

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

May 12, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Clark

ROLL CALL

MINUTES – April 28, 2008

COURTESIES

PROCLAMATIONS

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, 3, 10b, AND 11 ONLY. Speaker sign-in required. (Comments offered here are limited to 1 minute per speaker. 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.)

(NOTE: For Items not on this agenda, public comment will be taken at the end of the agenda. Please sign up on the clipboard located at the back of the room.)

CONSENT AGENDA:

1. A. **Bid Awards:**

(1) **Airport Improvement Program (AIP) 34 Airport Perimeter Security Fence Project** (Opened 4/15/08) Delayed from 4/28/08. Recommend Frontier Fence, \$655,255.53.

B. **Change Order #8**, Dehler Park - Front Entry Plaza Lighting, Langlas and Associates, Inc., \$12,385.00.

C. **Approval** of Assignment of the Limited Commercial Aviation Ground Lease with Corporate Jet, LLC, to Stockman Bank for financing purposes, at no cost to the City.

D. Approval of Assignment of the Commercial Aviation Ground Lease for Fuel Farm Site with Corporate Jet, LLC, to Stockman Bank for financing purposes, at no cost to the City.

E. Acceptance of Federal Aviation Administration Airport Improvement Program Grant 34.

F. Approval of Downtown Revolving Loan Fund for Bin 119, LLC, \$77,000.00.

G. Approval of State Revolving Loan Fund Application to supplement 2008 water line replacement expense - \$1,700,000.00; and 2008 sanitary sewer line replacement expense - \$3,500,000.00.

H. Notice of Intent to Create a Railroad Quiet Zone at the 27th Street, 28th Street, and 29th Street railroad crossings.

I. Acknowledging Receipt of Petition to Annex #08-07: 4.765 acres described as Tract 1, Certificate of Survey 2350, generally located on the northeast corner of King Avenue East and Calhoun Lane, Robert Medvec, owner and petitioner, and setting a public hearing date for 5/27/08.

J. W.O. 04-33 Lake Elmo Drive (Hilltop to Wicks Lane) Right-of-Way Acquisition:

(1) Parcel 44: Portion of Tract 1B, Certificate of Survey 2121 Amended, Lake Elmo Limited Partnership, \$12,900.00.

K. Street Closure: Central Heights PTA Community Fun Run, May 31, 2008, 8:30 a.m. to 10:30 a.m., commencing at 120 Lexington Drive, north on Lexington Drive, west on Eldorado Drive, south on Pueblo Drive, east on Alamo Drive, north on Lexington Drive, east on Eldorado Drive, north on S. Santa Fe Drive, east on Concord Drive, south on Birchwood Drive; west on Beloit Drive, northwest on Fair Park Drive, southeast on S. Santa Fe Drive, south on Berthoud Drive, west on Pueblo Drive, north on Pueblo Drive, east on Beloit Drive, northwest on Lexington Drive, west on Dallas Drive, north on Pueblo Drive, east on Eldorado Drive, and south on Lexington Drive.

L. (a) Approval and Acceptance of Financial Donations from Lyle Johnson, \$10,748.00, for concrete base to display and secure his bronze sculpture of Ed Bayne; and from Bill Rains, \$5,818.00, for concrete base to display and secure his bronze sculpture of Dave McNally, to be placed in the entry plaza of Dehler Park.

(b) Change Order #9, Two concrete bases for display of Ed Bayne and Dave McNally bronze sculptures, Langlas & Associates, \$16,566.00.

M. Approval and Acceptance of Anonymous Donation to the Police Department for trauma first aid kits and training, \$2,613.00.

N. Approval and Acceptance of Donations from the Yellowstone County Homeless Board on behalf of the Mayor's Committee on Homelessness' Project Homeless Connect, \$2,500.00; and the Billings Area Resource Network, \$640.79.

O. Approval and Acceptance of Donation to the Billings Animal Shelter from William E. Coburn in honor of Jayne Winegardner, \$500.00.

P. Approval of Donation of spare parking meters by the City of Billings Parking Division to the Downtown Business Improvement District and the Mayor's Committee on Homelessness for the "Spare Change for Real Change" Program at no cost to the City.

Q. Grant Application Request to submit HUD Federal Housing Initiatives Program (FHIP) application and accept award, \$100,000.00 maximum.

R. Second/Final Reading Ordinance repealing Ordinance 07-5441 and creating the South Billings Boulevard Urban Renewal District.

S. Second/Final Reading Ordinance Expanding Ward III (Annexation #08-01) for an approximate 114-acre parcel legally described as Tracts 1A through 5A, Certificate of Survey 2063, Amended. Lenhardt Property, LP; Lenhardt Farm, LLC; and Lenhardt Enterprises, LLC, owners.

T. Bills and Payroll

- (1) April 11, 2008
- (2) April 18, 2008
- (3) January 1, 2008 – January 31, 2008 (Municipal Court)
- (4) February 1, 2008 – February 29, 2008 (Municipal Court)
- (5) March 1, 2008 – March 31, 2008 (Municipal Court)

REGULAR AGENDA:

2. **INCREASE IN CHANGE ORDER APPROVAL LIMIT** for City Administrator for SID 1379 – King Avenue West.
3. **COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAMS AND THE FY2008-2009 ANNUAL ACTION PLAN.** Public hearing held April 28, 2008; final action delayed until May 12, 2008. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

4. **CONTINUANCE OF PUBLIC HEARING AND APPROVAL OF AGREEMENT** with Real Estate Dynamics, Inc. for King's Green Subdivision, Phase III, for the construction of 14 new homes. (Continued from 4/28/08) Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** approving and adopting third quarter budget amendments for Fiscal Year 2007-2008. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward II to include recently annexed property in Annex #08-06, a 20.6-acre parcel legally described as Tracts 1A, 1B, and 1C, Amended Tract 1, C/S 2055, and located north of Alkali Creek Road. Jim Pickens, Best Development Corporation, owner and petitioner. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND SITE DEVELOPMENT ORDINANCE VARIANCE #OP-08-03:** A variance from Section 1203(j) of the Site Development Ordinance regarding off-street parking for a proposed medical facility at 1407 Wyoming Avenue, Mike Stock, Wyoming Plaza, LLC, owner and petitioner. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
8. **PUBLIC HEARING AND RESOLUTION CREATING EXPANDED PMD #4026** to include Twin Oaks Subdivision. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
9. **PUBLIC HEARING AND RESOLUTION** vacating a portion of North 26th Street and 2nd Avenue N., Big Sky Economic Development Agency (BSEDA) and Downtown Billings Partnership (DBP), owners. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
10. (a) **PUBLIC HEARING AND RESOLUTION** approving the sale of approximately 10 acres in Cottonwood Park to School District No. 2. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
(b) **CONSIDERATION AND APPROVAL** of the Cottonwood Park School Site Purchase and Sale Agreement. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
11. **MAINTENANCE AGREEMENT** with Montana Department of Transportation for improvements to Rimrock Road from Shiloh Road to 54th Street West. Staff recommends approval. (**Action:** approval or disapproval of staff recommendations.)

12. **PUBLIC COMMENT on Non-Agenda Items -- Speaker sign-in required.**
(Restricted to ONLY items not on this printed agenda; comments limited to 3 minutes per speaker. Please sign up on the clipboard located at the back of the Council Chambers.)

Council Initiatives

ADJOURN

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

Visit our Web site at:
<http://ci.billings.mt.us>

(Council AND Boards & Commissions)

MAY:

5/01/2008	EMS Commission Human Relations Commission	7:00 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
5/05/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd Street
5/06/2008	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 th Floor Library Council Chambers Airport Terminal
5/07/2008	Board of Adjustment	6:00 p.m.	Council Chambers
5/08/2008	Library Board Committee on Homelessness CANCELLED	NOON 2:00 p.m.	3 rd Floor Library 3 rd Floor Library
5/12/2008	Energy & Conservation Commission	3:00 p.m.	Billings Operations Ctr. 4848 Midland Road
	Council REGULAR MEETING	6:30 p.m.	Council Chambers
5/13/2008	Parking Advisory Board Council Agenda Setting Meeting Special WORK SESSION – Budget Planning Board	4:00 p.m. 5:30 p.m. 6:00 p.m. 6:00 p.m.	CH Conference Room CH Conference Room CH Conference Room 4 th Floor Library
5/14/2008	Parks/Recreation/Cemetery Board	11:30 a.m.	Community Center 360 N. 23 rd Street
5/15/2008	Tourism Business Improvement District Board	8:30 a.m.	Chamber of Commerce 815 S. 27 th Street
5/19/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd Street
5/20/2008	Yellowstone Historic Preservation Bd	8:00 a.m.	4 th Floor Library
5/26/2008	MEMORIAL DAY – CITY OFFICES CLOSED		
5/27/2008	Traffic Control Board Council REGULAR MEETING	NOON 6:30 p.m.	4 th Floor Library Council Chambers

5/28/2008	Development Process Advisory Brd Council Agenda Review Meeting Special WORK SESSION – Budget Planning Board	1:00 p.m. 5:30 p.m. 6:00 p.m. 6:00 p.m.	CH Conference Room CH Conference Room CH Conference Room 4 th Floor Library
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JUNE:

6/02/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd Street
6/03/2008	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 th Floor Library Council Chambers Airport Terminal
6/04/2008	Board of Adjustment	6:00 p.m.	Council Chambers
6/05/2008	EMS Commission Human Relations Commission	7:00 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
6/09/2008	Energy & Conservation Commission Council REGULAR MEETING	3:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Road Council Chambers
6/10/2008	Parking Advisory Board Council Agenda Setting Meeting Planning Board	4:00 p.m. 5:30 p.m. 6:00 p.m.	CH Conference Room CH Conference Room 4 th Floor Library
6/11/2008	Parks/Recreation/Cemetery Board	11:30 a.m.	Community Center 360 N. 23 rd Street
6/12/2008	Library Board Committee on Homelessness	NOON 2:00 p.m.	3 rd Floor Library 3 rd Floor Library
6/16/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd Street
6/17/2008	Yellowstone Historic Preservation Bd	8:00 a.m.	4 th Floor Library
6/19/2008	Tourism Business Improvement District Board Public Utilities Board	8:30 a.m. 6:30 p.m.	Chamber of Commerce 815 S. 27 th Street Public Works-Belknap 2251 Belknap Avenue
6/23/2008	Council REGULAR MEETING	6:30 p.m.	Council Chambers
6/24/2008	Traffic Control Board	NOON	4 th Floor Library

	Planning Board	6:00 p.m.	4 th Floor Library
6/25/2008	Development Process Advisory Brd	1:00 p.m.	CH Conference Room