

COUNCIL ACTION SUMMARY

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 9, 2007

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Councilmember Ed Ulledalen

ROLL CALL – Councilmembers present on roll call were: Ronquillo, Gaghen, Stevens, Brewster, Veis, Ruegamer, Ulledalen, Jones and Boyer. Councilmember Clark was excused.

MINUTES – March 26, 2007. Approval delayed to 4/23/07.

COURTESIES

- City Administrator Tina Volek introduced the new City Clerk, Cari Martin. Ms. Martin will start on 4/16/07 and has 10 years working experience with the City of Billings, Engineering Department as an Administrative Assistant.
- Deputy Public Works Director Vern Heisler showed the Council the Zimmerman Trail Award presented to the City of Billings.

PROCLAMATIONS

- April 22-28, 2007: National Crime Victims' Rights Week

ADMINISTRATOR REPORTS – Tina Volek

- City Administrator Tina Volek noted that the Mayor and Council received a number of exparte´ communications regarding Items #4 and #6. Copies of these communications were placed in a binder at the back of the Council Chambers this evening.
- Ms. Volek reminded the Council that the Agenda Review meeting will be held tomorrow evening at 5:30 p.m. in the City Hall Conference Room.
- Ms. Volek explained that ITEM #4 was not a public hearing. The public hearing was held on 3/26/07.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1, #4, #5 AND #6 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.)

There were no speakers.

CONSENT AGENDA: SEPARATION: A1

1. A. Mayor’s appointments: **APPROVED**

	Name	Board/Commission	Term	
			Begins	Ends
1.	Sheri Boelter	Mayor’s Committee on Homelessness	4/09/07	12/31/10
2.	Claire Coleman	Mayor’s Committee on Homeless	4/09/07	12/31/10
3.	Unfilled	Public Utilities Board	04/09/07	12/31/07

1. Unexpired term of Gary Huffmaster (work force)
2. Unexpired term of Wayne Smithberg (healthcare)
3. Unexpired term of Richard Beulke

B. Bid Awards:

(1) W.O. 00-15, Grand Avenue Reconstruction 8th Street West to 12th Street West (Opened 3/27/07). Recommend JTL Group, Inc., \$2,729,519.92.

(2) Quitclaim Deeds of Lot 1, Block 1 and Lot 1, Block 2, Arlene Subdivision (Opened 3/13/07). Recommend Jim Pickens, Best Development Group, Inc., Total bid for both lots \$549,000.00.

C. Change Order #3, to the construction contract with Williams Brother Construction for W.O. 04-13, Schedule II, Maintenance Building Construction, adding \$29,882.00 to the contract.

D. (1) Amendment #1 to the John M. and/or Marcia A. Nash West End Hangar Ground Lease – Lot 8 to correct the legal description by amending the lot number to Lot 8 from Lot 9.

(2) Amendment #1 to the John M. and/or Marcia A. Nash West End Hangar Ground Lease – Nash Lot 9 to Lot 8.

E. Assignment and Transfer of West End Hangar Ground Lease – Lot 9 from John M. and/or Marcia A. Nash to Jonathan R. Scott.

F. Contract for Professional Services with Peaks to Plains Design P.C. to update the existing master plan for Riverfront Park and to develop a master plan for Briarwood Park, \$93,500.00.

G. W.O. 04-33: Lake Elmo Drive (Hilltop Rd to Wicks Ln) Right-of-Way Acquisition approval of Right-of-Way agreement and Warranty Deed:

(1) Parcel 4: Portion of Lot 1 of Windsor Sub., to Cosgrove Industries, LLC, \$2,150.00.

(2) Parcel 19: Portion of Lot 3A-5 of Siewert Acres Sub., to Ronald and Kari Rigler, \$2,300.00.

(3) Parcel 25: Portion of Lot 19, of the Amended Plat of Lot 11 of Kuhlman Subdivision to Long Brothers Trucking, Inc., \$9,950.00.

(4) Parcel 29: Portion of Unit 67, Imperial Park Condo., Block 3 of Windsor Sub., to Barbara A. Reichenbach, \$4,650.00.

(5) Parcel 65: Portion of Lot 16, Block 3, of Arrowhead Sub., to Kostas and Helen Jivelekas, \$4,000.00.

(6) Parcel 70: Portion of Lot 4, Block 4, Arrowhead Sub., to James C. & Nancy J. McManus, \$2,782.50.

H. Approval of Grant application submittal and finalization for:

(1) State funds for paratransit operating assistance.

(2) Provide capital assistance for the purchase of two (2) paratransit vans.

I. Approval of Renewal of the Federal Aviation Administration (FAA) Office Lease #DTFANM-07-L-00039 at the Airport Terminal Building for the term of 1/1/07 to 9/30/12 inclusive, \$41,936.67 annually to the City.

J. Approval of Renewal of Generator Room Lease with the Federal Aviation Administration (FAA) (Supplement #4 to Lease #DTAF11-94-L-15330) for a one-year term beginning 10/1/07 and ending 9/30/08, \$72.92 per month to the City.

K. Confirmation of Probationary Police Officer – Nathan Bryce

L. Street Closures: *Cinco de Mayo Celebration*, Saturday, May 5, 2007, Don Luis Restaurant requests the closure of the 100 Block of 26th Street North from 3:00 p.m. until 9:00 p.m. for the Cinco de Mayo Celebration.

M. Disposal of the nuclear gauge to Rimrock Engineering, \$1,850.00.

N. Second/final reading ordinance #07-5405 for Zone Change #799: a zone change from Residential-15,000 (R-150) to Public on North ½ of Lot 3 and all of Lot 4 and Lot 7, Sandra Subdivision and located at 23, 63 and 65 Charlene Street. City of Billings, owner.

O. Second/final reading ordinance #07-5406 for Zone Change #800: a zone change from Residential Manufactured Home (RMH) to Residential-6,000 (R-60) on Lots 15A, 16B & 16C, Block 1, Pemberton Subdivision and located at 525 N. Lakeview Drive, 532 & 542 Pemberton Lane.

P. Preliminary Plat of MK Subdivision, generally located on the north side of Grand Avenue and west of 54th St. West, recommend conditional approval of the plat, approval of the variances, and adoption of the findings of fact. (Delayed from the 3/12/07 Council meeting).

Q. Bills and Payroll.

- (1) March 9, 2007
- (2) March 16, 2007

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

REGULAR AGENDA:

2. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR EXPANDING Ward I** for recently annexed property of **Annexation #07-03:** a .244 acres property described as the North ½, Lot3, and all of Lot 4 and Lot 7, Sandra Subdivision, and located at 23, 63 and 65 Charlene Street, the City of Billings, owner. The second/final reading is scheduled for Council action on April 23, 2007. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.) **APPROVED ON FIRST READING; SECOND/FINAL READING ON 4/23/07.**
3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR EXPANDING Ward I** for recently annexed property of **Annexation #07-04:** a .243-acre property described as C/S 598 in Lot 30, Clark Subdivision and adjacent right-of-way, and located at 307 Garden Ave. Lana Jean Bittner, petitioner. The second/final reading is scheduled for Council action on April 23, 2007. Staff recommends approval. (Action: approval or disapproval of Staff recommendation.) **APPROVED ON FIRST READING; SECOND/FINAL READING ON 4/23/07.**
4. ~~PUBLIC HEARING AND~~ **RESOLUTION #07-18545** ordering improvements under W.O. 05-02: 2005 - 2006 Miscellaneous/Developer-Related Improvements.

(Delayed from 3/26/07). Staff Recommends approval. (Action: approval or disapproval of Staff recommendation.) **APPROVED**

5. **DRAFT 2007-2011 TRANSPORTATION IMPROVEMENT PROGRAM (TIP).** Staff recommends that Council approve the Transportation Improvement Program and forward that recommendation to PCC. **(Action: approval or disapproval of Staff recommendation.) APPROVED**
6. **LOCKWOOD ANNEXATION** – Letter to Yellowstone County Commissioners stating the City does not intend to annex Lockwood in the foreseeable future Staff recommends approval. **(Action: approval or disapproval of Staff recommendation.) APPROVED**
7. **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.)* **There were no speakers.**

COUNCIL INITIATIVES:

- **ULLEDALEN: MOVED to have the zoning regulations governing correctional facilities for the City of Billings “checked”. APPROVED**

ADJOURN: With all business complete, the meeting was adjourned at 7:35 p.m.