

# CITY OF BILLINGS

**CITY OF BILLINGS MISSION STATEMENT:  
TO DELIVER COST EFFECTIVE PUBLIC SERVICES  
THAT ENHANCE OUR COMMUNITY'S QUALITY OF LIFE**

---

## AGENDA

COUNCIL CHAMBERS

December 10, 2007

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Boyer

ROLL CALL

MINUTES – November 26, 2007

COURTESIES – VISTA Placement

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 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) **100-Ton Static Pipe Bursting System.** (Opened 11/20/07). Recommend Vermeer Rocky Mountain, Inc., \$186,000.00.

(2) **LED Traffic Signal Components.** (Opened 11/20/07). Recommend Tristar, Inc., \$72,664.50.

**B. Change Order No. 2,** New Baseball and Multi-Use Stadium at Athletic Park, \$87,114.00.

**C. Amendment #1, Restriping Airfield Markings Service Agreement,** changing contractor's name from United Rentals to Streamline Marking, Inc.

**D. Approval** and acceptance of the 2009 Billings Adult Misdemeanor Drug Court Award from the Supreme Court of Montana, \$180,384.00.

**E. Approval** of Assignment of Drew C. and/or Jennifer R. White West End Hangar Ground Lease to Western Security Bank for financing purposes with no financial impact to the City.

**F. Approval** of 20-year lease with Corporate Jet LLC, for Fuel Farm Site on Lot 1 in the East End Fuel Farm (12/1/07-11/30/27), \$1,269.96 first year revenue.

**G. Approval** of 5-year lease renewal for building and ground space with the Bureau of Land Management (9/5/07-9/4/12), \$54,967.37 first year revenue.

**H. Approval** of letter extending franchise agreement with Bresnan Communications.

**I. Declaring surplus property** and authorizing the Aviation and Transit Department to donate airfield lighting equipment to the Montana Aeronautics Division.

**J. W.O. 04-33, Lake Elmo Drive (Hilltop to Wicks Lane) Right-of-Way Acquisition:** Parcel 2: Portion of Tract 3, Certificate of Survey 205, Benjamin J. Huber, \$7,700.00.

**K. Right-of-Way Easement** with Department of Natural Resources and Conservation (DNRC) for Zone 4 Reservoir, \$26,894.00.

**L. Street Closure:** Martin Luther King Observance March on Monday, January 21, 2008, from 6:00 p.m. to 6:50 p.m. originating on the courthouse lawn, walking on the sidewalk to the corner of N. 27<sup>th</sup> and 3<sup>rd</sup> Avenue N, crossing N. 27<sup>th</sup>, marching in the street to N. 29<sup>th</sup>, north on N. 29<sup>th</sup>, and disbanding at the Lincoln Center.

**M. Resolution** setting zoning compliance review fees at \$41.00 for residential permit applications and \$16.00 for commercial permit applications.

**N. Resolution of Intent** to sell Lot 27A, Block 6, Rehberg Ranch Estates Subdivision, 1<sup>st</sup> Filing, and setting a public hearing date for January 14, 2008.

**O. Second/final reading ordinance** creating the South Billings Boulevard Urban Renewal District.

P. **Bills and Payroll**  
(1) November 9, 2007  
(2) November 16, 2007

**REGULAR AGENDA:**

2. **COMPENSATION** increase for City Administrator. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION** vacating a portion of Henry Road. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** creating Park Maintenance District No. 4035, Bitterroot Heights Subdivision. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
5. (a) **PUBLIC HEARING AND RESOLUTION** creating Special Improvement District No. 1380, Terra West Subdivision, 3<sup>rd</sup> and 4<sup>th</sup> Filings, for Monad Road Street Frontage Improvements. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)  
(b) **PUBLIC HEARING AND RESOLUTION** creating Special Improvement Maintenance District No. 4038, Terra West Subdivision, 3<sup>rd</sup> and 4<sup>th</sup> Filings, Monad Road Street Frontage Improvements. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-05:** Property described as 13.4 acres of a portion of park land along Zimmerman Trail right-of-way and a portion of Zimmerman Trail right-of-way between Highway 3 and Rimrock Road; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-18:** Property described as a portion of 56<sup>th</sup> Street West and Broadwater Avenue rights-of-way; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
8. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-19:** Property described as a 6.832-acre portion of Rimrock Road right-of-way from 62<sup>nd</sup> Street West to the city limits; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

9. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-25:** Property described as a 2.457-acre portion of 44<sup>th</sup> Street West right-of-way south of King Avenue West; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
10. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-11:** Property described as a 3.74-acre portion of Broadwater Avenue right-of-way west of 30<sup>th</sup> Street West; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
11. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-12:** Property described as a 1.69-acre portion of Bell Avenue right-of-way west of Shiloh Road; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
12. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-13:** Property described as a 0.92-acre portion of Zimmerman Trail right-of-way; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
13. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-14:** Property described as a 4.86-acre portion of Cove Avenue right-of-way between 46<sup>th</sup> and 50<sup>th</sup> Streets West; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
14. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-16:** Property described as a 0.359-acre portion of Grand Avenue right-of-way east of 56<sup>th</sup> Street West; City of Billings, requester. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
15. **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)*

## CALENDAR

### (Council AND Boards & Commissions)

#### DECEMBER:

12/03/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
12/04/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 <sup>th</sup> Floor Library Council Chambers Airport Terminal
12/05/2007	Board of Adjustment	6:00 p.m.	Council Chambers
12/06/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
12/10/2007	Energy & Conservation Commission  Parking Advisory Board REGULAR Council Meeting	3:00 p.m.  4:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. CH Conference Room Council Chambers
12/11/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
12/12/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
12/13/2007	Library Board Committee on Homelessness	NOON 2:00 p.m.	Library 3 <sup>rd</sup> Floor Library
12/17/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
12/18/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
12/20/2007	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
12/25/2007	CHRISTMAS DAY OBSERVED – CITY OFFICES CLOSED		
12/26/2007	Development Process Advisory Review Board (DPARB) Planning Board Housing Authority Traffic Control Board	1:00 p.m. 6:00 p.m. NOON NOON	CH Conference Room 4 <sup>th</sup> Floor Library 2415 1 <sup>st</sup> Avenue North 4 <sup>th</sup> Floor Library
12/27/2007	Yellowstone County Board of Health		TO BE ANNOUNCED