

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

June 28, 2010

6:30 P.M.

CALL TO ORDER – Mayor Hanel

PLEDGE OF ALLEGIANCE – Mayor Hanel

INVOCATION – Councilmember McFadden

ROLL CALL

MINUTES: June 14, 2010, pending

COURTESIES - Victim Witness Advocate of the Year Award presented by Attorney General Steve Bullock

PROCLAMATIONS - None

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item: #1 ONLY. Speaker sign-in required. (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 -- Separations:

A. Bid Awards:

1. Airport Terminal Building Ceiling Tile Replacement (Opened 6/15/2010)
Recommend Empire Lath and Plaster; \$114,952.

2. Taxiway A East Realignment (Opened 6/15/2010) Recommend Riverside Sand and Gravel; \$1,473,310.25.

3. **W.O. 10-11, WTF High Service Pump Station H2-1 Pump Replacement** (Opened 6/15/2010) Recommend Star Service; \$866,900.
4. **W.O. 09-06 On-Street Bike Lanes** (opened 6/1/10) (delayed until 6/28/10). Recommend High Mark Traffic Services, Inc.; \$179,472.
- B. **Contract for Professional Services** for W.O. 10-12, Low Service Pump Station 1 Upgrade; HDR Engineering, Inc.; amount not to exceed \$329,100.
- C. **Amendment #10, W.O. 04-12, Alkali Creek Road Maintenance and Slope Reconstruction**, Professional Services Contract, Kadrmass, Lee & Jackson, Inc., \$59,300.
- D. **Approval** of hourly rate increase with Guardian Security for Library guard service from \$16.75 to \$17.25; 3-year agreement approved on 6/23/08 included annual hourly rate negotiation.
- E. **Approval of Pre-Development Loan Agreement** with homeWORD for facilitation of affordable housing development activities; \$25,000.
- F. **Consultant Agreement** with Ed Bartlett for Legislative Lobbying Services; 7/1/2010 - 6/30/2012; estimated cost to the City - \$72,100.
- G. **Approval** of 5-year lease with Yellowstone County Museum Foundation for storage area in the basement of Building IP-9, Airport Business Park, (7/1/2010 - 6/30/15), Revenue first year - \$3,761.03; revenue subsequent years adjusted annually using the Consumer Price Index for all Urban Consumers (CPI-U).
- H. **Approval** of the Assignment and Transfer of the West End Hangar Ground Lease from John M. and/or Marcia A. Nash to Michael J. Cryder.
- I. **Approval** of Downtown Revolving Loan Fund term modifications for Babcock, LLC, deferring payment of the full amount due from the due date of June 1, 2010, to September 1, 2010.
- J. **Approval** of Downtown Revolving Loan Fund term modifications for Venture Theatre deferring principal payments beginning February 1, 2010, to January 1, 2011, and extending the loan payment period from March 1, 2015, to March 1, 2016.
- K. **Approval** of the purchase of telephone system upgrades from Black Box Network Services, \$134,856.91.
- L. **Street Closures:**

1. **Gold Wing Road Riders** , (A) evening motorcycle parade, July 20, 2010, assembling at 9:30 p.m. at the Faith Evangelic Church, 3145 Sweetwater, traveling north on 32nd/Zimmerman Trail to Hwy 3, east on Hwy 3 to a u-turn at Rod & Gun Club Road, west on Hwy 3, south on Zimmerman Trail, left on Central Avenue to Paciugo's at 3429 Central Avenue. (B) street closure on North 19th between 6th and 7th Avenues North, July 21, 2010, 9:00 a.m. to 4:00 p.m., for drill team performance.
2. **Harvest Church Freedom 5K Fun Run** , July 3, 2010, 7:30 a.m. to 11:00 a.m.; commencing at Harvest Church and proceeding northwest on West Wicks Lane, east on Matador, south on Vesca Way, east on Sierra Grande Boulevard, south on Fantan Street, west on West Wicks Lane, ending at Harvest Church.
- M. **Approval** of temporary closure of Phipps Park over the 4th of July holiday (7/2/10 through 7/5/10).
- N. **Resolution of Intent to Create** SID 1391, Improvements to Lynn Avenue between 35th & 36th Streets West (street, curb & gutter), and set a public hearing date for July 26, 2010.
- O. **Resolution** closing Special Improvement/Sidewalk Bond Debt Funds to SID Revolving Fund.
- P. **Second/final reading ordinance** imposing a Customer Facility Charge for car rentals at the airport; approximate annual revenue - \$780,000.
- Q. **Final Plat Approval** - Trail West Subdivision, 1st Filing.
- R. **Cancellation** of Checks and Warrants, \$25,583.23
- S. **Bills and Payroll:**
 1. May 28, 2010
 2. June 4, 2010

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION** approving and adopting Fourth Quarter Budget Amendments for Fiscal Year 2009-2010. Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)
3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #864:** A zone change from Community Commercial (CC) to Highway Commercial (HC) to allow the expansion of a limited pharmaceutical manufacturing facility on Lot 1, Block 1, North Pointe Square Subdivision, First Filing, located at 2408 Main Street in the Billings Heights. Cody Family, LLC, applicant; Ernie Dutton, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 12 criteria. (**Action:** approval or disapproval of Zoning Commission recommendation.)

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #865:** A text amendment to Section 27-1505(f) of the Billings, Montana City Code (BMCC) regulating the procedures of the Board of Adjustment when requests for zoning variances have been denied. Zoning Commission recommends approval. (**Action:** approval or disapproval of Zoning Commission recommendation.)

5. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #866:** A zone change request from Residential 7,000 (R-70) to Residential Professional (RP) on the east 90 feet of Lot 10, Block 2, Justiss Subdivision, located at 2320 Rosebud Drive. John & Paula Lambrecht, owners. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. (**Action :** approval or disapproval of Zoning Commission recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. 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.