

# CITY OF BILLINGS

## CITY OF BILLINGS VISION STATEMENT:

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

---

## AGENDA

COUNCIL CHAMBERS

February 11, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Gaghen

ROLL CALL

MINUTES – January 28, 2008

COURTESIES

PROCLAMATIONS

ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, 3, 4, and 9 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. Mayor’s Appointments**

Mayor Tussing recommends that Council confirm the following appointments:

	Name	Board/Commission	Term	
1.	William Anderson	C/C Bicycle and Pedestrian Advisory Committee	02/11/08	12/31/09
2.	Jim Collins	C/C Bicycle and Pedestrian Advisory Committee	02/11/08	12/31/09

3.	Stella Fong	C/C Bicycle and Pedestrian Advisory Committee	02/11/08	12/31/10
----	-------------	---	----------	----------

**B. Appointment of Work Force Housing Ad Hoc Committee members.**

	Name	Representing
1	Jim Ronquillo	City Council
2	Bruce Simon	Central-Terry Task Force
3	Kim Gillan	Heights Task Force
4	vacant	North Park Task Force
5	David Goodridge	North Elevation Task Force
6	vacant	Southside Task Force
7	Barbara Prewitt	Southwest Corridor Task Force
8	vacant	West End Task Force
9	vacant	Highlands Neighborhood Planning Group
10	Tom Llewellyn	The Yellowstone Group
11	Steve Judd	Floberg Realty
12	Jeremiah Rouane	First Interstate Bank
13	Barbara Seeley	Intermountain Mortgage
14	vacant	Home Builders
15	vacant	Home Builders
16	Lucy Brown	Billings Housing Authority
17	Duane Loken	Community Development Board
18	Jean Neyrinck	Affordable Housing Task Force
19	Bruce MacIntyre	Billings Chamber of Commerce

**C. Bid Awards:**

**(1) Scoreboard at New Baseball and Multi-Use Stadium,** (Opened 2/5/08) Recommend delay of award until February 25, 2008.

**(2) MET Transit Engine Overhauls** (Opened 1/29/08) Recommend Interstate Power Systems, Sch. 1 - \$39,942.00; Sch. 2 - \$30,435.00; Sch. 3 - \$19,731.00, for a total bid of \$90,108.00.

**(3) W.O. 07-19 – Yellowstone Country Club Sanitary Sewer Line Extension,** (Opened 1/29/08) Recommend Western Municipal Construction, Inc., \$695,103.00.

**D. Contracts** for W.O. 07-15, General Engineering Services for Water and Wastewater Improvements, **HDR Engineering**, 3-year contract not to exceed \$250,000.00; **Brown and Caldwell Engineering**, 3-year contract not to exceed \$250,000.00,

**E. Contract** for W.O. 06-10, Bannister Drain Trail-Billings Design and Construction Administration Services, Engineering, Inc., \$64,067.00, contingent on CTEP concurrence.

**F. Contract** for W.O. 02-08, Milton Lane School Route, HKM Engineering, Inc., \$52,500.00, contingent on CTEP concurrence.

**G. Contract** for Groundwater and Landfill-Gas Monitoring Services, Tetra Tech, \$96,042.00, three year contract.

**H. Memorandum of Agreement** with the Montana Department of Transportation for W.O. 03-17, South 27<sup>th</sup> Street Quiet Zone.

**I. Compensation Agreement** with Montana Sapphire, LLC, for extension of water and sanitary sewer mains in King Avenue West, \$392,870.65.

**J. Termination of Project Development Agreement** with the State of Montana for MT 1036(1) Bench Boulevard-Billings Project.

**K. Acknowledging Receipt of Petition to Annex #08-01:** 114.3 acres of Tracts 1-5, C/S 2063, generally located north and west of the Shiloh Road and King Avenue West intersection, Lenhardt Property, LP; Lenhardt Enterprises, LLC; and Lenhardt Farm, LLC, owners and petitioners; and setting a public hearing date for 2/25/08.

**L. Street Closures:**

(1) St. Patrick's Day Parade and Street Fair. Parade: established downtown parade route, 11:00 a.m. – 12:00 noon. Street Fair: North Broadway between 1<sup>st</sup> and 3<sup>rd</sup> Avenues North, noon to 2:00 p.m. on 3/15/08.

(2) Yellowstone Rimrunners Shamrock Run, beginning at 3<sup>rd</sup> Street West and Avenue B, north onto 3<sup>rd</sup> Street West, west onto Parkhill to Nordbye, turning around going east on Parkhill, right on 3<sup>rd</sup> Street West, ending at Pioneer Park, 12:30 p.m. to 2:00 p.m. on 3/16/08.

**M. Approval of Application and Acceptance** of Stop Violence Against Women Act fund grant for domestic violence training and continuation of the Domestic Violence Investigator program, \$62,862.00, with 25% City match.

**N. Approval and Acceptance of Donations:**

(1) Ballpark Construction and Maintenance Funds, various donors, Construction Fund: \$250,470.00; Maintenance Fund: \$14,200.00.

(2) Billings Animal Shelter from the Donald and Carol Roberts Foundation in memory of Virginia K. Weston, Inc., \$500.00.

**O. Resolution of Intent** to create SILMD 304 in the downtown area and set a public hearing date of February 25, 2008.

**P. Resolution** extending current franchise agreement with Bresnan Communications an additional 60 days.

**Q. Second/Final Reading Ordinance for Zone Change #827:** A 44,644 square-foot property located north of Saturn Place in the Billings Heights. Dorn Property LLC, owner; Engineering, Inc., agent.

**R. Second/Final Reading Ordinance for Zone Change #830:** A 15,000 square foot vacant parcel legally described as the North Fraction 100 feet by 150 feet in Block 305 Billings, 1<sup>st</sup> Addition, and Sunnyside Subdivision, 3<sup>rd</sup> Filing, generally located on the southwest corner of the intersection of North 22<sup>nd</sup> Street and 10<sup>th</sup> Avenue North. Steve Kerns, owner/applicant.

**S. Second/Final Reading Ordinance** expanding the boundaries of Ward IV to include recently annexed property in Annex #07-19: 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.

**T. Preliminary Subsequent Minor Plat** of Amended Lot 5, Block 1, Shiloh Crossing Subdivision.

**U. Preliminary Minor Plat** of Riverfront Business Park Subdivision.

**V. Bills and Payroll**

- (1) January 11, 2008
- (2) January 18, 2008

## **REGULAR AGENDA:**

2. **RESOLUTION** approving reimbursement of temporary funding for water and sewer replacement expenses incurred prior to DNRC issuance of revenue bonds. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
3. **RESOLUTION** approving and adopting second quarter budget amendments for Fiscal Year 2007/2008. Delayed from 1/28/08. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
4. **ADDITIONAL FUNDS REQUEST** from homeWORD in the amount of \$200,000.00. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING** on Reallocation of CDBG and HOME Funds. Community Development Board and Staff recommend approval. (**Action:**

- approval or disapproval of Community Development Board and Staff recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward I to include recently annexed property in Annex #08-02: 54 acres legally described as Tract 2-B-1, Certificate of Survey 1121, generally located west of Washington Street, south of Interstate 90, and north of the Yellowstone River, King Business Park LLC; Richard Dorn, Samuel Rankin, and Hannah Elletson, owners and petitioners. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
  7. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #08-05:** Property described as Lot 1, Sylvia Subdivision, 1094 Lincoln Lane, generally located on the west side of Lincoln Lane, north of the Target Shopping Center in Billings Heights, First Citizens Bank, owner and petitioner. Staff recommends conditional approval. (**Action:** approval or disapproval of Staff recommendation.)
  8. **PUBLIC HEARING AND RESOLUTION** placing a county-wide planning mill levy increase on the June 2008 Election Ballot. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
  9. **WASTEWATER SERVICE AGREEMENT** with Lockwood Water and Sewer District. Staff recommends approval. (**Action:** approval or disapproval of Staff recommendation.)
  10. **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)

#### FEBRUARY:

2/04/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> Street
2/05/2008	Community Development Board Aviation & Transit Commission Zoning Commission	3:00 p.m. 5:30 p.m. 4:30 p.m.	4 <sup>th</sup> Floor Library Airport Terminal Council Chambers
2/06/2008	Board of Adjustment	6:00 p.m.	Council Chambers
2/07/2008	Human Relations Commission	12:15 p.m.	CH Conference Room
2/11/2008	Energy & Conservation Commission Council REGULAR MEETING	3:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Road Council Chambers
2/12/2008	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 <sup>th</sup> Floor Library
2/13/2008	Parks/Recreation/Cemetery Board	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> Street
2/14/2008	EMS Commission Library Board - <b>CANCELLED</b> Committee on Homelessness	7:00 a.m. NOON 2:00 p.m.	Main Fire Station 3 <sup>rd</sup> Floor Library 3 <sup>rd</sup> Floor Library
<b>2/18/2008</b>	<b>PRESIDENT'S DAY – CITY OFFICES CLOSED</b>		
2/19/2008	Yellowstone Historic Preservation Bd Council WORK SESSION	8:00 a.m. 5:30 p.m.	4 <sup>th</sup> Floor Library Community Center 360 N. 23 <sup>rd</sup> Street
2/21/2008	Tourism Business Improvement District Board Public Utilities Board	8:30 a.m. 6:30 p.m.	Chamber of Commerce 815 S. 27 <sup>th</sup> Street Public Works-Belknap 2251 Belknap Avenue
2/25/2008	Council REGULAR MEETING	6:30 p.m.	Council Chambers
2/26/2008	Traffic Control Board Council Agenda Setting Meeting	NOON 5:30 p.m.	4 <sup>th</sup> Floor Library CH Conference Room

2/27/2008	Planning Board Development Process Advisory Brd	6:00 p.m. 1:00 p.m.	4 <sup>th</sup> Floor Library CH Conference Room
<b><u>MARCH:</u></b>			
3/03/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> Street
3/04/2008	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
3/05/2008	Board of Adjustment	6:00 p.m.	Council Chambers
3/06/2008	EMS Commission Tourism Business Improvement District Board Human Relations Commission	7:00 a.m. 8:30 a.m. 12:15 p.m.	Main Fire Station Chamber of Commerce 815 S. 27 <sup>th</sup> Street CH Conference Room
3/10/2008	Energy & Conservation Commission Council REGULAR MEETING	3:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Road Council Chambers
3/11/2008	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 <sup>th</sup> Floor Library
3/12/2008	Parks/Recreation/Cemetery Board	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> Street
3/13/2008	Library Board Committee on Homelessness	NOON 2:00 p.m.	3 <sup>rd</sup> Floor Library 3 <sup>rd</sup> Floor Library
3/17/2008	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> Street
3/18/2008	Yellowstone Historic Preservation Bd	8:00 a.m.	4 <sup>th</sup> Floor Library
3/20/2008	Tourism Business Improvement District Board	8:30 a.m.	Chamber of Commerce 815 S. 27 <sup>th</sup> Street
3/24/2008	Council REGULAR MEETING	6:30 p.m.	Council Chambers
3/25/2008	Traffic Control Board Council Agenda Setting Meeting Planning Board	NOON 5:30 p.m. 6:00 p.m.	4 <sup>th</sup> Floor Library CH Conference Room 4 <sup>th</sup> Floor Library
3/26/2008	Development Process Advisory Brd	1:00 p.m.	CH Conference Room