

**CITY OF BILLINGS**

**CITY OF BILLINGS VISION STATEMENT:**

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

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**AGENDA**

**COUNCIL CHAMBERS**

**February 27, 2012**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Ronquillo

**ROLL CALL:** Councilmembers present on roll call were:

**MINUTES:** February 13, 2012

**COURTESIES:**

**PROCLAMATIONS:**

**ADMINISTRATOR REPORTS - TINA VOLEK**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 & #4B ONLY. Speaker sign-in required.** (Comments offered here are limited to one (1) minute. 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. For Items not on this agenda, public comment will be taken at the end of the agenda.)

**1. CONSENT AGENDA -- Separations:**

**A. Mayor Hanel recommends that Council confirm the following appointments:**

1.

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
			<b>Begins</b>	<b>Ends</b>
1	James Olson	Board of Adjustments	01/01/12	12/31/13
2	David Petersen	Board of Appeals - Architect	01/01/12	12/31/13
3	No Applications	Board of Appeals - Electrical	01/01/12	12/31/13
4	No Applicatons	Board of Appeals - Builder	01/01/12	12/31/15
5	Brian Schulz	Board of Appeals	01/01/12	12/31/14

6	Clark Swan	Board of Appeals	01/01/12	12/31/14
7	Stephen Sylvester	Board of Ethics	01/01/12	12/31/15
8	Cindy Sanders	Community Development	01/01/12	12/31/15
9	Edward Button	Community Development	01/01/12	12/31/12
10	Martha Sanford	Community Development - Low Mod	01/01/12	12/31/15
11	No Applications	Community Development - Low Mod	01/01/12	12/31/14
12	Edward Hammer	EMS Commission	01/01/12	12/31/12
13	Bryon Mayala	Exchange City Golf Board	01/01/12	12/31/14
14	No Applicatons	Housing Authority - Resident Comm	01/01/12	12/31/13
15	Malcolm Bailey	Human Relations	01/01/12	12/31/15
16	Eugene Wade	Traffic Control Board	01/01/12	12/31/13
17	Trina White	Traffic Control Board	01/01/12	12/31/15

- 1. Unexpired term of Terry Madtson
- 10. Unexpired term of James Knox
- 14. Unexpired term of James Knox

**B. Bid Awards:**

- 1. **Terminal Circle Road Rehabilitation.** (Opened 2/14/2012) Recommend delay of award until March 12, 2012.

**C. Approval** of additional funds for the purchase of a second snow plow assembly with hydraulic controls from Kois Brothers; \$36,289.

**D. Contract for Professional Services** with HDR Engineering, Inc. for W.O. 09-19, Zone 3 East Fox Reservoir Expansion; \$309,400.

**E. Digitization Service Agreement** with Western Heritage Center; \$25,000.

**F. CTEP Project Specific Agreement** for installation and replacement of approximately 56 ADA handicap ramps at intersections along 5th Street West from Central Avenue to Grand Avenue; CTEP Grant - \$179,564; City Match - \$170,436.

**G. Utility Relocation Agreements** with NorthWestern Energy and Montana Dakota Utilities for construction of the new library building.

**H. Approval** of Limited Commercial Use Ground Lease with Corpat, Inc., DBA Alamo/National Car Rental; 1/1/12 - 12/31/12; first year revenue - \$975, annual revenue for subsequent years to be adjusted by Consumer Price Index for All Urban Consumers (CPI-U).

**I. Amendment #1, W.O. 11-05: Chappel Area Water Main Improvements,** Professional Services Contract, Morrison-Maierle, Inc.; \$61,467.75.

- J. Amendment #19, Engineering Services for Terminal Circle Road Rehabilitation,** Morrison-Maierle, Inc.; \$64,895.
- K. Acknowledge receipt of petition to vacate** the alley within Block 14 of Suburban Subdivision between 3rd Street West and 4th Street West and Cook Avenue and Howard Avenue; Pepsi-Cola Bottling Company, petitioner and owner; and setting a public hearing for March 26, 2012.
- L. Street Closures:**
- 1. St. Patrick's Day Parade and Celtic Street Fair Festivities,** March 17, 2012. Assemble 8:00 a.m. between 1st and 3rd Avenues on Broadway; parade to begin at 10:00 a.m. and follow established downtown parade route; festivities to conclude at 4:00 p.m.
  - 2. Downtown Billings Association Purple 5K Race and After Race Event.** March 25, 2012, 10:00 a.m. - 2:00 p.m.; Race: Grandview Boulevard and N. 30th Street, south on N. 30th to 12th Ave. N, west on Beverly Hill Blvd., south on Virginia Lane, through Pioneer Park, east on Ave. C, north on 2nd Street W., east on Ave. E, north on N. 32nd, east on 11th Ave. N., south on N. 28th, west on 10th Ave. N., south on N. 31st to 2nd Ave. N., finishing under Sky Point. After Race Event: Under Sky Point.
- M. Acceptance of Donation** from the Montana State ELKS Association to the Billings Police Department for the purchase of a Med-Return Kiosk; \$895.
- N. Grant Application Request** to submit a Montana State Historic Preservation Office Certified Local Government Grant application for FY2012-2013; \$5,500.
- O. Resolution of Intent** to construct W.O. 12-02, Miscellaneous and Developer Related Improvements, and a set a public hearing date of March 26, 2012.
- P. Bills and Payroll:**
1. January 23, 2012
  2. January 30, 2012
  3. February 6, 2012

**REGULAR AGENDA:**

- 2. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #854:** A text amendment to Section 27-500, Historic Preservation, amending the language to update terms, allow local designation of historic properties or districts, require a Certificate of Appropriateness for exterior remodeling of properties on the local or National Register, and allow penalties for unauthorized demolition of properties within recognized historic districts. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)

3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #882:** A zone change from Neighborhood Commercial to Planned Development – Neighborhood Commercial with an allowance for the on-premise sale of beer and wine without gaming and the provision of catering services on a 1.3 acre parcel of land described as Lot 2, Rose Park Subdivision, generally located at 1504 through 1528 24th Street West. Larson and Carpenter Partnership, owner; Pam Shires, 6 Degrees Gourmet, representative. 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. **ANNEXATION REQUEST #12-01**
  - A. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #12-01:** two parcels of land totaling 6.48 acres legally described as Tract 2A of Amended Tract 2, Certificate of Survey 1404 and portions of Lots 4 and 13, Clark Subdivision; generally located off Nall Avenue along South 27th Street and addressed as 108 Nall Avenue; Donald Lee, petitioner, on behalf of owners BL Realty, Inc., the Estate of Richard E. Lee, the Estate of Donald R. Lee, and OE Lee and Company. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
  
  - B. **DEVELOPMENT AGREEMENT** with Boyer GSA Billings defining required public improvements on properties legally described as Tract 2A of Amended Tract 2, Certificate of Survey 1404 and portions of Lots 4 and 13, Clark Subdivision, less highway right-of-way (Annex #12-01). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
  
5. **PUBLIC HEARING AND RESOLUTION ADOPTING THE SOUTH BILLINGS MASTER PLAN.** Yellowstone County Board of Planning recommends approval. (Action: approval or disapproval of Yellowstone County Board of Planning recommendation.)

**PUBLIC COMMENT** on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign up on the clipboard located at the podium.*)

## **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.*