

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 28, 2005

6:30 P.M.

CALL TO ORDER – Mayor Tooley
PLEDGE OF ALLEGIANCE-- Mayor Tooley
INVOCATION – Councilmember Ed Ulledalen
ROLL CALL
MINUTES – February 14, 2005
COURTESIES –
PROCLAMATIONS – Mayor Tooley.
BOARD & COMMISSION REPORTS – Aviation & Transit Board
ADMINISTRATOR REPORTS – Kristoff Bauer
LEGISLATIVE REPORT – Kristoff Bauer

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1, #8, #12 and #13 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.	Lynn Davis	EMS Commission	01/01/05	12/31/08
2.	Charles Hamway	EMS Commission	01/01/05	12/31/08

B. Bid Awards:

(1) Detroit Diesel Engine Overhauls for 6V92, Series 40 and Series 50 Diesel Engines. (Opened 2/8/05; Delayed from 2/14/05). Recommend Interstate Detroit Diesel, Schedules 1-3, \$64,231.50.

(2) Three (3) Year Mowing Contract for Billings Logan International Airport. (Opened 2/8/05; Delayed from 2/14/05). Recommend Kofflers Lawn and Landscape, \$71,398.32.

(3) One New Current Model 2005 800 KW Skid-Mounted Diesel Generator Set and a 2,000 Gallon Above-Ground Storage Tank with 250-Gallon Base-Mounted Diesel Day Tank. (Opened 2/22/05). Recommend delaying award to 3/14/05.

(4) Rose Park Recreation Building. (Opened 2/15/05). Recommend Rocky Mountain Builders, \$89,300.00.

C. W.O. 04-36: Briarwood Sanitary Sewer Main Extension, Professional Services Contract for Engineering and Right-of-Way Services, Morrison-Maierle, Inc., \$496,860.00.

D. Additional Software License Agreement with New World Systems to provide in-car Vehicle Accident Report Writing., \$81,456.00.

E. HOME Affordable Housing Fund allocation to Rimrock Foundation to rehabilitate the second half of the sober living house at 1721 8th Avenue North, \$20,902.00, 0% interest, deferred loan.

F. HOME/CHDO Fund allocation for *IRMA House II* project at 502 South 33rd St., \$98,966.00.

G. Approval of Grant Application submission/receipt to U.S. Department of Justice for a Technology Grant for an indoor firing range, \$197,328.00.

H. Second/Final Reading Ordinance for Zone Change #750: a zone change from Residential-7000 to Residential Multi-Family Restricted and Neighborhood Commercial on Tract B2-A of C/S 1056 Amended, generally located at the southeast corner of the intersection of Wicks Lane and Bench Boulevard in the proposed King Place Subdivision. King Place LLC, Richard Dorn, owner, Engineering, Inc., agent. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria.

I. Preliminary Plat of Rimrock Auto Subdivision, generally located on the southwest corner of Holiday Avenue and S. 12th Street West. Approval of the requested variance, conditional approval of the preliminary plat and adoption of the findings of fact.

J. Final Plat of Cottonwood Grove Subdivision, 1st Filing.

- K. **Final Plat** of Interstate Subdivision.
- L. **Final Plat** of The Village Subdivision.
- M. **Final Plat** of Village West Subdivision, 2nd Filing.
- N. **Bills and Payroll.**
 - (1) January 28, 2005
 - (2) February 4, 2005

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** disposing of City owned property described as Lots 44-46, Block 7, Amended Westside Addition and located at the southwest corner of 6th Avenue North and Division Street. Staff recommends approval of the resolution, rejecting all bids received on 2/15/05 and re-advertising the call for sealed bids for the sale of the property. (Action: approval or disapproval of Staff recommendation.)
3. **PUBLIC HEARING REGARDING MET TRANSIT OPERATORS CARRYING CASH/CHANGE BAGS.** Staff recommends that MET Operators no longer carry cash/change bags to make change for its passengers and that cash fares and pass sales will be for exact change only, payable by check or cash. (Action: approval or disapproval of Staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** vacating the alley between Lots 1 and 28, Block 1, Country Club Heights Subdivision. Staff recommends approval of the resolution and acceptance of the dedication of new right-of-way as shown on the amended subdivision plat. (Action: approval or disapproval of Staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** de-annexing a recently annexed parcel described as T1N-R26E-S27: S2N2SW4NE4NE4 located at 637 Lincoln Lane, Bill Dunlap, petitioner. (Annex #04-14). Staff recommends denial of the de-annexation request. (Action: approval or disapproval of Staff recommendation.)

6. **PUBLIC HEARING AND RESOLUTION** annexing five (5) wholly surrounded properties along South Billings Boulevard described as:
 - Tract 1, Popelka Industrial Tracts Subdivision, First Filing
 - Tract A, C/S 289 in Sugar Subdivision, Lot 20
 - Tract A, C/S 289 in Sugar Subdivision, Lot 19
 - Tract 19B-1, C/S 289 in Sugar Subdivision, Lot 19
 - Tract 19B-2, C/S 289 in Sugar Subdivision, Lot 19.Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
7. **RESOLUTION OF INTENT TO CREATE SID 1373:** a special improvement district for public improvements along South Billings Boulevard between King Avenue and Underpass Avenue and consisting of curb, gutter, sidewalk and street improvements. Staff recommends approval of the resolution and setting a public hearing date for 3/28/05. **(Action:** approval or disapproval of Staff recommendation.)
8. **PUBLIC HEARING AND SPECIAL REVIEW #775:** a special review to permit a 6-plex apartment building in a Residential 6000 zone described as Lots 25-28, Block 3, Billings Heights Subdivision and located at 740 Avenue D. Gordon Bernhart, owner and agent. Zoning Commission is recommending conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
9. **PUBLIC HEARING AND SPECIAL REVIEW #776:** a special review to permit the sale of alcohol (full beverage license) without gaming in a Highway Commercial zone described as Lot 10A1A1, Hogan Homestead Subdivision and located at 2010 Overland Avenue for the existing Denny's Restaurant. William O Ryan, owner; Tim Ballou, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
10. **PUBLIC HEARING AND SPECIAL REVIEW #777:** a special review to permit the sale of alcohol (full beverage license) with gaming in a Community Commercial zone described as Lots 8-12, Block 2, Arnold Subdivision, 1st Amended and located at 2248 Grand Avenue for an existing structure behind the Rainbow Fly Shop. Nash Brothers, owners; Roger Tuhy, agent. Zoning Commission recommends conditional approval. **(Action:** approval or disapproval of Zoning Commission recommendation.)
11. **RESOLUTION ADOPTING THE CAPITAL IMPROVEMENTS PLAN (CIP).** Public hearing held 2/14/04. Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
12. **APPROVAL OF THE 2005 COUNCIL GOALS.** Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)

13. **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)

CALENDAR

(Council AND Boards & Commissions)

FEBRUARY:

2/28/2005	Traffic Control Board REGULAR Council Meeting	NOON 6:30 p.m.	4 th Floor Library Council Chambers
-----------	--	-------------------	---

MARCH:

3/01/2005	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
3/04/2005	Human Relations Commission	NOON	CH Conference Room
3/07/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
3/08/2005	Planning Board	6:00 p.m.	4 th Floor Library
3/09/2005	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
3/10/2005	Library Board	11:30 a.m.	Library
3/14/2005	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
3/15/2005	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
3/21/2005	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
3/22/2005	Planning Board	6:00 p.m.	4 th Floor Library
3/23/2005	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
3/28/2005	REGULAR Council Meeting	6:30 p.m.	Council Chambers
3/29/2005	Traffic Control Board	NOON	4 th Floor Library
3/30/2005	Housing Authority	NOON	2415 1 st Avenue North