

# **REGULAR MEETING OF THE BILLINGS CITY COUNCIL**

## **November 12, 2002**

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27<sup>th</sup> Street, Billings, Montana. Mayor Charles F. Tooley called the meeting to order and served as the meeting's presiding officer. The Pledge of Allegiance was led by the Mayor, followed by the Invocation, which was given by Councilmember Jan Iverson.

**ROLL CALL** – Councilmembers present on roll call were: McDermott, Gaghen, Brown, Brewster, Iverson, Kennedy, Poppler, Ohnstad, Jones and Larson.

**MINUTES – October 28, 2002.** Approved as printed.

**COURTESIES** – NONE

**PROCLAMATIONS – Mayor Tooley.** – NONE

**BOARD & COMMISSION REPORTS.** – NONE

**ADMINISTRATOR REPORTS** – Dennis Taylor.

- Mr. Taylor reminded the Council of the Yellowstone Legislative Coalition Meeting to be held Wednesday, November 13<sup>th</sup> at 7 A.M. in the Lewis and Clark Room at MSU-Billings. He said it was a special meeting that would include speakers from the Department of Revenue talking about tax reforms and the University of Montana regarding economic development at the local level. The meeting is primarily for the benefit of the recently elected legislators.
- He also noted that the County-wide meeting discussing Growth Issues, Policies and Action Plans for Billings will be held at the Shrine Auditorium, Saturday, November 16th from 9:00 A.M. to 12:30 P.M. and will be hosted by City/County Planning.
- He thanked the Council and staff for their kind thoughts and prayers during the recent illness and death of his father.

### **CONSENT AGENDA:**

#### **1. A. Bid Awards:**

- (1) **Vehicle/Equipment Replacement for various departments per Equipment Replacement Committee.** (Opened 10/29/02). Recommend Frontier Chevrolet for Schedules I, II, III, IV, VI, VII for \$142,108.00, purchasing the Police Pursuit Vehicles from the State of Montana bid for \$330,345.00 and rejecting the only bid on Schedule V and rebidding that schedule.
- (2) **\$784,000 Special Sidewalk, Curb, Gutter and Alley Approach Bonds, Series 2002B.** (Miscellaneous/Developer-Related Improvements

and Broadwater Subdivision Improvements, Phase IV). (Opens 11/12/02). Recommend RBC Dain Rauscher at 3.7668% net interest rate.

**B. Purchase of three Replacement Cash Registers/Power Pad Fee Computers** for Parking Garages, Ace Electric, \$26,535.

**C. Acceptance of First Quarter Financial Report** for fiscal year 2002/2003.

**D. Approve Securities pledged by Wells Fargo Bank and US Bank** as collateral for their respective Certificates of Deposit.

**E. Subordination of First Time Homebuyer Loans (2):** Andra Miller, 531 Burlington, \$5,000; and Stan Ludwig and Deanna Lala, 4226 Jansma, \$5,000.

**F. Acceptance of Highway Traffic Safety Traffic Enforcement Grant #03-10(402-405);** \$10,000 (no City match required); for period 10/1/02 through 9/30/03.

**G. Acknowledge receipt of petition to annex:** (#02-17), Tracts 2A, 2B, 2C and 3C, C/S 2991, generally located north of Monad, south of Central, west of BBWA canal and setting a public hearing for 11/25/02.

**H. SECOND/FINAL READING ORDINANCE 02-5226 FOR Zone Change #669:** A zone change from Residential 9,600 to Residential 7,000 on Tracts 1 & 2, Rush Acreage Tracts Subdivision and Lots 1-3, Block 6, Rush Subdivision, 2<sup>nd</sup> filing and from Residential 9,600 to Residential Multi-Family-Restricted on Lots 5 and 6, Block 6, Rush Subdivision 2<sup>nd</sup> filing. The subject property is generally located on the northwest and southwest corners of Shiloh Road and Parkhill Drive. Kincaid Land, LLC, Randall Swenson, Bobbie Nitzel, Brian Bessey and Billings Urban Fire Service Area, owners; Engineering, Inc., agent. Public Hearing held 10/28/02

**I. Bills and payroll.**

**(Action:** approval or disapproval of Consent Agenda.)

Councilmember Brown separated Items C, E, and F from the Consent Agenda. Councilmember Brewster moved for approval of the Consent Agenda with the exception of Items C, E, and F, seconded by Councilmember Larson. On a voice vote, the motion was unanimously approved.

Councilmember Brewster moved for approval of Item C, seconded by Councilmember Larson. Councilmember Brown noted a shortage of funds from the franchise fees received from the cable company. He said he is concerned that this would be because there are no funds available due to a financial condition. City Administrator Dennis Taylor said the original franchise agreement included franchise fees to be paid on all cable services and internet services. A recent ruling from the FCC indicated that in some jurisdictions franchise fees for internet services would not be required from the cable

companies. This is a subject of disagreement between A T & T Broadband, Bresnan Communications, who are in the process of transferring cable service from one to another respectively and the City. Mr. Taylor said he did not think their failure to pay has anything to do with the financial condition of Bresnan Communications, but has to do with the legal issue of the franchise fees for the internet services. He said there continue to be discussions through the City Attorney to remedy the situation. On a voice vote, the motion was unanimously approved.

Councilmember Brewster moved for approval of Item E, seconded by Councilmember Larson. Councilmember Brown said we are currently in the primary position on these loans and in order for the borrowers to refinance their loan for a lower interest rate the City would have to take a secondary position. Community Development Manager John Walsh said this is correct and noted that both of these instances are "straight line" refinances where no additional money is requested. These are usually always repaid, he added. Councilmember Brown asked what the source was of the original \$5,000 loan. Mr. Walsh said it comes through the federal government from the HOME Program through the First Time Home Buyer Program. On a voice vote, the motion was unanimously approved.

Councilmember Brewster moved for approval of Item F, seconded by Councilmember Larson. Councilmember Brown asked what the cost of performance or stipulations to receive this grant would be. Police Chief Ron Tussing said the \$10,000 grant pays for the performance. The only requirement is that the money is spent on the specific traffic enforcement issues stated in the grant. On a voice vote, the motion was unanimously approved.

## **REGULAR AGENDA:**

**2. PUBLIC HEARING AND FIRST READING ORDINANCES expanding the boundaries of Ward IV to include recently annexed property (Annex #02-14 and #02-15): that portion of Yellowstone Club Estates north and south of Hagen Drive and adjacent properties north of Rimrock Road. Staff recommends approval of ordinance on first reading. (Action: approval or disapproval of ordinance on first reading.)**

The public hearing was opened. There were no speakers. The public hearing was closed. Councilmember Iverson moved for approval of the ordinances on first reading, seconded by Councilmember Brewster. On a voice vote, the motion was unanimously approved.

**3. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward I to include recently annexed property (Annex #02-16) Tract 1B, C/S 1446 Amended (less the Interstate 90 right-of-way) and Block 1, Lot 4, Cereus Subdivision both located in NE4, Section 17, Township 1 South, Range 26 East. Staff recommends approval of ordinance on first reading. (Action: approval or disapproval of ordinance on first reading.)**

The public hearing was opened. There were no speakers. The public hearing was closed. Councilmember Kennedy moved for approval of the ordinance on first reading, seconded by Councilmember Iverson. On a voice vote, the motion was unanimously

approved.

**4. RESOLUTION OF INTENTION 02-17925 to Dispose of City Property: Maverick Fire Station, 201 S. 30<sup>th</sup> Street, appraised value \$27,000 - \$55,000 in 1996, and setting a public hearing date for 12/9/02. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Community Development Manager John Walsh asked for the Council's authorization and approval of the resolution of intent to sell the property located at 201 S. 30<sup>th</sup> Street, known as the Maverick Fire Station. This will allow a public hearing to be set for 12/9/02 to hear the proposed action. He said the building served as a Fire Station for the City of Billings from 1911 to 1965. Since 1965 it has been occupied by a variety of non-profit organizations. Currently Yellowstone County holds a lease with the City for offices of the Youth Court Services and related organizations associated with their Youth Intake and Assessment Center. He said this lease expires on December 31, 2002 and the Youth Court Services is moving out of the building to be based in the Courthouse.

Mr. Walsh noted that at a work session the Council instructed the City staff to consider sale of the building as an option to looking for a new lessee. Three proposals were received for office space usage and they were from: 1) Child and Family Intervention Services, 2) Tumbleweed Runaway Program, and 3) Northern Industrial Hygiene with the second floor used for apartments.

Mr. Walsh said the criteria established to consider the three proposals developed through the Southside Task Force were: 1) the capacity of the organization to carry the plan for occupancy, 2) maintenance and restoration of the building, and 3) community benefit resulting from the sale of the building. The key stakeholders to consider are the Southside Task Force and the Southside neighborhood. He also noted that advocates for historic preservation want to assure that any public action on the building would consider the historic value and that it be maintained.

He said other considerations are the 1993 assessment study by CTA Architects and Engineers that identified repair needs ranging from re-roofing to re-pointing the brickwork, with an estimated cost of over \$400,000. The 1996 appraisal valued the property within a range of \$27,000 to \$55,000. He said the current zoning of the property is Residential Multi-Family. He asked the Council to authorize the resolution and move forward with the process to sell the property. Councilmember Larson asked what the limitations would be on the purchaser regarding what can be done to a building listed as a historical building. Mr. Walsh said as a public agency selling the building the City would place deed restrictions as a condition of the sale to assure the new occupant(s) would maintain the historic value of the property. Historical sites must follow certain guidelines and most of those guidelines relate to exterior improvements and not necessarily to interior improvements. He noted the building has been remodeled in the last twenty years.

Councilmember Poppler said the CTA estimate was approximately \$400,000, but the buildings' value is only \$55,000, adding this doesn't make much sense. Mr. Walsh said the \$400,000 is the value placed on the different improvements to the building, but does not translate into the worth of the building. Councilmember Poppler moved for approval of the staff recommendation, seconded by Councilmember Larson. On a voice vote, the motion was unanimously approved.

**5. PROGRESS REPORT on W.O. 01-06: Arlene Street Corridor. No staff recommendation. No council action required. INFORMATIONAL PRESENTATION ONLY.**

Public Works Director Dave Mumford said this was an opportunity to give a status report of Work Order #1-06, Arlene Street Corridor and to enlist opinions and visions from the Council on several options for construction of this and future roadways, which may include landscaping, bike trails, and several differing lane configurations within the same budget limitations. He said the City hired Kadrmas, Lee & Jackson to design a principal north/south arterial, Arlene Street Corridor, which is nearly complete.

Bill Morgan, Project Engineer for Kadrmas, Lee and Jackson gave the first presentation of design aspects for the Arlene Street Corridor. He gave an aerial "bus tour" of the proposed site that included a "picture path" of different sections along the corridor. He started at Centennial Park, over 32<sup>nd</sup>, across Broadwater Avenue and Peter Yegen Golf Course, Grand Avenue, ending at Arlene Street and the Zimmerman Trail. He noted the City has been acquiring and setting property in the northern section aside for this project. He noted that the City has another engineering firm looking at the intersection of Zimmerman Trail and Rimrock Road with possible signalization. Mr. Morgan explained that there is a fair amount of east/west arterial travel routes and very few north/south main arterial routes. This proposed corridor will connect Gabel Road and 32<sup>nd</sup> Street West with Zimmerman Trail and the Airport. He said the basic function of this corridor is to help neighborhoods get to neighborhoods and provide a good north/south arterial street. Another function is to get traffic off of 30<sup>th</sup> Street West and onto 32<sup>nd</sup> Street West. Mr. Morgan said the golf course that would need to be crossed was planned with this corridor in mind, however the City has not purchased the right-of-way.

Mr. Morgan said another consideration is the alignments involved. He said an important consideration for the golf course was to retain their parking area. With the addition of a strip of land and some parking re-striping, the alignment of the corridor through the golf course is feasible. He also showed potential designs for two golfer crossings that would allow for golf carts and maintenance vehicles. He also offered two options for the area of Colton Boulevard and the City property. The first option is to avoid moving the house that would allow less land in the surrounding area to be developed later. The second option is to place the roadway through the area where the house is situated. He said a cost estimate would be the defining criteria for these options.

Councilmember Kennedy asked if there would be access to the golf course from the proposed roadway. Mr. Morgan said there is a planned access. Councilmember Jones asked how many future lots for development would be gained by taking the house out. Mr. Morgan said it would allow for possible townhomes, but would not be a good option for residential. Councilmember Gaghen asked about what the cost estimate would be for rights-of-way not yet obtained. Mr. Morgan said there is no estimate at this time, adding that the area in question is approximately 7 acres to be acquired. Mr. Mumford confirmed that the Public Works Department is in the process of discussions with the Yegens to obtain the property. Mr. Taylor noted that the potential revenue from development of the property the City purchased is an option to assist with the right-of-way acquisition.

Carl Thuesen presented the four options that have been developed for construction

of the roadway. He showed a series of sectional views that included: Option 1): a 5-lane street with a median on both sides containing landscaping separating a 10 foot multi-use path on one side and a 6 foot pedestrian path on the opposite side from the traffic (lighting would be in the medians), Option 2) a 3-lane street including a turn lane and 2-12 foot lanes with medians on both sides, Option 3) a 4-lane street with center median (lighting would be in the medians), with a maintenance strip to protect the planted area and Option 4) a 2-lane street with 12 foot travel lanes with center median and raise landscaping on the sides that would act as a visual and sound barrier to the residential areas and a protection to the landscaping. He noted that all utilities are planned to be underground.

He described the relationship of the road to the golf course. The most critical situation occurs on Green #11 which is east of the roadway. He said it is approximately 150 feet from the road right-of-way to the surface of the green. He noted an area will be added that would serve as a visual and sound barrier behind the golf course "rough".

Councilmember Gaghen asked if the buffer previously described would be enough of an impediment to golf balls striking passing traffic. Mr. Thuesen said the safety planning was included in the original plans of the golf course. This buffer would be in addition to safety aspects already provided.

Councilmember Larson urged that any future and existing developments have a single entry to minimize the number of roads that would intersect with this corridor. He noted that the road should be a 35 MPH traffic zone. Mr. Mumford said this is the intention of the design. Councilmember Larson said that Option 2, with its substantial landscaping would be a more attractive and desired option with the impact being that it separates the traffic from the neighborhoods. He said he can see this as a doable option all along this proposed corridor as it is close to the present design on 32<sup>nd</sup> Street West. He said he is concerned about the cost however. Mr. Mumford noted that the standard road construction for this type of proposed roadway is Option 1 with the 5-lane street. He said the future traffic volumes can be handled with the small number of lanes that were designed. He added that Public Works desired to illustrate that the same traffic volume can be accommodated with slower, more neighborhood oriented travel lanes.

Councilmember Gaghen asked about the lighting requirements of center versus side lighting. Mr. Mumford said if the center lighting is used, some form of pedestrian lighting would be required.

Councilmember Brewster said he has seen a design similar to Option 4 and it is very aesthetically pleasant to drive through. Councilmember Brown said this option also is a benefit as it would be a safety barrier for children in the neighborhoods.

Councilmember Jones asked if the landscaping would contain low-maintenance type of plantings. Mr. Mumford said the design is for self-contained, low maintenance trees and greenery. He said his sense is that the Council prefers Options 2 and 4 and he said those would be the designs on which the City concentrates its time. He said the cost estimates and design study would involve those two options.

Councilmember Poppler expressed concern about traffic coming off of Zimmerman Trail. She said the street design that doesn't have the median in the middle would be preferable in cases of runaway vehicles. She asked if there were any suggestions that could address this concern. Mr. Mumford said no matter what happens with that intersection, medians are inevitable in that area. He said there are issues with truck travel on Zimmerman Trail that need to be brought before the Council as to how the City will deal

with them on a long-term basis. He noted that downhill truck travel could possibly be banned, similar to what transpires on North 27<sup>th</sup> Street.

Councilmember Jones said that traffic on the proposed roadway does not warrant a 4-lane street and if it is designed according to the preferred options, would alterations be possible if increases in traffic warrant more lanes. Mr. Mumford said the configurations were designed with growth in mind and minimal road widening could be accomplished without difficulties. He noted that 20-year traffic projections show this won't be a concern until considerably past then.

**6. PRELIMINARY PLAT of Midland Subdivision, 4<sup>th</sup> filing, Amended Lots 1D1 and 1E, Block 2, generally located on South 29<sup>th</sup> Street West between King Avenue West and Overland Drive. Planning Board recommends conditional approval of the preliminary plat and acceptance of findings of fact. (Action: approval or disapproval of Planning Board recommendation.)**

Planning Staff Member Candi Beaudry said this is a minor subdivision plat located on South 29<sup>th</sup> Street West. She said it is a replat of a minor subdivision of two lots that will create a five-lot subdivision. Mr. Beaudry said the Planning Board recommends approval after holding a public hearing that had no public comments. The approval would include a variance from the subdivision regulations for alleys in a commercial subdivision. The Conditions of Preliminary Plat Approval are:

1. To bring the subdivision into compliance with state law and local subdivision regulations, the following is required:
  - a. **Minor wording.** Minor wording changes hereafter shall be made in the SIA and documents, as requested by the City Engineering Division and Planning Department, to clarify the documents and bring them into the standard, acceptable format.
  - b. **Compliance.** If approved, the final subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, Billings Municipal City Code, and Rules, Regulations, Policies, and Ordinances of the City of Billings, and the Laws and Administrative Rules of the State of Montana.

The City-County Planning staff for review and approval by the City-County Planning Board has prepared the Findings of Fact for the amended plat of Midland Subdivision 4<sup>th</sup> Filing. These findings are based on information received from the subdivider, their engineer, City departmental review, and Planning staff evaluation. The findings address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the City of Billings Subdivision Regulations (Section 23-304(c), BMCC)

**Primary Review Criteria [Section 23-304 (c)(1)], BMCC, 76-3-608 (3)(c) MCA]**

**1. Effect on Agriculture**

This parcel is not in agricultural production and will not affect agricultural uses or production.

## **2. Effect on agricultural water user facilities**

The BBWA canal runs along the western boundary of the development. The development does not have water shares. The subdivision will not affect the downstream users of the BBWA canal.

## **3. Effect on Local Services**

**Water and Sewer Service.** Lots 1-H, 1-J, 1-K, and 1-G will have new water and sanitary stubs cut into the South 29<sup>th</sup> Street West right-of-way.

The property is subject to all applicable water and wastewater fees and charges.

**Storm Water Drainage.** Storm drainage for the public streets shall be provided by a combination of surface drainage and curb and gutters, drain to underground storm drains, and with discharge from the subdivision utilizing the existing storm drain stub located at the southeast corner of Lot 1-F. All street drainage improvements shall comply with the provisions of the *Stormwater Management Manual*.

**Public Streets and Roads.** The required public right-of-way has been dedicated with the original filing of Midland Subdivision, 4<sup>th</sup> Filing. All required improvements have been installed.

### **Fire and Police Protection**

The Fire Department reviewed the preliminary plat application and had no comments. Street widths, lot access, and fire hydrant location comply with all City of Billings Fire Department requirements.

The City Police Department will serve this subdivision.

### **Emergency Medical Service**

Ambulance service and emergency medical response is currently and will continue to be served by American Medical Response. The company has no concerns about continuing this service.

### **Solid Waste Disposal**

The Billings Solid Waste Department will provide solid waste hauling; the Billings Landfill has adequate capacity to provide landfill disposal service.

### **Schools**

School District 2 was sent a notification. The District did not respond to the Planning Department's request for comments. This is a commercial subdivision and the Planning Department does not anticipate any impact on the school district by this development.

### **Parks**

Parkland dedication is not required for a commercial subdivision.

#### **4. Effects on the Natural Environment**

There are no special natural features that will be affected by the subdivision.

#### **5. Effects on Wildlife and Wildlife Habitat**

This area is surrounding by existing commercial development. It is unlikely that there will be an impact to wildlife or wildlife habitat.

#### **6. Effects on Public Health and Safety**

There are no natural or man-made hazards located on the proposed subdivision.

### **Conformance with the Yellowstone County Comprehensive Plan, West Billings Plan, and Billings Urban Area 2000 Transportation Plan. [Section 23-304(c)(3) BMCC]**

#### **a. Protect against the encroachment of incompatible or related uses. (K-5)**

*The proposed subdivision will be a continuation of commercial development that is currently in the area. Commercial uses are compatible and appropriate for this proposed development.*

#### **b. Curb urban sprawl and discourage leapfrog development. (K-7)**

*This project is an infill project. There is existing development surrounding the proposed development.*

#### **c. Promote orderly and rational land use during the various stages of economic growth cycles. (K-12)**

*The re-platting of these lots provides smaller parcels, which provide small business owners a more affordable alternative to more expensive, large lot development.*

#### **d. Capitalize on the use of existing public sewage systems and improve sewage systems in areas not currently served by public systems. (H-4)**

*The development is currently served by city services.*

#### **e. Require that geologic hazards such as expansive/contractive soils, rockfall, steep slopes, and landslide areas be addressed in the development review process (J-1). There are no geologic hazards present.**

### ***West Billings Master Plan***

#### **a. Establish development patterns that use land more efficiently.**

*The increased density of the proposed development and the availability of sewer and water service ensure a more efficient use of both land and public utilities resources than large lot development.*

#### **b. Reduce sprawl and development pressure on agricultural lands, conserve irrigated farmland, and increase the density of new residential development**

**by requiring new subdivision in the West Billings Plan are to be served with municipal or approved community water and sewer systems.**

*This subdivision will be served by municipal water and sewer systems and is considered an infill project.*

***Billings Urban Area 2000 Transportation Plan and BikeNet***

The proposed subdivision is consistent with the Transportation Plan and BikeNet.

**Compliance with the Montana Subdivision and Platting Act and local subdivision regulations. (Chapter 23, BMCC)**

The amend plat of Midland Subdivision, 4<sup>th</sup> Filing meets the requirements of the Montana Subdivision and Platting Act and conforms to the design standards specified in the local subdivision regulations. The subdivider has requested a variance from Section 23-602, BMCC, requiring alleys in commercial subdivisions. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

**Sanitary requirements [Section 23-201, BMCC, Section 23-304(c) (5), BMCC].**

Because the subdivision is within an a master planning area and municipal facilities for water supply, sewage disposal and solid waste collection, it is exempt from Department of Environmental Quality approval.

**Zoning requirements [Section 23-201, BMCC, Section 23-304(c) (6), BMCC].**

The subdivider has complied with the lot size requirements for the Controlled Industrial zoning district.

**Planned utilities [Section 23-304(c)(7), BMCC, 76-3-608(3)(c), MCA].**

Both Montana Dakota Utilities and Northwestern Energy have reviewed the preliminary plat.

**Legal and physical access [Section 23-304(c)(8), BMCC, 76-3-608 (3)(d), MCA].**

Legal and physical access is available to the subdivision from South29th Street West.

**CONCLUSIONS OF THE FINDINGS OF FACT**

The Planning Department staff has determined that the amended plat of Lots 1D-1 and 1-E of Midland Subdivision, 4<sup>th</sup> Filing will not significant affect agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat or public safety. The few negative impacts can be minimized through reasonable measures as conditions to final plat approval

Ms. Beaudry said she is not aware of the future uses of portions of the subdivision, but noted that it is zoned Controlled Industrial with commercial uses as an option.

Councilmember Ohnstad moved for approval of the Planning Board recommendation, seconded by Councilmember McDermott. On a voice vote, the motion was unanimously approved.

## **Council Initiatives**

**COUNCILMEMBER McDERMOTT:** Requested the selection process begin for a Blue Ribbon Committee for the Recreation Bond Issue to be advisory to the City Council, seconded by Councilmember Brewster. Councilmember Brewster said this should bring interested parties together to firm up funding issues and their contributions to this effort. Councilmember Kennedy asked if the list of potential names would be available to the Council. Mayor Tooley advised that the preferred number of applicants should be between 8 and 12. Councilmembers McDermott, Gaghen and Brewster expressed their desire to be part of the committee. On a voice vote, the request was unanimously approved.

**COUNCILMEMBER JONES:** Asked what the status of the appraisal process is (and is it still needed) for the property that was originally considered for the new Library site. City Administrator Dennis Taylor said the appraisal is still scheduled for after the first of the year. He noted that the site may still be considered for a proposed Transit Facility and the City is waiting for word from Senator Conrad Burns' office regarding Congress' action on appropriations for funding for the Transit Facility. He said that information is expected towards the end of the year. He said staff would prepare a Council memo for presentation to the Council when all information becomes available. Councilmember McDermott said she thinks the appraisal should go forward because of the potential for other City uses. She asked what the cost of the appraisal would be. Mr. Taylor said he would find out what the cost is and relay this information to the Council. Once the cost is established the Council can vote on whether to continue with the appraisal process. Mr. Taylor said he hopes the Council can wait for information regarding the Congressional appropriation process. Councilmember Kennedy moved to move forward with the appraisal process unless the cost is prohibitive, seconded by Councilmember Gaghen. Mr. Taylor advised that because there are no pressing emergencies he asked the Council to permit the staff to gather all the necessary information and present it to the Council via a Staff Memo including options and a recommendation. Councilmember Kennedy withdrew his motion and Councilmember Gaghen withdrew her second.

**COUNCILMEMBER POPPLER:** Asked if the appraisals for the Arcade Building and the Maverick Fire Station have been scheduled. Mr. Taylor said the Arcade Building appraisal is scheduled for some time between now and Christmas. The Maverick Fire Station appraisal has not yet been scheduled.

**COUNCILMEMBER OHNSTAD:** Asked staff to prepare a report on the status of the Library and the needed repairs to bring the building up to code. Mr. Taylor said the City has 18 months from the date of the building and fire code citation and another 18 months to complete the repairs. He said the City would take the next several months to evaluate all of the needed and recommended upgrade options and fulfill the obligation of any building owner by meeting the safety needs of the occupants and visitors. He said the City has time to do this correctly. Councilmember Kennedy asked if the Library

Board would be discussing alternative options for the Library at their upcoming retreat. Mr. Taylor noted that the Capital Improvement Plan contains recommendations for improvements to meet the access requirement, possible relocation of the entryway and circulation desk. He added there is a space crunch in the present City Hall building and other needs for space that could be solved at the same time as the needed improvements. He said the City has not received the citation as yet and there is time to accomplish this project in a slow and precise manner. Councilmember McDermott asked if there will be an inventory of all the buildings and holdings in the facilities management process that will contain analysis of their condition. Mr. Taylor said he hopes to complete the work started on the facilities management position so that plans for future space needs and analysis of building conditions can be documented and a determination of the best cost effective use of them as well.

**ADJOURN** – With all business complete, the Mayor adjourned the meeting at 7:57 P.M.

THE CITY OF BILLINGS:

By: \_\_\_\_\_  
Charles F. Tooley MAYOR

ATTEST:

BY: \_\_\_\_\_  
Susan Shuhler, Deputy City Clerk