

# 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 November 13, 2007 6:30 P.M.

## **CALL TO ORDER – Mayor Tussing**

## PLEDGE OF ALLEGIANCE – Mayor Tussing

## INVOCATION – Mayor Ron Tussing

## ROLL CALL

## **MINUTES – October 22, 2007**

## COURTESIES – Finance (Bruce McCandless)

## **PROCLAMATIONS – Benjamin C. Steele Day – November 17, 2007**

## ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, 5, 6(B), and 6(C) 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. Approval of Appointments to the Downtown Transit Center Ad Hoc Committee**, Randy Hafer; Kim Barnett; Stephen Wahrlich; Geoffrey Parkins; Greg Krueger; and Kimberly Watson.

## **B. Bid Awards:**

**(1) Cold Storage Steel Building.** (Opened 10/23/07)

Recommend Hardy Construction, \$88,000.00.

**(2) Sale of Two (2) Aircraft Rescue Fire Fighting Trucks.**

(Opened 10/30/07). Recommend Crash Rescue Equipment Service, Inc., \$86,104.00.

**C. Change Order No. 2 - W.O. 06-18 Broadwater Subdivision, Phase V, JTL Group, Inc., \$3,525.00.**

**D. Amendment No. 8 – SID 1379, Utility and Street Improvements to King Avenue West from S. 31<sup>st</sup> Street West to Shiloh Road, HDR Engineering, Inc., an amount not to exceed \$343,642.00.**

**E. Contract for Professional Services, W.O. 08-01 2008 Water and Sewer Replacement Project, Morrison-Maierle, Inc., an amount not to exceed \$926,713.00.**

**F. Resolution terminating the Downtown Tax Increment District and Allocating Funds and Development Agreement with Downtown Billings Partnership.**

**G. Annual Agreement with Yellowstone County to provide Law Enforcement Data Processing Services, \$85,779.00.**

**H. Annual Agreement with Yellowstone County for City-County Special Investigations Unit (CCSIU), with no additional cost to the City of Billings.**

**I. Construction Agreements (3) with MT Department of Transportation City Maintained Routes, with no cost to the City of Billings.**

**J. Vehicle Lease Agreement with Underriner Motors for an Internet Crimes Against Children (ICAC) Task Force Lease Vehicle, 12/1/07 – 2/29/09, \$5,250.00.**

**K. Assignment and Transfer of West End Hangar Ground Lease from John M. and/or Marcia A. Nash to Drew C. and/or Jennifer R. White.**

**L. Commercial Terminal Building Lease with ARINC Incorporated, 10/1/07 – 10/1/08, first year revenue \$3,110.48.**

**M. Limited Commercial Ground Lease with Aerotronics, Inc., 10/1/07 – 9/30/27, first year revenue \$17,456.52.**

**N. Amendment of Lease for office space to the Transportation Security Administration (TSA), additional revenue of \$15,705.96, for annual lease rental of \$52,598.07.**

**O. Airline Operating Permit with ExpressJet Airlines.**

**P. Acknowledging Receipt of Request to Annex #07-05: 13.4 acres of a portion of park land along Zimmerman Trail right-of-way and a portion of Zimmerman Trail right-of-way between Highway 3 and Rimrock Road; City of Billings, requester, and setting a public hearing date for 12/10/07.**

**Q. Acknowledging Receipt of Request to Annex #07-11:** a 3.74-acre portion of Broadwater Avenue right-of-way west of 30<sup>th</sup> Street West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**R. Acknowledging Receipt of Request to Annex #07-12:** a 1.69-acre portion of Bell Avenue right-of-way west of Shiloh Road; City of Billings, requester, and setting a public hearing date of 12/10/07.

**S. Acknowledging Receipt of Request to Annex #07-13:** a 1.89-acre portion of Grand Avenue and Zimmerman Trail right-of-way; City of Billings, requester, and setting a public hearing date of 12/10/07.

**T. Acknowledging Receipt of Request to Annex #07-14:** a 4.86-acre portion of Cove Avenue right-of-way between 46<sup>th</sup> and 50<sup>th</sup> Streets West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**U. Acknowledging Receipt of Request to Annex #07-16:** a 0.359-acre portion of Grand Avenue right-of-way east of 56<sup>th</sup> Street West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**V. Acknowledging Receipt of Request to Annex #07-18:** a portion of 56<sup>th</sup> Street West and Broadwater Avenue rights-of-way; City of Billings, requester, and setting a public hearing date of 12/10/07.

**W. Acknowledging Receipt of Request to Annex #07-19:** a 6.832-acre portion of Rimrock Road right-of-way from 62<sup>nd</sup> Street West to the city limits; City of Billings, requester, and setting a public hearing date of 12/10/07.

**X. Acknowledging Receipt of Request to Annex #07-25:** a 2.457-acre portion of 44<sup>th</sup> Street West right-of-way south of King Avenue West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**Y. Acknowledging Receipt of Petition to Vacate** a portion of Henry Road right-of-way fronting property located at 1125 Henry Road; John Glenn, owner and petitioner, and setting a public hearing date of 12/10/07.

**Z. Acceptance of Donation:** Approval and acceptance of donation from Northwestern Energy to the Cobb Field Fundraising Project, \$2,000.00.

**AA. Resolution of Intent** to create a South Billings Boulevard Urban Renewal District with tax increment authority; declaring the existence of blight within the South Billings Boulevard Urban Renewal Area; and setting a public hearing date of 11/26/07.

**BB. Resolution** relating to financing of the South Billings Boulevard Tax Increment Financing District; establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

**CC. Resolution of Intent** to create Special Improvement District 1380, Terra West Subdivision, 3<sup>rd</sup> and 4<sup>th</sup> Filings, for Monad Road Street Frontage Improvements, and set a public hearing date of 12/10/07.

**DD. Resolution of Intent** to create Special Improvement Maintenance District No. 4038, Terra West Subdivision, 3<sup>rd</sup> and 4<sup>th</sup> Filings, Monad Road Street Frontage Improvements, and set a public hearing date of 12/10/07.

**EE. Resolution of Intent** to create Park Maintenance District No. 4035, Bitterroot Heights Subdivision, and set a public hearing date of 12/10/07.

**FF. Second/Final Reading Ordinance for Zone Change #822:** A zone change from Residential 9600 to Residential 7000 Restricted on a 400-acre property north and west of High Sierra Subdivision and Lake Hills Subdivision. Dover Ranch, owner.

**GG. Final Plat** of Grand Avenue School Subdivision, Amended Lot 1, Block 1.

**HH. Bills and payroll.**

- (1) October 5, 2007
- (2) October 12, 2007
- (3) October 19, 2007

**REGULAR AGENDA:**

2. **ELECTION** of Deputy Mayor.
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward II to include recently annexed property: a 5-acre parcel described as: Tract 1B, Certificate of Survey 1335, Amended, Hanser Capital Holdings LLC, owner. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** exchanging property described as Lots 19-24, Block 60, Original Town of Billings, with Yellowstone County for adjacent property owned by Yellowstone County to facilitate the construction of a MET Transit Transfer Center. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

5. **AGREEMENT** with Lockwood Area/Yellowstone County Water and Sewer District for treatment and disposal of wastewater. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
6. **(A) PUBLIC HEARING AND RESOLUTION** approving and adopting a budget amendment for Fiscal Year 2007/2008. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)  
**(B) RESOLUTION** directing payment and budgeting for the Firefighter Lawsuit Judgment. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)  
**(C) PROPOSAL** from Koch Financial Corporation to finance the majority of the Firefighter lawsuit. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **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)

#### NOVEMBER:

11/01/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
11/05/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
11/06/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 <sup>th</sup> Floor Conf. Rm. Council Chambers Airport Terminal
11/07/2007	Board of Adjustment	6:00 p.m.	Council Chambers
11/08/2007	Library Board Committee on Homelessness	NOON 2:00 p.m.	Library 3 <sup>rd</sup> Floor Library
11/12/2007	VETERAN'S DAY – CITY OFFICES CLOSED		
11/13/2007	Parking Advisory Board Planning Board REGULAR Council Meeting	4:00 p.m. 6:00 p.m. 6:30 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library Council Chambers
11/14/2007	Parks/Recreation/Cemetery Bd  Council Agenda Setting Meeting	11:30 a.m. 5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St. CH Conference Room
11/19/2007	Energy & Conservation Commission  Council WORK SESSION	3:00 p.m. 5:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Community Center 360 N. 23 <sup>rd</sup> St
11/20/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
11/22/2007	THANKSGIVING DAY – CITY OFFICES CLOSED		
11/26/2007	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
11/27/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
11/28/2007	Development Process Advisory Review Board (DPARB) Housing Authority Traffic Control Board	1:00 p.m. NOON NOON	CH Conference Room 2415 1 <sup>st</sup> Avenue North 4 <sup>th</sup> Floor Library

**DECEMBER:**

12/03/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
12/04/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 <sup>th</sup> Floor Library Council Chambers Airport Terminal
12/05/2007	Board of Adjustment	6:00 p.m.	Council Chambers
12/06/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
12/10/2007	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
12/11/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
12/12/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
12/13/2007	Library Board Committee on Homelessness	NOON 2:00 p.m.	Library 3 <sup>rd</sup> Floor Library
12/17/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
12/18/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
12/20/2007	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
12/25/2007	CHRISTMAS DAY OBSERVED – CITY OFFICES CLOSED		
12/26/2007	Development Process Advisory Review Board (DPARB) Planning Board Housing Authority Traffic Control Board	1:00 p.m. 6:00 p.m. NOON NOON	CH Conference Room 4 <sup>th</sup> Floor Library 2415 1 <sup>st</sup> Avenue North 4 <sup>th</sup> Floor Library
12/27/2007	Yellowstone County Board of Health	TO BE ANNOUNCED	