

# 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**

**June 11, 2012**

**6:30 P.M.**

**CALL TO ORDER:** Mayor Hanel

**PLEDGE OF ALLEGIANCE:** Mayor Hanel

**INVOCATION:** Councilmember Astle

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

**MINUTES:** May 29, 2012

**COURTESIES:** Swords Park Trail Awards presented by Candi Beaudry and Mike Whitaker - "Trail of the Year Award" and "Coalition for Recreational Trails Award "

**PROCLAMATIONS:**

**ADMINISTRATOR REPORTS - TINA VOLEK**

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #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. 11-16, Wastewater Treatment Plant Digester Cleaning.** (Opened 5/29/2012) (Award delayed from 5/29/2012) Recommend Parker Ag Services, LLC; \$181,200.
- 2. W.O. 12-10, Broadwater Trail Connection and Will James Alternate Multi-Use Path.** (Opened 5/29/2012) (Award delayed from 5/29/2012) Recommend Knife River-Billings: \$186,920.75.

3. **W.O. 12-23, Wastewater Treatment Plant Headworks Backup Power and West Mechanical Motor Control Center (MCC-B5) Improvements.** (Opened 5/29/2012) (Award Delayed from 5/29/2012) Recommend Yellowstone Electric; \$49,656.
  4. **W.O. 12-28, Water Treatment Plant Transformer Replacement.** (Opened 5/29/2012) (Award Delayed from 5/29/2012) Recommend Colstrip Electric, Inc.; \$177,315.
  5. **Fire Stations 2 and 3 Sleeping and Restroom Quarters Remodel.** (Opened 6/5/2012) (Recommendation of award to be made at June 11, 2012, city council meeting.) Recommend Fisher Construction; \$61,033.
- B. Professional Services Agreement** with HDR Engineering, Inc. for W.O. 11-11, Water Treatment Facility Rapid Mixer System Improvements; \$110,100.
- C. Consultant Agreement** with Planning Communications for preparation of 5-year Analysis of Impediments to Fair Housing Choice; not to exceed \$33,650. (Donations approved by Council on 4/9/12: Housing Authority of Billings - \$10,000; HRDC District 7 - \$5,000; Billings and Montana Association of Realtors - \$2,000; First Interstate Bank - \$1,000)
- D. Recommendation** to the Policy Coordinating Committee (PCC) supporting a rail traffic impacts planning study for the rail corridor.
- E. Acknowledging Receipt of Petition to Annex #12-06:** two parcels totaling approximately 4.06 acres located on the south side of Highway 3 just west of Hickok Circle, adjacent to city-owned parkland, and legally described as Tracts 2-A and 2-B, Certificate of Survey 2577; Timothy and Sheryl Dernbach and Jeff and Dana Sorenson, owners; and setting a public hearing date for June 25, 2012.
- F. Acknowledge Receipt of Petition to Vacate** street rights-of-way within Copper Ridge Subdivision, 2nd Filing; Copper Ridge Development Corporation, petitioner; and set a public hearing date of July 9, 2012.
- G. Approval** of joint city/county grant application and acceptance of the 2012 Justice Assistance Grant (JAG) totaling \$52,130 for equipment purchases (Billings Police Department - \$39,220; Yellowstone County Sheriff's Office - \$12,910); and **approval** of Interlocal Agreement with Yellowstone County Sheriff's Office.
- H. Acceptance of Donation** to Parks Department from Beartooth Nordic and Hiking Club of Billings through BikeNet for memorial bench and plaque at Swords Park in honor of Gary Hafer; \$1,400.
- I. Acceptance** of Montana Mental Health Settlement Trust Grant for Police Department multi-disciplinary team crisis intervention training; \$7,910.
- J. Approval** of Josi Wilgus, James Mariska, and Patty Nordlund to the Ad Hoc Collaborative School Planning Committee.
- K. Resolution of Intent** to create SID 1394, Macona Lane; curb and gutter, drive approaches, and street improvements; and set a public hearing date of July 9, 2012.

- L. **Resolution of Intent** to sell Lot 7 and Lot 8, Block 189, Original Town of Billings, located at 10 South 26th Street; and set a public hearing date of July 23, 2012.
- M. **Resolution of Intent to De-Annex #12-05:** approximately 2.7 acres of developed land known as Lot 2, Hobby Subdivision; June and Leonard Hobby, petitioners; and set a public hearing date of July 9, 2012.
- N. **Resolution** related to financing a new water storage reservoir and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.
- O. **Resolution** authorizing the issuance and calling for a negotiated sale of \$390,000 Pooled Special Sidewalk, Curb, Gutter and Alley Approach Bonds (WO 09-11 Rimrock Road and WO 11-02, Miscellaneous/Developer Related Improvements).
- P. **Second/Final Reading Ordinance for Zone Change #895:** a text amendment to Billings, Montana City Code (BMCC) Section 27-615 (c); Section 27-615 (d) – Visibility at Intersections, and Section 27-618 – Figure 1a. and Figure 1b., deleting and adding language to clarify the regulation.
- Q. **Second/Final Reading Ordinance for Zone Change #896:** a text amendment to Billings, Montana City Code (BMCC) Section 27-601 (a) – Parking and Storage Restrictions, deleting language and adding language to clarify the regulation requiring setbacks for recreational vehicles parking or stored in driveways in residential zoning districts.
- R. **Second/Final Reading Ordinance for Zone Change #897:** a text amendment revising Billings, Montana City Code (BMCC) Section 27-612 – Supplemental Commercial Development Standards, by adding Section 27-612(e) and Section 27-309 deleting and adding language to establish standards for compatibility between residential uses and new commercial uses.
- S. **Second/Final Reading Ordinance for Zone Change #898:** a text amendment to Billings, Montana City Code (BMCC) revising Section 27-604 – Fences, Walls and Hedges, and Section 27-618 Figure 6. - Illustrations, deleting and adding language to clarify the regulation.
- T. **Final Plat Approval** of Josephine Crossing Subdivision, 2nd Filing.
- U. **Bills and Payroll:**
  1. May 14, 2012

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending the boundaries of Ward I to exclude recently de-annexed property in Annex #12-03: approximately 13.82 acres of undeveloped land known as Tract 81A, Certificate of Survey 2165, in the Briarwood Planned Unit Development; James and Stella Ziegler, petitioners. Staff recommends approval. (Action: approval or disapproval of staff recommendation)

3. **PUBLIC HEARING AND RESOLUTION** adopting fees associated with various services provided by the Planning Division and Public Works Department. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
4. **PUBLIC HEARING AND RESOLUTION** adopting revised Right-of-Way Permit Fees for the Public Works Department. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **SOLID WASTE COLLECTION AND DISPOSAL CHARGES**
  - A. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Billings, Montana City Code, Article 21, providing the option to include solid waste collection fees as part of the City's monthly utility billing. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
  - B. **PUBLIC HEARING AND RESOLUTION** establishing FY2013 Solid Waste residential and commercial collection and disposal fees and landfill use fees to be effective July 1, 2012. Staff recommends holding the advertised public hearing and delaying action until June 25, 2012. (Action: approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTIONS** setting annual FY2012 assessments for Park Maintenance Districts; Light Maintenance Districts; Fire Hydrant Maintenance; Street Maintenance; Storm Sewer; Arterial Construction; Tourism Business Improvement District; Business Improvement District; and imposing annual all-purpose mill levy and mill levies for Library operation, Transit operation, and Public Safety Funds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
7. **PUBLIC HEARINGS AND RESOLUTIONS** approving and adopting the Fiscal Year 2013 City of Billings Budget
  - A. **PUBLIC HEARING AND RESOLUTION** adopting the FY2013 City of Billings Capital Budget. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
  - B. **PUBLIC HEARING AND RESOLUTION** approving and adopting the FY2013 City of Billings Budget for Personal Services, Operation and Maintenance, Debt Service and Transfers. Staff 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.*