

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

September 10, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Bird

ROLL CALL: Councilmembers present on roll call were:

MINUTES:

- August 13, 2012
- August 27, 2012

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 8, 9, and 10 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. **De-Icer, Anti-Icer Calcium Chloride Liquid.** (Opened 8/28/12) Recommend **XX**; \$**XX**.
2. **Winter Traction Material.** (Opened 8/28/12) Recommend **XX**; \$**XX**.

3. **Pond C Outfall Improvements for Billings Logan International Airport.** (Opened 8/28/12) Recommend XX; \$XX.
4. **Sanitary Sewer Extension and Miscellaneous Paving Projects at Billings Logan International Airport.** (Opened 8/28/12) Recommend XX; \$XX.
5. **City Hall Boiler Replacement.** (Opened 8/28/12) Recommend XX; \$XX.

B. **Change Order #2 - South Park Gazebo**, Fisher Construction, \$3,570.

C. **Assignment and Assumption Agreement** between the Parmly Billings Library Foundation, City of Billings, and Will Bruder + Partners for the construction of the new Parmly Billings Library.

D. **Approval** of Downtown Transit Transfer Center Parking Space Lease with Yellowstone County; 10/1/2012 - 9/30/2014 with option for one additional year; total revenue first two years - \$15,600.

E. **Approval** of Federal Aviation Administration Garage/Shop Site Ground Lease renewal for additional five years; 10/1/12 - 9/30/17; annual revenue - \$2,380.

F. **Approval** of two, 10-year Commercial Non-Aviation Ground Leases for Communication Sites with Gold Creek Cellular of Montana Limited Partnership, dba Verizon Wireless, on airport property (2012 - 2022); combined first-year revenue - \$20,000, subsequent years adjusted by CPI-U.

G. **Amendment #3, Engineering Services for Miscellaneous Airport Projects;** Morrison-Maierle, Inc.; \$XX.

H. **Right-of-Way Easement** with NorthWestern Energy for installation of power lines to Edwards Jet Center hangar at Billings Logan International Airport.

I. **Approval** of the purchase of fusible PVC pipe from Underground Solutions, Inc. for annual pipebursting program; \$106,500.

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

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

L. **Acceptance of Donations** to Parks Department for South Park Gazebo electrical upgrades, The Vegas Hotel, \$1,000; Phillips 66, \$2,000.

M. **Acceptance of donation** to Billings Fire Department for purchase of fire prevention public education supplies; IAFF Local 521; \$1,000.

N. **Urban Chickens**

1. **Second/Final Reading Ordinance for Zone Change #899:** A text amendment to Sections 27-305, 27-306, and 27-607 of the Billings, Montana Municipal Code deleting and adding language to allow the keeping of chickens within residential zones.
2. **Second and Final Reading Ordinance** amending Section 4-401 and Section 4-403 of the Billings, Montana Municipal Code allowing and regulating the keeping of up to six (6) female chickens in residential zones.
3. **Resolution** establishing Urban Chicken Animal Control Permit Fees.

O. **Resolution** fixing the form and terms of the bond sale for SID 1393, Fritz Subdivision.

P. **Resolution** fixing the form and terms of the Department of Natural Resources bond for the construction of an additional storage reservoir in Zone 3 East in Billings Heights.

Q. **Resolution** authorizing the terms and conditions of the Park 2 Garage financing.

R. **Second and Final Reading Ordinance for Zone Change #902:** A zone change from Neighborhood Commercial and Residential Multi-Family-Restricted to Community Commercial on a 4.189 acre parcel described as Lots 1 through 5, Brittain Acres Subdivision located on the northeast corner of the intersection of Hilltop Road and Bench Boulevard; Big Sky Floral Supply, owner; Chuck and Mick Gainan, agents. Approval of the zone change and adoption of the determinations of the 10 criteria.

S. **Second/Final Reading Ordinance for Zone Change #904:** A zone change from Residential Manufactured Home to Community Commercial on a 4.77-acre parcel described as Tract 1, C/S 2537, and the north two acres of the south 10.41 acres east of the lateral and fractions of Section 22, Township1 North,, Range 26 East located at 1026, 1032 and 1040 Bench Boulevard; Lee Steffanich, owner; Sanderson Stewart, agent. Approval of the zone change and adoption of the determinations of the 10 criteria.

T. **Second and Final Reading Ordinance for Zone Change #901:** A text amendment and map amendment to the zone classification for the East Billings Urban Renewal District (EBURD) adding a new section to the Unified Zoning Regulations specifying land uses, building types, signage allowances, landscaping requirements and location specific street improvements for new EBURD zoning districts.

U. **Final Plat** of High Sierra Subdivision, 5th Filing

V. **Bills and Payroll:**

1. August 7, 2012
2. August 13, 2012

3. August 20, 2012

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** assessing the 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).
3. **PUBLIC HEARING AND RESOLUTION** re-spreading SID 1369 - curb & gutter, sidewalks, water, sewer, storm drain and street improvements on Moore Lane. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTIONS** regarding the original spread assessments on the following Special Improvement Districts:
 - A. **SID 1392:** Yellowstone Family Park - playground, basketball court, walking trails, extensive landscaping including trees, shrubs and turf grass. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - B. **SID 1393:** Fritz Subdivision - curb & gutter, storm drain, and necessary street improvements fronting lots along Eldora Lane, Cottonwood Boulevard, Kelly Lane, and Kenneth Street. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - C. **SID 1901:** Sidewalks along Rimrock Road from 17th Street to Forsythia. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
 - D. **SID 1902:** Miscellaneous Sidewalk, Curb, and Gutter Improvements located in areas throughout the City. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** authorizing the sale of city-owned property described as Lot 3A, Block 13, Sunset Subdivision, 5th Filing, located at 1048 Grand Avenue. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward IV to include recently annexed property in Annex #12-07: one parcel totaling approximately two (2) acres, with approximately 7,260 additional square feet designated as street right-of-way, in Zimmerman Acreage Tracts Subdivision, generally located on the north side of Grand Avenue just west of the intersection of Grand Avenue and 48th Street West. John Clifford Zimmerman, owner and petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the Billings, Montana City Code by adding Sections 18-1401 through 18-1405 defining terms and establishing standards for boarded up structures. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

8. **RESOLUTION** pursuant to BMCC Chapter 12, Eminent Domain, declaring public purpose and use, describing the property to be taken and authorizing City officials to proceed with condemnation of approximately 2.56 acres of land generally located along the west side of Clearview Drive immediately west of the Chapple Reservoir for the purpose of constructing a new Zone 3 Reservoir. Delayed from 8/13/2012. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
9. **RECOMMENDATION** to the Policy Coordinating Committee (PCC) for approval of the Draft 2013 Unified Planning Work Program (UPWP). Staff recommends making recommendation of approval to the PCC. (Action: approval or disapproval of staff recommendation.)
10. **RECOMMENDATION** to the Policy Coordinating Committee (PCC) for approval of the Draft 2012-2016 Transportation Improvement Plan (TIP). Staff recommends making recommendation of approval to the PCC. (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.