

## Billings City Administrator Weekly Report

July 22, 2021

- 1. Landscape Maintenance Responsibility** - Attached is a letter that is being sent to approximately 875 properties next week. The city code clearly defines that right of way landscaping adjacent to a property is the property owners' responsibility to maintain. For the majority of these areas (boulevards, alleys, and ditch banks) in the city, adjacent property owners are maintaining them. However, over the years the city has been maintaining some of these landscaped areas for a reason that is unknown to staff. In an effort to create equity among property owners as well as free up city staff to address maintenance issues that are the city's responsibility, we will no longer be maintaining these areas. We know that this change will be unwelcome by many people who have come to rely on the city to maintain the area around their property, however, it is a necessary change. Please feel free to send me contact information for anyone who contacts you on this issue so I can reach out to them.
- 2. Stillwater Progress Update** – This week the city retained several inspection services for the Stillwater Building. This included inspections on the structural, mechanical, electrical, and plumbing systems in the building. Next week the asbestos and fire proofing are scheduled to be inspected. The city is continuing to work on the easement of the security, door and fire systems that are common to the Stillwater Building and the attached skybridge.
- 3. Police Community Impact Study** – Please see the attached study on the effect of the chronic high utilizers of community services. The study highlights the impact on community services by a small number of chronic users and the associated costs.
- 4. Quarterly Reports** – Attached are the quarterly reports for BIRD and council initiatives.

Have a wonderful weekend!



06/30/21

**Address**

STREET-TRAFFIC  
4848 Midland Rd  
Billings, MT.  
59101  
P 406.657.8250

For many years, the City of Billings has maintained the area adjacent to your property. The city code does require all property owners maintain the right of way adjacent to their properties. The city started to maintain some areas for a variety of reasons but needs to discontinue that practice in order to utilize resources for activities that benefit a greater portion of the public. The purpose of this letter is to inform you that the area adjacent to your property will no longer be maintained by the City of Billings. The applicable City Code sections are listed below for your reference. Thank you for your understanding and your help keeping Billings beautiful!

**Sec. 25-204. - Responsibility for trees and vegetative care.**

In addition to caring for trees and vegetative growth on owned property, the person in control of the property is charged with care, maintenance and full responsibility for trees and all vegetative growth on adjacent streets, alleys, boulevards and public ways; provided, that to maintain rights-of-way, clear vision zones and unobstructed view, traffic-control signs and devices, the city may in its discretion prune and remove trees and other vegetative growth.

(Code 1967, § 14.01.070)

**Sec. 25-302. - Duty to remove nuisance weeds.**

The existence of nuisance weeds in violation of this section constitutes a public nuisance.

*Developed parcel.* It shall be the duty of every owner of a developed parcel to cut, or remove, or cause to be cut, or removed, all nuisance weeds in excess of twelve (12) inches in height growing thereon and upon one-half (½) of any road, street or alley abutting this property to a height of four (4) inches or less.



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## Sec. 25-301. - Definitions.

*Developed parcel* means any parcel of land that has been used or is being used for commercial or residential use with a principal structure covering over five (5) percent of the parcel.

*Nuisance weeds* means:

All weeds, grasses, noxious weeds, and untended vegetation growing in excess of twelve (12) inches in height located on any premises in the city;

Any other untended vegetation creating a potential fire hazard, visual or physical obstruction for pedestrian or vehicles, potential for the spread of said vegetation, or unsightly condition.

*Owner* means the title owner(s), representative(s) of any title owner, occupant(s), contract purchaser, or any other person or representative of any entity which holds a legal or equitable interest in any parcel.

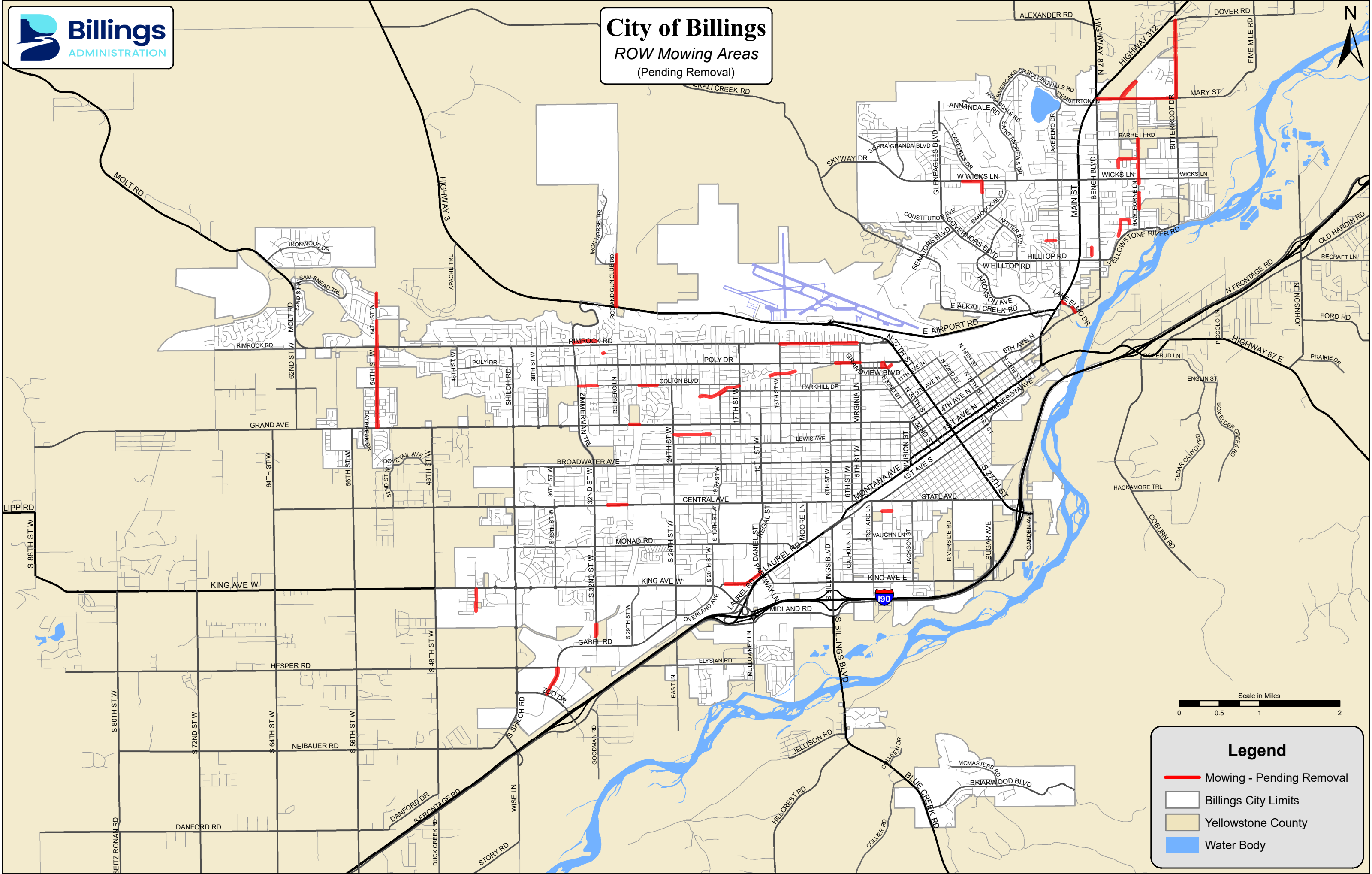
*Ownership* means ownership of land which shall be deemed to exist from the center line of any abutting alley, to and including the curb and gutter area of any abutting street of such lot or tract of land.

*Again, thank you for your understanding as we make this necessary change. Please feel free to contact me with any questions or concerns.*

Sincerely,

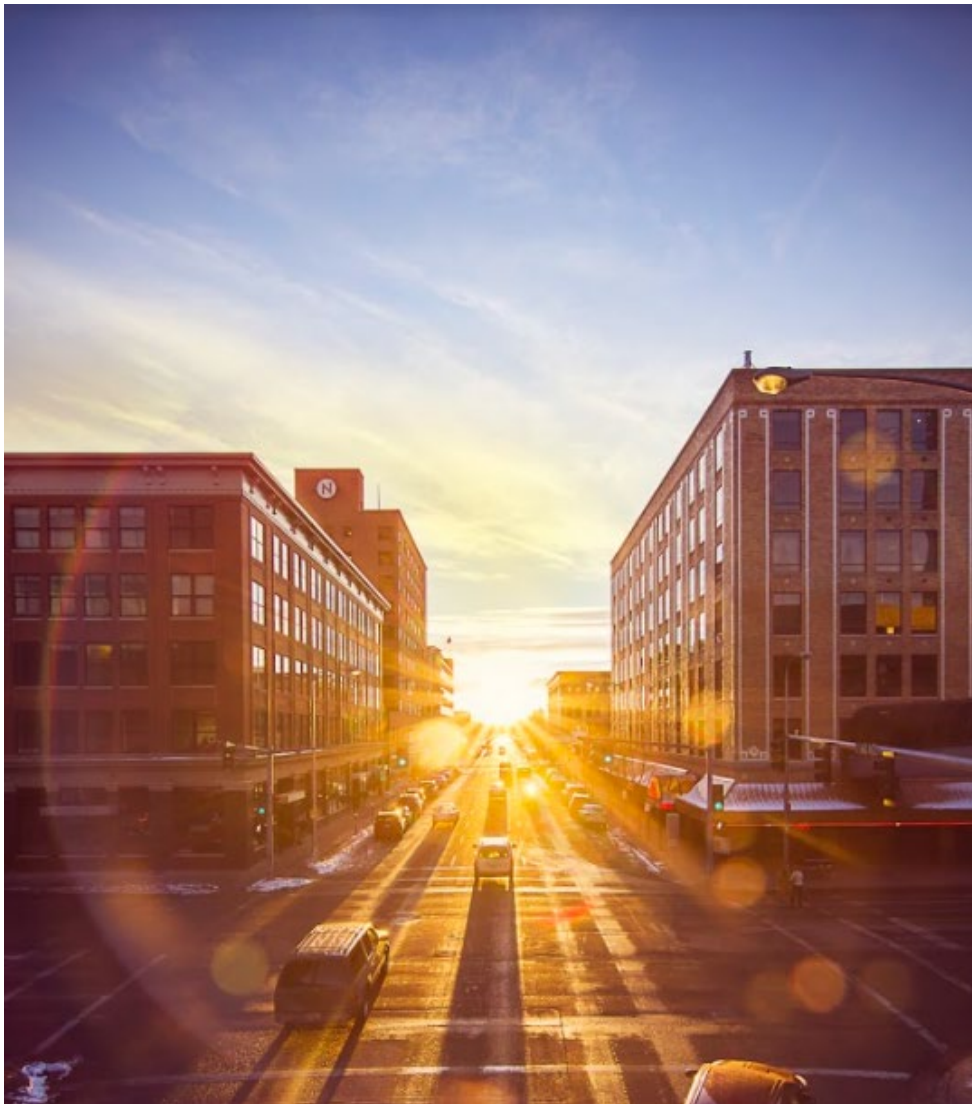
*Derick Miller*

Derick Miller  
Superintendent, Street/Traffic Division



# Community Impact Study: The Effect of the Top .08% of Chronic High Utilizers

Billings Police Department Officers:  
Brad Mansur and Phil Tanis  
7/1/2021



P.O. Box 1554  
Billings, MT 59103

**P** 406.657.8460  
**F** 406.657.8417

**Rich St. John**  
Police Chief

**Jeremy House**  
Assistant Chief

**E** [bpdp@billingsmt.gov](mailto:bpdp@billingsmt.gov)  
**billingsmt.gov**



## Introduction

The City of Billings is a community experiencing transiency, panhandling, and homelessness. Activity is primarily centralized in the Business Improvement District as evidenced by a high number of citations for open container, trespass, and disorderly conduct. Along with high levels of enforcement, public complaints on these issues have increased year after year. Other street disorder issues include, but are not limited to, littering, sleeping in public places, and public urination.

There is a need for analysis (Community Impact Study) on the problem to formulate a non-traditional Law Enforcement approach. Traditional methods of policing involve arresting, issuing citations/warnings, and dispersing problematic populations. In the identified population there are factors to include undiagnosed or untreated mental health and substance abuse disorders which make traditional Policing ineffective. The City of Billings and Yellowstone County are also experiencing an extreme shortage of available jail space. Because the type of crimes committed by the target population are not typically violent and do not rise to a felony level, the limited space at the Yellowstone County Detention Facility has not been available for several years (2017 to 2020).

The purpose of this study is to show the monetary impact our target population has on emergency services and local medical facilities. Our target population was termed Chronic High Utilizers.

The goal of the Community Impact Study is to show the need for a program for this small subset of the population that has frequent interactions with emergency services and medical facilities at a rate significantly higher than the general population.

## Methods

To find our Community Impact Study population, a report was ran using the Billings Police Department's case reporting system. All citations, warnings, warrants, and arrests for trespassing, open container, and public urination in 2020 were collected city wide. The lists were combined and an individual with 15 or more Law Enforcement contacts in 2020 were put onto the list as Chronic High Utilizers. 93 people fit into this list. In 2014 when this same study was done, they found 74 individuals listed as Chronic High Utilizers and their qualification to the list was 3 or more contacts with Law Enforcement in a year. Chronic High Utilizers are being defined within this study as a small group of individuals who impose a disproportionately high burden on the healthcare and Criminal Justice systems due to their elevated and repeated resource use.

To clarify Law Enforcement contact, a citation is a written ticket or summons into court for a violation of the law. A citation is used to enforce open container violations and public urination. A warning is a written piece of paper to document an observed infraction of the law, but the individual is not being summoned into court. It is an attempt to correct illegal behavior without summoning an individual into court or attaching any fines. A warning is also written when a business or private property owner wants to give a written notice of 'no trespass' to an

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individual for the property they have authority over. An arrest is when an individual is either issued a Notice to Appear into court or physically taken to the Yellowstone County Detention Facility and is remanded into jail. A warrant is issued by the courts for numerous reasons. In the framework of this study, warrants are most typically issued for failing to appear in court on a citation issued. This is a 'failure to appear' warrant. An active warrant is any warrant issued by the courts which is currently 'active'. This means if the subject is located they can be arrested for the outstanding warrant. 28 individuals in the study had 10 or more active warrants as of the date of the study (1/1/2021) with the largest amount of warrants held by one person being 51 active.

One category listed was arrests. Individuals listed in this study ranged from 88 arrests in 2020 to 0 arrests. In a typical Law Enforcement arrest, an individual is taken to a jail and remanded or 'booked in' on a charge. This is counted as 1 arrest. A Chronic High Utilizer, having 51 active warrants for their arrest, means they are being arrested 51 individual times for the 1 action of going to jail. The reason these are separated per warrant is every warrant requires its own arrest report, which is individually reviewed by a supervisor, entered into the local records system, forwarded to a court clerk who prepares the warrant arrest for court, a prosecutor who preps the court hearing for the warrant, and a judge who sees the individual in their courtroom. This process occurs 51 times, taking hours to go through all arrests. If an individual appears in court for an arrest there are at a minimum, 6 steps involving 6 different employees. If the individual does not appear in court there are at a minimum, 10 steps involving 10 different employees to enter and handle the paperwork.

The term 'employee resources' was calculated at what it costs the City of Billings for an employee to perform their job for an hour. A Police Officer was calculated at \$75 an hour, Records and Court Clerks were calculated at \$18 an hour. See: step and estimated average staff cost per hour figure.

<u>Step and estimated average staff cost per hour</u>			
<u>2 Officer response to violation</u>	<u>\$150</u>	<u>Cop Issue</u>	<u>1</u>
<u>Clerk to enter violation</u>	<u>\$18</u>	<u>Clerk enter</u>	<u>1</u>
<u>Court staff worker</u>	<u>\$18</u>	<u>Court enter</u>	<u>1</u>
<u>Prosecution/Judge involvement</u>	<u>\$75</u>	<u>Judge issues</u>	<u>2</u>
<u>Court staff to enter warrant</u>	<u>\$18</u>	<u>Court enter</u>	<u>1</u>
<u>Clerk to enter warrant</u>	<u>\$18</u>	<u>Clerks enter</u>	<u>1</u>
<u>Officer to serve warrant</u>	<u>\$75</u>	<u>Dispatch</u>	<u>1</u>
<u>Clerk to validate/enter</u>	<u>\$18</u>	<u>Clerks enter</u>	<u>1</u>
<u>Court to validate/enter</u>	<u>\$18</u>	<u>Courts enter</u>	<u>1</u>
<u>Total cost/Hour</u>	<u>\$501</u>	<u>total steps</u>	<u>10</u>
<u>\$501 times .25 = 250.5</u>		<u>\$250.5</u>	
<u>First 6 steps times \$250.5 = \$1,500</u>			
<u>All 10 steps times \$250.5 = \$2,505</u>			
<u>1033 warrants times \$2,505 = \$2.5 million</u>			

An Officer is valued at \$75 an hour due to several factors. The Officer's hourly wage, the Officer's yearly benefits/health insurance, and the cost of equipment and the vehicle being driven are all calculated for a year. This number is then broken down to the hour, resulting in \$75 an hour being the cost of an Officer's time.

Within this study, the 93 Chronic High Utilizer's identified had from 15 to 393 Law Enforcement contacts, accounting for a total of 5601 total Law Enforcement contacts. If all citations, warnings, arrests, warrants, and active warrants are added up, they do not equal 5601. The missing pieces here are contacts which do not result in written enforcement activity. If an individual is contacted by Law Enforcement and either checked out on the radio through dispatch, or logged by an Officer in the mobile reporting software, the activity is added to their LE contact list. An example of this is when a property owner calls to have a subject removed from their private property but they do not want any other enforcement activity. Upon contact, the Officer will identify the subject, log their name into the reporting software and advise the subjects of their need to leave the private property.

For the purposes of Court Services and the Police Department Records staff, a Law Enforcement contact is any case or enforcement activity done where they have to 'put hands on' or work on. Examples of this type of work would be: entering warrants issued by a judge into the local system, updating a subject's file with new trespass warning information, or completing arrest reports entered for numerous active warrants served through an arrest.

With the above information, Billings Clinic, Saint Vincent Healthcare, American Medical Response (AMR), and the Billings Fire Department were given the data on our 93 Chronic High Utilizers. All organizations were asked what these 93 Chronic High Utilizers cost their organizations in a year. Each organization was not given specific instructions but instead given the freedom to collect data within the parameters of their own organizations. A common term used was "non-reimbursed services".

The Billings Fire Department ran their numbers under the scope of 'manpower' or employee resources, similar to the Police Department.

## Results

The Community Impact Study identified a total of 93 Chronic High Utilizers in the target population, resulting in \$10,327,665 in public services each year. It costs an estimated \$111,050.16 to serve one chronically homeless individual for a year in emergency services and hospitalizations.

In 2020, the Billings Clinic tracked 70 of the 93 individuals for 1247 total visits, costing them \$3.84 million in care delivery. Billings Clinic was able to find the other 23 individuals but due to numerous name spelling differences, resulting in different tracking numbers, they did not provide information as it not able to be proven accurate. The average yearly cost of the 70 tracked individuals was \$63,000 in services. The average cost for an individual was added to the 23 unaccounted for individuals, adding up to \$1.3 million. All 93 individuals were located in



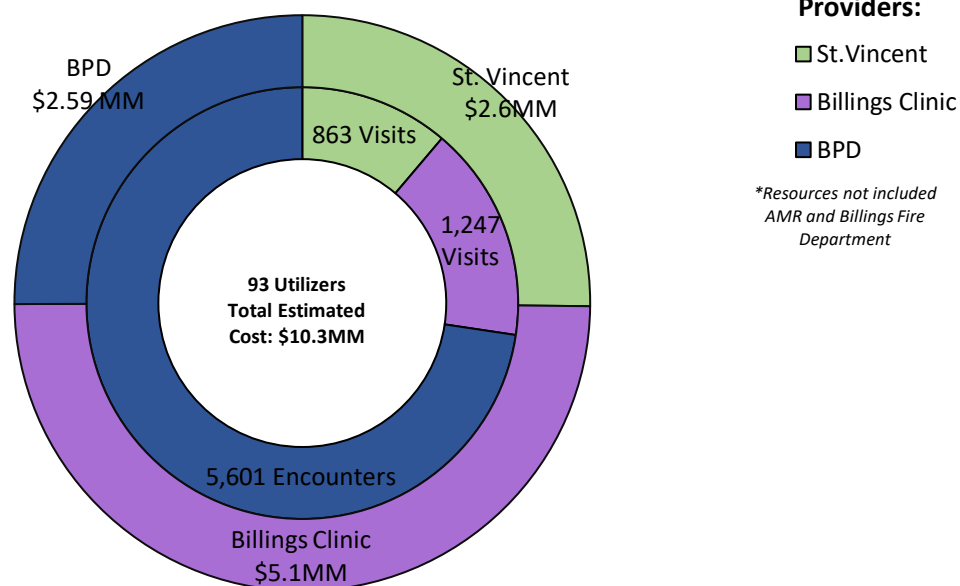
Billings Clinic records, but only 70 were accurately able to be listed. Billings Clinic's estimated total cost for 2020 to these 93 individuals was \$5.14 million in un-reimbursable care delivery.

In 2020, Saint Vincent Healthcare tracked the 93 individuals for 863 visits, costing them \$2.6 million in un-reimbursable care delivery.

The 93 individuals had a total of 2,110 hospital visits between two medical facilities.

In 2020, the Billings Police Department expended \$2,587,665 in employee resources for 634 warnings issued, 547 citations issued, 1504 arrest reports submitted, 633 active warrants, and 5601 total Law Enforcement involvements as of 1/1/2021.

## Downtown Billings Chronic High Utilizers



**Estimated Annual Emergency Services Cost: \$111,050/User**

American Medical Response did not have numbers for this study as of 5/14/2021. In speaking with the Operations Director, of the 2,110 visits, they expect their numbers to reflect a large majority of those visits started with an ambulance ride from their organization.

The Billings Fire Department did not have an accurate way to track Chronic High Utilizer responses. Every American Medical Response dispatched requires a Fire Department dispatch for response. The Fire Department can provide cost analysis upon receiving how many calls they were dispatched to through American Medical Response numbers.

It should be noted, due to a lack of data from 2/5 of service providers, the total cost associated with Chronic High Utilizers is being presented as a low figure to its actual number.

## Discussion

With all of the data collected, two areas in need of improvement were observed. We believe these areas of improvement are attainable. 2020 was a year of high enforcement on the high utilizer population. The highest level of enforcement performed was issuing citations, warnings, and moving people along. The first area of improvement observed was to expand our current jail infrastructure and jail diversion system. With a lack of jail space, there was an inability to make arrests or have defendants appear in court for criminal activity.

The second area for improvement presented was a need for a sobering center or short-term detox facility. With nowhere appropriate to take chronic high utilizers, they end up in a hospital bed to sleep off their intoxication and then they are discharged. With no resources or access to resources during this critical time in an at-risk persons' journey, it is impossible for them to know or have the ability to act on the help that is already provided within the city.

When talking of a sobering center, there are different, successful models throughout the country. Two models recently looked at were in San Diego, CA and Houston, TX. Both Houston and San Diego stressed their sobering centers were crucial components in their social service system involving Law Enforcement. Houston stated without a sobering center, none of their crisis outreach work would be possible. In each model, the sobering center is used as a hospital diversion for chronic utilizers who would normally take up a much needed Emergency Department bed. They are also used as jail diversion programs. In this model, after an individual has slept for a four hour period, they are woken up and given the option to obtain services through local providers. In Houston, those services were on the second floor of the same building.

For the conversation of who is appropriate to go to a sobering center, we look at who is appropriate for the jail and who is appropriate for the hospital. There is a wide gap between those who need to be booked into a jail and those who need immediate medical attention. At this point in time, we do not have anything to fill the gap in-between. We find all individuals, appropriate or not, are being sent to the local hospitals. Along with this, expanding jail space and foregoing a sobering center would create the same problem we see currently at the hospitals. The jail and the hospitals cannot be used as pseudo-sobering centers.

A final thought and consideration is the human factor. All 93 Chronic High Utilizers are all citizens of the community of Billings Montana. Their living situation going uninterrupted is not only a risk to themselves but to the services available to the community. Without serious dialog between all parties involved in the medical services, mental health and addiction services, and emergency response, millions of dollars and high amounts of employee resources will continue to be spent on a small fraction of the population, leaving an over taxed emergency response system for everybody.

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## Sources

Contributing agencies:

-Billings Police Department

Billings Police Records Supervisor Becky Shay provided all relevant data used from the law enforcement records software maintained by the Billings Police Department.

-Billings Clinic

Brad Von Bergen with the Billings Clinic, Manager Emergency and Trauma Center facilitated collecting the data for this study.

-Saint Vincent's Healthcare

April Luft, Director of Quality with Saint Vincent's Healthcare facilitated collecting the data for this study.

Officers Brad Mansur and Phil Tanis were Downtown Resource Officers working out of the Downtown Billings Alliance (DBA) as of 2021. This study was done under the supervision of the DBA CEO Katy Easton. Jenny Ross with the DBA provided statistical analysis and excel software support.

## Community Impact Statement

In tracking 93 people, the Billings Police Department, The Billings Municipal Court, the Billings Fire Department, Billings Clinic, Saint Vincent Healthcare, and American Medical Response (AMR) provided data analysis on the cost of hospitalizations and emergency services.

It costs taxpayers an estimated \$111,050.16 to serve one chronically homeless individual for a year in emergency services and hospitalizations. A total of 93 individuals have been identified in the target population, resulting in \$10,327,665 in public services each year.

In 2020, the Billings Clinic tracked 70 of the 93 individuals for 1247 total visits, costing them \$3.84 million in care delivery. Billings Clinic was able to find the other 23 individuals but due to numerous name spelling differences, they did not provide information. For the 23 unaccounted for, an average yearly cost was \$63,000 a year in services, totaling \$1.3 million. Billings Clinic's estimated total cost for 2020 to these 93 individuals was \$5.14 million.

In 2020, Saint Vincent Healthcare tracked the 93 individuals for 863 visits, costing them \$2.6 million in care delivery.

The 93 individuals had a total of 2,110 hospital visits. This does not take into account the 23 individuals Billings Clinic was not able to give accurate data on.

In 2020, the Billings Police Department expended \$2,587,665 in employee resources for 634 warnings issued, 547 citations issued, 1504 arrest reports submitted, 633 active warrants, and 5601 total Law Enforcement involvements as of 1/1/2021.

In 2020, Saint Vincent Healthcare tracked the 93 individuals for 863 visits, costing them \$2.6 million in care delivery.

As of 5/12/2021, AMR did not have their estimated service cost.

As of 5/12/2021, the Billings Fire Department did not have an estimated employee resource cost. The Fire Department did not have accurate tracking for individual subjects. Because AMR call outs for transient medical responses also gets a fire response, their numbers will be calculated off of total AMR responses.

Total known cost to City of Billings tax payers = \$10,327,665



1413 4<sup>th</sup> Avenue North, Suite C • Billings, MT 59101

Quarterly Report to City of Billings  
FYE 2021 Quarter 4 – June 30, 2021

**TIF Projects**

- Belle Chemical project completed and paid, \$44,563
- Yellowstone Water and Ice TIF project approved by city council, \$63,085

**Public Safety**

- Facilitated a beginning conversation between private business owners and the property owner of the Lazy KT for a potential sale.
- Worked with Billings Police Department, Sergeant Nate West, to tighten up the Project Green Light standards for the BIRD.
  - Priced light bulbs and signage for the project green light program
  - Developed

**BIRD development related tasks**

- Worked with the City of Billings GIS team to get new maps
  - Zoning maps for the BIRD
  - Taxable value maps for the entire city by parcel and by tax per acre.
- Completed tree projects in the BIRD
  - Connected Sustainable Montana with two private property owners for the potential of fruit orchards
  - Three properties in the BIRD utilized the tree program that we have in place.
- Completed a training with the City of Billings planning department
- Begun research on the potential of an Innovation District in the city located in the BIRD.
- Met with Northwestern Energy about development that happens near their power lines.
- Presented to the Heights Optimist Club
- Presented to the Chamber of Commerce Agriculture Committee
- Worked with Kinetic Marketing for a rebranding project



# FINANCIAL REPORT FOR THE QUARTER

Numbers provided by city finance department

	East Tax Increment Fund			6/30/21
	<i>For the Quarter Ended June 30, 2021</i>			
<b>FY21 Beginning Fund Balance</b>	<b>\$ 1,573,234</b>			
			<b>FY21 Budget</b>	
<b>Revenue</b>				
Tax	760,867		750,700	
Intergovernmental	146,655		156,400	
Investment Earnings	<u>2,021</u>		<u>14,300</u>	
<b>Total Revenue</b>	<b>909,543</b>		<b>921,400</b>	
<b>Expenditures</b>				
Professional Services	4,667		3,100	
Cost Allocation	38,753		38,757	
EBURD Operating Agreement	139,945		139,946	
Development Project Incentives	154,715		173,575	
Debt Service	470,216		470,917	
Capital Outlay	<u>-</u>		<u>-</u>	
<b>Total Expenditures</b>	<b>808,296</b>		<b>826,295</b>	
<b>Ending Fund Balance</b>	<b>\$ 1,674,481</b>			
<b>Cash Balance as of 06/30/21</b>	<b>\$ 843,099</b>			
Outstanding Awards:				
FIB	-			
Tree Program	33,575.00		PO 20-000223	

**COUNCIL INITIATIVES**  
**APPROVED SINCE APRIL 16, 2021**

<b>Date</b>	<b>Sponsor/Initiative</b>	<b>Action</b>	<b>Resolved</b>	<b>Assigned To</b>
02/08/16	COUNCILMEMBER SULLIVAN: Made a motion to review all ordinances over four years with the opportunity to fast track any ordinances to match citizen/council needs, seconded by Councilmember McFadden. APPROVED.	Departments are reviewing Municode comments, questions and recommendations and adding those of their own. Zoning Code was amended on 1/25/2021 by Ord. 21-5748. More work to be done on other sections of the Code.	In Progress	Gina Dahl Denise Bohlman
11/27/17	COUNCILMEMBER SULLIVAN: Directed staff to research developing an ordinance eliminating spas and massage parlors that contribute to human trafficking, seconded by Councilmember Yakawich. APPROVED.	Staff in coordination with a City Council subcommittee and after multiple public meetings has prepared a spa ordinance that was approved by Council and took effect on 6/26/2021.	Complete	Gina Dahl Rich St. John Wyeth Friday Andy Zoeller
12/21/20	COUNCILMEMBER CHORIKI: Moved to direct staff to put the flowing issues on future work sessions. Staff will inform the council of any existing work on the issue and for the council to “brainstorm” possible solutions to these issues: 1) Staff and the Parks Board provide an informational presentation to council at their earliest convenience on their work identifying possible funding for the operations and maintenance of parks, including new capital projects, seconded by Councilmember Neese. APPROVED 2) Discussion of a policy and a funding source for completing the sidewalks and trails, including safe routes to schools; and 3) Staff provide a detailed cost of services report by March 15 <sup>th</sup> , seconded by Councilmember Neese. APPROVED>	1) City Administration and Parks presented funding options at the 3/15/21 City Council Work Session. 2) Presentation on Trail Funding was presented at the 4/19/21 Work Session. 3) This item has been pulled out and had separate discussion to determine next steps by the next budget cycle.	1) Completed 2) Completed	
02/22/21	COUNCILMEMBER SHAW: Moved that the City Administrator direct staff to develop best-practice regulations and ordinance language to regulate (not prohibit) medical marijuana dispensaries and/or storefronts in Billings City limits; present proposed regulations to council at a works session to facilitate feedback and give notice of a public hearing and first reading for ordinance adoption, seconded by Choriki. APPROVED.	Since this initiative was launched a new law addressing regulation of recreational marijuana was made law by the MT Legislature and Governor. An initial Council Work Session to discuss this	In Progress	Gina Dahl Wyeth Friday

[illegible]