

Billings City Administrator Weekly Report

March 11, 2022

1. **Garbage Container Conversion** – Staff put together a list of FAQs to help address questions regarding the garbage container conversion. Please click on the link to FAQs on the city website <https://www.billingsmtpublicworks.gov/251/Garbage-Container-Conversion-FAQs>

There are approximately 12,500 residential properties that currently use a 300-gallon container that will receive a new 90-gallon container. Most of them will continue to have garbage collection in their alley like what they have today. Property owners on the few alleys that are difficult to access will be moved to curbside collection.

There are 600 property owners in the Heights that were part of the first phase of the 300 to 90 conversion that received new containers but instead of replacing the container in the existing collection location in the alley, their collection was moved to the street by mistake. Those 600 property owners are being moved back to their original alley collection.

If you are getting questions or concerns that are not included in the FAQs, please send them to me and I'll make sure we include them in the FAQs. With over 13,000 property owners being affected, we expect there to be some situations that won't fit with the plan. We are happy to talk to those people and help find the best location/situation for them. Please have them contact Solid Waste at 657-8285.

2. **Senator Meetings** – this week administration and public works met (via Zoom) with Senators Tester and Daines teams (Senator Tester also joined) to discuss grant updates and opportunities. The main topics were the west end reservoir and water plant, the new Law & Justice Center/City Hall and infrastructure.
3. **Changes in the law related to local boards of health** - During the 2021 legislative session will require the City of Billings, Yellowstone County, and the City of Laurel to review and update the Interlocal Agreement establishing the local city-county board of health. The changes in the law affect how some of the processes of the board of health are now overseen by the local governing body. This will require the parties to redefine "governing body" within the agreement and make some other updates to the 2004 agreement. We do not expect to modify the Interlocal Agreement in any other significant way as the 2021 legislative changes regarding emergency orders and directives shall be reflected in local rules.

The only bill directly affecting local health board and the local health officer's authority is HB 121, but I've also summarized HB 257 and HB 702 because they are related to health orders/directives:

HB 121 – modified laws related to local boards of health

- Allowing a governing body to amend a directive, mandate, or order given by a local board of health during emergency or disaster
- Allowing a governing body to amend an order given by local health officer during emergency or disaster

HB 257 – revised laws related to prohibiting actions that impede a private business's ability to conduct business

- A governing body may not compel a business or deny a customer access to the premise or to goods/services
- A governing body may not deny a customer the ability to access the business's goods/services, except if he/she is confirmed to have communicable disease and under public isolation order

- A governing body may not enforce such restrictions by assessing a fine or fee, revoking license, or finding business owner guilty of a misdemeanor or take any other retributing action

HB 702 – prohibits discrimination based on a person's vaccination status or immunity passport

- A person or governmental entity cannot discriminate in local or state goods/services, licensing, health care, education or opportunity
- Employer cannot discriminate in hiring or any term, condition, or privilege of employment
- Public accommodation cannot discriminate by excluding, limiting, segregating, or refusing to serve
- Does not apply to schools, day care
- Employer may recommend employee receive vaccine
- Health care facilities may ask employees to volunteer vaccination status to provide reasonable accommodations to patients, visitors, employees
- Nursing homes also exempted

4. Council Orientation Schedule

- a. Friday, March 18 – 9:00 – 11:00 Public Works, Administration Office, 2251 Belknap Avenue
- b. Friday March 25 – 9:00 – 11:00 Fleet and Facilities, BOC Conference Room, 4848 Midland Road, Information Technology, (BOC)
- c. Friday, April 1 - 9:00 – 11:00 Parks, Rec. & Public Lands, 390 N. 23rd Street
- d. Friday, April 8 – 9:00 – 11:00 Public Works, Billings Operation Center, 4848 Midland Road

5. Questions and Answers Section – City staff is including responses to emails received this week, so other city council members have the information.

Question 1 (CM Rupsis):

I received several comments from constituents about spending taxpayer money to plow as the temperatures rose above 30 degrees and everything was melting. Those residents were in zone 6, so they were in the last zone to get plowed this time. I'm just curious as to what the policy is when plowing may no longer be necessary, and what the financial implications would be. Can we avoid expense by calling off plowing before completed in situations like this? Do we get locked into some type of minimum-spend situation where it just makes sense to keep the plows going once, they start? What was the thought leading into Friday where higher temps were expected and need for plowing 4-5 days after the snowfall was probably minimal?

Question 1 Response:

We do stop the residential plowing in the middle of an event if Mother Nature is going to help us out. In this case, the work that was done by K2 on Friday was mostly trouble spots in Area 2, not the full area. A day of residential plowing costs about \$22,000 - \$25,000/day (depending on equipment) so if we can stop early, we do. Our contract is based on the number of hours, we are not locked into days or entire events. You are correct though that we hear from some of the residents that don't get plowed in those cases (several calls on Friday). We try to address that by rotating the area we start in every storm.

We will have an excellent productive retreat over the next two days – I'll see you at 1:00 in the baggage claim room in The Depot.