

# CITY OF BILLINGS

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

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## AGENDA

COUNCIL CHAMBERS

May 29, 2007

6:30 P.M.

CALL TO ORDER – Mayor Tussing  
PLEDGE OF ALLEGIANCE – Mayor Tussing  
INVOCATION – Jim Ronquillo  
ROLL CALL  
MINUTES – May 14, 2007  
COURTESIES  
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) **Crosswalk Lighting Upgrades for the Airport Terminal Building.** (Opened 5/15/07) Recommend Yellowstone Electric, \$51,114.00.
  - (2) **Airport Improvement Program (AIP) 33 Taxiway A Drainage and Pavement Rehabilitation Project.** (Opened 5/15/07) Recommend Schedule 1: Riverside Sand and Gravel, Inc., \$393,163.70. Schedules II, III and IV: Western Municipal Construction, \$972,698.75.
  - (3) **New Billings Baseball and Multi-Use Stadium at Athletic Park – West End Excavation.** (Opened 5/15/07) Recommend CMG Construction, Inc., \$71,971.00.
  - (4) **SID 1375 Claremont Road Improvements.** (Opened 5/29/07) Recommend delay of bid award until 6/11/07.

**(5) SID 1377 Greenbriar Road Improvements.** (Opened 5/29/07) Recommend delay of bid award until 6/11/07.

**(6) Work Order 07-01, 2007 Water and Sewer Replacement Project.** (Opened 5/22/07) Recommend delay of bid award until 6/11/07.

**B. Approval** of new commercial non-aviation ground lease for a communication site with Gold Creek Cellular of Montana Limited Partnership.

**C. Approval** of two west end hangar ground leases with John M. and/or Marcia A. Nash, Lots 10 and 11.

**D. CTEP Agreement** with Montana Department of Transportation for Main Street Underpass project.

**E. CTEP Agreement** with Montana Department of Transportation for Lake Elmo Drive Path project.

**F. Agreement** with Shiloh Crossing Partners, LLC, for design of improvements to King Avenue West from South 31<sup>st</sup> Street West to Shiloh Road.

**G. Turn Key Agreement** for Cobb Field with Billings Mustangs, American Legion Baseball Program, and MSU-B Men's Varsity Baseball Program, \$29,000.00.

**H. Amendment #2, Hazardous Waste Collection Events.** Professional Services Contract, Philip Services, \$40,000.00.

**I. Amendment #2, Paving of Overflow Parking Lots at Billings Logan International Airport.** Morrison-Maierle, Inc. \$78,799.00.

**J. Amendment #3, W.O. 03-25 Rimrock Road.** Professional Services Contract, HKM Engineering, Inc., \$29,023.00.

**K. Amendment #4, Architectural Services for the Airport Terminal Building Roofing Project.** CTA Architects Engineers. \$52,768.12.

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

(1) Parcel 14: Portion of Tract A, Certificate of Survey 280, Vernon E. West and Judy K. West. \$9,050.00.

(2) Parcel 28: Portion of Unit No. 68 of Imperial Park Condominium, Lot 1, Block 1 of Windsor Imperial Subdivision, Sang Soon Almer. \$4,600.00.

(3) Parcel 59: Portion of Tract 2, Certificate of Survey 1113, The Housing Authority of Billings. \$3,050.00.

**M. Briarwood Sanitary Sewer Main Extension Right-of-Way Agreement and Perpetual Right-of-Way Easement** with Atchison, Inc. \$23,182.50.

**N. Street Closures:**

(1) St. Vincent's Health Care Heart and Sole Race, 6:00 a.m. to 12:30 p.m., June 10, 2007.

(2) Perfect Pitch, Inc. Montana Avenue Live, 10:00 a.m. to 12:00 a.m. every Friday, June 15 to August 24, N. 25<sup>th</sup> Street from Montana Avenue to 1<sup>st</sup> Avenue North.

**O. Resolution** appointing primary and alternate representatives to the Downtown Billings Partnership, Inc. Board of Directors.

**P. Resolution of Intent** to create SID 1378, Clevenger Avenue Improvements (street, sidewalk, storm drain, drive approach, curb/gutter), and set a public hearing date for June 25, 2007.

**Q. Resolution of Intent** to construct sidewalks and related improvements as part of W.O. 05-17 Highland School Sidewalk Improvements-Billings, Federal Aid No. STPE 1099(48), and set a public hearing date of June 25, 2007.

**R. Second/Final reading ordinance expanding Ward IV (Annexation #07-06)** for 42.26 acres for the future Cottonwood Park site: located at the northwest corner of Colton Boulevard and 54<sup>th</sup> Street West. City of Billings, owner.

**S. Second/Final reading ordinance expanding Ward III (Annexation #07-07)** for an approximate 150-acre parcel legally described as: Lots 1-5, Block 1, Western Sky Subdivision. Cal Kunkel and Gerald Krieg, owners.

**T. Recommendation** for change in number of units, Sage Tower Building, Menola Land, Sage Tower, LLC, owners.

**U. Recommendation** for re-allocation of Affordable Housing Funds to complete Phase III infrastructure in King's Green Subdivision.

**V. Preliminary Subsequent Minor Plat** of Lake Hills Sub., 17<sup>th</sup> Filing, Lots 5 and 6, Block 11.

**W. Final Plat Approval**

(1) Caleb Park Sub.

(2) Amended Plat of Broso Valley Park Sub., Lots 12 & 13.

**X. Bills and Payroll**

- (1) April 27, 2007
- (2) May 4, 2007
- (3) April 1, 2007 – April 30, 2007 (Municipal Court)

(Action: approval or disapproval of Consent Agenda.)

**REGULAR AGENDA:**

- 2. **W.O. 05-02: 2005 - 2006 Miscellaneous/Developer-Related Improvements.** Staff Recommends approval. (Action: approval or disapproval of Staff recommendation.) (Delayed from 4/23/07)
- 3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #804:** A zone change from Residential Professional (RP) to Residential Multi-Family Restricted (RMF-R) on Lot 1A, Certificate of Survey 2991, and located on the southeast corner of the intersection of Central Avenue and Brookshire Boulevard addressed as 2810 Central Avenue. CBE Properties, LLC, owners. Zoning Commission recommends approval and adoption of the determination of the 12 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
- 4. **PUBLIC HEARING AND SPECIAL REVIEW #845:** A special review to allow an all beverage liquor license with gaming on property described as Lot 20, Block 4, Sunset Subdivision, 1<sup>st</sup> Filing, in a Community Commercial zoning district and located at 1102 Grand Avenue. X1S Entertainment, owner. Aquilino Diaz, agent. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 5. **PUBLIC HEARING AND SPECIAL REVIEW #846:** A special review to allow a parking lot on existing vacant land zoned Residential-6000 (R-60) described as the west 79 feet of Lot 2, Block 1, Alego Subdivision, and located at 818 Avenue B. Michael D. Stock, owner. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 6. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-08:** Property described as Tract 3, Certificate of Survey 2298, located in Section 4, T.1S, R.25E on the southwest corner of the intersection of Grand Avenue and 56<sup>th</sup> Street West. Hope Evangelical Church, owner and petitioner. Benjamin Gonzales, representative. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)

7. **(a) PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #07-09:** Property described as the NW1/4 of Section 16, and the SW1/4 of Section 9, T.1S, R.26E, located on the southeast corner of the intersection of King Avenue East and Calhoun Lane. Staff recommends conditional approval. (**Action:** approval or disapproval of staff recommendation.)
- (b) PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #806:** A zone change from Residential 15000 (R-150) and Residential Manufactured Home (RMH) to Entryway General Commercial (EGC) generally located on the southwest corner of King Avenue East and Orchard Lane and described as: the E1/2, NE1/4, NW1/4, less Certificate of Survey 3153 and the W1/2, NE1/4, NW1/4, less highway and less Miller Crossing Subdivision, Section 16, T.1S, R.26E, and Certificate of Survey 3153. Zoning Commission recommends approval. (**Action:** approval or disapproval of Zoning Commission recommendation.)
8. **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>**

## **CALENDAR (Council AND Boards & Commissions)**

### **JUNE:**

6/01/2007

Human Relations Commission

12:15 p.m.

CH Conference Room

6/04/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
6/05/2007	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
6/06/2007	Board of Adjustment	6:00 p.m.	Council Chambers
6/07/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
6/11/2007	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
6/12/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
6/13/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
6/14/2007	Library Board Committee on Homelessness	11:30 a.m. 1:30 p.m.	Library 3 <sup>rd</sup> Floor Library
6/18/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
6/19/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
6/21/2007	Public Utilities Board	6:30 p.m.	Public Works-Belknap 2251 Belknap Ave
6/25/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
6/26/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
6/27/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board Housing Authority	1:00 p.m. NOON NOON	CH Conference Room 4 <sup>th</sup> Floor Library 2415 1 <sup>st</sup> Avenue North
6/28/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 <sup>th</sup> Street

**JULY:**

7/02/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
7/03/2007	Zoning Commission Aviation & Transit Commission	4:30 p.m. CANCELLED	Council Chambers

7/04/2007	INDEPENDENCE DAY – CITY OFFICES CLOSED		
7/05/2007	Board of Adjustment EMS Commission	6:00 p.m. 7:30 a.m.	Council Chambers Main Fire Station Conf.
	Rm		2300 9 <sup>th</sup> Ave. N. CH Conference Room
	Human Relations Commission	12:15 p.m.	
7/09/2007	Energy & Conservation Commission	3:00 p.m.	Billings Operations Ctr. 4848 Midland Rd.
	Parking Advisory Board	4:00 p.m.	CH Conference Room
	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/10/2007	Community Development Board	3:00 p.m.	4 <sup>th</sup> Floor Library
	Council Agenda Setting Meeting	5:30 p.m.	CH Conference Room
	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
7/11/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 <sup>rd</sup> St.
	Community Development Board	3:00 p.m.	4 <sup>th</sup> Floor Library
7/12/2007	Library Board	11:30 a.m.	Library
	Committee on Homelessness	1:30 p.m.	3 <sup>rd</sup> Floor Library
7/16/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
7/17/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
7/23/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/24/2007	Planning Board	6:00 p.m.	4 <sup>th</sup> Floor Library
7/25/2007	Development Process Advisory Review Board (DPARB)	1:00 p.m.	CH Conference Room
	Traffic Control Board	NOON	4 <sup>th</sup> Floor Library
	Housing Authority	NOON	2415 1 <sup>st</sup> Avenue North
7/26/2007	Yellowstone County Board of Health	CANCELLED	
7/31/2007	Council Agenda Setting Meeting	5:30 p.m.	CH Conference