

# CITY OF BILLINGS

## CITY OF BILLINGS VISION STATEMENT:

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

---

### AGENDA

**COUNCIL CHAMBERS**

**April 23, 2012**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember McCall

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

**MINUTES:** April 9, 2012

**COURTESIES:**

**PROCLAMATIONS:**

- Administrative Professionals Day-April 25, 2012 and Administrative Professionals Week-April 22-28, 2012
- Child Abuse Prevention Month, April 2012
- National Crime Victims' Rights Week - April 22-28, 2012

**ADMINISTRATOR REPORTS - TINA VOLEK**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Item #1 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. Bid Awards:**

- 1. W.O. 12-01, Water and Sanitary Sewer Main Replacement Projects.** (Opened 4/10/12) Schedule 1A, 1B, 1C : Recommend delay of bid award until May 14, 2012; Schedule 2A, 2B Base, 2B Additive Alternate, and 2C : Recommend COP Construction; \$2,233,047.

2. **W.O. 12-02, Miscellaneous/Developer-Related Project.** (Opened 4/10/12)  
Recommend J & J Concrete; \$570,255.20.
  3. **W.O. 12-27, Over Excavation of New Library Site.** (Opened 4/10/12)  
Recommend CMG Construction, Inc.; \$619,875.
- B. Approval** of revised agreement with Jon Dehler for 20-year naming rights of ballpark retroactive to 2008.
- C. Contract for Professional Services** with DOWL HKM for W.O. 12-04, Wastewater Collection System Study as part of the Integrated Water Plan Implementation Projects; \$202,130.
- D. Amendment #1, W.O. 10-29: Wastewater Treatment Plant West Mechanical MCC Replacement and Improvements.** Professional Services Contract, HDR Engineering; \$9,800.
- E. Amendment #1, W.O. 12-05: 5-Mile Lift Station Replacement.** Professional Services Contract, Morrison-Maierle, Inc; not to exceed \$536,544.
- F. Amendment #2, W.O. 05-15: Howard Heights Storm Drainage Improvements.** Professional Services Contract, Interstate Engineering, Inc.; \$14,963.10.
- G. Sidewalk Easement** with The Boyer Group for construction of boulevard sidewalk along 4th Avenue North.
- H. Acceptance of Donation** to the Police Department to be used for the purchase of a police canine; Downtown Billings Exchange Club; \$1,500.
- I. Resolution of Intent** to create SID 1393, Fritz Subdivision; curb and gutter, drive approaches, storm drain and street improvements to Cottonwood Boulevard; and set a public hearing date of May 29, 2012.
- J. Preliminary Plat Three-Year Extension** for Lake Hills Subdivision, 25th Filing, Amended, generally located along Ditton Drive and Lake Heights Drive at the north end of Lake Hills Subdivision; setting a new expiration date of June 23, 2015.
- K. Preliminary Plat Three-Year Extension** for Mont Vista Subdivision, generally located south of Rimrock Road between 50th Street West and 54th Street West; setting a new expiration date of June 22, 2015.
- L. Preliminary Amended Plat** of Foxtail Village Subdivision, 2nd Filing, Block 2, Amended, approximately 2.7 acres generally located on the north side of Grand Avenue just east of 60th Street West; conditional approval of the preliminary plat and adoption of the Findings of Fact.
- M. Bills and Payroll:**
1. March 26, 2012
  2. April 2, 2012

## **REGULAR AGENDA:**

2. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #885 (DELAYED FROM 3/26/12):** a text amendment to Section 27-607 of the Billings, Montana, City Code clarifying that both livestock and fowl (poultry) are not allowed uses within the City of Billings. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)
3. **PUBLIC HEARING** and approval of allocation of FY2012-2013 CDBG and HOME program funds and approval of the FY2012-2013 Action Plan. Staff recommends approval of the Community Development Board's recommendation and prioritization. (Action: approval or disapproval of staff recommendation)
4. **PUBLIC HEARING AND RESOLUTION FOR ANNEXATION #12-02:** three parcels totaling approximately 0.85 acres located on Lincoln Lane in the Billings Heights and addressed as 337 and 325 Lincoln Lane; Brent Nelson, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending BMCC 25-301 through 25-307 Nuisance Vegetation. An update providing clarity and consistency across several sections of the Nuisance Vegetation code. Code Enforcement Division Staff recommends approval. (Action: approval or disapproval of Code Enforcement Division Staff recommendation.)
6. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #891:** a text amendment to Sections 27-201 and 27-622 of the Billings, Montana City Code (BMCC) to eliminate the definition of "townhome" as a type of residential land use and update the section that requires a Master Site Plan review for multi-unit developments. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)
7. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #892:** a text amendment to Section 27-1502 of the Billings, Montana City Code (BMCC) to align the local zone change procedures with new state law amendments passed in 2009 and 2011. Zoning Commission recommends approval. (Action: approval or disapproval of Zoning Commission recommendation.)
8. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #893:** a text amendment to Sections 27-1508 and 27-1604 of the Billings, Montana City Code (BMCC) aligning the county zone change procedures and enforcement with new state law amendments passed in 2009. Zoning Commission recommends approval. (Action: approval or disapproval of staff 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.*