

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

October 11, 2005

6:30 P.M.

CALL TO ORDER – Mayor Tooley

PLEDGE OF ALLEGIANCE – Mayor Tooley

INVOCATION – Councilmember Vince Ruegamer

ROLL CALL

MINUTES – September 26, 2005

COURTESIES

PROCLAMATIONS

- October 15: White Cane Awareness and Safety Day

BOARD & COMMISSION REPORTS

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #4, & #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) **W.O.99-07* Lake Elmo Road – Main Street to Hansen Lane, *Includes Federal Aid Project No. STPE 1099(41), CN5292.** (Opened 10/11/05). Recommend delaying award to 10/24/05.

(2) **SID 1370 Interlachen Drive (Phase 1).** (Opened 9/27/05). Recommend HL Ostermiller Construction, Inc., \$153,481.50 and 60 calendar days.

(3) **Terminal Window Cleaning Services for Billings Logan International Airport.** (Opened 9/27/05). Recommend Skyline Services, \$54,000.00.

(4) **Cascade Pump 20MF and 200 HP Motor for Wastewater Treatment Plant.** (Opened 9/27/05). Recommend delaying award to 10/24/05.

(5) Hazardous Material Abatement, Building Demolition, Underground Storage Tank Removal and related Construction Activities for the Properties located at 114-116, and 120 N. 26th St. (formerly Darryll Apartments & Commercial Space). (Opened 10/11/05). Recommend delaying award to 10/24/05.

B. Amendment #2, Professional Services Contract with HDR Engineering, Inc., for additional tasks required by the State Revolving Fund to secure funding via an SRF loan for W.O. 04-14: the Wastewater Treatment Plant Headworks Building Replacement and Improvements Project, \$45,778.00.

C. Construction Agreement with Montana Dept of Transportation (MDOT) for the West Billings-King Avenue Bridge - Federal Aid Project No. BR1010(1).

D. Software Purchase & Maintenance Agreement with JP Morgan Sympro Inc for investment management software, \$23,600.00 (\$20,900.00 purchase with \$2,700.00 annual maintenance).

E. Agreements with Wells Fargo Bank: (Delayed from 9/26/05)

(1) Sale and Purchase Agreement of existing automatic teller (ATM) site of the City of Billings, \$975,000.00.

(2) Temporary Leaseback Agreement from the City to Wells Fargo, \$1,625.00/month.

(3) Wells Fargo ATM Site Lease of the Park II Garage Space from the City to Wells Fargo, \$2,850.00/month with a 2.5%/year inflator; term: 13 years with an option to renew for two 10-year terms.

F. Authorization to solicit bids for eleven (11) used MET Transit buses.

G. Approval of Operating Permit for the operation of a flight school by Yellowstone Valley Aviation.

H. Second/Final reading ordinance for Zone Change #766: a text amendment to the Unified Zoning Regulations, amending BMCC Sections 27-201 and 27-306, adding a definition of limited pharmaceutical manufacturing and setting limited pharmaceutical manufacturing uses allowed in Highway Commercial and Controlled Industrial Zoning Districts.

I. Second/Final reading ordinance expanding the boundaries of Ward II to include recently annexed property in Annex #05-08, described as: a 33.71 acre parcel described as Tracts 1 and 2, C/S 3190, located at 120 Wicks Lane, Ernest and Francisca Shaw, petitioners.

J. Second/Final reading ordinance amending Section 11-102; providing for new Council Ward boundaries, establishing an effective date, repealing all previous ward boundaries and providing a severability clause.

K. Bills and Payroll.

- (1) September 9, 2005
- (2) September 16, 2005
- (3) September 15, 2005 (Municipal Court)

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward V to include recently annexed property in Annex #05-09: Grand Acre Park and right-of-way, an undeveloped 0.363-acre parcel located on Broadwater Avenue, west of 52nd St. W, DC Capital Real Estate, LLC petitioner. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTIONS** regarding the respread for refunding of assessments on the following Special Improvement Districts:
 - (A) **SID 1327:** street and utility improvements in Cenex Park Sub. Claimstake Sub. and C/S 2158, Tr. 1 and 2B.
 - (B) **SID 1332:** street and utility improvements in Circle 50 Sub.
 - (C) **SID 1334:** Historic District Streetscape - Montana Ave.: N. 21st to N. 29th.
 - (D) **SID 1335:** 38th St. W adjacent to parkland West.
 - (E) **SID 1340:** Storm drain, water and sewer in Cenex Park Sub.Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
4. **RESOLUTION** creating the Downtown Business Improvement District Board of Trustees, naming the initial members, establishing their terms and specifying their powers and duties. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
5. **RESOLUTION** designating an ADA Coordinator, establishing a grievance procedure to be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability and repealing Resolution 98-17429. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **BID AWARD: Gasoline, Diesel Fuel and Lubrication Products.** (Opened 10/4/05). Recommendation to be made at meeting.
7. **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>
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OCTOBER:

10/11/2005	Parking Advisory Board Planning Board REGULAR Council Meeting	4:00 p.m. 6:00 p.m. 6:30 p.m.	CH Conference Room 4 th Floor Library Council Chambers
10/12/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
10/13/2005	Library Board	NOON	Library
10/17/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
10/18/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
10/20/2005	Public Utilities Board	7:30 p.m.	Public Works-Belknap 2251 Belknap Ave
10/24/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
10/25/2005	Traffic Control Board Planning Board	NOON 6:00 p.m.	4 th Floor Library 4 th Floor Library
10/26/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st Avenue North CH Conference Room
10/27/2005	Yellowstone County Board of Health (Note: November and December meetings to be combined at a date decided in October)	7:00 a.m.	Community Health Center

NOVEMBER:

11/01/2005	Community Development Board Zoning Commission	3:00 p.m. 4:30 p.m.	4 th Floor Conf. Rm. Council Chambers
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	Aviation & Transit Commission Board of Adjustment	5:30 p.m. 6:00 p.m.	Airport Terminal Council Chambers
11/04/2005	Human Relations Commission	NOON	CH Conference Room
11/07/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
11/08/2005	Planning Board	6:00 p.m.	4 th Floor Library
11/09/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
11/10/2005	Library Board	NOON	Library
11/11/2005	VETERAN'S DAY – CITY OFFICES CLOSED		
11/14/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
11/15/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
11/21/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
11/22/2005	Planning Board	6:00 p.m.	4 th Floor Library
11/23/2005	Housing Authority Development Process Advisory Review Board (DPARB)	NOON 1:00 p.m.	2415 1 st Avenue North CH Conference Room
11/24/2005	THANKSGIVING DAY – CITY OFFICES CLOSED		
11/28/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
11/30/2005	Housing Authority	NOON	2415 1 st Avenue North