

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

September 26, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Pitman

ROLL CALL

MINUTES: September 12, 2011, Pending

COURTESIES: DEQ Presentation of the Burke Safety Award to Wastewater Plant

PROCLAMATIONS

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1 and #9 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. **Bid Awards:**

1. **Loader-Mounted Snowblower for Street/Traffic Division.** (Opened 8/30/11) (Delayed from 9/12/11) Recommend Solid Waste Systems; \$122,198.

2. **Three-Year Maintenance Agreement for Elevator/Escalator Maintenance Services.** (Opened 9/13/11) Recommend delay until 10/11/2011.

B. **Contract Renewal** (2-year) with Yellowstone Valley Animal Shelter for private operation of the Billings Animal Shelter. (September 9, 2011 - September 9, 2013).

C. **W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction**

1. **Amendment #11**, W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction, Phase 3, Professional Services Contract, Kadrmas, Lee & Jackson, Inc., \$60,758.50.
2. **Change Order #9**, W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction, Phase 3; CMG Construction; not to exceed \$81,836.34.

D. **Approval** of the Assignment and Transfer of the West End Hangar Ground Lease from Philip O. Petrik DBA Richland Aviation to Richland Aviation, Inc.

E. **Approval** of 20-year West End Hangar Ground Lease with Wesco Resources, Inc. (10/1/2011 - 9/30/2031). First year revenue - \$1,135.26; subsequent year revenues adjusted using the Consumer Price Index - Urban Consumers (CPI-U).

F. **Confirmation of Probationary Police Officers Cory Kirkpatrick and Jeremy Boeckel.**

G. **Approval** of extension of preliminary plat approval date for one year for High Sierra Subdivision, 5th Filing; setting a new expiration date of October 27, 2012.

H. **Street Closures:**

1. Montana Cycling and Ski & Montana Timing Oktoberfest Duathlon Run/Bike Event. October 1, 2011; 8 a.m. to noon; Start and finish at Montana Cycling Parking lot. Route mainly on multiuse path along Shiloh Road crossing Shiloh and King at pedestrian crossing. Remainder of route in the county.

I. **Bills and Payroll:**

1. **August 26, 2011**

REGULAR AGENDA:

2. **PUBLIC HEARINGS AND RESOLUTIONS** regarding the spread of assessments in the following Special Improvement Districts.
 - A. **SID 1369:** Moore Lane Curb & Gutter, Sidewalk, Streets, Sanitary Sewer, and Water Service Improvements from Central Avenue to Monad Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - B. **SID 1391:** Lynn Avenue Curb & Gutter, Street, Drive Approach, and Storm Drain Improvements between 35th and 36th Streets West and 36th Street West from Central to just north of Lynn Avenue. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - C. **SID 2901:** Jackson Street Sidewalk Improvements on the west side of Jackson Street from the alley south of Ryan to the corner of Frances. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- D. **SID 2902:** Miscellaneous Sidewalk, Curb, and Gutter Improvements located in areas throughout the City. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 3. **PUBLIC HEARINGS AND RESOLUTIONS** regarding the re-spread of assessments in the following Special Improvement Districts.
 - A. **SID 1360:** Gabel Road Water, Sewer, Storm, and Street Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - B. **SID 2801:** Lake Elmo Sidewalk Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - C. **SID 2803:** Alkali Creek Road Sidewalk Improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 4. **PUBLIC HEARING** to receive input on the City's FY2010-2011 Draft Comprehensive Annual Performance Evaluation Report (CAPER), Community Development Block Grant (CDBG), and HOME Programs. No action is required.
- 5. **PUBLIC HEARING AND RESOLUTION** reducing the Arterial Construction Fee assessments providing relief to commercially-zoned properties being used solely as owner-occupied, single family residences located at 437 Roxy Lane (Tax Code C01454A); 2104 Bench Boulevard (Tax Code D05202); 2112 East Main Street (Tax Code D05200); 2112 East Main Street (Tax Code D05201); 107 S. 8th Street West (Tax Code A05114); 233 Swords Lane (Tax Code C12313); and 922 North 30th Street (Tax Code A11635). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 6. **PUBLIC HEARING AND SPECIAL REVIEW #893:** A special review to allow the conversion of an existing commercial building to accommodate a residence and commercial space located at 407 N. 24th Street in a Controlled Industrial (CI) zone on a 10,500 square foot parcel of land legally described as Lots 19, 20 and 21, Block 12, Billings Original Town. NA Thompson, LLC and Sparx, LLC - Jane Deschner and Jon Lodge, agents and prospective purchasers of the property. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 7. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #11-03:** 14.87 acres legally described as Tract 2D of C/S 2776, Amended, and generally located west of Highway 87 and north of the existing commercial development that includes American Pharmaceuticals in the Billings Heights; Wayne Laufer, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
- 8. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward 1 to include recently annexed property in Annexation #11-02: 16.94 acres located at 3128 South Frontage Road and legally described as Tract 1 of Certificate of Survey 1591 and Tract 1 of Certificate of Survey 1596; Knife River, Inc., owner; Land Use Consulting, agent. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

9. **APPROVAL** of Parking Advisory Board's recommendation to bag 447 parking meters west of North 30th Street (not including North 30th Street), north of 6th Avenue North, east of North 26th Street (not including North 26th Street) and south of Montana Avenue for a six-month trial period. Staff recommends approval of the Parking Advisory Board's recommendation. (Action: approval or 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.