

D R A F T

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

October 11, 2011

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember Astle

ROLL CALL

MINUTES: September 26, 2011 - Pending

COURTESIES

PROCLAMATIONS

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 and #2 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		Tourism BID Board	10/11/11	06/30/15

1. Unexpired term of Chris Johnson

B. Bid Awards:

1. **Three-Year Maintenance Agreement for Elevator/Escalator Maintenance Services.** (Opened 9/13/11) (Delayed from 9/26/11) Recommend XX; \$XX.
2. **IP-5 Building Exterior Repainting Project for Billings Logan International Airport.** (Opened 9/27/11) Recommend XX; \$XX.
3. **W.O. 09-28, Water Treatment Facility Back-Up Power, Phase II.** (Opened 9/27/11) Recommend XX; \$XX.
4. **W.O. 11-03, 2010 Street Maintenance Program, City Crack Seal .** (Opened 9/27/11) Recommend XX; \$XX.
5. **Private Contract #631, Kings Green Subdivision, Phase IV, Infrastructure Improvements.** (Opened 10/11/11) Recommend delay of award until 10/24/11.

C. Amendment #2, W.O. 09-28, Water Treatment Facility Back-up Power Phase II , Professional Services Contract, HDR Engineering, Inc.; \$XX.

D. Professional Services Contract for W.O. 11-10, North 25th Street Pedestrian Bridge , Engineering Design and Construction Administration Services; Morrison-Maierle, Inc.; \$156,500 (contingent upon CTEP concurrence).

E. Agreement transferring ownership, maintenance, and operation of 12-inch water line located in Riverside Road from State Avenue to King Avenue East and in King Avenue East from Riverside Road to east of the Yellowstone County Detention Facility; 8-inch water line located in King Avenue East from Riverside Road west to near the Yegen Drain; and 10-inch sanitary sewer line along King Avenue East to the southeast corner of the Yellowstone County Detention Facility from Yellowstone County to the City of Billings. Transfer includes \$25,500 operation and maintenance fund from the County to the City.

F. Approval of Scheduled Airline Operating Permit with ExpressJet Airlines.

G. Approval of Scheduled Airline Operating Permit with Mesaba Aviation, Inc. dba Mesaba Airlines.

H. Right-of-Way Easement with Rodney Markegard for construction of sidewalk, curb, and gutter on the southwest corner of Moore Lane and Central Avenue.

I. Approval of the proposed Yellowstone County/City of Billings Districting and Apportionment Plan establishing new House and Senate Districts.

J. Acceptance of Donation from Cablevision Systems Corporation to be used toward the purchase of jackets for attendees of the Montana League of Cities and Towns Convention being held in Billings in October 2011; \$2,500.

- K. **Approval and acceptance** of the Domestic Violence Unit and Victim Witness Assistance Program Grants awarded by the Montana Department of Justice and Board of Crime Control. Domestic Violence grant award - \$41,606; Victim Witness Assistance grant award - \$30,126.
- L. **Resolution of Intent** to create SILMD 310, Bench Boulevard between Main Street and Airport Road; and set a public hearing date for November 14, 2011.
- M. **Second/Final Reading Ordinance expanding Ward I (Annexation #11-02)** for 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.

N. **Bills and Payroll:**

- 1. September 2, 2011
- 2. September 9, 2011
- 3. September 16, 2011

REGULAR AGENDA:

- 2. **PERMANENT ORDINANCE** defining medical marijuana "storefront" businesses and prohibiting the operation of medical marijuana storefronts in the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 3. **PUBLIC HEARING AND RESOLUTION** assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 4. **PUBLIC HEARING AND RESOLUTION** granting a tax abatement to All American Pharmaceuticals for building expansion at 2376 Main Street. Staff recommends approval. (Action: approval or disapproval of staff recommendation)
- 5. **PUBLIC HEARING AND FIRST READING ORDINANCE** adopting proposed amendments to the City of Billings Subdivision Regulations, Article 23, BMCC, in accordance with State law. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward II to include recently annexed property in 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.)

7. **PUBLIC HEARING AND RESOLUTION** authorizing energy efficiency improvements at the Billings Logan International Airport and at certain city-owned parking garages and approving the Energy Performance Contract with McKinstry Essention, Inc. and Lease-Purchase Agreement with U.S. Bank Equipment Finance, Inc.; Estimated Airport improvements - \$1,399,068. Estimated parking garage improvements - \$578,311. Staff recommends approval. (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.