

CITY OF BILLINGS

**CITY OF BILLINGS MISSION STATEMENT:
TO DELIVER COST EFFECTIVE PUBLIC SERVICES
THAT ENHANCE OUR COMMUNITY'S QUALITY OF LIFE**

AGENDA

COUNCIL CHAMBERS

April 14, 2008

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Ruegamer

ROLL CALL

MINUTES – March 24, 2008

**COURTESIES – Lloyd Mickelson, Montana Library Association Trustee of the
Year Award**

National Crime Victims Rights Week (Brent Brooks)

PROCLAMATIONS -- National Library Week – April 13-19, 2008

Crime Victims Rights Week – April 13-19, 2008

Administrative Professionals Week – April 20-26, 2008

Fair Housing Month – April, 2008

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.)*

CONSENT AGENDA:

1. A. Bid Awards

(1) Phase 3 Landfill Expansion (opened 3/11/08 and delayed to 4/14/08). Recommend Montana Civil Contractors, Inc., \$1,358,235.

**(2) Airport Improvement Program (AIP) 34 Project Taxiway “H”
Rehabilitation and ARFF Staging Area Pavement Reconstruction** (opened 3/25/08). Recommend Knife River, \$587,416.25.

(3) Animal Shelter Operations Request for Proposals.

Recommend postponing award of contract until May 27, 2008.

B. Professional Services Contract for Hazardous Waste Collection Events (3-year term), Burlington Environmental, Inc., \$165,000.

C. Change Order #5 for protective netting – New Baseball and Multi-Use Stadium at Athletic Park, Langlas & Associates, Inc., \$13,069.00.

D. Amendment #4 – Airport Improvement Program (AIP) 34 Project, Engineering Services, Morrison-Maierle, Inc., \$379,462.00.

E. CTEP Project Specific Agreement – Poly Drive Sidewalk - Billings (CN 6633), Montana Department of Transportation, CTEP Grant - \$74,084.00; Local Match - \$11,483.00.

F. CTEP Project Specific Agreement – Broadwater Crossing Project – Billings (CN 6634), Montana Department of Transportation, CTEP Grant - \$92,325.00; Local Match - \$14,311.00.

G. CTEP Project Specific Agreement – On-Street Bike Lanes Project – Billings (CN 6631), Montana Department of Transportation - \$97,186.00; Local Match - \$15,064.00.

H. Right-of-Way Agreements (2) with Montana Department of Transportation for Airport Road Project, 5 parcels, \$80,950.00 total revenue.

I. Assignment and Transfer of Limited Commercial Aviation Ground Lease from Corporate Air to Corporate Jet, LLC.

J. Assignment of Limited Commercial Aviation Ground Lease with BVDS, Inc. to Western Security Bank.

K. Acknowledge Receipt of Petition to annex #08-06: 20.632 acres of Tracts 1A, 1B, 1C, C/S 2055 Amended, generally located north of Alkali Creek Road, Best Development Corp., James Pickens, President, owner and petitioner; and set a public hearing date of April 28, 2008.

L. Acknowledge Receipt of Petition to vacate a portion of North 26th Street and 2nd Avenue N., Big Sky Economic Development Agency (BSEDA) and Downtown Billings Partnership (DBP), owners; and set a public hearing date of May 12, 2008.

M. Confirmation of Police Officers:

- (1) Karl Rude
- (2) Jeremy Dennler

N. Property Transfer to Western Security Bank, Lots 1-6, Block 108, Original Town of Billings, with no revenue to the City.

O. Street Closures:

(1) Cinco de Mayo Celebration, 3 p.m. – 10 p.m., May 3, 2008, 100 block of 26th Street North.

(2) Yellowstone Rimrunners, Montana Women's Run, 6:30 a.m. – 12 Noon, May 10, 2008, 2nd Avenue North from North 10th Street to Division; full closure from North 27th Street to North 19th Street; partial closure from North 19th Street to North 10th Street; full closure from North 27th Street to Division; 3rd Avenue North from North 10th Street to Division; full closure from North 19th Street to Division; partial closure from North 19th to North 10th.

(3) Montana Pride Network, 9 a.m. – 11:30 a.m., June 21, 2008, 3rd Avenue North from N. 25th Street to North 33rd Street.

P. Acceptance of Donation to Parks, Recreation and Public Lands from Billings Mustangs Baseball Organization for protective netting behind the dugouts at the new baseball and multi-use stadium at Athletic Park, \$13,069.00.

Q. Acceptance of Donation to Police Department from ConocoPhillips to send School Resource Officers to the National Conference in Phoenix, AZ, July 28-August 1, 2008, \$8,000.00.

R. (a) Resolution authorizing construction bids for SID 1378, water, storm drain, curb and gutter, and street improvements to the 4200 Block of Clevenger Avenue.

(b) Bid Award for SID 1378, water, storm drain, curb and gutter, and street improvements to the 4200 Block of Clevenger Avenue (opened 3/25/08). Recommend Knife River, \$219,444.00.

S. Resolution repealing Resolution #07-18687 and creating the South Billings Boulevard Urban Renewal District, declaring blight, intent to create the district and setting a public hearing for April 28, 2008.

T. Resolution of Intent creating expanded PMD #4026, Twin Oaks Subdivision and Uinta Park Subdivision and setting a public hearing date of May 12, 2008.

U. Preliminary Subsequent Minor Plat of Amended Lot 4, Block 1, Shiloh Crossing Subdivision, generally located on the southeast corner of Shiloh Road and King Avenue West; conditional approval of the plat and adoption of the Findings of Fact.

V. Preliminary Plat of Miller Crossing Subdivision, 2nd Filing, 10 lots on approximately 18.15 acres, generally located on the south side of King Avenue East between Newman Lane and east of Calhoun Lane; conditional approval of the preliminary plat and adoption of the Findings of Fact.

W. Final Plat of Eagle View Subdivision.

X. Final Plat of Amended Lot 5, Block 1, Shiloh Crossing Subdivision.

Y. Bills and Payroll

- (1) March 7, 2008
- (2) March 14, 2008
- (3) March 21, 2008

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

- 2. PUBLIC HEARING AND CONTINUED FIRST READING ORDINANCE FOR ZONE CHANGE #826:** A zone change amending Sections 27-201, 27-305 and 27-612 to allow small retail services to be developed by special review approval within existing residential zoning districts. Action delayed from 11/26/07 and 3/10/08. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 3. PUBLIC HEARING AND RESOLUTION** creating SID 1384, Yellowstone Country Club Estates sanitary sewer extension. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 4. PUBLIC HEARING AND RESOLUTION** repealing and superseding Resolution #05-18330 and creating SID 1372, Summerhill Subdivision, for construction of public improvements of 23 lots on Winter Green Drive, West Antelope Trail and Antelope Place. Jeff Essman, requestor. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 5. PUBLIC HEARING AND RESOLUTION** setting rates and fees for water and wastewater utilities. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- 6. PUBLIC HEARING AND ALLOCATION OF CDBG FUNDS** for Housing Authority of Billings grant application for \$62,000 for site development costs for the Lake Elmo Drive affordable housing project. Community Development

Board and staff recommend approval. (**Action:** approval or disapproval of Community Development Board and staff recommendation.)

7. **PUBLIC HEARING AND FIRST READING ORDINANCE AMENDING NUISANCE WEED REGULATIONS:** Staff recommends approval. (**Action:** approval or disapproval of staff recommendation.)

8. **(a) PUBLIC HEARING AND RESOLUTION** reconsidering annexing a 114-acre property located north of King Avenue West between 48th Street West and Shiloh Road and described as Tracts 1-5, C/S 2063 (Annex #08-01). Lenhardt Property, LP; Lenhardt Farm, LLC and Lenhardt Enterprises, LLC, owners and petitioners. Considered and denied initially on 2/25/08. Staff recommends conditional approval. (**Action:** approval or disapproval of staff recommendation.)

(b) PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #829: A zone change from Agriculture-Open Space (A-1), a county zoning district, to Planned Development with three underlying zoning districts - Mixed Use (MU); Multi-family Residential (MF-R); and Single Family, Residential Multi-Family (Four-plex) (MF-4) located at 4345 King Avenue West. Lenhardt Property, LP; Lenhardt Farm, LLC and Lenhardt Enterprises, LLC, owners, Engineering, Inc. and Bill Cole agents. Zoning Commission recommends approval and adoption of the determinations of the 12 criteria. (**Action:** approval or disapproval of Zoning Commission recommendation.)

9. **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

(NOTE: Additional information on any of these items is available in the City Clerk's Office)

**Visit our Web site at:
<http://ci.billings.mt.us>**

