

# City Council Work Session

5:30 PM  
Council Chambers  
April 18, 2016

## ATTENDANCE:

Mayor/Council (please check)  Hanel,  Cromley,  Yakawich,  Cimmino,  Brewster,  McFadden,  Friedel,  Swanson,  Sullivan,  Clark,  Brown.

ADJOURN TIME: 11:04 p.m.

## Agenda

<b>TOPIC #1</b>	Dogs in Parks
<b>PRESENTER</b>	Tom Stinchfield, Animal Shelter Supervisor Jon Thompson, Superintendent of Parks
<b>NOTES/OUTCOME</b>	

- Tom Stinchfield: overview and history and goes through the draft ordinance.
- Jon Thompson: signage, and sample signs, locations. No dogs allowed within perimeter of playgrounds, tennis courts, basketball courts, community garden, golf course, athletic fields, swimming pools, spray parks. Extra staff during the beginning to inform people. Handouts passed out to local veterinary offices. Costs of signage, waste receptacles and bags.
- Stinchfield: fees for licensing and proposed increases.
- Sullivan: \$28,000 for city? Not very many licensed so what can we do to increase it? How to get more compliance? Stinchfield: rabies tags will be required on animal in parks. Need people to call and report unleashed animals.
- Tina Volek, City Administrator: we don't have park rangers, subject of SBR in FY 17 budget but it's not recommended, animal control response is complaint based.
- Brewster: one of the reasons for new ord. is hard to enforce, so why allow them now instead of banning and enforcing? Stinchfield: ord. will be clear and more signage. Thompson: very few places do not allow dogs in parks. Current wording is very confusing.
- Cimmino: dogs or dogs and cats don't get along, how do they coexist? Stinchfield: wanted to include small animals, so included cats. How many hens are licensed and money? Don't have number, but can get it to you. Cats on leash? People do figure it out.

- Cromley: how many dogs in city? Signage should state that licensing is required. Mark Jarvis, Park Planner: 80% of Billings households have dogs, probably means 60k plus dogs.
- Yakawich: confusion about who gets citation in parks? Judges have dismissed cases due to confusion signage vs waste receptacles. Public reassurance that dog owners will pick up after them? Willing to report soon about how ord. is working? Health of dogs and parks? Stinchfield: Responsible pet owners. Can tell which parks have issues and police them better.
- Brown: who installed waste collection dispensers? Thompson: Parks dept. mainly to control waste on perimeter sidewalks. Could money be spent on “no dogs in parks” instead of where they are allowed?
- Friedel: waste collection problems in dog park? Thompson: Usually well self-policed.
- Cimmino: gave information on pet waste bags to Parks.

**Public comments:**

- Tom Zurbuchen: 1747 Wicks Lane, Billings, MT - reject the proposal. Enforce the current laws. Let volunteers write citations.
- Dennis Ulvestad: 3040 Central Avenue, Billings, MT - service dogs don't need to be leashed. Need more dog parks. 8' leash is too long. Owners don't recognize their own dogs' behavior. Ord. needs more details. Shouldn't pass the ord. at this time. Mcfadden: any way to repeal if we ever allow dogs in park? Don't think so.
- Connie Wardell: PO Box 21432, Billings, MT - more confusing to change the ord. than enforcing the current one.
- Robert Pumfrey: 1017 O'Malley Drive, Billings, MT - Chair of Animal Control Board (ACB), looking at this for past 2 years. We have dogs in the parks now. Part of our families. Dogs are in parks and we won't change that. It's a reasonable and enforceable ord. Cromley: other cities prohibit dogs? None in MT. Yakawich: new law would help people understand and follow the law? Monitor and report to Council about feces in park? Brown: why can't we enforce the current law? How will we be able to enforce a more complex ord?
- Cara Chamberlain: 933 Yale Avenue, Billings, MT - ACB member. Lots of speakers in favor of dogs on leashes in parks. New ord. would open the parks to people who want to follow the law.
- Jeannette Vieg: 525 Gay Place, Billings, MT - vice chair of ACB. Law change request is due to public demand. Supports dogs in parks.
- Sue Bressler: 220 Yellowstone Avenue, Billings, MT - dog park supporter. Support the new ord. Think that responsible owners will help with those

who break law. Stress education. Hanel: impact on future dog parks? Need both on and off leash areas.

- Dayton Rush: 28 Burlington Avenue, Billings, MT - Park board member. Lots of people attend the meeting and ask for the ord. change. Yakawich: facilitate healthier lifestyle and women more comfortable having a dog while walking? Anything that brings people outdoors will help.

**Discussion:**

- Swanson: received lots of support for this. Need to educate public.
- Clark: what is the proper equipment? Bag or shovel, could be clarified. Stinchfield: a way to pick up after dog.
- Sullivan: when moved to Billings, shocked that dogs aren't allowed in parks. Complete lack of education now and that needs to be emphasized. Calls and emails overwhelmingly against allowing dogs in parks. Hard to implement, do it in stages?
- Cromley: 2 boards worked for 2 years, lots of input and ord. deserves to be heard. Need to vote on it.
- Yakawich: 67% of contacts support the ord. change.
- Hanel: walk dog every day. Greater punishment for non-compliance. Consensus is to bring forward to Council business session.
- Cimmino: include the farmers market ban.
- Hanel: any restrictions on number of animals per person in the parks. Brent Brooks, City Attorney: may need to adjust wording.

TOPIC #2	Complete Streets
PRESENTER	
NOTES/OUTCOME	

- Volek: no additional presentation. Brewster proposed changes and others may have concurred. Staff recommendation for process change.
- Brewster: goal is to add flexibility to the resolution. Think the current policy is too rigid. Add consideration of cost and long term cost as part of the analysis. Focus on commuter routes.
- Yakawich: how would language change the design standards? Dave Mumford, Public Works Director: design standards and policy statement forces staff to consider installing. Have to meet basic standards, then consider whether and what types of amenities are added. Have Council and public review 30% plans and decide how the policy is applied.
- Hanel: clarifies that Public Works dept. and engineers has the experience to do the planning and PW does an exceptional job.

- Brown: makes more sense to figure out how bikes should travel instead of bike paths everywhere.
- Brewster: been building streets longer than policy has been around and Council has not interfered much.
- Sullivan: time to bring up concerns is during budget process.
- Cimmino: would like to see traffic count map be updated.

### **Public comments:**

- Tom Zurbuchen: 1747 Wicks Lane, Billings, MT - finite resources, fees increasing, const. costs are high for complete streets implementation. Have voters decide whether to install the amenities.
- Claire Oakley: 1903 Northridge, Billings, MT – Director of Population Health at Riverstone Health – 400 cities with complete streets policy when Billings adopted it. Now 899, why would Billings go backwards? Why try to turn back the hands of time? Brown: do people think that Council wants to get rid of complete streets? Not true, just want flexibility. Ms. Oakley: current policy allows flexibility. Brown: current policy seems to require all amenities unless we can't do it, instead of conscious decision to add amenities. Yakawich: concern that children use busy streets and could make better decisions about where bike paths are. Friedel: shall means must do it, no flexibility. Cimmino: Healthy by Design Board takes complete streets very seriously.
- Mumford: policy is that we start with all improvements and subtract them when they're not feasible – delete by exception. Sometimes that's a problem because there may not be good arguments for not making the improvements. Hanel: is there a problem with the way policy is written now? Mumford: yes, it works on the exception and requires justification on why not to do it.
- McFadden: people who live on the street being improved should get to decide improvements.
- Ed Gulick: 3015 10<sup>th</sup> Ave N, Billings, MT – Chair of Bicycle and Pedestrian Advisory committee. Current policy states “shall consider” and that allows flexibility. Need more bike lanes, not less. 40% street const. is paid by gas tax and the rest comes from other sources that aren't necessarily auto related. Sullivan: as a bike commuter, would you like the most efficient policy? Council is trying to balance all elements. Friedel: where would you like funding to come from? Mr. Gulick: Bike infrastructure is inexpensive and it is probably funded by property taxes and gas tax. Cimmino: City has over 50 miles of trails and needs money to maintain. 7 new trails approved.

- Kevin Odenthal: 139 Ave B., Billings, MT - complete streets is not just about bike lanes. Leave current policy as is. Safety is #1 issue.
- Connie Wardell: PO Box 21432, Billings, MT - passed out a sheet on economic impact of complete streets.
- Robby Carmody: 440 Cordwith Drive, Billings, MT - just moved to Billings. Support complete streets. Invest in infrastructure to build for future.
- Kristi Drake: 2416 Avalon Road, Billings, MT - support bike lanes. More people will ride if they feel safer.
- Karen Sanford Gall: 3110 East MacDonald, Billings, MT – hopes Council supports the policy. Lots of ped and bike users of complete streets. Like that schools and city work together.
- Lisa Harmon: 2815 2<sup>nd</sup> Ave N, Billings, MT - BID board supports complete streets policy and asks that Council not change the policy. Cimmino: Council N. 25<sup>th</sup> pedestrian bridge money went to trails and safe routes to schools. Ms. Harmon: that bridge would have allowed a safe route to a grocery store. City needs connectivity. Clark: not going to eliminate sidewalks but don't have money to maintain all of the bike lanes being installed. Yakawich: appreciate downtown work but need common sense. Bridge did not make a lot of sense. Lots of ways to get from south side to downtown.
- Joe Stout: 751 Lewis Ave, Billings, MT – uses bike paths on Lewis and Poly often. Need connectivity of paths.
- Dennis Ulvestad: 3040 Central Ave, Billings, MT - support complete streets for quality of life.
- Melissa Henderson: 617 Clark Ave, Billings, MT - council should have received Healthy by Design Coalition email on Friday. Changing the wording of policy will weaken it. Many organizations do not want to see policy changed. Has not received more calls about any policy.
- Kenneth Kuhn: 1922 Ave C, Billings, MT – areas without sidewalks are not safe. Too much focus on automobiles. City paths need connectivity.
- **Discussion:**
- Hanel: hate to see the policy change or possibly reverse. Brewster: intentionally left first part of resolution intact because thought that people would think that there's a conspiracy to end the policy. Just want flexibility. McFadden: if current policy was flexible, we wouldn't be having this discussion. Sullivan: think that slight changes now are better than in 10 years, a Council repeals the policy because the city can't afford it. Friedel: need to look at fiscal impacts. Swanson: agree with the Mayor. It's a good

policy. Cromley: agree with Mayor. Proposed changes do away with current policy. Need to bring forward. Cimmino: is this a guiding document or policy? Brooks: does Council want a guideline or formal policy? Clark: this is already a resolution. Yakawich: support more flexibility and common sense. Volek: clarify that Council would like a public hearing on policy? Hanel: no strong opposition against? None. Yes.

- Break at 9:10

TOPIC #3	City/County Growth Policy
PRESENTER	Candi Millar, Planning and Community Services Director
NOTES/OUTCOME	

- Reconvene at 9:32. Tina asks and Council consents to postpone the executive session to 5:30 next Monday, April 25. Council will receive light meal. Need to advertise.
- Candi Millar: reviews scenario planning and broad goals. Costs assigned to services under different growth scenarios. Estimated revenues based on types of development. Calculated relative ROI for each scenario. Trying to understand the best ways to grow, provide demanded services and at affordable cost. Need Council help to develop final statements and goals
- Hanel: only reasonable conclusion
- Yakawich: members of steering committee? Broad representation, 12-13 people.
- McFadden: Knife River Shiloh Rd pit supposed to develop? Yes, mapped according to developer's statements.
- Clark: include utility costs? No. Used only a handful of indicators.
- Brown: growth limited principally to 3 areas? Yes, but costs are sensitive to growth patterns and wanted to show that.

#### **Public comments:**

- Connie Wardell: PO Box 21432, Billings, MT - collaborative process to build this plan. More diverse community input. Like that we're telling people what their preferred growth patterns will cost. Still not estimating maint costs.

TOPIC #4	CDBG and HOME Funding Recommendations
PRESENTER	Brenda Beckett – Community Development Manager
NOTES/OUTCOME	

- Brenda Beckett: FY 16-17 HOME and CDBG action plan and funding recommendations. On April 25 agenda, explained by staff report and several

attachments. federal government proposes to eliminate grant. Past Council asked CDBG to tighten limits. HUD intensified its requirements. Discussed VISTA volunteers and their dedication.

**Public comments:**

None

TOPIC #5	Quarterly Updates
PRESENTER	
NOTES/OUTCOME	

- Volek: Greg Krueger, Lisa Harmon, Steve Ziere, Mike Whitaker are here and will answer questions, no presentations.
- Yakawich: community innovations info? Emailed earlier today but Lisa has printed report too. Rimrock/MAPP program report? Ms. Harmon: No money exchanged but moving forward.
- Yakawich: South and North Park still having some issues. Ms. Harmon: Courts have referred 30 cases to MAPP program. Native American Coalition started mentoring on some reservations. Task Force programs seem to be working.

**Public comments:**

None

TOPIC #6	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- McFadden: tweak the noise ordinance. Temp waivers limits. Bars that get waivers, violate them and have them every week. Any progress? Volek: talked with Captain Harper but haven't yet talked with Mr. Brooks. Have to go through a review process. Will require a code amendment.
- Friedel: fee for a waiver? Volek: will email that info.
- Yakawich: initiative next week on minimum housing code ordinance. Houses in poor condition that impact neighborhoods. Volek: State has to adopt code before City can.
- Clark: progress on annexing 2 large city parks?
- Hanel: 9<sup>th</sup> street west between Lewis and Broadwater – high traffic count, some accidents. Why? Can someone look into it?

- Hanel: Executive Session moved to April 25 at 5:30 pm.

TOPIC #7	Public Comment on Items Not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- None.