

# CITY OF BILLINGS

## CITY OF BILLINGS VISION STATEMENT:

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

---

## AGENDA

COUNCIL CHAMBERS

May 11, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing  
PLEDGE OF ALLEGIANCE – Mayor Tussing  
INVOCATION – Mayor Tussing  
ROLL CALL  
MINUTES – April 27, 2009  
COURTESIES  
PROCLAMATIONS:

- Peace Officers’ Memorial Day, Friday, May 15, 2009
- Emergency Medical Services Week, May 17-23, 2009

ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 6, AND 7 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) **Airfield Concrete Ramp Joint Repair.** (Opened 4/28/09).  
Recommend A-Core of Idaho, Inc., \$109,730.

B. **W.O. 08-01, 2008-2009 Water & Sewer Replacement Projects, Schedule 2, License Agreement** with Robert and Jennifer Bradshaw to transfer two sewer services from old sewer main at 601 Grand Avenue to new sewer main; at no cost to the City.

**C. Compensation Agreement** for Private Contract No. 608 for extension of storm drain and sanitary sewer main in King Avenue West; St. Vincent Healthcare Foundation, Inc. and Montana Sapphire, LLC, Developers; \$100,806 sanitary sewer equal share compensation; \$255,507 storm sewer equal share compensation.

**D. Maintenance Agreement** with State of Montana to provide regular street maintenance of state-owned highway system within the city limits; and **Special Projects Contract Maintenance Agreement** to provide maintenance on state highway system within the city limits. Two-year agreements from July 1, 2009, through June 30, 2011; regular street maintenance revenue: \$592,035 in FY2010 and \$603,997 in FY2011; \$300,000 annual revenue for special projects maintenance.

**E. Development Agreement and Deed Restriction Agreement** providing a \$465,000 zero interest deferred payment loan to the Interfaith Hospitality Network for its Housing First project located at 1427 Avenue C.

**F. Acknowledge receipt of petition to vacate** a portion of Zimmerman Trail abutting Lot 5, Scott Subdivision; James and Jenica Buker, petitioners; and set a public hearing for June 8, 2009.

**G. Street Closures:**

(1) **Al Bedoo Shrine Parade**, 6/6/09, 10 a.m. to 12 p.m., commencing at 3<sup>rd</sup> Avenue N. and N. 23<sup>rd</sup> Street, west on 3<sup>rd</sup> Avenue N., south on N. 32<sup>nd</sup> Street, east on 2<sup>nd</sup> Avenue North, ending at N. 27<sup>th</sup> Street.

(2) **St. Vincent's Health Care Heart and Sole Race**, 6/13/09, 6 a.m. to 1 p.m., commencing on N. 30<sup>th</sup> Street across from St. Vincent Healthcare, south to 7<sup>th</sup> Avenue N., west on Avenue B, through Pioneer Park, north on Virginia Lane, west on Parkhill Drive, north on 17<sup>th</sup> Street W., west on Colton Boulevard, north to Poly Drive, east on Poly Drive, ending on Poly Drive north of Grandview Park.

(3) **Yellowstone Health Partnership Fun Run/Walk**, 6/20/09, 7 a.m. to 11 a.m., commencing at 2<sup>nd</sup> Avenue S and S. 26<sup>th</sup>, east to S. 25<sup>th</sup> Street, south to 6<sup>th</sup> Avenue S., west to S. 37<sup>th</sup> Street, north to 2<sup>nd</sup> Avenue S., east to S. 28<sup>th</sup> Street, south to 9<sup>th</sup> Avenue S., west to S. 31<sup>st</sup> Street, north to South Park on 6<sup>th</sup> Avenue S.

(4) **Alberta Bair Theater Annual Fundraiser**, 6/27/09, 10 a.m. to midnight, 2<sup>nd</sup> Avenue N. from the alley west of 27<sup>th</sup> Avenue N. to 29<sup>th</sup> Avenue N., N. Broadway between 1<sup>st</sup> Avenue N. and 3<sup>rd</sup> Avenue N., and N. Broadway between 3<sup>rd</sup> Avenue N. and 4<sup>th</sup> Avenue N.

(5) **Big Sky State Games 5K Run**, 7/17/09, 5:30 p.m. to 7 p.m., commencing at 3<sup>rd</sup> Street W. at Grand Avenue, north on 3<sup>rd</sup> Street W., west on Parkhill Drive to 12<sup>th</sup> Street W., east on Parkhill Drive, south on 3<sup>rd</sup> Street W., ending at Wendy's Field at Daylis Stadium.

**(6) Big Sky State Games Triathlon**, 7/19/09, 6 a.m. to 11 a.m., Adult course -- starting at Lake Elmo State Park, right on Rolling Hills Road to Pemberton and the entrance to All American Pharmaceuticals, left on Main Street, left on Highway 87 to Shepherd Action Road, south on Highway 87, right on Main Street, right on Pemberton to Rolling Hills and back to Lake Elmo State Park. Kids' course – starting at Lake Elmo State Park, left to Riveroaks Drive, left on Annandale Road, left on Riveroaks Drive, back to Lake Elmo State Park.

**(7) Downtown Billings Association Events:**

- (a) Alive After 5, 6/4/09, 3 p.m. to 9 p.m., 2<sup>nd</sup> Avenue N. from N. Broadway to N. 29<sup>th</sup> Street;
- (b) Alive After 5, 6/11/09, 3 p.m. to 9 p.m., N. 26<sup>th</sup> Street from Montana Avenue to 1<sup>st</sup> Avenue N.;
- (c) Alive After 5, 6/18/09, 3 p.m. to 9 p.m., N. Broadway between 1<sup>st</sup> Avenue N. and 2<sup>nd</sup> Avenue N.;
- (d) Alive After 5, 6/25/09, 3 p.m. to 9 p.m., N. 25<sup>th</sup> Street between Montana Avenue and 1<sup>st</sup> Avenue N.;
- (e) Alive After 5, 7/2/09, 3 p.m. to 9 p.m., N. 31<sup>st</sup> Street between 4<sup>th</sup> Avenue N. and 6<sup>th</sup> Avenue N.;
- (f) Alive After 5, 7/9/09, 3 p.m. to 9 p.m., N. 24<sup>th</sup> Street between 4<sup>th</sup> Avenue N. and 3<sup>rd</sup> Avenue N.;
- (g) Alive After 5, 7/30/09, 3 p.m. to 9 p.m., N. 30<sup>th</sup> Street between 1<sup>st</sup> Avenue N. and 2<sup>nd</sup> Avenue N.;
- (h) Alive After 5, 8/6/09, 3 p.m. to 9 p.m., N. Broadway from 1<sup>st</sup> Avenue N. to 2<sup>nd</sup> Avenue N.;
- (i) Alive After 5, 8/13/09, 3 p.m. to 9 p.m., N. 29<sup>th</sup> Street between 1<sup>st</sup> Avenue N. and Montana Avenue;
- (j) Strawberry Festival, 6/9/09, 3 a.m. to 7 p.m., N. 28<sup>th</sup> Street from 1<sup>st</sup> Avenue N. to 3<sup>rd</sup> Avenue N., 2<sup>nd</sup> Avenue N. from the alley west of N. 27<sup>th</sup> Street to N. 30<sup>th</sup> Street, N. 29<sup>th</sup> Street from 1<sup>st</sup> Avenue N. to 3<sup>rd</sup> Avenue N.;
- (k) Harvestfest, 10/10/09, 6 a.m. to 5 p.m., N. 28<sup>th</sup> from 1<sup>st</sup> Avenue N. to 3<sup>rd</sup> Avenue N., 2<sup>nd</sup> Avenue N. from the alley west of N. 27<sup>th</sup> Street to N. 29<sup>th</sup> Street;
- (l) Holiday Parade, 11/27/09, 7 p.m., standard downtown parade route;
- (m) Christmas Stroll, 12/4/09, 4 p.m. to 9:30 p.m., N. 28<sup>th</sup> Street from 1<sup>st</sup> Avenue N. to 3<sup>rd</sup> Avenue N., 2<sup>nd</sup> Avenue N. from the alley east of N. 27<sup>th</sup> Street to N. 29<sup>th</sup> Street.

**H. Resolution** for temporary suspension of the camping ordinance for BLM's annual seasonal fire mobilization operation at Billings Logan International Airport, 7/1/09-10/31/09, at no cost to the City.

**I. Resolution** creating an ad hoc committee to promote annexation east of the East End TIF District.

**J. Resolution of Intent** to create SID 1387, Zimmerman Trail Subdivision Sanitary Sewer Improvements, and set a public hearing for June 8, 2009.

**K. Resolution of Intent** to create SILMD 307, Shiloh Road from Rimrock Road to Pierce Parkway, and set a public hearing for June 8, 2009.

**L. Preliminary Minor Plat** of Goodwin Acres Subdivision, Amended Lot 2A; a .79-acre tract located at Gentry Lane north of the 2500 block of Poly Drive; Bruce and Lynette Jensen, applicants; Eggart Engineering Company, engineer; conditional approval of preliminary minor plat, approval of two variance requests from the street development standards, and adoption of the Findings of Fact.

**M. Bills and Payroll**

- (1) April 10, 2009
- (2) April 17, 2009

(Action: approval or disapproval of Consent Agenda)

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION AMENDING THE FY2009 BUDGET.** An amendment establishing budget authority in the Airport Capital Grant Fund for the Taxiway "A" East rehabilitation project to be funded by the American Recovery and Reinvestment Act. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
3. **CONTINUANCE OF PUBLIC HEARING AND RESOLUTION** approving and adopting third quarter budget amendments for Fiscal Year 2008/2009. (Continued from 4/27/09). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annexation #09-02, a .74-acre property described as Lot 26, Block 19, Lillis Heights Subdivision, and located at 4739 Rimrock Road; MCS Properties, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** creating SID 1386, East MacDonald Drive and West MacDonald Drive, for construction of curb and gutter, drive approaches, and street improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

6. **COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAMS AND THE FY2009-2010 ANNUAL ACTION PLAN.** Public hearing held April 27, 2009. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **FY 2010 DOWNTOWN BILLINGS PARTNERSHIP PROJECT PROPOSAL** for \$20,000 of N. 27<sup>th</sup> Street Tax Increment District funds for four downtown improvement projects. Staff recommends approval. (**Action:** approval or disapproval of staff 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**

*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>**