

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

May 14, 2007

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Peggie Gaghen

ROLL CALL

MINUTES – April 23, 2007

COURTESIES

PROCLAMATIONS

- May 13-19: National Women's Health Week
- May 13-19: National Police Week
- May 15: National Peace Officers' Memorial Day
- May 24: First Congregational United Church of Christ Day

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: and 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.	Phyllis Crawford	Housing Authority	5/14/07	12/31/07
2.	Jo Ann Lees	Housing Authority	5/14/07	12/31/08

1. Unexpired term of Erica Limberhand

B. Bid Awards:

(1) Airport Improvement Program (AIP) 32 Control Tower Demolition. (Opened 4/24/07) Recommend General Contractors, Inc., \$769,287.00.

(2) Fire Alarm Upgrades for the Airport Terminal Building. (Opened 4/24/07) Recommend Yellowstone Electric, \$48,759.00.

C. Amendment #1, W.O. 07-12, Phase II, Alkali Creek Road to Hilltop Water Main Replacement. Professional Services Contract, Morrison-Maierle, Inc., \$34,596.00.

D. Contract with WCS Telecom for long distance services.

E. W.O. 04-33: Lake Elmo Drive (Hilltop Road to Wicks Lane) Right-of-Way Acquisition:

(1) Parcel 13: Portion of Tract B, Certificate of Survey No. 280, Dan C. and Ashley A. Fuchs, \$9,400.00.

(2) Parcel 35: Portion of Lot 17, Barkley Sub., Samuel D. and Patricia L. Thomas, \$4,700.00.

(3) Parcel 57: Portion of Tract 1-B of Certificate of Survey No. 1113, Tract 1, Amended, Shelly Ma AKA Shelly Ma-Chan, \$3,850.00.

(4) Parcel 67: Portion of Lot 1, Block 4, Arrowhead Sub., Thomas C. Ricci, \$2,450.00.

(5) Parcel 68: Portion of Lot 2, Block 4, Arrowhead Sub., Gary A. and Marsha A. Ostermiller, \$2,300.00.

F. Right-of-Way Easement with Department of Natural Resources and Conservation (DNRC) for Briarwood Sanitary Sewer Main Extension.

G. Acknowledge receipt of petition to annex #07-08: approximately 4.92 acres of Tract 3, C/S 2298, generally located on the southeast corner of the intersection of Grand Avenue and 56th Street West, Benjamin Gonzales, petitioner; Hope Evangelical Church, owner, and setting a public hearing date for 5/29/07.

H. Acknowledge receipt of petition to annex #07-09: approximately 14.08 acres located on the southeast corner of the intersection of King Avenue East and Calhoun Lane east of Miller Crossing Subdivision, Miller Trois LLC, owner and petitioner, and setting a public hearing date for 5/29/07.

I. Acknowledge receipt of petition to vacate a portion of Moose Hollow Lane, Lloyd Detienne, petitioner; and setting a public hearing date for 6/11/07.

J. Acceptance of Quitclaim Deed for a portion of Tract 2, Certificate of Survey 2055, from James Pickens, \$0.00.

K. Acceptance and Approval of Donation from MDU to the South Gate Cop Shop. \$250.00 value.

L. Second/Final Reading ordinance amending Article 18-1000 and Section 18-1001 re: aggressive solicitation.

M. Second/Final Reading ordinance for Zone Change #802, Gareld Krieg and Cal Kunkel, owners, Land Equity Partners, developer.

N. Second/Final Reading ordinance for Zone Change #803, City of Billings, owner, Parks, Recreation, and Public Lands, agent.

O. Resolution temporarily suspending Section 24-411, BMCC, Parking for Camping Purposes, during the 2007 Wing Ding event to be held July 4-8, 2007.

P. Final Plat of Grand Peaks Sub.

Q. Final Plat of Ironwood Estates Sub., 4th Filing, Lot 33, Block 1

R. Bills and Payroll

- (1) April 6, 2007
- (2) April 16, 2007
- (3) April 20, 2007
- (4) March 1, 2007 – March 31, 2007 (Municipal Court)

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting budget amendments for Fiscal Year 2006/2007 for the 2002 and 2003 UHP Grants in the Police Department; for a Planning Department grant from the State Historical Preservation; and for a General Fund - Parks Loan to the Ballpark Construction Fund until bonds are sold. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward III to include recently annexed property in Annex #07-07: an approximate 150-acre parcel described as: Lots 1-5, Block 1, Western Sky Subdivision, Cal Kunkel and Gareld Krieg, owners. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annex #07-06 for the future Cottonwood Park site: containing 42.26 acres described as: the northwest corner of Colton Boulevard and 54th Street West, City of Billings, owners. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
5. **AGREEMENT BETWEEN YELLOWSTONE COUNTY AND THE CITY OF BILLINGS** to sell and exchange parcels described as Lots 19-24, Block 60, Original Town of Billings, City of Billings, owner; and Lots 6-12, Block 60, Original Town of Billings, Yellowstone County, owner, for the purpose of construction of a MET Transit Transfer Center and possible Federal Courthouse site. (**Action:** approval or disapproval of Staff recommendation.)
6. **REQUEST FOR TIFD FUNDING** by the Downtown Billings Partnership to construct county parking on Lots 19-24, Block 60, Original Town of Billings, with \$237,016 from 1976 Tax Increment District Funds. (**Action:** approval or disapproval of Staff recommendation.)
7. **ALLOCATION** of CDBG and HOME program funds for FY2007-2008 and approval of the FY2007-2008 Annual Action Plan. (**Action:** approval or disapproval of Staff recommendation.)
8. **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)

MAY:

5/01/2007	Community Development Board Zoning Commission Aviation & Transit Commission Council Agenda Setting Meeting	3:00 p.m. 4:30 p.m. 5:30 p.m. 5:30 p.m.	4 th Floor Library Council Chambers Airport Terminal CH Conference Room
5/02/2007	Board of Adjustment	6:00 p.m.	Council Chambers
5/03/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
5/07/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
5/08/2007	Planning Board	6:00 p.m.	4 th Floor Library
5/09/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
5/10/2007	Library Board Committee on Homelessness	11:30 a.m. 1:30 p.m.	Library 3 rd Floor Library
5/14/2007	Energy & Conservation Commission Parking Advisory Board REGULAR Council Meeting	3:00 p.m. 4:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. CH Conference Room Council Chambers
5/15/2007	Yellowstone Historic Preservation Board Council Agenda Setting Meeting	8:00 a.m. 5:30 p.m.	4 th Floor Library CH Conference Room
5/21/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
5/22/2007	Planning Board	6:00 p.m.	4 th Floor Library
5/23/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board	1:00 p.m. NOON	CH Conference Room 4 th Floor Library
5/24/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street
5/28/2007	MEMORIAL DAY – CITY OFFICES CLOSED		
5/29/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
5/30/2007	Housing Authority Council Agenda Setting Meeting	NOON 5:30 p.m.	2415 1 st Avenue North CH Conference Room

JUNE:

6/01/2007	Human Relations Commission	12:15 p.m.	CH Conference Room
6/04/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
6/05/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 th Floor Library Council Chambers Airport Terminal
6/06/2007	Board of Adjustment	6:00 p.m.	Council Chambers
6/07/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
6/11/2007	Energy & Conservation Commission Parking Advisory Board REGULAR Council Meeting	3:00 p.m. 4:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. CH Conference Room Council Chambers
6/12/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 th Floor Library
6/13/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
6/14/2007	Library Board Committee on Homelessness	11:30 a.m. 1:30 p.m.	Library 3 rd Floor Library
6/18/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
6/19/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
6/21/2007	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
6/25/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
6/26/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 th Floor Library
6/27/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board Housing Authority	1:00 p.m. NOON NOON	CH Conference Room 4 th Floor Library 2415 1 st Avenue North
6/28/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street