

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA (Revised 4/8/09)

COUNCIL CHAMBERS

April 13, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Pitman

ROLL CALL

MINUTES – March 23, 2009

COURTESIES

PROCLAMATIONS

- **Arbor Day, April 24, 2009**
- **Fair Housing Month, April 2009**
- **Billings Child Abuse Prevention and Awareness Month, April 2009**

ADMINISTRATOR REPORTS – Tina Volek

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2, 8, 9a and 9b 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) Mini Buses (2) for Parks and Recreation Department.
(Opened 3/31/09) Recommend Intermountain Coach, \$119,706.

(2) Cab and Chassis for Billings Logan International Airport.
(Opened 3/24/09) Recommend Motor Power Equipment, \$118,687.

(3) W.O. 08-02 Miscellaneous/Developer Related Project and Additive Alternate No. 1. (Opened 3/24/09) Recommend J & J Concrete, \$404,200.

(4) W.O. 08-12 Waste Water Treatment Plant Digester Gas Condensate Drain Vault Entrance. (Opened 3/10/09 and delayed from 3/23/09.) Recommend reject all bids.

(5) W.O. 08-24 Broadwater Crossing connecting Descro Park and Lillis Park – Billings Federal Aid Project STPE 1099(63) MDT CN6634. (Opened 3/24/09) Recommend H.L. Ostermiller Construction, Inc., \$75,733.66, pending CTEP approval.

(6) W.O. 09-04 2009 Accessibility Ramps on Grand Avenue and 19th Street West. (Opened 3/24/09) Recommend J & J Concrete, \$333,910.

(7) W.O. 09-05 Poly Surface Improvements from Westfield Drive to Aspen Drive. (Opened 3/24/09) Recommend Knife River Construction, \$109,448.50.

B. Grant Agreement with Department of the Army for Orchard Lane Water Main Replacement Design and Construction, \$184,000.

C. Certified Local Government Program Contract with the State of Montana Historic Preservation Office for historic preservation activities, \$5,500 (4/1/09—3/31/10). Local matches: City of Billings - \$1,031; Yellowstone County - \$1,000; City of Laurel - \$469.

D. Acknowledging receipt of petition to annex #09-02: .74 acres of Lot 26, Block 19, Lillis Heights Subdivision, generally located on the northwest corner of Rimrock Road and Rim Point Drive at 4739 Rimrock Road; MCS Properties, LLC, petitioner, and setting a public hearing for April 27, 2009.

E. Confirmation of Police Officer:

(1) Jacob Best

F. Street Closures:

(1) Montana Women's Run, 5/9/09. Closures -- 6 a.m. to 12 noon: 2nd and 3rd Avenues from N. 10th to Division Street; 8:25 a.m. to 10 a.m.: Clark and Yellowstone Avenues (partial); and 6 a.m. to 12 noon: 2nd Avenue N. from N. 27th Street to N. 29th Street and Broadway from 1st Avenue N. to 3rd Avenue N.

(2) Yellowstone Valley Farmers Market – Saturdays, 7/18/09 through 10/3/09, 6 a.m. to 1 p.m., and **Wednesdays, 8/5/09** through 8/26/09, 3 p.m. to 9 p.m., N. 28th from 1st to 3rd Avenue N. and 2nd Avenue N. from 29th to 1st Avenue N on Saturdays and N. 28th from 2nd to 3rd Avenue N. on Wednesdays.

G. Approval of Donations to send School Resource Officers to the National Conference in Baltimore, MD (6/29/09 – 7/3/09).

(1) GST, Inc., \$2,053.

(2) Wal-Mart Foundation, \$500.

H. Approval of application for an AmeriCorps VISTA Project, approximately \$320,000 per year through the American Recovery and Reinvestment Act (ARAA) of 2009.

I. Approval of application and acceptance of 2009 Internet Crimes Against Children Recovery (ICAC Recovery) Grant, \$422,046 through the American Recovery and Reinvestment Act (ARRA) of 2009.

J. Approval of application for a Recreational Trails Program grant for continuation of the Swords Park Trail through the east end of the park and connecting to the existing Airport Road underpass, \$35,000 maximum.

K. Resolution of Intent to Create SID 1386, MacDonald Drive Street Improvements, and setting a public hearing date for May 11, 2009.

L. Second/final reading ordinance for revisions to the Animal Ordinance: changes to the existing ordinance by the Animal Control Board due to the contract entered into between the City of Billings and Yellowstone Valley Animal Shelter.

M. Exempt Plat of Amended Lot 2A-4, Block 1, Miller Crossing Subdivision.

N. Bills and Payroll

- (1) March 6, 2009
- (2) March 13, 2009
- (3) March 20, 2009

(Action: approval or disapproval of Consent Agenda)

REGULAR AGENDA:

2. **RESOLUTION** relating to Special Improvement District Bonds 1384, Yellowstone Club Estates; determining the form and details and authorizing the execution and delivery. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND APPROVAL** of contract with RedFlex Traffic Systems, Inc. to provide red light camera traffic enforcement services to the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR SOCIAL HOST ORDINANCE.** An amendment to Chapter 18 of the Billings City Code adding Article 12, holding a person accountable for organizing a party or event in which underage consumption of alcohol takes place. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE AUTHORIZING A MUNICIPAL TREATMENT COURT ADMINISTRATIVE FEE.** An ordinance

that authorizes a \$25.00 court fee to help defray administrative costs incurred by Municipal Court for processing misdemeanor criminal offenses in Billings Adult Misdemeanor Drug Court, Billings Adult Misdemeanor DUI Court, and Billings Adult Misdemeanor Mental Health Court. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

6. **PUBLIC HEARING AND FIRST READING ORDINANCE AUTHORIZING CLOSURE OF HAZARDOUS FIRE AREAS AND UPDATING REFERENCES TO THE FIRE CODE.** An ordinance that provides authority to the Billings Fire Department to close hazardous fire areas, and updates the Billings City Code with appropriate language to provide the enforcement mechanism to manage hazardous fire areas. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION APPROVING TAX INCENTIVES FOR KIMMET PROPERTIES, LLC, DBA CELLULAR PLUS** for commercial building expansion on property located at 815 Main Street. Kimmet Properties LLC and Adam Kimmet, owners. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
8. **LENHARDT SQUARE MASTER PLAN AGREEMENT.** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
9. (a) **MANAGEMENT AGREEMENT WITH DOWNTOWN BILLINGS PARTNERSHIP, INC.** to manage the Expanded North 27th Street Urban Renewal Area/Tax Increment District, \$98,580.

(b) **MANAGEMENT AGREEMENT WITH BILLINGS INDUSTRIAL REVITALIZATION DISTRICT, INC.** to manage projects within the East Billings Urban Renewal Area/Tax Increment District, \$2,000.
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

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please contact Cari Martin, City Clerk, at 657-8210.

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