

# 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**

**November 13, 2007**

**6:30 P.M.**

**CALL TO ORDER – Mayor Tussing**

**PLEDGE OF ALLEGIANCE – Mayor Tussing**

**INVOCATION – Mayor Ron Tussing**

**ROLL CALL**

**MINUTES – October 22, 2007**

**COURTESIES – Finance (Bruce McCandless)**

**PROCLAMATIONS – Benjamin C. Steele Day – November 17, 2007**

**ADMINISTRATOR REPORTS – Tina Volek**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, 5, 6(B), and 6(C) 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. Approval of Appointments to the Downtown Transit Center Ad Hoc Committee**, Randy Hafer; Kim Barnett; Stephen Wahrlich; Geoffrey Parkins; Greg Krueger; and Kimberly Watson.

**B. Bid Awards:**

**(1) Cold Storage Steel Building.** (Opened 10/23/07)  
Recommend Hardy Construction, \$88,000.00.

**(2) Sale of Two (2) Aircraft Rescue Fire Fighting Trucks.**  
(Opened 10/30/07). Recommend Crash Rescue Equipment Service, Inc., \$86,104.00.

**C. Change Order No. 2 - W.O. 06-18 Broadwater Subdivision, Phase V**, JTL Group, Inc., \$3,525.00.

**D. Amendment No. 8 – SID 1379, Utility and Street Improvements to King Avenue West from S. 31<sup>st</sup> Street West to Shiloh Road,** HDR Engineering, Inc., an amount not to exceed \$343,642.00.

**E. Contract for Professional Services, W.O. 08-01 2008 Water and Sewer Replacement Project,** Morrison-Maierle, Inc., an amount not to exceed \$926,713.00.

**F. Resolution** terminating the Downtown Tax Increment District and **Allocating Funds and Development Agreement** with Downtown Billings Partnership.

**G. Annual Agreement** with Yellowstone County to provide Law Enforcement Data Processing Services, \$85,779.00.

**H. Annual Agreement** with Yellowstone County for City-County Special Investigations Unit (CCSIU), with no additional cost to the City of Billings.

**I. Construction Agreements (3)** with MT Department of Transportation City Maintained Routes, with no cost to the City of Billings.

**J. Vehicle Lease Agreement** with Underriner Motors for an Internet Crimes Against Children (ICAC) Task Force Lease Vehicle, 12/1/07 – 2/29/09, \$5,250.00.

**K. Assignment and Transfer of West End Hangar Ground Lease** from John M. and/or Marcia A. Nash to Drew C. and/or Jennifer R. White.

**L. Commercial Terminal Building Lease** with ARINC Incorporated, 10/1/07 – 10/1/08, first year revenue \$3,110.48.

**M. Limited Commercial Ground Lease** with Aerotronics, Inc., 10/1/07 – 9/30/27, first year revenue \$17,456.52.

**N. Amendment of Lease** for office space to the Transportation Security Administration (TSA), additional revenue of \$15,705.96, for annual lease rental of \$52,598.07.

**O. Airline Operating Permit** with ExpressJet Airlines.

**P. Acknowledging Receipt of Request to Annex #07-05:** 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, and setting a public hearing date for 12/10/07.

**Q. Acknowledging Receipt of Request to Annex #07-11:** a 3.74-acre portion of Broadwater Avenue right-of-way west of 30<sup>th</sup> Street West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**R. Acknowledging Receipt of Request to Annex #07-12:** a 1.69-acre portion of Bell Avenue right-of-way west of Shiloh Road; City of Billings, requester, and setting a public hearing date of 12/10/07.

**S. Acknowledging Receipt of Request to Annex #07-13:** a 1.89-acre portion of Grand Avenue and Zimmerman Trail right-of-way; City of Billings, requester, and setting a public hearing date of 12/10/07.

**T. Acknowledging Receipt of Request to Annex #07-14:** 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, and setting a public hearing date of 12/10/07.

**U. Acknowledging Receipt of Request to Annex #07-16:** a 0.359-acre portion of Grand Avenue right-of-way east of 56<sup>th</sup> Street West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**V. Acknowledging Receipt of Request to Annex #07-18:** a portion of 56<sup>th</sup> Street West and Broadwater Avenue rights-of-way; City of Billings, requester, and setting a public hearing date of 12/10/07.

**W. Acknowledging Receipt of Request to 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, and setting a public hearing date of 12/10/07.

**X. Acknowledging Receipt of Request to Annex #07-25:** a 2.457-acre portion of 44<sup>th</sup> Street West right-of-way south of King Avenue West; City of Billings, requester, and setting a public hearing date of 12/10/07.

**Y. Acknowledging Receipt of Petition to Vacate** a portion of Henry Road right-of-way fronting property located at 1125 Henry Road; John Glenn, owner and petitioner, and setting a public hearing date of 12/10/07.

**Z. Acceptance of Donation:** Approval and acceptance of donation from Northwestern Energy to the Cobb Field Fundraising Project, \$2,000.00.

**AA. Resolution of Intent** to create a South Billings Boulevard Urban Renewal District with tax increment authority; declaring the existence of blight within the South Billings Boulevard Urban Renewal Area; and setting a public hearing date of 11/26/07.

**BB. Resolution** relating to financing of the South Billings Boulevard Tax Increment Financing District; establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

**CC. Resolution of Intent** to create Special Improvement District 1380, Terra West Subdivision, 3<sup>rd</sup> and 4<sup>th</sup> Filings, for Monad Road Street Frontage Improvements, and set a public hearing date of 12/10/07.

**DD. Resolution of Intent** to create Special Improvement Maintenance District No. 4038, Terra West Subdivision, 3<sup>rd</sup> and 4<sup>th</sup> Filings, Monad Road Street Frontage Improvements, and set a public hearing date of 12/10/07.

**EE. Resolution of Intent** to create Park Maintenance District No. 4035, Bitterroot Heights Subdivision, and set a public hearing date of 12/10/07.

**FF. Second/Final Reading Ordinance for Zone Change #822:** A zone change from Residential 9600 to Residential 7000 Restricted on a 400-acre property north and west of High Sierra Subdivision and Lake Hills Subdivision. Dover Ranch, owner.

**GG. Final Plat** of Grand Avenue School Subdivision, Amended Lot 1, Block 1.

**HH. Bills and payroll.**

- (1) October 5, 2007
- (2) October 12, 2007
- (3) October 19, 2007

**REGULAR AGENDA:**

2. **ELECTION** of Deputy Mayor.
3. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward II to include recently annexed property: a 5-acre parcel described as: Tract 1B, Certificate of Survey 1335, Amended, Hanser Capital Holdings LLC, owner. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** exchanging property described as Lots 19-24, Block 60, Original Town of Billings, with Yellowstone County for adjacent property owned by Yellowstone County to facilitate the construction of a MET Transit Transfer Center. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

5. **AGREEMENT** with Lockwood Area/Yellowstone County Water and Sewer District for treatment and disposal of wastewater. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
6. **(A) PUBLIC HEARING AND RESOLUTION** approving and adopting a budget amendment for Fiscal Year 2007/2008. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)  
**(B) RESOLUTION** directing payment and budgeting for the Firefighter Lawsuit Judgment. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)  
**(C) PROPOSAL** from Koch Financial Corporation to finance the majority of the Firefighter lawsuit. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **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)*

<p style="text-align: center;"><b>Visit our Web site at: <a href="http://ci.billings.mt.us">http://ci.billings.mt.us</a></b></p>
--

# CALENDAR

## (Council AND Boards & Commissions)

**NOVEMBER:**

11/01/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room
11/05/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St
11/06/2007	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 Conf. Rm. Council Chambers Airport Terminal
11/07/2007	Board of Adjustment	6:00 p.m.	Council Chambers
11/08/2007	Library Board Committee on Homelessness	NOON 2:00 p.m.	Library 3 <sup>rd</sup> Floor Library
11/12/2007	VETERAN'S DAY – CITY OFFICES CLOSED		
11/13/2007	Parking Advisory Board Planning Board REGULAR Council Meeting	4:00 p.m. 6:00 p.m. 6:30 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library Council Chambers
11/14/2007	Parks/Recreation/Cemetery Bd Council Agenda Setting Meeting	11:30 a.m. 5:30 p.m.	Community Center 360 N. 23 <sup>rd</sup> St. CH Conference Room
11/19/2007	Energy & Conservation Commission Council WORK SESSION	3:00 p.m. 5:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Community Center 360 N. 23 <sup>rd</sup> St
11/20/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 <sup>th</sup> Floor Library
11/22/2007	THANKSGIVING DAY – CITY OFFICES CLOSED		
11/26/2007	Parking Advisory Board REGULAR Council Meeting	4:00 p.m. 6:30 p.m.	CH Conference Room Council Chambers
11/27/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 <sup>th</sup> Floor Library
11/28/2007	Development Process Advisory Review Board (DPARB) Housing Authority Traffic Control Board	1:00 p.m. NOON NOON	CH Conference Room 2415 1 <sup>st</sup> Avenue North 4 <sup>th</sup> Floor Library

**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	