

Billings City Administrator Weekly Report

February 11, 2022

- PW – Solid Waste Container Conversion** – The conversion of 300-gallon containers to 90-gallon containers will begin March 7. The conversion is expected to take about three weeks and includes approximately 16,000 containers. The intent is to empty the 300-gallon container and swap the 300 with the 90 in the same day, however, that is dependent on staffing. If the 90-gallon containers need to be transitioned from the alley to the street, it will be done at that time. The vast majority of the 90s will remain in the alleys. Each new 90-gallon container will have a note attached to it giving the property owner information about their container, i.e. pick up location. We will be communicating this information via social media, the website, media outlets, direct mailing and the note attached to the new container. Service will not be impacted for customers. In addition, we will begin to move 90-gallon containers from street side pick-up back to alleys for sections of the Heights that were previously converted. Affected Heights property owners will be notified of this change by letter. There are approximately 600 property owners in the Heights that will have their container moved back to their alley. You can follow the story on Facebook <https://www.facebook.com/100068863194240/posts/258040479834723/?d=n> or KURL 8 https://www.kulr8.com/news/billings-switching-out-300-gallon-shared-garbage-bins-to-95-gallon-individual-garbage-bins/article_ea9ae24c-844c-11ec-ae2f-0bf58ee95479.html Please see the attached flyer and postcard.
- Criminal Justice Legislation** – We are making progress on specific legislation that will be proposed during the 2023 MT legislative session. Monday, we met with a handful of local legislative leaders who will be carrying legislation. Sober living, persistent felony offender and several changes to the 2017 Justice Reinvestment Act are on the top of the list. We are also in close communication with our state side lobbyist team to be effective during the upcoming session (Aimee Grmoljez and Greg Dorrington).
- Billings Bikeway and Trail Master Plan** – Following are links to the Billings Bikeway and Trail Master Plan and the accompanying Appendix as discussion moves forward on Parks, Recreation and Trail funding:
<https://ci.billings.mt.us/DocumentCenter/View/34091/Billings-Bikeway-and-Trails-Master-Plan>
https://ci.billings.mt.us/DocumentCenter/View/34452/Billings-Bikeway-and-Trails-Master-Plan_Appendix
- Housing Strategy Forum** – the forum will take place on Tuesday, February 15 from 4:00 pm to 6:00 pm, in the HomeFront Large Conference Room located at 2415 1st Avenue North, parking in HomeFront parking lot off of 24th Street, please park in Visitor designated spots.

Participates	Representing	Position	Cover
Cari Olson & Dennis Cook	Billings Assoc. of Realtors	Director/President	BAR Housing info
Denise Jordan	HRDC7	CEO	HOME Center
Steve Arveschoug	BSEDA	Exec Director	Downtown Housing
Wyeth Friday	PCSD	Director	City Resources
Brenda Beckett	Comm Service	Manager	HUD Project
Tess Besaw	Integrity Consulting	Data Manager CoC	Data collected
Kari Boiter	Coc	Director	Coc Partnership
Patti Webster	HomeFront	CEO	Housing Needs
Kyle Trafton	Montana NAHRO	President	NAHRO

This event is our opportunity to “**tell the housing need/situation story**” to City leaders. After this I am in hopes that the City will decide there is a need for a community Housing Strategy and if so, use this group to move forward with a framework for a community Housing Strategy.

5. Council Orientation Schedule

- a. Friday, February 18 – 9:00 – 11:00 Library, go to Circulation Help Desk to check in
- b. Friday, February 25 – 9:00 – 11:00 Fire, Conference Room, 2305 8th Avenue N. Fire Station #1
- c. Friday, March 4 - 9:00 – 11:00 Parks, Rec. & Public Lands, 390 N. 23rd Street
- d. Friday, March 11 – 9:00 – 11:00 Public Works, Administration Office, 2251 Belknap Avenue
- e. Friday, March 18 – 9:00 – 11:00 Public Works, Billings Operation Center, 4848 Midland Road
- f. Friday March 25 – 9:00 – 11:00 Fleet and Facilities, BOC Conference Room, 4848 Midland Road, Human Resources and Information Technology, City Hall Conference Room, 210 N. 27th Street

6. Questions and Answers Section – This new section of the Weekly is to compile the questions our staff receives from council members. City staff is including responses to emails received this week, so other city council members have the information.

Question 1 (CM Gulick):

A constituent has brought to my attention that the snow plowing along the sidewalks at the triangle parks along North 32nd Street has a problem. Because the blade is somewhat wider than the sidewalk (is it mounted to a jeep?), it is more effective at gouging the adjacent turf than moving small amounts of snow. He texted me some photos after the inch or so of snow had been “plowed” and sometimes the snow wasn’t even touched by the blade. Is there perhaps a narrower blade that could be attached to the jeep?

Question 1 Response:

The Parks Division uses a Jeep equipped with a six-foot plow to clear most sidewalks between four and six feet wide. This is to allow one unit to cover a large portion of the City quickly, the plow that clears the triangles on 32nd also clears the walks at Pioneer and Veterans along with others. The plow blade must be wider than six feet so when it is angled to move the snow to one side or the other the entire width is cleared. The turf on the side of the walk is raised above sidewalk level is scrapped off which leaves debris along the edge which staff comes back and removes in the spring. The turf along the edge recovers quickly once the weather allows. Plows work by pushing snow, the misconception is the blade contacting the ground is what moves the snow, but it is the snow that builds up in front of the blade that clears the snow. When there is a light snow of less than an inch, and especially if the snow is very powdery, the snow never really piles up in front of the blade, so some is left behind. With light fluffy snow, the best method would be to hand shovel or use a broom neither of which is feasible given the miles of walks and trails cleared by the Parks Division.

Question 2 (CM Rupsis):

A constituent sent me an email asking about the property at the SW corner of Central & Shiloh (the old Cetrone Studio property). They are reporting that the owners of the property are building a marijuana dispensary in that location. The property is still in the county, so I know different regulations are in place. From what I’ve been able to find out, the lot is zoned Neighborhood Mixed Use, and the county passed an emergency resolution in November 2021 implementing some zoning regulations for lots that are zoned and near city property.

Question 2 Response:

You are correct that the County Commissioners adopted Interim Zoning Regulations on November 23, 2021, to regulate marijuana businesses in the County Zoning Jurisdiction. I have attached the executed resolutions and the regulations for your reference.

However, since these regulations were adopted, the County Attorney's Office has been dealing with some businesses that challenged the regulations in late December and the County may no longer be applying the Interim Zoning as adopted. Since the status of the regulations has not been defined by the County Commission at this time and we do not have direction on how they are being applied, I must refer you to Chief In-House Counsel Deputy County Attorney Jeana Lervick to address your questions on this matter.

Question 3 (CM Purinton):

If you setup the licensing of short-term rentals, please add an easy way for citizens to report non-conforming ones. The City used to have an easy-to-use form on the website to report abandoned/unlicensed automobiles and trailers. Sometime in the last year or so, that form was removed, and to report a problem you now must fill out a police incident form.

If complaints are received, regarding STR's who and how are those handled?

The process currently is very similar to how we handle all other zoning-related complaints. Complaints are sent to Code Enforcement (CE) – Officer checks for basis of allegation – is it an STR or not. If not, case closed. If yes, then checks for STR planning permit. Is no STR Planning permit, notice is sent to the owner to get Planning Permit and City occupational license. If no response, then a second letter is sent 10 days later. No response then CE can issue MI citation (non-appearance or appearance).

Checking on business license status?

When we address the Planning permit, we also address the City license requirements.

Does Planning or Finance check STR's on the internet?

Planning and Finance do not currently check STRs on the internet.

It is my understanding that VRBO and Airbnb do not check local businesses licenses?

Staff is not aware of what VRBO and Airbnb check in relation to their operators or customers. We are aware they coordinate with states on the lodging tax issues.

Does council need to revisit this subject?

No, currently there is no need for Council to revisit this issue. As we shared at our last report to Council on ReCode on January 18th, we have had some STRs register with the City and we have had a few complaints that CE has investigated and brought the locations into compliance. I included the Power Point slide we shared at the January meeting.

As we stated at the January Work Session, it is our plan for CE to work with Planning to come up with some pro-active enforcement strategies moving forward. This effort might include gathering data on locations via on-line searches and target those owners for an educational mailer on STR registration and licensing requirement. FB and Webpage Info campaign as well. Then give an "amnesty period" to get registered and track locations that register, etc.



Council Warranty Report

Issues Worth Monitoring



Short Term Rentals

- Current regs put in place as "starter" set
- Complaints from 3 neighborhoods – Pioneer Park, Rimrock and Central Terry (4 complaints in 2021)
- Review regs to ensure:
 - STR owners are registering units – 18 owners licensed (Finance) and 12 properties permitted with Planning
 - Develop strategy to bring in un-registered STRs – include outreach, education and enforcement components

Complaint Options:

I also wanted to follow up on Mr. Grubbs comments below who said the complaint forms to file complaints with the City and with CE were no longer available. There are two options for logging complaints or concern online through the City webpage, and I have provided the links below. The Report a Concern option appears to require you create an account. The Code Enforcement Complaint process does not require an account.

Code Enforcement Complaints: <https://ci.billings.mt.us/478/Report-a-Violation>

Report a Concern Link on City Webpage:

<https://ci.billings.mt.us/MyAccount?from=url&url=https%3a%2f%2fci.billings.mt.us%2frequesttracker.aspx>

We are also happy to take complaint on the phone at CE at 237-6146.

Question 4 (CM Purinton):

I am wondering how the City protects the quality of streets with the increase of subdivisions. By that I mean, as developers hook up to existing infrastructure, they usually have to dig up a portion of the main road. I will use 54th as an example. Over the years of having new construction, 54th is like traveling on a dirt road without the gravel. How does the City hold these contractors liable for putting the street back to its original shape?

Question 4 Response:

The city has very strict requirements for work done in the right of way. We use the Montana Public Works Standard Specification (MPWSS) as a baseline and then modify them (Billings Standards Modifications) to fit our needs. When a contractor gets a permit to do any work in the right of way, they agree to comply with these requirements. Not only do the requirements include how the road needs to be repaired, but it also includes a significant amount of testing to ensure quality. In addition, we have inspectors that observe all work that is done in the right of way to ensure it is done in compliance.

That being said, some of the roads, like 54th, were never constructed to a city standard and it makes it very difficult to do work and not leave a bit of a mess. Basically, they are tying into a poor street and sometimes, the patch can even be the best part of the street because it is done to city standards but that still results in a poor ride on the road. If you have specific concerns, we can run go look at them and make sure there isn't a patch that's settled over time. The long-term goal when we end up owning an entire street through annexations is to reconstruct the road to city standards.

Have a good weekend.

Individual Garbage Cart Quick Start Guide

Congratulations! Here's the Brand New 90-Gallon Individual Garbage Cart that is yours and yours only! Gone were the days that you had to share a 300-gallon bin with others. This cart is yours and is tagged to your address.



Does this affect my day of service?

Negative! At this time, your day of service WILL NOT change. Need a reminder of what day your garbage is collected? Please search by address on Solid Waste Routes page at BillingsMTPublicWorks.gov -> Services -> Garbage Collection



Where do I put the cart?

On your Day of Service	Other Days
Make sure your cart is in the alley by 7:00 am, on the side where the old 300-gallon bin was originally located, and 4 ft away from fence and all obstacles.	Keep your cart stored on your property, or along your designated side of the alley.



Can I keep my cart closer to my home?

Why, yes! Feel free to move your cart closer to your home, but please put it in the alley on trash day by **7:00 am**.



What about my "extras"?

Please place any "extras" in the alley, on the designated side where the cart is emptied, on the appropriate Monday of each month for collection.



How can I help save collection time?

Trim limbs and hedges. Do not place your 90-gallon cart under wires or in front of gates. Place them 4 ft away from fences and all obstacles. See photos included.



What about yard waste?

Yard waste carts will continue to be collected on the curb. Please do not store or place yard waste carts in the alley.



What do I do with the old bin?

Now that you have your shiny 90-gallon cart, please stop using the 300-gallon bin. The 300-gallon bins will be removed soon.

On behalf of Billings Public Works, we thank you for being a good neighbor! If you have any questions, please contact Solid Waste at 406-657-8285. We are here to help.

Until then, have a great day!



You have “Extra” items that need to be collected,

Remember. • • • • •

If Monday is your regular collection day...

“Extras” will be picked up the **FIRST Monday** of each month.

*Put extras out by 7am.

1st
MONDAY

If Tuesday is your regular collection day...

“Extras” will be picked up the **SECOND Monday** of each month.

*Put extras out by 7am.

2nd
MONDAY

If Wednesday is your regular collection day...

“Extras” will be picked up the **THIRD Monday** of each month.

*Put extras out by 7am.

3rd
MONDAY

If Thursday is your regular collection day...

“Extras” will be picked up the **FOURTH Monday** of each month.

*Put extras out by 7am.

4th
MONDAY

“Extras” must be bagged or boxed & weigh less than 75 lbs.

Includes ONLY regular household waste.

For Bulky Item Pick-Up Requests, please call the Solid Waste Administrative Office at (406) 657-8285 to schedule a special pick-up (furniture, appliances, large branches etc.). Additional charges may apply. Construction debris are not collected as bulky or extra.



Garbage Collection Changes – Conversion of 300-Gallon Shared Container to 90-Gallon Individual Cart

Dear Resident,

The shared 300-gallon alley containers will be converted into 90-gallon individual carts starting Monday, March 7th, 2022. This conversion will take approximately 3 weeks. Each home will receive a 90-gallon cart in the alley that is tagged to the specific address. When your new 90-gallon cart is delivered, you will also receive a Quick Start Guide attached to the inside of the cart lid with answers to frequently asked questions. Yard waste container and collection will remain the same.

Please do not hesitate to contact the Solid Waste Division at (406) 657-8285 for any questions and concerns.

We thank you for your patience and cooperation!

Sincerely,

Kyle Foreman

Solid Waste Superintendent
Billings Public Works

