

## REGULAR MEETING OF THE BILLINGS CITY COUNCIL

June 12, 2017

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27th Street, Billings, Montana. Mayor Hanel called the meeting to order at 6:30 p.m. and served as the meeting's presiding officer. Councilmember Yakawich gave the invocation.

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Brewster, McFadden, Friedel, Sullivan, Swanson, Clark and Brown. Councilmember Cimmino was excused.

**MINUTES:** June 12, 2017– Councilmember Sullivan moved for approval, seconded by Councilmember Brewster. On a voice vote, the motion was unanimously approved.

### COURTESIES:

- Mayor Hanel thanked staff for their assistance and help directing traffic at the recent Garth Brooks concert. He added that it had been a very successful event.
- Councilmember Yakawich welcomed two members, Penny Ronning and Stephanie Baucus, from the Yellowstone County Area Human Trafficking Task Force and thanked them for their hard work. Ms. Ronning stated that the number of children in the Yellowstone County foster care system was increasing and Montana was 4<sup>th</sup> per capita for human trafficking problems in the United States. Ms. Baucus stated the recent conference was very successful and informative. She invited anyone interested in becoming involved to attend the meeting on July 11, 2017, at 10:30 a.m., at the Library. Councilmember Swanson asked if the Task Force would be working on affordable housing issues. Ms. Baucus stated that the YWCA, Center for Children and Families and The Salvation Army were involved with the issue of affordable housing. Ms. Ronning added that the Tumbleweed Program was working very hard to combat the human trafficking issue as well.

### PROCLAMATIONS:

- Mayor Hanel declared June 15, 2017 as Supporting and Strengthening Families Day.
- Mayor Hanel read a proclamation welcoming Big Sky Pride June 15-17, 2017. Walt Donges, Southeast Montana Prime Timers, thanked the City and Council for their support.
- Mayor Hanel declared June 12-18, 2017 as Men's Health Week.
- Mayor Hanel read a proclamation encouraging acceptance and tolerance in an Anti-Discrimination Proclamation stating that hate crimes, bigotry and discrimination was detrimental to the City's growth.

## ADMINISTRATOR REPORTS - TINA VOLEK

- Ms. Volek announced that Fire Chief Paul Dextrus would retire in July 2017. She stated he had played a role in the many successes the Fire Department had made in the past several years. She stated that Assistant Chief Bill Rash would act as interim Fire Chief.

Councilmember Brewster moved to add to the agenda, as Item 8, whether to reconsider changing FY2018 and FY2019 water and sewer rates for the Phillips 66 refinery, the County Water District of Billings Heights, the Lockwood Water and Sewer District and System Development Fees, seconded by Councilmember Clark. On a voice vote, the motion was approved 9-0, Councilmember Brown abstained.

### **PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 & 6 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign in at the cart located at the back of the council chambers or 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.)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, Montana:** in reference to Item 7, encouraged Council not to approve the appeal. He stated there should be stricter laws on the noise ordinance and that loud music affected a person's quality of life.
- **Jarrett Wanner, 2271 Eldorado Drive, Billings, Montana, Pro Auto Sound and Security:** in reference to Item 7, stated that a sound event had occurred for almost 30 years and had never had an issue. He stated that the proposed event would bring a lot of people into the City and requested Council approve the appeal for the 1-day event. Councilmember Sullivan asked if he had talked to any neighbors in the surrounding area. Mr. Wanner stated that he had not thought there would be an issue with receiving the permit and had not approached the neighbors. Councilmember Friedel asked if he had considered moving the event to a different location. Mr. Wanner stated that he had not thought moving the event to a brewery, like another company had done, was a smart decision as it promoted cars and drinking at the event. He added that moving the event to an empty lot would not provide restrooms or power for a laptop.

There were no further speakers and the public comment period was closed.

**1. CONSENT AGENDA**

**A. Mayor Hanel recommends that Council confirm the following appointments:**

	<b>Name</b>	<b>Board/Commission</b>	<b>Term</b>	
			<b>Begins</b>	<b>Ends</b>
1	John Scheuering	Animal Control Board*	07/01/17	12/31/20
2	No Applications	Housing Authority - Resident Comm*	07/01/17	12/31/17
3	Sandra McKee	Housing Authority - Resident Comm*	07/01/17	12/31/18
4	Daniel Brooks	Billings Parking Board*	07/01/17	12/31/19
5	No Applications	Planning Board - Ward 2*	07/01/17	12/31/17
6	LaRell Baldwin	Tourism BID Board	07/01/17	09/30/17
7	No Applications	Tourism BID Board	07/01/17	09/30/17
8	Barbara Wagner**	Yellowstone Soil Conservation	07/01/17	06/30/20

\* 1 Unexpired term of vacant position

\* 2 Unexpired term of vacant position

\* 3 Unexpired term of vacant position

\* 4 Unexpired term of Kevin Odenthal

\* 5 Unexpired term of vacant position

\*\* Appointment contingent on approval of Broadview and Laurel Mayors.

**B. Bid Awards:**

- 1. W.O. 16-10, 14th Street West Storm Drain Replacement.** (Opened 5/23/17) Recommend COP Construction; \$293,902.

**C. Amendments to Dehler Park Agreement.**

**D. Customer Agreement with NorthWestern Energy for W.O. 16-18, New 911 Call Center; \$83,313.58.**

**E. Executive Search Firm Services Agreement.** Recommendation will be made during Council meeting.

**F. Professional Services Contract for W.O. 17-23, King Avenue West Water and Sewer Extension; Kadrmas, Lee & Jackson, Inc.; \$290,928.**

**G. Acceptance of MDT MACI equipment award for new sweeper and authorize Mayor to sign subsequent document(s).**

**H. Approval of Tax Increment Grant of up to \$200,000 for Community Leadership and Development Inc., at 24 South 29th Street.**

- I. **Approval** to initiate a street name change for Payton Drive west of 54th Street West; and set a public hearing date for July 10, 2017.
- J. **Resolution 17-10623** to discontinue SILMDs 269, 274, and 281.
- K. **Resolution 17-10624** creating an Ad-Hoc Committee for the City Administrator Selection.
- L. **Second/Final Reading Ordinance 17-5690 for Zone Change #956:** a zone change from Residential Multi-Family-Restricted (RMF-R) to Community Commercial (CC) on a 1.98 acre parcel of land generally located at 517 Lincoln Lane. Propriedad, LLC, owner; Scott Aspenlieder, performance Engineering, agent. Approval of the zone change and adoption of the findings of the 10 criteria.
- M. **Preliminary Subsequent Minor Plat** of Second Amended Plat of Lot 2A, Block 2, Zimmerman Acreage Tracts Subdivision, 2<sup>nd</sup> Filing, generally located south of Rimrock Road and on the west side of 46<sup>th</sup> Street West; Russ Holton, owner; Eggart Engineering, agent.
- N. **Final Plat Approval** of Shiloh Commons Subdivision.

**O. Bills and Payroll:**

- 1. May 9, 2017
- 2. May 15, 2017
- 3. May 17 and May 22, 2017

Councilmember Clark separated Items 1C and 1K for discussion.

Councilmember Sullivan moved for approval of the Consent Agenda, with the exception of Item 1C and 1K, seconded by Councilmember Cromley. On a voice vote, the motion was unanimously approved.

Councilmember Clark, in reference to Item 1C, asked for clarification that these were minor amendments to the agreement. Ms. Volek stated the Ballpark Management Operation and Use agreement for Dehler Park had a section that stated it constituted a regulated transaction under Major League rules that had to be disclosed to baseball authorities and would not be effective until disclosed and found to be in compliance with the baseball rules. She stated the agreement was reviewed by the Pioneer League president and Minor League baseball officials who requested three changes. She added that the three minor amendments had been presented in the staff reports and were waiting for Council approval. Councilmember Friedel asked if the contract would be finalized after these changes were made. Ms. Volek responded affirmatively.

Councilmember Clark moved for approval of Item 1C, seconded by Councilmember Friedel. On a voice vote the motion was unanimously approved.

Councilmember Clark, in reference to item 1K, asked if the resolution to create the Ad-Hoc Committee also named the members. Ms. Volek stated that the Council subcommittee that was working on the City Administrator replacement had asked to have a citizen's group assembled to consult with the executive search firm agency. She added the members would be: John Brewer representing the Mayor, Peggy Gaghen and Jim Ronquillo representing Ward 1, Tom Zurbuchen and Jason Lille representing Ward 2, Kevin Nelson and Njada Brown representing Ward 3, Martin Connell and Ed Ulladalen representing Ward 4 and Diane Ruff and Scott Chesarak representing Ward 5. Councilmember Swanson asked how the committee would work. Councilmember Brewster stated that it would be a committee of community representatives. He continued that the search firm consultants would use the committee to gather community input on the traits and characteristics desired in a new city administrator. Councilmember Clark moved for approval of Item 1K, seconded by Councilmember Friedel. On a voice vote the motion was unanimously approved.

#### **REGULAR AGENDA:**

- 2. PUBLIC HEARING AND RESOLUTIONS: General and Safety Funds 17-10631; Enterprise Funds 17-10632; Internal Funds 17-10633; All Other Funds 17-10634; approving and adopting FY2018 budget. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Ms. Volek gave a presentation and explained that four resolutions were presented for consideration: General and Public Safety Funds, Enterprise Funds, Internal Funds, and All Other Funds. She asked Council to hold one public hearing, but consider each resolution separately. She gave an overview of the FY2018 budget. She added that Council had received a memorandum from the Finance Department noting the gas tax fund was increased by \$500,000 to cover the costs related to the acquisition of the right-of-way and initial engineering design costs related to the Inner Belt Loop. She stated it would be paid from the gas tax fund from House Bill 473 which would be available in March 2018. She added that actual construction would not begin for a few years as funds needed to be accumulated.

Ms. Volek stated that the Planning Department budget included a zoning code re-write and the department had put aside \$35,000 of the estimated \$60,000 cost. She added that Mr. Friday, Planning Department Director, had asked if Council would consider a contingency fund allocation to help with the project. She added that Mr. Friday would make a presentation to the County Commissioners to request sharing the remaining \$25,000 cost.

Ms. Volek stated that approximately \$100,000 would need to be added to the budget for a park ranger position if Council was interested in adding the position.

Councilmember Yakawich asked if the park ranger position funds would come from the General Fund. Ms. Volek stated the position had originally been proposed, approximately one year ago, as a public safety position. She added that the position a police officer that would be assigned to the parks. She stated the money would need to be transferred from the General Fund to Public Safety.

Councilmember Brown asked if the \$100,000 would cover vehicle, equipment, etc. Ms. Volek stated the first year would include vehicle, equipment, etc. and the second year's salary would be approximately \$80,000. Mayor Hanel asked if it would be a year round position. Ms. Volek responded affirmatively.

Councilmember Sullivan asked if a park ranger could write tickets. Ms. Volek stated the position would be able to write tickets, and that animal control officers could also write tickets, but were not necessarily trained in confrontational issues. Councilmember Clark stated he thought animal control officers should receive training for confrontational issues. Ms. Volek stated that the officers had to patrol parks and take care of business throughout the city, such as animal cruelty cases, care for injured animals, etc. and did not have enough time to devote to all of the park issues.

Councilmember Clark asked what type of shift the park ranger would work. Ms. Volek stated the shift had not been determined. Mike Whitaker, Parks Director, stated the shift would vary depending on busy times, large events, etc. He added the position would also assist the Police Department with transient issues in the parks.

Councilmember Cromley asked if the City could expect an increase in the amount of fines received through City Court. Mr. Whitaker stated that would be a question for the Police Chief.

Councilmember Sullivan asked what amount of money had been spent on graffiti, cleaning up homeless camps, etc. Mr. Whitaker stated that he would estimate it cost about \$40,000 annually.

Councilmember Friedel asked if the park ranger position was currently included in the budget. Ms. Volek stated it was not in the current budget.

Councilmember Clark asked how much remained in the Planning Department reserves. He stated he would rather pay the zoning code re-write from their reserves than take it from the General Fund. Nicole Cromwell, Planner, stated the proposed reserve amount for the coming fiscal year was \$275,120, which was \$75,120 over the minimum amount required by Council.

Mayor Hanel asked for clarification on how to proceed with the park ranger position and the zoning code re-write. Ms. Volek stated that the items could be added to the budget by Council during the meeting, brought up by an initiative or by budget amendment at a later date. Councilmember Sullivan stated he intended to make an initiative on both items at the end of the meeting.

The public hearing was opened.

There were no speakers, and the public hearing was closed.

Councilmember Sullivan moved for approval of the General and Public Safety Funds, seconded by Councilmember Brewster. Councilmember Clark made a substitute motion to consider Item 3 before voting on Item 2, seconded by Councilmember Brewster. Councilmember Sullivan suggested a more appropriate action would be to move Item 3 to Item 2 on the agenda. On a voice vote, the substitute motion was approved 9-1, with Councilmember Sullivan voting in opposition.

Mayor Hanel asked if Council had any further questions on Item 2. Council discussion moved to Agenda Item 3.

Councilmember Clark asked how much money was being brought in from property assessments. Ms. Volek stated the assessments needed to be in by August 1, 2017 and the City had 30 days after that date to compile the information. She added that staff was able to generate an estimate. Andy Zoller, Interim Financial Director, stated the City's growth rates were estimated at 3%, and the Department of Revenue (DOR) indicated that was a conservative estimate, but staff was comfortable with it.

Councilmember Cromley moved for approval of the General and Public Safety Funds budget, seconded by Councilmember Yakawich. Councilmember Yakawich asked if staff could provide the budget information to the media. Ms. Volek stated the media was a profit making organization and color printing would require them to provide print area that provided revenue. She added that the information was available online and it could also be provided to the Reference Desk at the Library. Councilmember Brewster stated he would vote in opposition of the motion. On a voice vote, the motion was approved 8-2, Councilmembers Clark and Brewster voted in opposition.

Councilmember Sullivan moved for approval of the Enterprise Fund budget, seconded by Councilmember Brewster. On a voice vote, the motion was unanimously approved.

Councilmember Sullivan moved for approval of the Internal Service Fund budget, seconded by Councilmember Cromley. On a voice vote, the motion was unanimously approved.

Councilmember Cromley moved for approval of the All Other Funds budget, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

Mayor Hanel thanked Ms. Volek, department heads and all staff on their hard work with budget information and presentations. Ms. Volek stated that staff had done an excellent job and she would pass on the thanks.

3. **PUBLIC HEARING AND RESOLUTIONS setting annual FY2018 assessments on the following:**

- A. **Business Improvement District 17-10625; Tourism Business Improvement District 17-10626; Mill Levy Rates for General Fund Transit, Library, and Public Safety 17-10627**
- B. **Arterial Construction 17-10628**
- C. **Street Maintenance District 17-10629**
- D. **Storm Sewer 17-10630**

**Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Ms. Volek provided an overview of the proposed assessments and resolutions, and noted that each proposed resolution would require a separate vote. She added that the only proposed changes were for the Transit Department and the Library. Ms. Volek asked that Council hold one public hearing, but consider each resolution separately. She stated that the various departments were available for questions.

Councilmember Clark asked if Public Safety was at the maximum amount. Ms. Volek stated it was not. She added it was beneficial to have the revised re-appraisal system rolled back and brought forward. She stated at the end of the six-year period the City's appraised values ended up being equal to what they should have been six years prior and not the current values. She stated the new system, that the legislature had approved, provided the City with a current value on a two-year basis for all appraisals and helped improve funding tremendously.

Councilmember Clark asked what amount would be levied for the General Fund. Ms. Volek stated that currently 70.61 mills were being levied, which was a slight increase from the previous year.

Mr. Mumford began a brief presentation giving an overview of the two Street Maintenance District (SMD) options available for Council. He stated that Option 1 was a straight 5% increase. Alternate Option 2 was a 7.3% increase, to SMD 2 for snow plowing, which was over and above the 5% included in the first option. Councilmember Swanson asked which option Mr. Mumford recommended to Council. Mr. Mumford stated that City staff, with the help of contractors, would be able to plow the local streets. He stated that staff would plow the snow to the side, would not haul it away, and there was some concern about the accumulating snow. Mr. Mumford added he recommended the money for snow removal be held in a separate account, so there would not be any questions as to where the money was spent. He added that Option 2 would be a lot of work, but he felt that Public Works would be able to handle it.

Councilmember Yakawich asked if Option 2 included plowing all residential areas. Mr. Mumford stated that Option 2 included plowing snow on local streets, not just residential areas. Councilmember Yakawich asked if the money would be set aside if it was not used that year. Mr. Mumford stated the money would roll into the next year, but if the fund went into debt, it would need to be covered with the budget then and assessed the following year. Councilmember Yakawich asked if the amount would decrease after the first year, following the purchase of gates. Mr. Mumford stated the gates would cost approximately \$90,000, therefore, the cost for the second year would be slightly less.

The public hearing was opened.

- **Dennis Ulvestad, 3040 Central Avenue, Billings, Montana:** stated he recommended Council choose Option 2 for the Street Maintenance District. He added he was an Uber driver and snow removal would be the logical option for the City.

There were no further speakers, and the public hearing was closed.

Councilmember Clark asked if the Transit and Library increases had already been authorized. Ms. Volek stated they had been previously in place, but had been held lower, along with General Fund and Public Safety, but because of operating costs it was being requested to move Transit and the Library to the top of their mills. Councilmember Clark asked how high Public Safety mills could be increased. Ms. Volek stated they were currently at 19.08 mills and the maximum was 20 mills.

Councilmember Cromley moved for approval of Item 3A, seconded by Councilmember Swanson. On a voice vote, the motion was unanimously approved.

Councilmember Sullivan moved for approval of Item 3B, seconded by Councilmember Cromley. On a voice vote, the motion was unanimously approved.

Councilmember Friedel moved for approval of Item 3C, with the alternate Option 2, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

Councilmember Sullivan moved for approval of Item 3D, seconded by Councilmember Brewster. On a voice vote, the motion was unanimously approved.

Council resumed the discussion on Agenda Item 2.

**4. PUBLIC HEARING AND RESOLUTION 17-10635; establishing collection, disposal, and landfill fees for FY2018, effective July 1, 2017. (Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Ms. Volek stated staff did not have a presentation, but was available for questions.

The public hearing was opened.

There were no speakers, and the public hearing was closed.

Councilmember Cromley moved for approval of Item 4, seconded by Councilmember Sullivan. Councilmember Clark asked if the City had been adding to the reserves at the landfill. Mr. Mumford stated that they had not been adding to the reserves, but they were spending down the reserves.

Councilmember Yakawich asked when the new shredder would be purchased. Mr. Mumford stated that the contract for the new transfer center had been awarded and hoped it would be constructed next summer. Councilmember Yakawich asked about how the new scale was working. Mr. Mumford stated that it was helping and that they had requested permits for the additional land for future expansions. On a voice vote, the motion was unanimously approved.

**5. PUBLIC HEARING AND FIRST READING ORDINANCE amending Billings, Montana City Code (BMCC) Article 26-600, Industrial Waste Discharge. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Boris Krizek, Environmental Engineer, gave a brief PowerPoint presentation and an overview of the pretreatment history and proposed changes. He stated that the MPDES compliance inspection in 2015 indicated the City needed to revise their local limits.

Mayor Hanel asked for clarification on the pretreatment and discharge process. Mr. Krizek stated businesses completed an application with a description of the chemicals used. He continued that staff would issue a permit to the business. He stated that the department had perimeters and requirements to conduct testing depending on the type of business and pollutants that were discharged. He stated staff inspected facilities once per year and collected samples from industrial users.

Councilmember Sullivan asked how many industrial waste permits the City issued. Mr. Krizek stated that there were six. Councilmember Sullivan asked what took place if a business was not in compliance. Mr. Krizek stated they had an enforcement response plan that included verbal notifications, notice of violations, and permit violations with penalties. Councilmember Sullivan asked who was responsible for

payment if the plant had to shut down due to violations. Mr. Krizek stated there was dilution involved in the process and felt confident that any discharge above the limit would not be passed through the system.

Councilmember Clark asked how Lockwood Water and Sewer was regulated. Mr. Krizek stated that Lockwood Water and Sewer had a discharger program in Lockwood.

Councilmember Yakawich asked how testing was performed on the ditches. Mr. Krizek stated that ditches were a part of the storm water program and had local limits monitored by MS4. He stated the requirements had recently increased and more testing would occur for ditches. Councilmember Yakawich asked what results had been found from ditch samples. Mr. Krizek stated that total suspended solids (TSS), trash, pollutions, etc. were occasionally found, but treatment had not been required.

The public hearing was opened.

There were no speakers, and the public hearing was closed.

Councilmember Cromley moved for approval, seconded by Councilmember Yakawich. On a voice vote the motion was unanimously approved.

6. **PUBLIC HEARING AND SITE DEVELOPMENT VARIANCE #CC 17-01: a variance from various site development codes at Twin Pines Townhomes. Marsich Investments, Inc., owner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Ms. Volek stated that Item 6 involved townhomes between Central Avenue and Bell Avenue. She stated that according to the City's ordinances, the property owner would only be allowed to have two accesses to the property. She added that the property owner proposed construction of duplex townhomes that would require twelve accesses. She stated staff did not have a presentation, but was available for questions.

Councilmember Brown asked for clarification on the amount of accesses allowed per lot. Mr. Mumford responded that if each development had its own lot, there could be two accesses per lot, but since the development would have twelve units on a single lot, the developer was requesting a variance to allow more accesses.

The public hearing was opened.

- **Bryan Alexander, Sanderson Stewart, Billings, Montana:** stated that if the development was located on multiple lots it would be allowable to have individual curb cuts, but the development was located on a single large lot, therefore, the variance was requested to allow additional accesses.

There were no further speakers, and the public hearing was closed.

Councilmember Cromley moved for approval of Item 6, seconded by Councilmember McFadden. On a voice vote, the motion was unanimously approved.

**7. APPEAL DENIAL OF NOISE WAIVER REQUEST. Staff recommends disapproval of appeal. (Action: approval or disapproval of staff recommendation.)**

Ms. Volek stated she did not have a presentation, but that the noise waiver had been denied by the Police Department and the applicant had requested an appeal of the denial.

Councilmember McFadden moved to accept staff recommendation to deny the appeal of the noise waiver, seconded by Councilmember Friedel. Councilmember McFadden stated he had heard from constituents in Ward 3 that the City's noise ordinances needed to more stringent and actively enforced. He stated that he would not support the appeal of the noise ordinance denial.

Councilmember Friedel stated that an event like this generated a lot of noise complaints, and hoped the applicant would find a better option. Ms. Volek added that a similar event had been moved to a commercial area on Gabel Road and had been approved. On a voice vote, the motion to deny the appeal was unanimously approved.

**8. RECONSIDER changing FY2018 and FY2019 water and sewer rates for the Phillips 66 refinery, the Water District of Billings Heights, the Lockwood Water and Sewer District and System Development Fees, and adding it to the June 26, 2017 Agenda.**

Mr. Mumford stated that staff had previously brought forward a resolution to increase water and sewer rates. He stated that contractually the City was required each year to adjust rates for the three agreements based on service costs. He continued that staff requested a reconsideration of that portion of the rate resolution.

Councilmember Cromley asked legal counsel if it was permissible to reconsider a portion of a motion as opposed to the entire motion. Brent Brooks, City Attorney, stated it was permissible. Councilmember Brown stated he would abstain from the vote on Item 8.

Councilmember Brewster moved to reconsider FY2018 and FY2019 water and sewer rates for the Phillips 66 refinery, the County Water District of Billings Heights, the Lockwood Water and Sewer District and System Development Fees, and added it to the June 26, 2017 Agenda, seconded by Councilmember Friedel. On a voice vote, the motion was approved 9-0, Councilmember Brown abstained from the vote.

**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 in at the cart located at the back of the council chambers or at the podium.)**

The public comment period was opened.

There were no speakers, and the public comment period was closed.

**COUNCIL INITIATIVES:**

- Councilmember Sullivan moved to direct staff to provide information regarding re-writing the zoning code and park ranger expenditures to the July 10, 2017 Council meeting, seconded by Councilmember Friedel. Councilmember Friedel asked for a job description for the park ranger position. On a voice vote, the motion was unanimously approved.
- Councilmember Brewster directed staff to study the use of utility revenues to supplement water costs from the General Fund and discuss utility franchise fees and their uses before the next budget cycle, seconded by Councilmember Brown. On a voice vote, the motion was unanimously approved.
- Councilmember Yakawich moved to direct staff to research a Billings Water Share Program, not run by the City, to address low income water expense assistance, seconded by Councilmember Sullivan. Mayor Hanel stated that may require a substantial amount of staff time. Councilmember Yakawich stated that HRDC had a similar program for low income energy assistance that could be used as a guideline, and would prefer to review the information before the next budget period. Councilmember Brown asked for clarification on what role the City staff would play in finding a group to research the information. Ms. Volek stated she thought a non-profit would expect the City to fund the program. She added that finding a group to start a program on a contractual basis raising money to provide low income families with water expense assistance could be difficult when the City is running an Enterprise Fund water fund. Councilmember Brown asked if assistance could be provided in the form of donations. Ms. Volek stated that it could be added to the water bill, the same way some of the other utilities handled it, but there would be some staffing costs associated with implementation. Councilmember Clark stated he thought the program funds would come from donations. Councilmember Sullivan stated Council had been asked by a group that represented a number of low income families to look at the possibilities. Councilmember Brown stated he would not support the initiative as it seemed too broad. Councilmember Friedel stated he would support some staff time being utilized to research the idea. Councilmember Cromley stated that the plan should start with a broad range to consider all possibilities. Councilmember Clark stated he would not support spending a lot of money discovering the possibilities. Mayor Hanel stated it may be a better idea to have a citizen coalition do some research and bring their proposals to Council. Councilmember Sullivan stated a small amount of time spent by staff could present some rudimentary ideas. Councilmember Brewster stated that Council had considered a similar idea 12-14 years ago and quickly learned it would not work. He supported a

group of citizens presenting Council with a proposal. Councilmember Yakawich stated he wished for staff to spend a few hours researching the possibilities. Councilmember Friedel suggested that the Public Works Advisory Board could get involved. Councilmember Clark suggested that the Southside Neighborhood Task Force put together a committee and provide research outcomes. Councilmember Yakawich withdrew his initiative and stated he would contact the Southside Neighborhood Task Force, HRDC, and the Public Works Advisory Committee about involvement. Councilmember Sullivan withdrew his second to the motion.

- Councilmember Yakawich mentioned making an initiative for a donation to MSU-B. Ms. Volek stated that the item was on the June 26, 2017 agenda and an initiative was not needed.

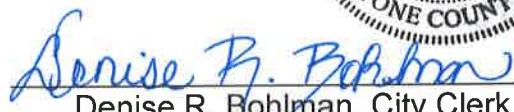
There was no further business, and the meeting adjourned at 9:20 P.M.

CITY OF BILLINGS



BY:   
Thomas W. Hanel, Mayor

ATTEST:

BY:   
Denise R. Bohlman, City Clerk