

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

August 28, 2006

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Richard Clark

ROLL CALL

MINUTES – August 14, 2006 Special Meeting; August 14, 2006 Regular Meeting

COURTESIES

PROCLAMATIONS

- Sept 25: Family Day – A Day to Eat Dinner with Your Children

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #11 and #12 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. 06-03, Contact #3: 2006 Street Maintenance.** (Opened 8/15/06). Recommend Hardrives Construction, Inc., \$108,350.00.

(2) **W.O. 06-13: 2006 Accessibility Ramps.** (Opened 8/15/06). Recommend J & J Concrete, \$332,227.50.

B. **Grant Application** submittal for the Fannie Mae *American Dream* Fund, \$2500.00.

C. Approval of Semi-Annual Investment Report.

D. Acceptance of donations:

(1) 32 ornamental trees for Centennial, Harvest and Olympic Parks; donor: Billings Hardware, value: \$1,024.00.

(2) Education Shelter in Swords Park; donor: Yellowstone Conservation District, value: \$40,785.00.

E. Street Closures:

(1) YMCA 2006 *Montana Marathon*, Sept 17, 2006; route: Molt Rd to Daylis Stadium.

(2) Billings Central High School *Homecoming Parade*, Sept 29, 2006; route: Wyoming St. to Division St., west on Broadwater Ave. to 5th St. W, north on 5th St. W through Grand Ave., and disbanding at Senior High School back parking entrance.

F. Acknowledging receipt of petition to vacate portions of 8th Ave. N and the alley between 7th Ave. N. and 8th Ave. N., Billings Clinic, petitioner; and setting a public hearing date for 9/25/06.

G. Acknowledging receipt of petition for street name change, changing the name of Broadview Drive to Twin Oaks Drive, and setting a public hearing date for 9/25/06.

H. Acceptance of a *Public Access Computer Hardware Upgrade Grant* from the Bill and Melinda Gates Foundation for sustainability of high quality public access at Parmly Billings Library, \$5,725.00.

I. Second/final reading ordinance expanding the boundaries of Ward II to include recently annexed property in 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.

J. Second/final reading ordinance for Zone Change #784: A zone change from Residential-9,600 to Residential-6,000-Restricted on Lot 1, Block 1 and Lot 1, Block 2 of Arlene Subdivision, and located at 3410 and 3416 Poly Drive. City of Billings' Public Works Department, owner; David Mumford, agent.

K. Bills and payroll.

(1) July 28, 2006

(2) July 1 - 31, 2006 – Municipal Court

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting a budget amendment for FY05-06 for the spray ground construction at Castle Rock Park and the Cobb Field Stadium Design and Feasibility Study Consultant Contract – Amendment #1. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #787:** An ordinance providing that the BMCC be amended by revising Section 27-1404 through 1406 and Section 27-1431 through 1433, adopting the revisions as an amendment to the Zoning Regulations and setting a time period for the regulation to be effective. Zoning Commission recommends approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #789:** A zone change from Residential-9,600 to Neighborhood Commercial on Lots 8 & 9, Block 2 of Central Acres Subdivision, located at 3525 Central Avenue, Betty Larsen, owner. Zoning Commission recommends approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annex #06-11: a 36-acre parcel described as Tract 1, C/S 3273, generally located on the west side of 46th St. W, south of Rimrock Rd., Jim Boyer and Paul Bromenshenk, petitioners.. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE** providing that the BMCC be amended by revising Sections 24-1007 through 1009 and Section 24-1011; providing for vehicle immobilization when outstanding parking fines exceed \$50.00; updating the procedure; and increasing certain fines. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** annexing a 14.077 acre tract located near the southwest corner of the intersection of Central Ave. and Shiloh Rd. and described as: C/S 1648, Tract 1 of Corrected Amendment of Tracts 1 and 3 and Remainder Tract 2 to be Amendment of Tracts 1 – 3, along with the adjoining rights-of-way in Bell Avenue and Central Avenue, adding 0.472 acres, (Annex #06-12). Bell Family Trust, owners. Staff recommends conditional approval. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND RESOLUTION** naming the new street section through the Peter Yegen, Jr. Golf Course between Grand Ave. and Broadwater Ave. as

- Zimmerman Trail. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
9. **PUBLIC HEARING AND RESOLUTION** authorizing the sale of real property at 4th and Broadway described as Lots 1-6, Block 53, Fosters Addition to Stockman Bank for \$900,000.00. Staff and the 4th and Broadway Ad Hoc Committee recommend approval. **(Action:** approval or disapproval of the Staff and 4th and Broadway Ad Hoc Committee recommendation.)
 10. **PUBLIC HEARING AND TERMINATION OF NEGOTIATIONS** with Downtown Billings Investors for redevelopment of property located near 4th Ave. N and Broadway. Staff and the 4th and Broadway Ad Hoc Committee recommend approval of the termination of negotiations. **(Action:** approval or disapproval of the Staff and 4th and Broadway Ad Hoc Committee recommendation.)
 11. **RESOLUTION** relating to \$380,000.00 Pooled Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2006; creating Special Sidewalk, Curb, Gutter and Alley Approach Fund and prescribing covenants of the City for the security of the holders of the bonds. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
 12. **CITY ADMINISTRATOR RECRUITMENT.** **(Action:** Direction to Staff.)
 13. **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)

AUGUST:

8/28/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
8/30/2006	Housing Authority	NOON	2415 1 st Avenue North

SEPTEMBER:

9/04/2006	LABOR DAY – CITY OFFICES CLOSED		
9/05/2006	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
	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
9/06/2006	Policy Coordinating Committee	8:00 a.m.	4 th Floor Library
	Board of Adjustment	6:00 p.m.	Council Chambers
9/07/2006	Human Relations Commission	12:15 p.m.	CH Conference Room
9/11/2006	Parking Advisory Board	4:00 p.m.	CH Conference Room
	REGULAR Council Meeting	6:30 p.m.	Council Chambers
9/12/2006	Planning Board	6:00 p.m.	4 th Floor Library
9/13/2006	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
9/14/2006	Library Board	NOON	Library
9/18/2006	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
9/19/2006	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
9/25/2006	REGULAR Council Meeting	6:30 p.m.	Council Chambers
9/26/2006	Planning Board	6:00 p.m.	4 th Floor Library
	Traffic Control Board	NOON	4 th Floor Library
9/27/2006	Housing Authority	NOON	2415 1 st Avenue North
	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
9/28/2006	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street