

City Council Work Session

5:30 PM
Council Chambers
October 2, 2017

ATTENDANCE:

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

ADJOURN TIME: 8:25 PM

Agenda

TOPIC #1	Tax Increment Grant – Stillwater Building Project
PRESENTER	
NOTES/OUTCOME	

- **Greg Krueger, Downtown Billings Alliance Director:** began a brief presentation on past projects and future projected projects. Asked Board to look at ways to improve additional projects. Small amount of money available, due to projects awaiting completion. Should see increase in a few years. Blighted property has higher priority. Review contingencies listed in presentation.
- Cimmino: One Big Sky Center (OBSC) parking structure needs? Need to see signed leases first.
- Mayor: unanimous decision by Council to buy, but not by County. Counties thoughts now? Are not recommending fund allocation to county, but to project. Not certain county will be interested in leasing. Private sector likely tenant.
- Sullivan: developer stipulation that building value must be certain amount to get TIF money? Yes, probably the same as 50% occupancy stipulation. Could lower rent to get to occupancy, but would not help building value. Contract states certain amount must be spent on building which helps value. Could add certain terminology to agreement.
- Cromley: projected rent per square foot? \$15-\$18. 5th floor plans? Quentin Eggart, President EEC Architectural Design: 5th floor no plans until lease signed.
- Cimmino: County Commissioners committed to lease one floor? No formal signed document but have ordered an appraisal. Also looking at remodeling round sheriff building.
- Yakawich: local labor? Asbestos abatement was not local, but rest was local.
- Brown: removed all asbestos? All accessible asbestos was removed.
- Friedel: cost for abatement? \$4 million for abatement, \$1 million non-abatement demolition. Cracking and leaking issues at bottom of building resolved? Working on leaks, collection system (about a gallon a day). Structurally sound building.
- Krueger: had looked at helping County get into building in exchange for permission to build parking structure on County land. Not a lot of interest. DBA no longer needs parking structure location.

- **Public Comment:**
- **Patrick Klugman, Big Sky Economics:** spoke in favor of Stillwater Building Project.
- **Connie Wardell, P.O. Box 21432, Billings, Montana:** spoke in favor of project. Look at 50% public occupancy to exclude City in that amount.

TOPIC #2	Nuisance Code Amendments
PRESENTER	
NOTES/OUTCOME	

- **Wyeth Friday, Planning Director:** began brief PowerPoint presentation regarding amendments and draft ordinance. State has not adopted minimum building standards through code process preventing City from adopting standards locally.
- Brown: become proactive with issues? Can City say building needs painted because it is going to rot? Yes, allowable through ordinances, but look at multiple issues that trigger nuisance situation.
- Cromley: Section 18-303 may have some words missing. Junk vehicle language seems to be getting less strict. Commercial locations with inoperable vehicles may need different language. Friday: Language included for commercial locations.
- Cimmino: abandoned vehicles issues much better. 2 businesses on 6th Avenue need fencing to obscure site. Friday: older properties may not fall under restrictions.
- Sullivan: public defecation and urination not already criminal? Brent Brooks, City Attorney: Yes, but attempting to find a place for this code that makes more sense. Plan to handle shut off utilities? Friday: research each situation and follow up.
- Yakawich: Cheryl Hobart started conversation. Command Ms. Hobart and Council. Amendments will help judge? Yes, hope to make rules more clear.
- Friedel: concerned about property owner rights.
- Clark: will changes affect current court cases? Brooks: subtle variation would not change current cases and usually cases use code in existence at time of filing.
- **Public Comment:**
- **Connie Wardell, P.O. Box 21432, Billings, Montana:** caution against complaint driven reports. Could just be a mad neighbor. Terms are too vague and need to be more specific.
- **Bill Cole, 3733 Tommy Armour Circle, Billings, Montana:** suggestions of wording issues to be reviewed regarding “definition of abandoned or blighted structure and sufficient to constitute a public nuisance”. Also suggested looking at the occupancy terminology.
- **Bruce McCandless, Interim City Administrator:** would need to delay amendments to give staff time to make changes based on suggestions.
- Friedel: asked Mr. Coles’ background. Mr. Cole: law practice 25 years, litigation and real estate. Would like to see more specific definitions.
- Mayor: Council recommendation is to postpone until staff can further evaluate.

- Brewster: suggests forming a committee to help with revisions.
- McCandless: clarify City has a public nuisance code, code enforcement staff enforces it. Based on municipal court, saw a need for some changes to help enforcement issues. Looking for policy changes. Ad-Hoc Committee formation needs purpose, members etc. Will come back to Council with information.

TOPIC #3	Departmental Software Upgrades
PRESENTER	
NOTES/OUTCOME	

- **Bruce McCandless:** software and hardware replacement financing policy. Brief review of past purchases. Replacements will be much more expensive than upgrades. HTE software replacement done in 2010. Probably good for 7-10 more years. HTE authors writing new programs that would replace what City has and offered upgrade for maintenance costs. 3 options: Pay in full, payments or borrow/lease. Hybrid method; annual charges at lower rate then finance remaining amount. Suggestions by spring 2018.
- Friedel: find costs now, add inflation and put aside money in a technology fund. Loans have interest. Leasing options through company?
- Cimmino: question why looking at Innoprise replacement so soon? Item was on Council Work Plan, would like Council to think about it for when it occurs in the next few years. Already review Equipment Replacement Program every year, why not included? Technology Replacement plan does not have a funding source specified. Left to individual departments to decide.
- Sullivan: very expensive, long term investment. Would like to see time frame longer than 5 years.
- Brown: software assurance usually offered and paid annually, not available with Innoprise? Complete platform change, was not just an update. David Watterson, IT Director, City had annual maintenance plan. Had HTE for 20 years but they did not re-invest and could not keep up with changes. Companies can go bankrupt; City could become dissatisfied. City looking forward at possibilities, not foreseeing a need for change. Brown: fund with cap on it a possibility.
- Sullivan: recommend looking at replacement schedule and discuss during budget.
- **Public Comment:**
None

TOPIC #4	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- Mayor: heavy equipment near 32nd Street West and Tahoe caused resident concern.

- Clark: League of Cities and Town Conference in Great Falls this year, next year in Butte, following year in Billings. Infrastructure Coalition remains and will continue until next legislative session.
- **Public Comment:**
None

TOPIC #5	Public Comment on Items not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, Montana:** attended candidate debate and 9 out of 10 candidates stated a need for more police officers. Council does not make public safety a priority. Mayor: Council has approved more police officers and department is fully staffed. Friedel: Council supports public safety, which includes Fire and plowed streets.
- **Dennis Ulvestad, 3040 Central Avenue, Billings, Montana:** if the City wanted to increase the amount of police officers they would have to change the Charter. Most cities the same size have 30-50 more officers.