

Billings City Administrator Weekly Report

July 28, 2022

1. **Active Shooter Training** – Officers Keightley and Doll will be conducting Active Shooter Training to the Mayor and City Councilmembers on August 15th at 4:00 PM in the Council Chambers. HR, administration, and the clerk's office went through the training Tuesday.
2. **Colonial Apartments Letter** – Please see the attached letter regarding the conditions at the Colonial Apartments.
3. **Lillis Park News** – The new playground at Lillis Park has recently been completed. The park is very popular with nearby neighborhoods and the new playground is already well loved by the community. A unique feature of the new play equipment is an extra wide slide where children can enjoy racing their friend's side by side to the bottom. Click the video link following to see all of the great features at this exciting playground.
https://www.facebook.com/watch/?ref=search&v=616431629703115&external_log_id=f37ddac2-a54d-41a2-84c7-eae71dc5f4ff&q=lillis%20park%20playground
4. **Building Code Changes** – The State of Montana has adopted new building codes and the City is set to adopt them by Administrative Order on September 1, 2022. The Building Division is working to inform and educate the design and construction community on the upcoming code adoption. There will be an informational code presentation that is free and open to the public – please see the attached flier. The codes are updated every three (3) years through the state rulemaking process. The City is required to adopt the codes exactly as the State adopts them, we cannot make local amendments. The State has adopted the 2021 editions of the International Codes with state amendments.
5. **Build Grant and Northwest Billings Connector/Marathon Trail Update** – Big news – The Federal Highway Administration (FHWA) and the City executed the Build Grant Agreement effective July 28, 2022! Signing the agreement secures the federal funding and allows the project to proceed. With right-of-way acquired, the next step is FHWA plan approval for bidding; we anticipate bidding in August or September. After bidding, FHWA has up to 60 days to approve the successful bid and then construction can begin.
6. **EPA PCE Update** - The EPA is continuing work on the PCE Superfund Project in Billings. Currently, they are installing approximately 135, seven-foot-deep soil cast probes in the city right of way, typically in the alleys. Expected completion is next week. After installation of the probes, EPA's consultant will begin a 30-day monitoring period. EPA provided a KMZ map to city staff showing the location of the soil cast probes. They have also completed the installation of approximately 60 probes in the pick holes of the sewer manhole covers throughout the PCE plume site. These probes will also have a 30-day monitoring period. Indoor monitoring of approximately 200 residential/commercial structures is schedule to begin in September.

- 7. Post Storm Debris Collection** – Public Works is planning some debris collection days. The following announcement will be shared with the media and posted on social media. This is a draft, so the final one may change a bit before it goes out later today.

Post T-storm Debris Collection will be underway throughout the next few Saturdays starting at 6:00 am on July 30th. A few things residents should know:

1. How can I find out when collection is coming to my street?

This interactive map will help inform residents their neighborhood collection status including “in progress”, “up next”, and “completed”, [City of Billings- Solid Waste Cleanup \(arcgis.com\)](http://cityofbillings.org/arcgis/arcgis.com)

2. What should I do with branches?

Please gather the branches and set them out at your usual yard waste collection point. No need to bundle or bag them. Please do not block sidewalks, alleys, and streets.

3. What should I do with large trees?

Please cut them into sections and set them out at your usual yard waste collection point without blocking sidewalks, alleys, and streets.

4. When should I set things out?

Please get everything to the collection point before Saturday 7/30 and leave them out. Our “extras” collection trucks will also collect debris on scheduled Mondays.

5. Can I take them to the landfill myself?

Yes, and in fact, we will waive the weight limit for our residents who bring in brush and yard waste during the next few weeks.

8. From the PIO Desk:

Billings is tops: Magic City celebrates fourth time making top 10 Emerging Housing Markets Index
<https://ci.billings.mt.us/CivicAlerts.aspx?AID=2358>

National Night Out with Billings PD scheduled for Aug. 2nd
<https://ci.billings.mt.us/CivicAlerts.aspx?AID=2356>

Taking it to the streets; asphalt art project making progress around North Park
<https://ci.billings.mt.us/CivicAlerts.aspx?AID=2352>

Billings in the news –

Billings makes top 10 in emerging housing market
<https://www.yourbigsky.com/local-news-2/billings-makes-top-10-in-emerging-housing-market/>

WSJ: Billings, Montana listed in top 5 housing markets yet again
<https://971kissfm.com/wsj-billings-montana-listed-in-top-5-housing-markets-yet-again/>

Billings Code Enforcement tackles problem properties

https://billingsgazette.com/news/local/billings-code-enforcement-tackles-problem-properties/article_020f3fe0-0873-11ed-b390-03e58d80e6f3.html

Billings plans storm cleanup schedule for residents with downed or broken trees

https://billingsgazette.com/news/local/billings-plans-storm-cleanup-schedule-for-residents-with-downed-or-broken-trees/article_b540a556-0d21-11ed-a05c-471aca23fb46.html#tncms-source=login

Billings city clean-up continues after hailstorm

<https://www.yourbigsky.com/billings-beat/billings-city-clean-up-continues-after-hailstorm/>

Billings girl recovering after hit in head with foul ball

<https://www.ktvq.com/news/local-news/billings-girl-recovering-after-hit-in-head-with-foul-ball>

Centennial Ice Arena cleared after HAZMAT team caps ammonia leak

<https://www.ktvq.com/news/local-news/hazmat-team-returns-to-billings-building-following-ammonia-leak>

City of Billings grappling with inflation

<https://www.ktvq.com/homepage-showcase/city-of-billings-ups-price-of-utilities-and-tax-assessments-in-response-to-inflation>

Hardin Police Department launches text-to-911 service for citizens (Billings dispatch supervisor Jeff Love interviewed)

<https://www.ktvq.com/news/local-news/hardin-police-department-launches-text-to-911-service-for-citizens>



July 21, 2022

John Skauge
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Re: Colonial Apartments, 223 S. 27th Street, Billings, MT

Dear Mr. Skauge,

Conditions appear to exist at the Colonial Apartments, 223 S. 27th Street, that endanger the safety or health of residents and invitees, are offensive to the senses, and obstruct the free use of property so as to interfere with the comfortable enjoyment of life or property or a significant number of people. Citizens have made many complaints regarding this property, activity on the property, and the condition of the property.

The initial review of conditions at the Colonial Apartments by our Code Compliance department found matters that appear to constitute a nuisance under the City of Billings Municipal Code as well as Section 27-30-101, MCA and Section 45-8-111, MCA. These conditions are set forth below.

All windows need to be fixed and operable, there is paint and graffiti that needs to be addressed, and the emergency fire escape needs to be rebuilt and safe for the occupants and emergency crews. All exterior wiring needs to be properly secured and covered. The foundation on the southeast corner of the building needs to be addressed and fixed. You have received notice from the Code Enforcement Division regarding these violations dated July 14, 2022.

In addition to the outside structural issues, there appears to be numerous safety and sanitary issues inside the building. For example, on July 20, 2022, a Billings Police Department Officer observed a front door latch was broken and could not be securely shut and a window next to the door was smashed. He also observed numerous cockroaches on the first floor and a substance, which appeared to be something similar to motor oil, was dripping from a hole in the ceiling. He also observed many of the apartments were boarded up with plywood for unknown reasons.

Further, the ongoing criminal activity is serious and must immediately be addressed. Between January of 2015 and May of 2022 there were over 1600 calls for services that required the Billings Police Department to respond to your property, an extraordinary call volume for a residential property of this size.

John Skauge
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The calls for service included criminal activity that range from assaults, thefts and burglaries to drug sales and sex offenses.

Any premises where persons gather for the purpose of engaging in unlawful conduct constitutes a public nuisance under §45-8-111(1)(b), MCA. Further, a person commits the offense of maintaining a public nuisance if the person knowingly creates, conducts, or maintains a public nuisance. §45-8-111(2), MCA.

The first step in promoting community harmony and in assisting you with the success of your business is to make you aware that these complaints and community concerns exist. This letter is intended to help you to address some very apparent problem areas at the Colonial.

As these complaints and concerns came into City Council, Administration, Billings Public Safety 911, Code Enforcement, and the Citizen Complaint Line, it became incumbent upon me to look into the situation. My efforts are to discern and clarify whatever actual concerns may exist. To say I was amazed at what I found would be an extreme understatement.

While the City of Billings is not asserting you are responsible for all these activities, an environment appears to exist at the Colonial Apartments that fosters these activities. In order to encourage your compliance with city and state law, it is necessary to make you aware and put you on notice regarding what is occurring at your property day-in and day-out. This activity has diminished the success of your business neighbors and reduced the quality of life for the residents who live on the property and nearby. We expect to see some dramatic improvements at the property now that you are aware of this activity, including remedying the structural issues and addressing the criminal activity on this property. The city's primary concern is supporting a quality business and home environment and protecting your neighbors' right to the free enjoyment of their property. It is entirely reasonable for your neighbors to not have that right infringed by allowing a nuisance to continue on their property.

I have also been made aware of the fact that similar such situations are occurring, although in lower numbers, at other rental properties you own and manage. I am looking into those properties too in the hopes that you will address this matter completely.

If you wish to discuss anything contained within this letter, please feel free to call or email. Our contact information is listed below. If I can provide any information to you that you feel would be helpful in addressing any of these issues, please feel free to contact my office or the Billings Police Department.

Sincerely,



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Gina Dahl
City Attorney
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Join Us

For a Presentation of
Significant Code Changes



Where: Stillwater Building, 316 N 26th Street, 4th Floor Conference Room

When: Tuesday, August 16th, 9 a.m.—12 p.m.

Who: Builders, Contractors, and Design Professionals

What: The City will provide updates on the new residential and commercial codes adopted by the state, which will be adopted by the City on September 1, 2022.

Coffee and snacks will be provided.

This event is free and open to the public.

Please RSVP to MackieC@billingsmt.gov