

# 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

**September 10, 2007**

**6:30 P.M.**

## **CALL TO ORDER – Mayor Tussing**

## **PLEDGE OF ALLEGIANCE – Mayor Tussing**

## **INVOCATION – Councilmember Gaghen**

## ROLL CALL

## **MINUTES – August 27, 2007**

## **COURTESIES**

## PROCLAMATIONS

## ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 4, 5, and 6 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) 2008 Sewer Jet Cleaner and Manhole Vacuum System.**  
(Opened 8/28/07) Recommend Maric Sales, \$219,853.25.

**(2) Private Contract No. 392 - Phase III, Kings Green Subdivision; Water, Sanitary Sewer, Storm Drain, and Street Improvements.**  
(Opened 8/28/07) **Schedule I** - Recommend Gray Construction, \$112,609.75;  
**Schedule II** - Recommend JTL Group, \$171,712.00.

**B. Professional Services Contract for W.O. 07-09 – City of Billings  
Storm Water Master Plan, HDR Engineering, Inc., \$250,000.00 maximum.**

**C. Interlocal Agreement** with Yellowstone County and the City of Laurel in the event of a pandemic or other natural disaster (5-year renewable term).

**D. Interlocal Agreement** for Montana Law Enforcement Testing Consortium.

**E. Reimbursement Agreement** with the Transportation Security Administration, \$169,900.00 for first year.

**F. Mutual Aid Agreement** with the Lockwood Fire District.

**G. Agreement Revisions** to the Big Ditch Trail II CTEP Project Agreement incorporating \$25,000.00 of Safe Routes to School Grant funding for the Arrowhead/Chandelier Connector.

**H. Agreement Revisions** to the Highland School Sidewalk CTEP Project Agreement incorporating \$25,000.00 Safe Routes to School Grant funding.

**I. Acknowledging receipt of petition to annex #07-10:** 400.94 acres of Tract 1, Certificate of Survey 2017, generally located north of Matador Avenue and the Lake Hills Golf Course in Billings Heights, Frank Sindelar, petitioner, and setting a public hearing date for 9/24/07.

**J. Acknowledging receipt of petition to annex #07-21:** 8.868 acres of Tract 1C, Certificate of Survey 2991, generally located west of the intersection of Central Avenue and 29<sup>th</sup> Street West, Raymond and Douglas Kramer for the Lydia Kramer Real Estate Management Trust, petitioners, and setting a public hearing date for 9/24/07.

**K. Acknowledging receipt of petition to annex #07-22:** 8.868 acres of Tract 1B, Certificate of Survey 2991, generally located the southwest corner of the intersection of Central Avenue and 29<sup>th</sup> Street West, Todd Icopini, owner and petitioner, and setting a public hearing date for 9/24/07.

**L. Acknowledging receipt of petition to vacate** a portion of an alley between North 29<sup>th</sup> and North 30<sup>th</sup> Streets, north of 10<sup>th</sup> Avenue North, Billings Clinic, petitioner, and setting a public hearing date for 10/9/07.

**M. Acknowledging receipt of petition to vacate** a portion of South 12<sup>th</sup> Street West near Southgate Drive, Montana Dakota Utilities, petitioner, and setting a public hearing date for 10/9/07.

**N. Confirmation** of Police Officers Riley Finnegan, Shane Shelden, Nathan Krause, Shaun Guardanapo, and Bret Becker.

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

(1) Parcel 20: Portion of Lot 3A-1, Siewert Acres Subdivision, D & M Family Limited Partnership, \$300.00.

(2) Parcel 47: Portion of Lot 19, Block 1, Broadmoor Subdivision, Rosemary Moses, \$5,305.50.

(3) Parcel 66: Portion of Lot 17, Block 3, Arrowhead Subdivision, Wade & Michelle L. Pickering, \$5,550.00.

**P. Acceptance of donation** to the Billings Police Department Bike Patrol Program from the Downtown Billings Association and the Business Improvement District, \$2,500.00 maximum donation.

**Q. Acceptance of donations** to the Ballpark Construction Fund for \$10,000.00 and the Ballpark Maintenance Fund from various donors for \$38,709.00.

**R. Approval** of Semi-Annual Investment Report.

**S. Approval** of Securities Pledged by Sterling Savings Bank and US Bank as collateral for their respective certificates of deposit, MIA, and repurchase accounts.

**T. Resolution** amending Resolution #07-18567 approved by City Council on June 11, 2007, for the vacation of a portion of Moose Hollow Lane, correcting error in the legal description.

**U. Resolution** creating a Downtown Transit Center Ad Hoc Committee.

**V. Resolution** relating to Pooled Special Improvement District Bonds, Series 2007; determining the form and details and authorizing the execution and delivery of the bonds. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

**W. Resolution of Intent** creating SILMD 303 and setting a public hearing date for October 9, 2007.

**X. Second/final reading ordinance for Zone Change #813:** A zone change from Residential 9600 to Planned Development generally located on the southeast corner of the intersection of Rimrock Road and Avalon Road, including the Yellowstone Racquet Club, TenFish Company, owner; Engineering, Inc., representative.

**Y. Second/final reading ordinance for Zone Change #816:** A zone change from Residential 7000 to Neighborhood Commercial on a 1.14-acre lot addressed as 848 Wicks Lane and generally located on the south side of Wicks Lane, east of Bench Boulevard, Colleen Baker, owner.

**Z. Second/final reading ordinance for Zone Change #817:** A zone change from Public to Residential 8000 on 48,799 square feet of property north and south of the Lake Hills Golf Course Clubhouse on the east side of Clubhouse Way; north of Lake Hills Drive, Lake Hills Golf Club, owner.

**AA. Second/final reading ordinance for Zone Change #818:** A text amendment to Section 27-623, Zoning Compliance Permits Required.

**BB. Second/final reading ordinance for Zone Change #819:** A text amendment to Section 27-1429 and Map Amendment to Section 27-1430, Extension of Shiloh Corridor Overlay extending the South Shiloh Corridor Overlay District along the south side of King Avenue West between Shiloh Road and 32<sup>nd</sup> Street West.

**CC. Preliminary Subsequent Minor Plat of Shiloh Crossing Subdivision.**

**DD. Final Plat Approval of Reflections at Copper Ridge Subdivision.**

**EE. Bills and Payroll**

- (1) August 10, 2007
- (2) August 17, 2007
- (3) July 1 – July 31, 2007 (Municipal Court)

**(Action:** approval or disapproval of Consent Agenda.)

## **REGULAR AGENDA:**

2. **PUBLIC HEARING** for the FY2006-2007 Draft Comprehensive Annual Performance Evaluation Report (CAPER) Community Development Block Grant (CDBG) and HOME Programs.
3. **PUBLIC HEARING** and approval of resolution approving and adopting a budget amendment for Fiscal Year 2007 for Municipal Court Drug Court grant match, \$40,156.00. Staff recommends approval. **(Action:** approval or disapproval of staff recommendation.)
4. **APPROVAL OF PURCHASE** of Lot 2, Sandra Subdivision, located at 19 Charlene Street, for future water treatment facility and distribution system

- expansion, \$140,000.00. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
5. **RESOLUTION** setting FY 2008 mill levy rates for the Public Safety Fund, General Obligation Debt Service Parks, General Obligation Debt Service Streets, and General Obligation Debt Service Baseball Stadium. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
  6. **DEVELOPMENT AGREEMENT** between the City of Billings and Foursquare Properties for amended plat of Lot 2A of amended Lots 2, 3, 4, and 5, Block 1, Miller Crossing Subdivision. 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)

#### SEPTEMBER:

9/03/2007	LABOR DAY – CITY OFFICES CLOSED		
9/04/2007	Community Development Board Zoning Commission Aviation & Transit Commission Council WORK SESSION	3:00 p.m. 4:30 p.m. 5:30 p.m. 5:30 p.m.	4 <sup>th</sup> Floor Library Council Chambers Airport Terminal Community Center 360 N. 23 <sup>rd</sup> St
9/05/2007	Board of Adjustment	6:00 p.m.	Council Chambers
9/06/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
9/10/2007	Energy & Conservation Commission REGULAR Council Meeting	3:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Council Chambers
9/11/2007	Parking Advisory Board  Council Agenda Setting Meeting Planning Board	4:00 p.m. 5:30 p.m. 6:00 p.m.	CH Conference Room  CH Conference Room 4 <sup>th</sup> Floor Library
9/12/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
9/13/2007	Library Board Committee on Homelessness	NOON 1:30 p.m.	Library 3 <sup>rd</sup> Floor Library
9/17/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
9/18/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
9/24/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
9/25/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
9/26/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board Housing Authority	1:00 p.m. NOON NOON	CH Conference Room 4 <sup>th</sup> Floor Library 2415 1 <sup>st</sup> Avenue North
9/27/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 <sup>th</sup> Street

#### OCTOBER:

10/01/2007	Council WORK SESSION	5:30 p.m.	Community Center
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			360 N. 23 <sup>rd</sup> St
10/02/2007	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
10/03/2007	Board of Adjustment	6:00 p.m.	Council Chambers
10/04/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
10/08/2007	COLUMBUS DAY – CITY OFFICES CLOSED		
10/09/2007	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
10/10/2007	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
10/11/2007	Library Board Committee on Homelessness	NOON 1:30 p.m.	Library 3 <sup>rd</sup> Floor Library
10/15/2007	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
10/16/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
10/18/2007	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
10/22/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
10/23/2007	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
10/24/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board	1:00 p.m. NOON	CH Conference Room 4 <sup>th</sup> Floor Library
10/25/2007	Yellowstone County Board of Health (Note: November and December meetings to be combined at a date decided in October)	7:00 a.m.	Community Health Center
10/30/2007	Council Agenda Setting Meeting	5:30 p.m.	CH Conference Room
10/31/2007	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North