

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

June 13, 2005

6:30 P.M.

CALL TO ORDER – Mayor Tooley
PLEDGE OF ALLEGIANCE – Mayor Tooley
INVOCATION – Councilmember Larry Brewster
ROLL CALL
MINUTES – May 23, 2005
COURTESIES
PROCLAMATIONS
BOARD & COMMISSION REPORTS – Public Utilities Board
ADMINISTRATOR REPORTS – Kristoff Bauer

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1, and #16, 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.		Zoning Commission	06/13/05	12/31/07
2.		Community Development	06/13/05	12/31/08
3.		Board of Adjustments	06/13/05	12/31/05
4.		Parks/Rec/Cemetery	06/13/05	12/31/08

1. Unexpired term of David Gelder
2. Unexpired term of Aldo Rowe

3. Unexpired term of Danny Graves
4. Unexpired term of Sandy Graves

B. Bid Awards:

(1) **Gillig Bus Powerplant.** (Opened 5/24/05). Recommend Gillig Corporation, \$59,425.00.

(2) **Demand Response Software Package with AVL and MDT Integrated Modules.** (Opened 4/26/05). (Delayed from 5/9/05). Recommend Routematch, \$126,800.00.

(3) **Billings Logan International Airport, AOC-Fire Alarm Upgrade.** (Opened 5/24/05). Recommend Yellowstone Electric, \$28,105.00.

(4) **W.O. 04-12: Alkali Creek Road Improvements, CTEP Project #STPE 1099(46).** (Opened 5/31/05). Recommend JTL Group, Inc. for Schedules 1-5, \$1,876,403.70 and 190 calendar days, contingent on CTEP concurrence.

(5) **W.O. 04-29: Trans Tech Trail.** (Opened 5/131/05). Recommend JTL Group, Inc. for Schedules 1 and 1A, \$154,364.00 and 45 calendar days.

(6) **Billings Wastewater Treatment Plant Administration Building Electrical Improvements.** (Opened 6/7/05). Recommend delaying award to 6/27/05.

C. Amendment #6, Airport Miscellaneous Capital Projects, Professional Services Contract, Morrison-Maierle, Inc., \$29,140.00.

D. Amendment #3, W.O. 04-13: Water Treatment Plant Filter Building Expansion and Improvements, Professional Services Contract, HDR Engineering, Inc., \$933,419.00.

E. Vehicle Lease Agreement for City/County Special Investigations Unit (CCSIU), Underriner Motors, \$25,200.00, term: 7/1/05 to 6/30/06.

F. Library HVAC Maintenance Agreement, Conditioned Air Systems, \$71,300.00, term: 3 years.

G. Interlocal Library Agreement between Yellowstone County and the City of Billings to operate Parmly Billings Library.

H. FY2005/2006 Landfill Use Agreements:

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

(13) Yellowstone County – Amendment #2

I. Renewal of Limited Commercial Building and Ground Lease, DHL Express, Inc., 1 year term and 1 year renewal option, \$11,628.00 for first year, adjusted by CPI if renewed.

J. Limited Commercial Building and Ground Lease, Jack Bolme, term: 7 months to 12/31/05, \$9,240.00.

K. Agreement for Library Security Guard Service, Guardian Security, term: 3 years.

L. Tax Increment Façade Grant, MCS LLC for O'Donnell Building Project at 2401 2nd Avenue North, \$35,000.00.

M. Acceptance of Quit Claim Deed from United Blood Services for public improvements on Grand Avenue, \$0.00.

N. Approval of Recreational Trails Program Grant application for an additional \$5,000.00 for a portion of the Gabel Road Connector Trail Project. (20% match required, \$1,250.00).

O. Cancellation of Checks and Warrants, \$9,730.38 and receivable balances, \$21,076.78.

P. Resolution making annual all-purpose mill levy and mill levies for library operating, transit operating and public safety for FY 2005-2006.

Q. Resolution to close the Special Improvement District debt funds and Sidewalk Special Assessment debt funds to the Special Improvement District revolving fund, \$12,454.18.

R. Resolution of Intent to sell City-owned property described as Lots 5-10, Block 92, O.T., located in the 100 Block of N. 27th Street and setting a public hearing date for 7/11/05.

S. Resolution designating a blighted area within the City and the necessity of rehabilitation and redevelopment of said area to establish a Tax Increment Finance District within the City, boundaries: tract within Block 92, consisting of Lots 5-10, the W2 of N. 27th Street measured from the easterly border of Lots 5-10 to the center line of N. 27th Street, together with the E2 of the alley that divides Block 92 measures from the western border of Lots 5-10 to the center line of the alley.

T. Resolution assessing residential/commercial collection, disposal and landfill fees for FY2005-2006.

U. Resolution relating to Pooled Special Improvement District Refunding Bonds, Series 2005, determining the form and details and authorizing the execution and delivery.

V. Resolution relating to \$2,520,000 Pooled Special Improvement Districts Bonds, authorizing the issuance and calling for the public sale thereof.

W. Resolution of intent to expand Park Maintenance District #4012: Village West Subdivision and setting a public hearing date for 7/11/05.

X. Resolution of intent to create Park Maintenance District #4027: Ironwood Estates Subdivision and setting a public hearing date for 7/11/05.

Y. Second/final reading of an ordinance extending the boundaries of Ward IV to include the recently annexed properties in Annex #05-02: a portion of the W2W2SW4 of Section 32, T1N-R25E containing 40.5 acres located on the east side of 54th Street West, north of Grand Avenue.

Z. Second/final reading of an ordinance extending the boundaries of Ward V to include the recently annexed properties in Annex #05-03: approximately 25 acres located south of the intersection of 52nd Street West and Grand Avenue.

AA. Preliminary Plat of McKay Acres Subdivision Amended, Amended Lot 18B; conditional approval of plat and adoption of the findings of fact.

BB. Final Plat of Amended Lot 1, Block 17 of Daniel's Subdivision, Second Filing.

CC. Final Plat of King Place Subdivision.

DD. Bills and Payroll.

- (1) April 1 – May 15, 2005 (Court)
- (2) May 13, 2005
- (3) May 20 , 2005

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION approving budget amendments for the 4th quarter of FY 2004-2005. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

3. **PUBLIC HEARING AND FIRST READING ORDINANCE** adopting the NFPA1/UFC, 2003 edition. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** approving and adopting the FY 2005-2006 annual budget. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTIONS** levying and assessing annual assessments and fees for FY 2006 on properties within the City, providing for notice, hearing and final adoption. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
 - (A) Storm Sewer Maintenance
Arterial Construction Fees
Light Maintenance Districts
 - (B) Park Maintenance Districts
 - (C) Fire Hydrant Maintenance
6. **PUBLIC HEARING AND RESOLUTION** creating expanded Park Maintenance District #4005 to include High Sierra Subdivision, 3rd and 4th filings. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** creating expanded Park Maintenance District #4014 to include Goodman Subdivision, 2nd – 4th filings. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND RESOLUTION** authorizing the trade of the Holfeld Subdivision Park Tract in return for Tract A-1-B of C/S 1833. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **PUBLIC HEARING AND SPECIAL REVIEW #782:** a special review to permit a temporary go-kart track on a property zoned R-9600 and located at 1235 West Wicks Lane. Harvest Church, owner; Glenn Fournier, agent. Zoning Commission recommends denial. **(Action:** approval or disapproval of Zoning Commission recommendation.)
10. **PUBLIC HEARING AND SPECIAL REVIEW #783:** a special review to allow the operation of a powder coating business on a property zoned Controlled Industrial and located at 119 S. 25th Street. Montana Rescue Mission, owner; Jim Huertas and Mitch Lee of Coatings Inc., agents. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
11. **PUBLIC HEARING AND RESOLUTION** vacating a portion of Madison Avenue right-of-way east of Orchard Lane, valued at \$2,222.00. JT Partnership, petitioner.

Staff recommends approval of the vacation and Council to determine the cost. **(Action:** approval or disapproval of Staff recommendation.)

12. **PUBLIC HEARING AND RESOLUTION** vacating a portion of S. 26th Street between 1st and 2nd Avenues S., valued at \$50,000.00. Yellowstone Health Partnership/Yellowstone City-County Health Department, petitioners. Staff recommends approval of the vacation and Council to determine the cost. **(Action:** approval or disapproval of Staff recommendation.)
13. **PUBLIC HEARING AND ZONE CHANGE #757:** a zone change from R-7,000 to R-6,000 on property described as Lot 6, Block 1, Burnstead Sub., 2nd filing and located at 945 N. 19th St. Larry & Judith Hauk, owners. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12-criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
14. **PUBLIC HEARING AND ZONE CHANGE #758:** a zone change from R-6,000 to R-Multi-Family Restricted on property described as Lot 1, Robinson Subdivision and located at 416 Orchard Lane. T.J. Van Winkle, owner; Eric Van Winkle, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12-criteria. **(Action:** approval or disapproval of Zoning Commission recommendation.)
15. **PUBLIC HEARING AND ZONE CHANGE #759:** providing that the BMCC be amended by revising Section 27-305 and 27-306; setting standards for all utility and pipeline transmission and distribution systems, adopting the revisions as an interim zoning regulation and setting a time period for the regulation to be effective. Zoning Commission recommends approval of the zone change and allowing the interim zoning regulation to be effective for a period not to exceed six (6) months. **(Action:** approval or disapproval of Zoning Commission recommendation.)
16. **REVIEW** of the City Administrator Contract. Staff makes no recommendation.
17. **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)

<h2 style="margin: 0;">CALENDAR</h2> <p style="margin: 0;">(Council AND Boards & Commissions)</p>
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JUNE:

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

JULY:

7/01/2005	Human Relations Commission	Noon	CH Conference Room
7/04/2005	INDEPENDENCE DAY – CITY OFFICES CLOSED		
7/05/2005	Community Development Board Zoning Commission Aviation & Transit Commission Council WORK SESSION Board of Adjustment	3:00 p.m. 4:30 p.m. CANCELLED 5:30 p.m. 6:00 p.m.	4 th Floor Library Council Chambers Community Center 360 N. 23 rd St Council Chambers

7/07/2005	EMS Commission	7:30 a.m.	Main Fire Station Conf. Rm 2300 9 th Ave. N.
7/11/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
7/12/2005	Planning Board	6:00 p.m.	4 th Floor Library
7/13/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
7/14/2005	Library Board	11:30 a.m.	Library
7/18/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
7/19/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
7/25/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/26/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 th Floor Library 4 th Floor Library
7/27/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st Avenue North CH Conference Room
7/28/2005	Yellowstone County Board of Health	7:00 a.m.	Community Health Center