

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 24, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember McCall

ROLL CALL: Councilmembers present on roll call were:

MINUTES:

- August 27, 2012
- September 10, 2012 - Pending

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: # 1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign up on the clipboard located at the podium or in the back of the room. 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. **W.O. 12-41, Public Works Belknap Service Center Re-Roof.** (Opened 9/11/12) Recommend Donaldson Construction and Roofing; \$73,740.
2. **Pond C Outfall Improvements for Billings Logan International Airport.** (Opened 8/28/12) (Delayed from 9/10/12) Recommend The Good Earth Works Company, Inc.; \$70,100.

- B.** **Approval** of 20-year Non-Commercial Aviation Ground Lease with Six Romeo Mike, LLC, for construction of a 60' x 60' executive hangar at 2445 Overlook Drive (10/1/12 - 9/30/32); first year revenue - \$3,494.40; subsequent years to be adjusted using the Department of Labor Consumer Price Index - Urban Consumers (CPI-U).
- C.** **Approval** of Scheduled Airline Operating Permit with Republic Airline, Inc.
- D.** **Approval** of Operating Permit with DAL Global Services, LLC.
- E.** **Easement** with Knife River, Inc. for a segment of a planned trail corridor from Riverfront Park to Coulson Park along the Yellowstone River.
- F.** **Acceptance of Donations** to the Billings Fire Department for purchase of a Robontronics Sparky the Fire Dog animated head, gloves, and voice modifier; Safe Kids Yellowstone County - \$1,600; Billings Clinic Foundation - \$1,352.
- G.** **Second and Final 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.
- H.** **Second/Final reading ordinance expanding Ward IV** for approximately two acres with approximately 7,260 additional square feet designated as street right-of-way in Zimmerman Acreage Tracts Subdivision located on the north side of Grand Avenue just west of the Grand Avenue and 48th Street West intersection; John Clifford Zimmerman, owner.
- I.** **Bills and Payroll:**
 - 1.** August 27, 2012

REGULAR AGENDA:

- 2.** **PUBLIC HEARING AND SPECIAL REVIEW #901:** a special review to replace an existing beer and wine license with gaming with an all-beverage license with gaming in a multi-tenant building located at 603 24th Street West. Won 800 Sports Bar and Casino, applicant. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 3.** **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #903:** A zone change from Entryway Light Industrial to Highway Commercial on a 10.85-acre parcel of land described as Lots 4, 6 and 7, Block 1, Montana Sapphire Subdivision, located at 4110 and 4020 Montana Sapphire Drive and 4215 King Avenue West. Montana Sapphire, LLC, owner; Keith James, Gemstar Properties, LLC, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
- 4.** **PUBLIC HEARING AND RESOLUTIONS** regarding the spread of 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.)

5. **PUBLIC HEARING AND RESOLUTION** assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

6. **PUBLIC HEARING AND RESOLUTION** for emergency abatement assessments for properties located at 4209 Audobon Way for \$1,250.74; 3915 Pine Cove for \$405.84; and 916 N. 19th Street for \$955.94. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

7. **PUBLIC HEARING** to receive input on the City's FY2011-2012 Draft Comprehensive Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME Programs. No action is required.

8. **PUBLIC HEARING AND RESOLUTION** reducing arterial construction fee assessments for certain commercially-zoned parcels and certain RMH-zoned parcels meeting the criteria in Ordinance #05-5322 and Ordinance #08-5478, capping parcel square footage at 9,600 square feet and calculating assessments based on the R9600 zoning rate instead of Commercial or RMH zoning rates. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

9. **PUBLIC HEARING AND RESOLUTION** vacating the alley within Block 228, Original Townsite of Billings, located between 7th and 8th Avenues South behind the Montana Women's Prison at 701 S. 27th; State of Montana Department of Corrections, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

10. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Section 24-456 of the Billings, Montana, City Code prohibiting the moving of vehicles on the same block from one metered space to another. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

11. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Chapter 13, Article 13-400, Division 3, of the Billings, Montana, Municipal Code by adding a new section titled "All Businesses, Occupations, and Professions to Comply with Local, State, and Federal Law," and amending Section 13-432. 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 or in the back of the room.*)

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.