

**D R A F T
CITY OF BILLINGS**

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

November 9, 2009

6:30 P.M.

**CALL TO ORDER – Mayor Tussing
ELECTION OF DEPUTY MAYOR
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember Mark Astle
ROLL CALL
MINUTES: October 26, 2009
COURTESIES
PROCLAMATIONS - National Adoption Month, November 2009
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.)

1. CONSENT AGENDA

A. Bid Awards:

- 1. Purchase of new Landfill Track-Type Tractor (Dozer) for the Solid Waste Division.** (Opened 10/27/09) Recommend XXX; \$XXX.
- 2. Purchase of Calcium Chloride Liquid for use in ice and snow removal-Street/Traffic Division.** (Opened 10/27/09). Recommend XXX; \$XXX per gallon.

B. Amendment #8, W.O. 04-12, Alkali Creek Road Improvements, Professional Services Contract, Kadrmass, Lee and Jackson, Inc.; not to exceed \$94,500.

- C. Contract for Professional Services** with HDR Engineering, Inc. to provide engineering design for W.O. 09-15, Grand Avenue from Zimmerman Trail to Shiloh Road, an amount not to exceed \$204,669.
- D. Approval** of annual Data Processing Agreement with Yellowstone County Sheriff's Department, July 1, 2009 - June 30, 2010; \$99,939 annual revenue.
- E. Acknowledge receipt of petition to vacate** the alley located in Block 141, Billings Old Town, bounded by 1st and 2nd Avenues North and South 26th and 27th Streets; Riverstone Health, petitioner; and setting a public hearing date of December 14, 2009.
- F. Easement** with NorthWestern Energy for installation of electrical service line to the new Bureau of Land Management Billings Fire Station located at Billings Logan International Airport.
- G. Easement** with Montana Dakota Utilities for installation of a natural gas service line to the new Bureau of Land Management Billings Fire Station located at Billings Logan International Airport.
- H. Storm drain easements** (Briarwood Subdivision area) with Shirley Lambert, Gerald A. Neumann, and Richard A. Robbins or Cinda L. Robbins for W.O. 08-20, Miscellaneous Storm Drain Trouble Spots.
- I. Acceptance** of Substance Abuse and Mental Health Services Administration Grant (3-year) - total \$883,083; Montana Board of Crime Control Justice Assistance Grant (1-year) - \$53,400; Billings Adult Misdemeanor DUI Grant (1-year) - \$205,000; Drug Court State Funds (1-year) - \$82,828; and Federal Congressional Earmark (1-year) - \$52,000.
- J. Subordination of Downtown Revolving Loan** to Beartooth Bank for Anderson Management Group Building (formerly Hospitality Concepts) to include an additional \$5,314.50 in loan fees, for a total of \$357,314.50. (City Council previously approved original subordination on 10/13/09 in the amount of \$352,000.)
- K. Declaring Surplus Property** and authorizing the Police Department to transfer two Streethawk lightbars with controllers and red lenses to the Lewis-Clark State College in Lewistown, ID.
- L. Resolution approving expenditure** of monies related to the 2010 Wastewater Replacement Project prior to the availability of funds from bond sale proceeds and **reimbursement** of the monies after the bonds are sold.
- M. Second/final reading ordinance for Zone Change #850:** A text amendment to the Unified Zoning Regulations, regulating the location of Sexually-Oriented Businesses within the City of Billings; amending Sections 27-201 and 27-611 BMCC to include a definition of 'Adult Cabaret' and regulating the location of an 'Adult Cabaret'.

- N. Second/final reading ordinance for Zone Change #853:** Text amendments to sections of the Billings, Montana City Code (BMCC); including Section 27-604 related to fences, Section 27-615 related to clear vision areas, Section 27-618 illustrations of clear vision areas, and deletion of Sections 22-441 through 22-448, redundancies related to clear vision areas in the chapter on streets and sidewalks.
- O. Second/final reading ordinance for Zone Change #858:** A zone change from Residential 6000 and Residential 9600 to Controlled Industrial on a 4.87-acre parcel of land described as Certificate of Survey 473 and the south 132 feet of Lot 4 in the SW1/4 of Section 9, Township 1S, Range 26E, and generally located at 415 and 431 South Billings Boulevard. Ralph Hanser, applicant.
- P. Final Plat** of Blaesius Subdivision, 1st Filing, Amended Lots 3A & 4A.
- Q. Final Plat** of Kuhlman Subdivision, Amended Lot 6.
- R. Bills and Payroll:**
 - 1. October 9, 2009
 - 2. October 19, 2009

REGULAR AGENDA:

- 2. **Recommendation to the Policy Coordinating Committee (PCC) providing guidance for the future progress of the Billings North Bypass Project.** Staff recommends making a recommendation to the PCC to move forward with the Billings North Bypass Project in phases by completing the current Environmental Impact Statement and fiscally constraining the project through a series of construction and funding phases from I-90/94 to Highway 3. (**Action:** approval or disapproval of staff recommendation.)
- 3. **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.