

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 9, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember Pitman

ROLL CALL: Councilmembers present on roll call were:

MINUTES:

- September 10, 2012
- September 24, 2012 - PENDING

COURTESIES: Parks Department

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1, #2 & #3 ONLY.

Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign up on the sheet located in the back of the room or 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. **Taxilane Expansion Project at Billings Logan International Airport.** (Opened 9/25/2012) Recommend Knive River; \$535,758.
2. **W.O. 12-09, Wastewater Treatment Plant Access Road Rip Rap Replacement.** (Opened 10/9/2012) Bid award recommendation to be made at the October 9, 2012, City Council meeting.

3. **W.O. 12-03, #3, 2012 Street Maintenance Program, City Crack Seal.** (Opened 9/25/2012) Recommend Harddrives Construction, Inc.; \$180,455.61.
4. **W.O. 12-34, North Broadway Sidewalks - Northern Hotel.** (Opened 10/9/2012) Bid award recommendation to be made at the October 9, 2012, City Council meeting.

B. **Change Order #8 - W.O. 10-08: Water Treatment Plant Clearwell Baffle Project;** COP Construction; \$212,875.97.

C. **1) Professional Services Contract** for design, engineering and construction administration of the Rose Park Pool Improvements; Interstate Engineering, Inc.; \$30,600; and **2) Resolution** allocating \$30,600 of Council Contingency Funds for payment of the professional services contract to be repaid after December 1, 2012.

D. **Professional Services Contract** for design and construction administration services for W.O. 13-01, Sanitary Sewer and Water Replacement Project; DOWL HKM; not to exceed \$870,300.

E. **Approval** to begin negotiations for relocation of the Code Enforcement Division, Planning Division, and Building Division offices to the Miller Building located at 2825 3rd Avenue North.

F. **Acceptance of Quitclaim Deed** from Yellowstone County for a section of road tract on the north half of Grand Avenue adjacent to Zimmerman Acreage Tracts (Annex #12-07).

G. **Acceptance** of Bureau of Justice Assistance Grant for DUI offender treatment program; \$350,000 over 3-year period.

H. **Acceptance** of funding from the United Way of Yellowstone County for the STOP ACT Grant for Enforcing Underage Drinking Laws (EUDL); \$12,100.

I. **Resolution of Intent to Annex** a 30-foot wide petitioned county road easement covering approximately 0.167 acres along the front of Tract 1A, Certificate of Survey 2990, and located on the south side of Grand Avenue just west of the Grand Avenue and 48th Street West intersection; and set a public hearing date of November 13, 2012. (Annex #12-07)

J. **Resolution** establishing Urban Chicken Animal Control Permit Fees.

K. **Second/Final Reading Ordinance for Zone Change #903:** A zone change from Entryway Light Industrial to Highway Commercial on 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. Approval of the zone change and adoption of the determinations of the 10 criteria.

L. **Second/Final Reading Ordinance** amending Chapter 13, Article 13-400, Division 3, of the Billings, Montana, Municipal Code by adding a new section "All Businesses, Occupations, and Professions to Comply with Local, State, and Federal Law," and amending Section 13-432.

M. **Second/Final 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.

N. **Bills and Payroll:**

1. September 4, 2012
2. September 10, 2012
3. September 17, 2012

REGULAR AGENDA:

2. **DEVELOPMENT AGREEMENT** between Red Oxx LLC and the City of Billings for a major renovation project located at 2nd Avenue North and North 12th Street in the East Billings Urban Renewal District allocating Tax Increment Finance funding in the amount of \$45,319 to Red Oxx for the TIF eligible portion of the project. Billings Industrial Revitalization District (BIRD) and staff recommend approval. (Action: approval or disapproval of BIRD and staff recommendation.)

3. **RESOLUTION FOR THE REFUNDING OF GENERAL OBLIGATION BONDS AUTHORIZING THE ISSUANCE AND CALLING FOR THE PRIVATE NEGOTIATED SALE.** A resolution authorizing the sale of Series 2004A General Obligation Bonds of up to \$4,250,000 to finance Zimmerman Trail, South Billings Boulevard, and Alkali Creek Road improvements; and Series 2007B General Obligation Bonds of up to \$1,250,000 for construction of Dehler Park. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

4. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Article 23-600 of the City of Billings Subdivision Regulations bringing the Regulations into compliance with the Montana Subdivision and Platting Act. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #CC-12-02:** A variance from Section 6-1208 (h) (1) to increase the allowable width for an approach and Section 6-1208 (h) (5) for an increase in the number of allowable curb cuts per lot for Lot 12, Block 1, Kingston Place Subdivision. King Property LLC, developer. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

6. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #OP-12-03:** A variance from Section 6-1203 reducing the number of required off-street parking stalls from 58 to 54 at 1633 Main Street located on Lot 1, Block 1, Wal-Mart Subdivision; Coldwater Portfolio Partners, LLC, applicant. 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.