

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

December 14, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember Ruegamer
ROLL CALL
MINUTES: November 23, 2009
COURTESIES
PROCLAMATIONS
ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1 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. MET Operations Center Bus Wash Facility and Pavement Upgrades.** (Opened 12/1/09). Recommend Langlas and Associates, \$ 343,200.
 - 2. Refuse Packer Truck for Parks Department.** (Opened 11/24/09). Recommend Solid Waste Systems, 2007 Refuse Packer with EPA Emissions Standards engine, \$133,094 (contingent upon availability); or 2010 Refuse Packer with EPA Emissions Standards engine, \$139,094.
- B. Change Order #2, W.O. 09-03, 2009 Street Maintenance City Crack Seal Project; Z & Z Seal Coating; \$27,540.**

- C.** **Approval** of Modification #4 to Law Enforcement Officer Reimbursement Agreement with the Transportation Security Administration, October 1, 2009 - September 30, 2010, with reimbursement to the City up to \$163,286.40.
- D.** **Assignment** of three (3) Commercial Aviation Ground Leases with Edwards Jet Center Montana, Inc. and Lynch Flying Service, Inc. to Stockman Bank for financing purposes, with no financial impact to the City.
- E.** **Approval** of Airport Concession Agreement with Botanical Designs and Services, November 1, 2009 - April 30, 2010, with an option to renew for an additional six-month period, \$1,275.72 revenue for the first six-month period.
- F.** **Approval** of lease renewal with KTVQ Communications, Inc., for space at the Black Otter Trail tower, 5-year term retroactive to September 1, 2009, \$3,937 annual revenue.
- G.** **Approval** of compensation agreement for Private Contract No. 608, M&K Blue One, LLC, for water, sanitary sewer and storm drain on King Avenue West from Montana Sapphire Drive to 44th Street West, \$231,834.50.
- H.** **Acceptance** of easements from Montana Department of Transportation for Parcels 6 and 7, and a sale deed for Parcel 8 at the intersection of 13th Street West and Parkhill, at no cost to the City.
- I.** **Approval** of Downtown Revolving Loan Fund for two loans to Babcock, LLC, for remodeling of the Babcock Building at 115 N. Broadway, totaling no more than \$400,000.
- J.** **Acceptance of Donation** from Rathbun Family for purchase and installation of a bench at Descro Park, \$1,000.
- K.** **Acceptance of Donation** from Alarm Association of Yellowstone County to Police Department for purchase of micro digital recorders or other police equipment, \$1,100.
- L.** **Acceptance of Donation** from Billings Police Foundation to Police Department for Honor Guard and Bike Patrol equipment, \$4,393.
- M.** **Resolution** accepting the terms and conditions of the Intercap Loan obtained to finance SID 1387, Zimmerman Trail Sanitary Sewer.
- N.** **Preliminary Subsequent Minor Plat** of Miller Crossing Subdivision, 3rd Filing, located on approximately 14.355 acres on the south side of King Avenue East and on the west side of Orchard Lane at the site of the nearly-completed Sam's Club, conditional approval of the preliminary plat and adoption of the Findings of Fact.
- O.** **Bills and Payroll:**
 - 1.** November 9, 2009
 - 2.** November 13, 2009

3. November 20, 2009

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** vacating the alley located in Block 141, Billings Old Town, bounded by 1st Avenue South, 2nd Avenue South, South 26th Street, and South 27th Street; Riverstone Health, petitioner. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND RESOLUTION CREATING SID 1389**, public improvements on Clubhouse Way between Greenbriar Road and Cherry Hills Road, and **approval** of the Professional Services Contract with Sanderson Stewart in the amount of \$114,801.80. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING FOR DONATION, SALE, OR LEASE OF LAND TO THE BETTER BILLINGS FOUNDATION FOR DEVELOPMANT OF A FAMILY AQUATIC FACILITY IN SAHARA PARK.** Staff recommends donation of land. (**Action:** approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING FOR CONSIDERATION OF DOWNTOWN LIBRARY FACILITY PROJECT OPTIONS.** Consideration of three options for the Parnly Library: 1) relocation to the former Gainan's site; 2) rennovation of the existing facility, or 3) demolition of the existing facility and construction of a new library at that site. Action delayed from 11/23/09. Staff recommends approval of the Gainan's option as the least expensive option. (**Action:** approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION FOR CONDITIONAL APPROVAL OF TAX ABATEMENT FOR BRUMAR COPORATION, OWNER, AND MOTOR POWER EQUIPMENT, OPERATOR,** for building expansion at 4941 Midland Road. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING AND RESOLUTION FOR CONDITIONAL APPROVAL OF TAX ABATEMENT FOR PRESTIGE TOYOTA** for commercial building expansion on property located at 1532 Grand Avenue. RM&S LLC, and Raymond McLean, owners. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR MUNICIPAL INFRACTIONS ORDINANCE.** A new ordinance that decriminalizes certain minor misdemeanor offenses and classifies them as civil infractions. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
9. **PUBLIC HEARING AND RESOLUTION ESTABLISHING A POLICY TO PROVIDE PUBLIC ACCESS TO CITY COUNCIL EMAIL CORRESPONDENCE.** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
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 notify Cari Martin, City Clerk, at 657-8210.