Repair Work Projects, Collaborative Design Architects, Inc., \$662,045.00.

D. Lease Agreement for retail/office space in Park 1 Garage, World Class Travel, 1-year lease with three 1-year options to renew.

E. Lease Agreement for retail/office space in Park 1 Garage, Gunsmoke BBQ, 3-year lease with two 1-year options to renew.

F. Approval of Purchase Agreement for Fire Station #7 land purchase at 1524 54th Street West, described as Lot 2, Block 1, Bishop Fox Subdivision, \$200,000.00.

G. W.O. 04-12: Alkali Creek Road, Storm Drain Easement from Ernest and Jacqueline Szillat for a 20-foot strip in Spring Valley Sub.

H. Approval of Right-of-Way Agreements for Grand Avenue Widening:

(1) W.O. 00-15, Parcel 124: Highland Rim Properties, Inc., A tract in Lots 1-2, Sunset Sub., 4th filing and Lot 1, Sunset Sub., 7th filing, \$34,700.00.

(2) W.O. 00-15, Parcel 131: Douglas A. & Theresa J. Jenkins, A tract in Lot 1(2) of Amended Plat #607 Amended, situated in Lots 3-4, Block 1, Algeo Sub., \$0.00.

(3) W.O. 00-15, Parcel 125: Big Sky Federal Credit Union, A tract in Lots 9-10, Block 2, Sunset Sub., 2nd filing EXCEPT that part conveyed to the City under Doc #3080838, \$0.00.

(4) W.O. 00-15, Parcel 122: MTB5, Inc., A tract in Lot 1A of Amendment of Lot 1, Sunset Sub., 3rd filing and Lot 1, Sunset Sub., 8th filing, \$7,450.00. AND Parcel 123: MTB5, Inc., A tract located in Lot 1, Sunset Sub., 6th filing, \$7,700.00.

I. Approval of Fair Housing Initiatives Program (FHIP) Grant submission, for fair housing activities, \$100,000.00.

J. Approval of Coal Impact Funds Grant pre-application submission for Crime Scene Investigation Vehicle, \$200,000.00.

K. Authorization to negotiate salvage/sale of surplus items from City-owned property located at 120 N. 26th St in anticipation of demolition for the Park II expansion project.

L. Subordination of First Time Homebuyer Loan, Stormi Riojas, 4526 Vaughn Lane, \$5,000.00.

M. Street closure for United Veterans' Council *Memorial Day Parade*, May 30, 2005, Central Avenue: from Albertson's parking lot on corner of Central Avenue and 24th St. W. to Mountview Cemetery.

N. Pledged Collateral on Wells Fargo Bank and US Bank Certificates of Deposits, US Bank Repurchase Account and US Bank Municipal Investor Account.

O. Reimbursement of Shiloh Business Park Subdivision Escrow Account, \$112,800.00.

P. Acknowledging receipt of petition from JL Partnership to vacate Madison Avenue right-of-way and setting a public hearing date for 6/13/05.

Q. Acknowledging receipt of petition from Yellowstone Health Partnership/Yellowstone City-County Health Dept. to vacate a portion of S. 26th St. between 1st and 2nd Aves. S. and setting a public hearing date for 6/13/05.

R. Resolution of Intent to trade property in Holfield Subdivision Park for a parcel in Brookfield Sub. and setting a public hearing date for 6/13/05.

S. Resolution Specifying Water Rate Schedule Adjustments. (PH held 4/11/05; reconsidered 4/27/05; delayed from 4/27/05).

T. Second/final reading ordinance for Zone Change #756: a zone change from Agricultural-Open Space to Community Commercial on Lot 1, Public on Lot 2, R-7000 on Lots 3-4 and R-9600 on Lot 5 for a 40.5 acre parcel of unplatted land in the proposed Bishop Fox Subdivision, generally located on the east side of 54th St. W. between Grand Avenue and Colton Boulevard. Bishop Fox Company, owner; 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 granting to Montana Dakota Utilities Co., a non-exclusive franchise to construct, maintain, operate, replace and repair a gas distribution system within public rights-of-way of the City of Billings.

V. Preliminary Plat of Amended Lot 6, Block 1, Country Homes Subdivision, generally located at 1908 Bitterroot Drive in Billings Heights, conditional approval of the preliminary plat and acceptance of the findings of fact.

W. Preliminary Plat of Amended Lot 3A of Amended Lot 1, Block 1, Goodman Subdivision, 2nd filing, generally located at the southeast corner of the intersection of Avenue B and 41st Street W, one block north of Grand Ave. and one block west of Shiloh Rd., conditional approval of the preliminary plat, adoption of the findings of fact and approval of a variances from BMCC Section 23-602(a).

X. Preliminary Plat of Riverfront Pointe Subdivision, generally located south of the West Billings Interchange, from Mallowney Lane to S. 12th St. W northeast of the intersection of Elysian Road and Mallowney Lane, conditional approval of the preliminary plat, approval of the variance and adoption of the findings of fact.

Y. Final Plat of Estates at Briarwood.

Z. Final Plat of Menholt Subdivision Amended Lot 1, Block 1.

AA. Bills and Payroll.

- (1) April 8, 2005
- (2) April 15, 2005

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** annexing 40.5 acres of unplatted land in the W2W2SW4 of Section 32 in Township 1 North, Range 25 East, proposed as the Bishop Fox Subdivision, Bishop Fox Company, petitioners. Staff recommends approval of the resolution with conditions. **(Action:** approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** annexing Tract 3, C/S 1877, DC Capital Real Estate LLC, petitioner. Staff recommends approval of the resolution with conditions. **(Action:** approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** renaming Arlene Street to Zimmerman Trail. Staff recommends approval of the name change and keeping the existing house numbers. **(Action:** approval or disapproval of Staff recommendation.)

5. **APPROVAL OF THE FY2005-2009 CONSOLIDATED PLAN** and allocation of CDBG and HOME funds for FY 2005-06. CD Board recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **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)

<h1>CALENDAR</h1> <p>(Council AND Boards & Commissions)</p>

MAY:

5/09/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
5/10/2005	Planning Board	6:00 p.m.	4 th Floor Library
5/11/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
5/12/2005	Library Board	11:30 a.m.	Library
5/16/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
5/17/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
5/23/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
5/24/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 th Floor Library 4 th Floor Library

5/25/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st Avenue North CH Conference Room
5/30/2005	MEMORIAL DAY – CITY OFFICES CLOSED		
<u>JUNE:</u>			
6/03/2005	Human Relations Commission	NOON	CH Conference Room
6/06/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
6/07/2005	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
6/08/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
6/09/2005	Library Board	11:30 a.m.	Library
6/13/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
6/14/2005	Planning Board	6:00 p.m.	4 th Floor Library
6/16/2005	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
6/20/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
6/21/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
6/22/2005	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
6/27/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
6/28/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 th Floor Library 4 th Floor Library
6/29/2005	Housing Authority	NOON	2415 1 st Avenue North