

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

July 23, 2007

6:30 P.M.

**CALL TO ORDER – Mayor Tussing
PLEDGE OF ALLEGIANCE – Mayor Tussing
INVOCATION – Councilmember Ulledalen
ROLL CALL
MINUTES – July 9, 2007
COURTESIES
PROCLAMATIONS
ADMINISTRATOR REPORTS – Tina Volek**

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 3, 4, and 5 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. Mayor’s appointments:

Mayor Tussing recommends that Council confirm the following appointment:

	Name	Board/Commission	Term	
			Begins	Ends
1.		Board of Ethics	07/23/07	12/31/08

1. Unexpired term of David Morales

- B. Approval** of Mutual Aid Agreement renewal with City of Laurel.
- C. Approval** of Limited Commercial Aviation Building and Ground Lease renewal with Alpine Aviation.
- D. Approval** of Non-Commercial Aviation Ground Lease renewal with First Interstate BancSystem, Inc.
- E. Approval** of Terminal Building Commercial Space Lease revision with Montana GSE, Inc.
- F. Approval** of Commercial Non-Aviation Ground Lease for a Communication Site with Gold Creek Cellular of Montana Limited Partnership.
- G. Amendments** to Emergency Operations Plan for Billings, Laurel, Broadview, and Yellowstone County.
- H. Amendment #2, W.O. 03-07 Alkali Creek Trail.** Professional Services Contract with HKM Engineering, Inc., \$168,000.00.
- I. Perpetual Right-of-Way Easement and Right-of-Way Agreement** with Yellowstone Country Club, \$40,697.00.
- J. W.O. 07-01, 2007 Water & Sewer Line Replacement Project, Schedule 2,** Right-of-Way Agreements; a Perpetual Right-of Way Easement; and Temporary Right-of-Way Easements with 11 property owners, \$1,450.00.
- K. W.O. 04-33, Lake Elmo Drive (Hilltop to Wicks Lane) Right-of-Way Acquisition:**
 - (1) Parcel 15: Portion of Lot 1, Rex Subdivision, Janet Croy, \$13,750.00.
 - (2) Parcel 16: Portion of Lot 1, Rex Subdivision, 2nd Filing, The Bird House, LLC, \$8,800.00.
 - (3) Parcel 17: Portion of Lot 2, Rex Subdivision, 2nd Filing, The Bird House, LLC, \$13,700.00.
 - (4) Parcel 30: Portion of Tract 1, Certificate of Survey 1682, Ron Goertzen and Alisha Goertzen, \$8,100.00.
 - (5) Parcel 39: Portion of Lot 6, Block 1, Rice Subdivision, Linda M. Posey, \$2,250.00.
- L. Street Closures:**
 - (1) Billings Association of Realtors 2-Mile and 5-Mile Run, 5:00 a.m. to 10:00 a.m., August 25, 2007. Two-mile starting at MSU-B, west on Rimrock Road, south on Virginia Lane through Pioneer Park, north on 3rd Street West, east on Parkhill Drive, south on North 32nd Street, finishing at 6th Avenue

North and Grand Avenue. Five-mile starting at Masterson Circle, east on Airport Road, south on North 27th Street, west on Rimrock Road, south on Virginia Lane through Pioneer Park, north on 3rd Street West, east on Parkhill Drive, south on North 32nd Street, finishing at 6th Avenue North and Grand Avenue.

(2) Billings Clinic Classic Street Party, North Broadway between 3rd and 4th Avenues North, from midnight August 24, 2007, through 5:00 p.m. August 26, 2007; and the alley between 3rd and 4th Avenues North from 9:00 p.m. August 25, 2007, through 5:00 a.m. August 26, 2007.

(3) Railyard Ale House Street Closure, August 3, 2007, 2:00 p.m. – 10:00 p.m., closing one lane in the 2500 block of Montana Avenue.

M. Approval of donation of six (6) Class A fully encapsulated hazardous material suits to the MSU-B College of Technology.

N. Approval and acceptance of donation from ConocoPhillips to the Billings Fire Department for Self-Contained Breathing Apparatus (SCBA) equipment, \$8,000.00.

O. Approval and acceptance of in-kind donation from Faith Chapel for labor and materials to paint the North Park Recreation Center handball/racquetball court walls and restrooms; install irrigation and sod at the 6th Avenue North, Grand Avenue, and Division Street intersection; and restore the middle median strip planter on South 27th Street.

P. Resolution of Intent to create a Tourism Business Improvement District, and set a public hearing for 8/27/07.

Q. Resolution of Intent to create SID 1379, King Avenue West from S. 31st Street West to Shiloh Road (water, sewer, storm drain, street, sidewalk, drive approach, and curb/gutter improvements), and set a public hearing for 8/13/07.

R. Resolution of Intent to create SILMD 301 (Josephine Crossing Subdivision) and SILMD 302 (Grand Avenue, 8th to 12th Streets West), and set a public hearing for 8/13/07.

S. Second/Final Reading ordinance modifying allowable driveway widths, curb cut locations from intersections, and curb cut separations on arterial roadways.

T. Preliminary Minor Plat of Amended Lots 15A, 15B, 15C, and 15D, Block 3, Vista Heights Subdivision, 2nd Filing, generally located on the northwest corner of Main Street and Wicks Lane, conditional approval of the preliminary minor plat and adoption of the Findings of Fact.

U. Preliminary Minor Plat of Trailhead Subdivision, a 4.01 acre lot generally located on the southeast corner of the intersection of Rimrock Road and Avalon Road, including the Yellowstone Racquet Club, conditional approval of the preliminary minor plat and adoption of the Findings of Fact.

V. Preliminary Plat of Emma Jean Heights Subdivision, 1st Filing, 38 lots on approximately eight (8) acres generally located on the west side of Bitterroot Drive, south of Wicks Lane, approval of variance; conditional approval of the preliminary plat; and adoption of the Findings of Fact.

W. Final Plat of Gunn Estates Subdivision, 2nd Filing.

X. Bills and Payroll

(1) June 22, 2007

(2) June 29, 2007

(Action: approval or disapproval of Consent Agenda.)

REGULAR AGENDA:

- 2. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #814:** A zone change from Residential 9,600 to Community Commercial; Neighborhood Commercial; Residential Professional; Residential Multi-family Restricted; Residential 6,000; Residential 7,000 Restricted; and Public on a portion of a 288.38 acre parcel of land proposed as Skyview Ridge Subdivision generally located south of Wicks Lane, west of Governors Boulevard, and north of Constitution and Kootenai Avenues. State of Montana, owner. 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).
- 3. TEAMSTERS LOCAL 190 LABOR AGREEMENT, JULY 1, 2007, THROUGH JUNE 30, 2010.** Staff recommends approval. **(Action:** approval or disapproval of Staff recommendation.)
- 4. AWARD OF CONTRACT FOR DEMOLITION OF EXISTING COBB FIELD.** Staff recommends approval of the contract with Magnum Contractors LLC in the amount of \$198,500.00. **(Action:** approval or disapproval of Staff recommendation).
- 5. AWARD OF CONTRACT FOR THE NEW BASEBALL AND MULTI-USE STADIUM AT ATHLETIC PARK.** Recommendation to be made at City Council meeting. **(Action:** approval or disapproval of Staff recommendation).

6. **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>**

JULY:

7/16/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
7/17/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
7/23/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
7/24/2007	Planning Board	6:00 p.m.	4 th Floor Library
7/25/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board Housing Authority	1:00 p.m. NOON NOON	CH Conference Room 4 th Floor Library 2415 1 st Avenue North
7/26/2007	Yellowstone County Board of Health	CANCELLED	
7/31/2007	Council Agenda Setting Meeting	5:30 p.m.	CH Conference Room

AUGUST:

8/01/2007	Board of Adjustment	6:00 p.m.	Council Chambers
8/02/2007	EMS Commission Human Relations Commission	7:30 a.m. 12:15 p.m.	Main Fire Station CH Conference Room

8/06/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
8/07/2007	Community Development Board Zoning Commission Aviation & Transit Commission	3:00 p.m. 4:30 p.m. 5:30 p.m.	4 th Floor Library Council Chambers Airport Terminal
8/08/2007	Parks/Recreation/Cemetery Bd	11:30 a.m.	Community Center 360 N. 23 rd St.
8/09/2007	Committee on Homelessness	1:30 p.m.	3 rd Floor Library
8/13/2007	Energy & Conservation Commission REGULAR Council Meeting	3:00 p.m. 6:30 p.m.	Billings Operations Ctr. 4848 Midland Rd. Council Chambers
8/14/2007	Parking Advisory Board Council Agenda Setting Meeting Planning Board	4:00 p.m. 5:30 p.m. 6:00 p.m.	CH Conference Room CH Conference Room 4 th Floor Library
8/16/2007	Public Utilities Board Library Board	6:30 p.m. NOON	Public Works-Belknap 2251 Belknap Ave Library
8/20/2007	Council WORK SESSION	5:30 p.m.	Community Center 360 N. 23 rd St
8/21/2007	Yellowstone Historic Preservation Board	8:00 a.m.	4 th Floor Library
8/22/2007	Development Process Advisory Review Board (DPARB) Traffic Control Board	1:00 p.m. NOON	CH Conference Room 4 th Floor Library
8/23/2007	Yellowstone County Board of Health	7:00 a.m.	Community Health Center 123 So. 27 th Street
8/27/2007	REGULAR Council Meeting	6:30 p.m.	Council Chambers
8/28/2007	Council Agenda Setting Meeting Planning Board	5:30 p.m. 6:00 p.m.	CH Conference Room 4 th Floor Library
8/29/2007	Housing Authority	NOON	2415 1 st Avenue North