

COUNCIL ACTION SUMMARY

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

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

AGENDA

COUNCIL CHAMBERS

May 11, 2009

6:30 P.M.

CALL TO ORDER – Mayor Tussing

PLEDGE OF ALLEGIANCE – Mayor Tussing

INVOCATION – Mayor Tussing

ROLL CALL – Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Brewster, Veis, Ruegamer, McCall, Ulledalen, Astle, Clark

MINUTES – April 27, 2009, approved as presented.

COURTESIES -- None

PROCLAMATIONS:

- **Peace Officers' Memorial Day, Friday, May 15, 2009**
- **Emergency Medical Services Week, May 17-23, 2009**

ADMINISTRATOR REPORTS – Tina Volek

- Ms. Volek advised that a revised resolution for Item I, creating an ad hoc committee, was sent in the Friday Packet and available for public viewing in the Ex-Parte Notebook at the back of the room.
- Ms. Volek advised that the three protests received for Item 5, SID 1386, were sent in the Friday Packet and available for public viewing in the Ex-Parte Notebook at the back of the room.
- Ms. Volek referenced Item K and said Exhibit C of Attachment B was available for public viewing in the Ex-Parte Notebook at the back of the room.
- Ms. Volek advised that an incorrect date was provided for Item G7j, the Strawberry Festival. She said the correct date was June 13, 2009.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 6, AND 7 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: **SEPARATIONS: D**

1. A. Bid Awards:

(1) Airfield Concrete Ramp Joint Repair. (Opened 4/28/09). Recommend A-Core of Idaho, Inc., \$109,730.

B. W.O. 08-01, 2008-2009 Water & Sewer Replacement Projects, Schedule 2, License Agreement with Robert and Jennifer Bradshaw to transfer two sewer services from old sewer main at 601 Grand Avenue to new sewer main; at no cost to the City.

C. Compensation Agreement for Private Contract No. 608 for extension of storm drain and sanitary sewer main in King Avenue West; St. Vincent Healthcare Foundation, Inc. and Montana Sapphire, LLC, Developers; \$100,806 sanitary sewer equal share compensation; \$255,507 storm sewer equal share compensation.

D. Maintenance Agreement with State of Montana to provide regular street maintenance of state-owned highway system within the city limits; and **Special Projects Contract Maintenance Agreement** to provide maintenance on state highway system within the city limits. Two-year agreements from July 1, 2009, through June 30, 2011; regular street maintenance revenue: \$592,035 in FY2010 and \$603,997 in FY2011; \$300,000 annual revenue for special projects maintenance. **APPROVED.**

E. Development Agreement and Deed Restriction Agreement providing a \$465,000 zero interest deferred payment loan to the Interfaith Hospitality Network for its Housing First project located at 1427 Avenue C.

F. Acknowledge receipt of petition to vacate a portion of Zimmerman Trail abutting Lot 5, Scott Subdivision; James and Jenica Buker, petitioners; and set a public hearing for June 8, 2009.

G. Street Closures:

(1) Al Bedoo Shrine Parade, 6/6/09, 10 a.m. to 12 p.m., commencing at 3rd Avenue N. and N. 23rd Street, west on 3rd Avenue N., south on N. 32nd Street, east on 2nd Avenue North, ending at N. 27th Street.

(2) St. Vincent's Health Care Heart and Sole Race, 6/13/09, 6 a.m. to 1 p.m., commencing on N. 30th Street across from St. Vincent Healthcare,

south to 7th Avenue N., west on Avenue B, through Pioneer Park, north on Virginia Lane, west on Parkhill Drive, north on 17th Street W., west on Colton Boulevard, north to Poly Drive, east on Poly Drive, ending on Poly Drive north of Grandview Park.

(3) Yellowstone Health Partnership Fun Run/Walk, 6/20/09, 7 a.m. to 11 a.m., commencing at 2nd Avenue S and S. 26th, east to S. 25th Street, south to 6th Avenue S., west to S. 37th Street, north to 2nd Avenue S., east to S. 28th Street, south to 9th Avenue S., west to S. 31st Street, north to South Park on 6th Avenue S.

(4) Alberta Bair Theater Annual Fundraiser, 6/27/09, 10 a.m. to midnight, 2nd Avenue N. from the alley west of 27th Avenue N. to 29th Avenue N., N. Broadway between 1st Avenue N. and 3rd Avenue N., and N. Broadway between 3rd Avenue N. and 4th Avenue N.

(5) Big Sky State Games 5K Run, 7/17/09, 5:30 p.m. to 7 p.m., commencing at 3rd Street W. at Grand Avenue, north on 3rd Street W., west on Parkhill Drive to 12th Street W., east on Parkhill Drive, south on 3rd Street W., ending at Wendy's Field at Daylis Stadium.

(6) Big Sky State Games Triathlon, 7/19/09, 6 a.m. to 11 a.m., Adult course -- starting at Lake Elmo State Park, right on Rolling Hills Road to Pemberton and the entrance to All American Pharmaceuticals, left on Main Street, left on Highway 87 to Shepherd Action Road, south on Highway 87, right on Main Street, right on Pemberton to Rolling Hills and back to Lake Elmo State Park. Kids' course – starting at Lake Elmo State Park, left to Riveroaks Drive, left on Annandale Road, left on Riveroaks Drive, back to Lake Elmo State Park.

(7) Downtown Billings Association Events:

(a) Alive After 5, 6/4/09, 3 p.m. to 9 p.m., 2nd Avenue N. from N. Broadway to N. 29th Street;

(b) Alive After 5, 6/11/09, 3 p.m. to 9 p.m., N. 26th Street from Montana Avenue to 1st Avenue N.;

(c) Alive After 5, 6/18/09, 3 p.m. to 9 p.m., N. Broadway between 1st Avenue N. and 2nd Avenue N.;

(d) Alive After 5, 6/25/09, 3 p.m. to 9 p.m., N. 25th Street between Montana Avenue and 1st Avenue N.;

(e) Alive After 5, 7/2/09, 3 p.m. to 9 p.m., N. 31st Street between 4th Avenue N. and 6th Avenue N.;

(f) Alive After 5, 7/9/09, 3 p.m. to 9 p.m., N. 24th Street between 4th Avenue N. and 3rd Avenue N.;

(g) Alive After 5, 7/30/09, 3 p.m. to 9 p.m., N. 30th Street between 1st Avenue N. and 2nd Avenue N.;

(h) Alive After 5, 8/6/09, 3 p.m. to 9 p.m., N. Broadway from 1st Avenue N. to 2nd Avenue N.;

(i) Alive After 5, 8/13/09, 3 p.m. to 9 p.m., N. 29th Street between 1st Avenue N. and Montana Avenue;

(j) Strawberry Festival, 6/9/09, 3 a.m. to 7 p.m., N. 28th Street from 1st Avenue N. to 3rd Avenue N., 2nd Avenue N. from the alley west of N. 27th Street to N. 30th Street, N. 29th Street from 1st Avenue N. to 3rd Avenue N.;

(k) Harvestfest, 10/10/09, 6 a.m. to 5 p.m., N. 28th from 1st Avenue N. to 3rd Avenue N., 2nd Avenue N. from the alley west of N. 27th Street to N. 29th Street;

(l) Holiday Parade, 11/27/09, 7 p.m., standard downtown parade route;

(m) Christmas Stroll, 12/4/09, 4 p.m. to 9:30 p.m., N. 28th Street from 1st Avenue N. to 3rd Avenue N., 2nd Avenue N. from the alley east of N. 27th Street to N. 29th Street.

H. Resolution #09-18810 for temporary suspension of the camping ordinance for BLM's annual seasonal fire mobilization operation at Billings Logan International Airport, 7/1/09-10/31/09, at no cost to the City.

I. Resolution #09-18811 creating an ad hoc committee to promote annexation east of the East End TIF District.

J. Resolution of Intent #09-18812 to create SID 1387, Zimmerman Trail Subdivision Sanitary Sewer Improvements, and set a public hearing for June 8, 2009.

K. Resolution of Intent #09-18813 to create SILMD 307, Shiloh Road from Rimrock Road to Pierce Parkway, and set a public hearing for June 8, 2009.

L. Preliminary Minor Plat of Goodwin Acres Subdivision, Amended Lot 2A; a .79-acre tract located at Gentry Lane north of the 2500 block of Poly Drive; Bruce and Lynette Jensen, applicants; Eggart Engineering Company, engineer; conditional approval of preliminary minor plat, approval of two variance requests from the street development standards, and adoption of the Findings of Fact.

M. Bills and Payroll

- (1) April 10, 2009
- (2) April 17, 2009

(Action: approval or disapproval of Consent Agenda) **APPROVED WITH CORRECTED DATE OF 6/13/09 FOR ITEM G7j.**

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION #09-18814 AMENDING THE FY2009 BUDGET. An amendment establishing budget authority in the Airport Capital Grant Fund for the Taxiway "A" East rehabilitation project to be funded by the American Recovery and Reinvestment Act. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**

3. **CONTINUANCE OF PUBLIC HEARING AND RESOLUTION #09-18815** approving and adopting third quarter budget amendments for Fiscal Year 2008/2009. (Continued from 4/27/09). Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
4. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annexation #09-02, a .74-acre property described as Lot 26, Block 19, Lillis Heights Subdivision, and located at 4739 Rimrock Road; MCS Properties, LLC, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-0. COUNCILMEMBER MCCALL RECUSED HERSELF FROM THE DISCUSSION AND VOTE.**
5. **PUBLIC HEARING AND RESOLUTION #09-18816** creating SID 1386, East MacDonald Drive and West MacDonald Drive, for construction of curb and gutter, drive approaches, and street improvements. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
6. **COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAMS AND THE FY2009-2010 ANNUAL ACTION PLAN.** Public hearing held April 27, 2009. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED 10-0. COUNCILMEMBER PITMAN RECUSED HIMSELF FROM THE DISCUSSION AND VOTE.**
7. **FY 2010 DOWNTOWN BILLINGS PARTNERSHIP PROJECT PROPOSAL** for \$20,000 of N. 27th Street Tax Increment District funds for four downtown improvement projects. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) **APPROVED.**
8. **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 -- None

ADJOURN – The meeting adjourned at 7:21 p.m.

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 contact Cari Martin, City Clerk, at 657-8210.