

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

AGENDA

(Revised to add Item 2)

COUNCIL CHAMBERS

September 12, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Gaghen (to be included with Proclamation)

ROLL CALL

MINUTES: August 22, 2011

COURTESIES - Police Department Citizen Recognition

PROCLAMATIONS: A Day of Service and Remembrance

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items #s 1, 2, 3, 4, 9, 10, 11 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute. 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. For Items not on this agenda, public comment will be taken at the end of the agenda.)

1. **CONSENT AGENDA** -- Separations:

A. **Mayor Hanel recommends that Council confirm the following appointments:**

1.

Name	Board/Commission	Term	
		Begins	Ends
1 David Mosdal	Yellowstone County Soil Conservation District	09/12/11	06/30/14

B. **Bid Awards:**

1. **W.O. 10-16, 32nd Street West Two-Way Left-Turn Lane, King Avenue West to Broadwater Avenue.** (Opened 8/30/2011) Recommend HighMark Traffic Services, Inc.; \$72,525.25.
2. **Three-Year Window Cleaning Services for Billings Logan International Airport Terminal Building.** (Opened 8/23/2011) Recommend Skyline Services, Inc.; \$58,590.
3. **Yellowstone Family Park Improvements.** (Opened 8/9/2011) (Action delayed from 8/22/2011) Recommend Good Earth Works, Inc.; \$772,149.
4. **Loader-Mounted Snowblower for Street/Traffic Division.** (Opened 8/30/11) Recommend delay of award until September 26, 2011.

C. **Professional Engineering Services Contract** for design and construction administration for W.O. 12-01, 2012 Water and Sewer Replacement Project, Schedule 2; DOWL HKM, in an amount not to exceed \$608,000.

D. **Contract** with State of Montana Department of Public Health and Human Services (DPHHS) to provide paratransit services; 7/1/2011-6/30/2012 with three, one-year extensions not to exceed a total of four years; approximate annual revenue - \$90,000.

E. **Memoranda of Understanding** between the City of Billings and Billings Public Schools for two (2) middle school resource officers and three (3) high school resource officers (7/1/11 - 6/30/12); Billings Public Schools payment to the City of Billings - \$117,832.

F. **Approval** of annual Funding Agreement with the Yellowstone County Council on Aging.

G. **Approval** of Investment Grade Audit Report (IGAR) as presented by McKinstry Essention, Inc.

H. **Approval** of Report for Pledged Collateral for First Interstate Bank Certificates of Deposit and US Bank Certificates of Deposit.

I. **Approval of Semi Annual Investment Report.**

J. **Acknowledging Receipt of Petition to Annex #11-03:** 14.87 acres located west of Highway 87 and north of the existing commercial development that includes American Pharmaceuticals in the Billings Heights, legally described as Tract 2D of C/S 2776, Amended; Wayne Laufer, petitioner, and setting a public hearing date for 9/26/11.

K. **Street Closures:**

1. Inland Truck Parts Company Car Show; September 16, 2011; 9 a.m. to 6 p.m.; North 16th Street between 1st and 2nd Avenues North.

2. Chase Hawks Memorial Association Race for Chase 5K and 10K Run; October 2, 2011; 7 a.m. to 11 a.m.; combined start just west of Sportman's Warehouse parking lot proceeding on Shiloh, Neibauer, 56th St. W, Hesper & Shiloh Roundabout, finishing at the entrance of Zoo Montana.
3. Cadillac Jax Sports Bar Grand Opening; September 17, 2011; 3:00 p.m. until 10:30 p.m.; 18th Street West from Grand Avenue south to the alley.
4. Skyview High School Homecoming Parade; October 7, 2011; Noon until 2:00 pm; starting from Skyview's parking lot, east on Wicks to Babcock, returning to Skyview's parking lot.
5. Skyview High School 5K Fun Run/Walk; October 2, 2011; Noon to 2:00 p.m.; starting at Skyview High School on High Sierra Blvd, west on Wicks Lane, east on Matador Ave., south on Vesca Way, east on Sierra Grande Blvd, south on Fantan, west on Wicks Lane, back to High Sierra Blvd ending on Skyview High School track.

L. Second/Final Reading Ordinance for Zone Change #878: A zone change request from Entryway Light Industrial (ELI) to Highway Commercial (HC) on a 12.99-acre parcel of land described as Lots 3 and 5, Block 1, Montana Sapphire Subdivision and generally located in the Montana Sapphire Subdivision at 4300 Montana Sapphire Drive; Montana Sapphire, LLC, owner; Sanderson Stewart, agent. Approval of the zone change and adoption of the determinations of the 12 criteria.

M. Resolution allocating up to \$10,000 of Council Contingency Funds to the President's Reception at the Montana League of Cities and Towns 2011 Annual Conference to be held in Billings October 5-7, 2011.

N. Approval of extension of preliminary plat approval for two years for North Pointe Square Subdivision, 2nd Filling; setting new expiration date of October 14, 2013.

O. Final Plats

1. **River Rock Estates Subdivision**
2. **Montana Sapphire Subdivision, Amended Lot 9-A, Block 1**

P. Bills and Payroll:

1. **August 5, 2011**
2. **August 12, 2011**
3. **August 19, 2011**

REGULAR AGENDA:

2. **TIGER III GRANT APPLICATION for 6th Avenue North/Main Street Intersection Improvements. (This item was added to the Agenda at the meeting of 9/12/2011.)** Staff recommends supporting the TIGER III Grant application and instructing Council's representative to carry recommendation to the Policy Coordinating Committee on 9/13/2011. (Action: approval or disapproval of staff recommendation.)
3. **TEAMSTER LOCAL 190 7/1/2011 - 6/30/2013 UNION CONTRACT.** Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **RECOMMENDATION** to the Policy Coordinating Committee (PCC) for approval of the Draft 2012 Unified Planning Work Program (UPWP). Staff recommends making recommendation of approval to the PCC. (Action: approval or disapproval of staff recommendation.)
5. **CONTINUANCE OF PUBLIC HEARING FOR SPECIAL REVIEW #891:** A special review to allow a drive-through window for a new coffee or food kiosk in a new building in a Neighborhood Commercial (NC) zone adjacent to a Residential 9,600 (R-96) zone on Lots 6 and 7, Block 9, Central Acres Subdivision, 5th Filing, generally located on the northeast corner of the intersection of Central Avenue and 32nd Street West; Gerald Neumann, applicant. (Continued from 8/22/2011). Zoning Commission recommends denial. (Action: approval or disapproval of Zoning Commission recommendation.)
6. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #11-02:** Property described as 16.94 acres located on the South Frontage Road, west of the intersection of Sugar Avenue and South Frontage Road addressed as 3128 South Frontage Road. Knife River, Inc., owner; Land Use Consulting, agent. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION** assessing annual fee for encumbrances, obstructions, or encroachments on, over, across or above the streets, avenues, sidewalks, or alleys of the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation).
8. **PUBLIC HEARINGS AND RESOLUTIONS regarding the re-spread of assessments in the following Special Improvement Districts.**
 - A. **SID 1387** : Zimmerman Trail Subdivision Sanitary Sewer Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - B. **SID 1388** : Dorothy Lane Street and Storm Drain Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - C. **SID 1389** : Clubhouse Way Water, Sewer, Storm Drain, and Street Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - D. **SID 1383** : Cherry Hills Road Water, Sewer, Storm Drain, and Street Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

9. **RESOLUTION** approving \$1,058,250 SID 1392 Bond Anticipation Notes, Series 2011, fixing the form and details and authorizing execution and delivery of the bonds. Staff recommends approval. (Action: approval of disapproval of staff recommendation.)
10. **RESOLUTION** approving \$710,000 Pooled Special Improvement District Bonds, Series 2011 (SID 1369 and SID 1391) fixing the form and details and authorizing execution and delivery of the bonds. Staff recommends approval. (Action: approval of disapproval of staff recommendation.)
11. **RESOLUTION** approving \$2,620,000 Special Improvement District 1360 Refunding Bonds, Series 2011, fixing the form and details and authorizing execution and delivery of the bonds. Staff recommends approval. (Action: approval of disapproval of staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign up on the clipboard located at the podium.)

COUNCIL INITIATIVES

ADJOURN

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Cari Martin, City Clerk, at 657-8210.