

# CITY OF BILLINGS

## CITY OF BILLINGS VISION STATEMENT:

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

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## AGENDA

COUNCIL CHAMBERS

July 13, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing  
PLEDGE OF ALLEGIANCE – Mayor Tussing  
INVOCATION – Councilmember McCall  
ROLL CALL  
MINUTES – June 22, 2009  
COURTESIES  
PROCLAMATIONS  
ADMINISTRATOR REPORTS – Tina Volek

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 2 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) **Airport Ramp Sweeper.** (Opened 6/23/09) Recommend delay of award to July 27, 2009.
  - (2) **2009 Miscellaneous Improvements at Airport, West End Entrance Replacement.** (Opened 6/23/09) Recommend Knife River, \$205,084.60.
  - (3) **W.O. 04-26, Zone 4 Reservoir Phase 1, Composite Elevated Water Storage Tank.** (Opened 6/23/09) Recommend CB&I Constructors, \$2,468,000.
  - (4) **W.O. 09-17, 24<sup>th</sup> Street West Concrete Work.** (Opened 6/23/09) Recommend reject all bids.

**(5) SID 1386, East and West MacDonald Drive.** (Opened 6/23/09)  
Recommend delay of award until after bonds are sold on July 27, 2009.

**B. Approval of purchase** of fusible PVC pipe for water main replacement program from Underground Solutions, Inc. for \$100,000.

**C. Declaring Surplus Property** and authorizing the Police Department to release one Streethawk lightbar with control box and two red lenses to the Assemblies of God District Council Security.

**D. Professional Services Contract** for W.O. 09-12, Inner Belt Loop, Sanderson Stewart, not to exceed \$782,800.

**E. Professional Services Contract** for W.O. 09-13, Redundant Water Main to Staples Pump Station, Sanderson Stewart, not to exceed \$415,500.

**F. Agreement** with DataProse for comprehensive mailing services for water and sanitary sewer billing, \$42,350 per year.

**G. Modified Maintenance Agreement** between the City of Billings and the State of Montana adjusting the State's financial contribution to provide regular street maintenance of state-owned highway system within the city limits, and reducing the contract to a one-year term with an option to renew for a second year. Original two-year agreement approved May 11, 2009. Contract term is July 1, 2009, through June 30, 2010; modified revenue is \$392,278 in FY2010, including a contribution to the City's Equipment Replacement Plan.

**H. Agreement** with Billings Housing Authority to fund one Police Officer, July 1, 2009, through December 31, 2009.

**I. Memorandum of Understanding (MOU)** between the City of Billings and Billings Public Schools for two (2) middle school resource officers, July 1, 2009, to June 30, 2010; \$52,000 to the City.

**J. Memorandum of Understanding (MOU)** between the City of Billings and Billings Public Schools for three (3) high school resource officers, July 1, 2009, to June 30, 2010; \$62,400 to the City.

**K. Approval of grant application and acceptance** of the 2009 Justice Assistance Grant (JAG) for installation of LED lightbars on 13 police vehicles, and replacement of Simunitions training equipment; \$32,377.

**L. Street Closure:**  
**(1) STAR Touring and Riding Parade**, brief intersection closures on July 23, 2009, 7:30 a.m. – 9:40 a.m.; parade begins at the Holiday Inn Grand Montana,

proceeds to Laurel Road, to Montana Avenue heading east, north on Division Street, east to 4<sup>th</sup> Avenue North, to MetraPark Carnival Lot where parade disbands.

**M. Acceptance of Donation** from Phyllis Forshay Trust and **approval** of transfer of the donation to Yellowstone Valley Animal Shelter, \$94,051.76.

**N. Second/Final reading ordinance for Zone Change #851:** A zone change from Residential 9600 and Public to Planned Development with underlying zoning districts of Residential 9600, Residential 7000, Residential 7000 Restricted, Residential 6000, Residential Multi-Family Restricted, Residential Multi-Family, and Public on a 60.4 acre parcel of land described as Tracts 1 and 2 of C/S 2054 with the exception of 4.29 acres in the northwest corner of Tract 1; generally located on the southeast corner of the intersection of Rimrock Road and 54<sup>th</sup> Street West. Krutzfeldt Ranch, LLC, owner; William Krutzfeldt, agent

**O. Second/Final reading ordinance for Zone Change #855:** A zone change from Controlled Industrial to Central Business District on Lots 18-24, Billings Original Town, located at 2123 1<sup>st</sup> Avenue North; Robert D. Schaak, applicant; Jay Shearer, agent.

**P. Resolution** creating the Council Ad-Hoc Committee on the Going-out-of-Business Sale Ordinance.

**Q. Preliminary plat** of Trails West Subdivision 1<sup>st</sup> Filing; 74 lots on approximately 67 acres of land, generally located on the south side of Grand Avenue, between 56<sup>th</sup> Street West and 60<sup>th</sup> Street West; conditional approval of the preliminary plat and adoption of the Findings of Fact; Dorn-Wilson Development, LLC, applicant, Sanderson Stewart, agent.

**R. Final Plat**

- (1) Bergquist Subdivision, Amended Lots 2 & 3, Block 1
- (2) Central West Subdivision
- (3) Lake Hills Subdivision, 31<sup>st</sup> Filing

**S. Bills and Payroll**

- (1) June 12, 2009
- (2) June 19, 2009

**(Action:** approval or disapproval of Consent Agenda.)

**REGULAR AGENDA:**

- 2. RESOLUTION RELATING TO \$509,000 POOLED SPECIAL IMPROVEMENT DISTRICTS BONDS, AUTHORIZING THE ISSUANCE AND CALLING FOR THE NEGOTIATED SALE.** A resolution authorizing the sale of up to \$509,000 in

pooled bonds to finance SID 1372 and SID 1386. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

3. **PUBLIC HEARING AND RESOLUTION AUTHORIZING FILING OF THE ANNUAL FEDERAL TRANSIT ADMINISTRATION SECTION 5307 GRANT.** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION TO CREATE SILMD 307,** Shiloh Road from Rimrock Road to Pierce Parkway. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION VACATING A PORTION OF CLARK AVENUE WITHIN THE 2300 BLOCK.** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING FOR SITE DEVELOPMENT ORDINANCE VARIANCE #OP-09-02:** A variance from Section 6-1203(a) and Section 6-1203(j) allowing a reduced number of off-street parking spaces for a new office building proposed at 123 South 27<sup>th</sup> Street, on Lots 1-24, Block 141, Billings Original Town. Yellowstone Health Parternership, owner, CTA Architects Engineers, agent. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **STIPULATION TO A 2009-2011 CONTRACT WITH MPEA/BILLINGS POLICE UNION.** 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 notify Cari Martin, City Clerk, at 657-8210.*

