

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

February 27, 2006

6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember Vince Ruegamer
ROLL CALL
MINUTES
COURTESIES
PROCLAMATIONS
• February 27, 2006: MSU – Billings TRIO Day
• February 28, 2006: Rocky Mountain College TRIO Day
BOARD & COMMISSION REPORTS
ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 & #11 - #15 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.		Parks/Recreation/Cemetery	2/27/06	12/31/09
2		County Water District of Billings Heights	2/27/06	12/31/09

1. Unexpired term of Michael Erickson
2. Unexpired term of Ryan Walker

B. Bid Awards:

(1) **W.O. 04-18: Expansion and Condition Audit Repair of Park II.** (Opened 1/31/06). (Delayed from 2/13/06). Recommend rejecting all bids and rebidding the project after the design and scope of work is modified.

(2) **AIP 30 – Runway 10R-28L Rehabilitation.** (Opened 2/7/06). (Delayed from 2/13/06). Recommend JTL Group, \$695,905.80.

(3) **AIP 30 – Runway Incursion Prevention Road Paving & Drainage Improvements.** (Opened 2/7/06). (Delayed from 2/13/06). Recommend JTL Group, \$285,780.60.

(4) **Castle Rock Park Spray Ground.** (Opened 2/7/06). (Delayed from 2/13/06). Recommend AME Inc., \$195,373.70.

(5) **One New Current Model 2006 Trailer with CC Inspection Equipment.** (Opened 2/7/06). (Delayed from 2/13/06). Recommend rejecting all bids, re-evaluating and changing the bid specifications and readvertising.

(6) **(AIP) 30 -- Commercial Ramp Improvements.** (Opened 2/14/06). Recommend delaying to 3/13/06.

(7) **W.O. 95-08 Shiloh/Rimrock Road Landscaping Improvements.** (Opened 2/14/06). Recommend A-1 Landscaping, \$137,000.00.

(8) **W.O. 06-03, Contract #1: 2006 Street Maintenance.** (Opened 2/14/06). Recommend JTL Group, Inc., \$406,727.60.

C. Professional Services Agreement for ongoing airport Air Service consulting services, Mean & Hunt, Inc., first year cap: \$75,000.

D. Authorization to submit application for 2006 Justice Assistance Grant (JAG) and acceptance of award, \$51,856.

E. Street Closure Requests:

(1) *Yellowstone Rimrunners for Shamrock Run:* March 19. Beginning at 3rd St. W and Daylis Stadium, left on Parkhill Dr. to 17th. St W, left on Poly Dr., left on Sunnyview, left on Colton Blvd., right on 17th St. W and then left on Parkhill Dr., ending at Pioneer Park.

(2) *Yellowstone Rimrunners for Montana Women's Run:* May 13. 2nd Ave N. from N. 20th St. to Division St; Division St between 2nd and 3rd Aves N; 3rd Ave N between Division St. and N. 20th St.; and N. 20th St between 3rd and 2nd Aves N.

(3) *Big Sky Senior Services for St. Patrick's Day Parade:* March 18. Established downtown parade route.

(4) *Big Sky Senior Services for St. Patrick's Day Celtic Celebration:* March 18. N. 28th between 1st and 3rd Aves N.

F. Revolving Loan Fund: loan changes for L & L Development Venture, L.P. increasing bank loan amount from \$150,000.00 to \$170,000.00 and providing for a second lien subordinate to a bank loan of \$213,488.00. (re: renovation of former Arcade Bar structure).

G. Resolution adopting updates to the *Emergency Operations Plan for Billings, Laurel & Broadview and Yellowstone County*.

H. Resolution establishing a policy identifying the process of soliciting and receiving input from persons with disabilities regarding accessibility of sidewalks in the City of Billings.

I. Bills and Payroll.

(1) January 27, 2006

(2) February 3, 2006

(3) January 1-31, 2006 (Municipal Court)

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND SPECIAL REVIEW #802:** A special review to allow multi-family dwellings in the South 27th Street Corridor zoning district, Lots 13-18, Block 231, O.T. , homeWORD, applicant; Kim Olsen, O² Architects, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
3. **PUBLIC HEARING AND SPECIAL REVIEW #803:** A special review to allow a drive-through window for a Dairy Queen Restaurant in a Community Commercial zone adjacent to a Residential Multifamily-Restricted zone, described as Lots 1-5, Block 1 of Cellan Acre Tracts, and located at 1045 Grand Avenue. Rich Hageman, applicant; Darrell Kreitzberg, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
4. **PUBLIC HEARING AND SPECIAL REVIEW #804:** A special review to allow a car wash in a Neighborhood Commercial zone described as Tract 1C of C/S 566 and located on the northeast corner of the intersection of Blue Creek Rd. and Santiago Blvd. Jeff Essmann, owner/applicant. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
5. **PUBLIC HEARING AND SPECIAL REVIEW #805:** A special review to allow an all-beverage liquor license with gaming in a Community Commercial zone described as Lots 5, Block 1 of North Pointe Square Subdivision 1st Filing, and located at 2352 Main Street. Ernest and Leanne Dutton, owners/applicants. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)

6. **PUBLIC HEARING AND SPECIAL REVIEW #806:** A special review to allow outside storage of wholesale trade goods – stone and masonry products - in a fenced/screened enclosure in a Planned Unit Development (PUD) – Highway Commercial zone described as Lot 7A, Block 2 of Southgate Subdivision 1st Filing, and located at 5201 Southgate Drive. Willie Dowdle, owner/applicant; A.L. Koelzer, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annex #06-01 described as: the west half of Lots 5 and 28, and all of Lots 6, 26, 27, 38, and 40 of Sunnycove Fruit Farms, 58.041-acres located south of Rimrock Rd. between 58th and 62nd Sts. W, Thomas E. Romine and Paul V. Hoyer, petitioners. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE** providing that the BMCC be amended by revising Article 10-200: Judge allowing an elected municipal court judge, with the approval of the governing body of the city, to appoint a part-time assistant judge as allowed under state law. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **PUBLIC HEARING CONTINUED AND RESOLUTION FOR ANNEXATION #05-06:** a 116.17 acre parcel located on the north side of Rimrock Road at the intersection of 70th Street West and extending to the railroad property on the north and west, known as Tract 1, C/S 1871 and Tract 2A, C/S 2465. Larry Staley and Westward Ho Company, petitioners. (Action delayed from 7/11/05). Staff recommends delaying the continuation of the public hearing and action on the resolution to 4/10/06. **(Action:** approval or disapproval of Staff recommendation.)
10. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #CC05-03:** a variance from Section 6-1208(h)(3) concerning driveway width and Section 6-1203(j)(2) concerning curb cuts on property located on Lots 7-12, Block 21, O.T. generally located between N. 27th St. and N. 26th St and between 1st Ave N. and 2nd Ave N, known as the former Smith Funeral Home site. City of Billings, applicant. Staff recommends delaying action 60 days. **(Action:** approval or disapproval of Staff recommendation.)
11. **RESOLUTION** adopting the *Yellowstone County Community Wildfire Protection Plan*. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
12. **APPROVAL OF A DEVELOPMENT GRANT** for land assemblage in the 2700 block of Montana Avenue, recipient TBA. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

13. **BID AWARD: W.O. 01-06 Arlene Corridor.** (Opened 2/21/06). Recommendation to be made at meeting. **(Action:** approval or disapproval of Staff recommendation.)
14. **W.O. 04-33: LAKE ELMO ROAD** – Hilltop Road to Wicks Lane, selection of street option. Staff recommends approval of Option #2: the Bicycle Lanes Option as the preferred option. **(Action:** approval or disapproval of Staff recommendation.)
15. **CREATION OF AD HOC COMMITTEE** for determining selection criteria for a City Administrator and appointment of members. (Councilmember Veis).
16. **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)

**Visit our Web site at:
<http://ci.billings.mt.us>**

CALENDAR

(Council AND Boards & Commissions)

FEBRUARY:

2/27/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
2/28/2006	Traffic Control Board	NOON	4 th Floor Library
	Council Agenda Meeting	5:30 p.m.	CH Conference Room
	Planning Board	6:00 p.m.	4 th Floor Library

MARCH:

3/02/2006	Human Relations Commission	12:15 p.m.	CH Conference Room
3/06/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
3/07/2006	Community Development Board	3:00 p.m.	4 th Floor Library
	Zoning Commission	4:30 p.m.	Council Chambers
	Aviation & Transit Commission	5:30 p.m.	Airport Terminal
	Board of Adjustment	6:00 p.m.	Council Chambers
3/08/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
3/09/2006	Library Board	11:30 a.m.	Library
3/13/2006	Parking Advisory Board	4:00 p.m.	CH Conference Room
	REGULAR Council Meeting	6:30 p.m.	Council Chambers
3/14/2006	Planning Board	6:00 p.m.	4 th Floor Library
3/20/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
3/21/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
3/22/2006	Traffic Control Board	NOON	4 th Floor Library
	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
3/23/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street
3/27/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
3/28/2006	Planning Board	6:00 p.m.	4 th Floor Library
3/29/2006	Housing Authority	NOON	2415 1 st Avenue North