

# City Council Work Session

October 19, 2009

5:30 PM

Community Center

## ATTENDANCE:

**Mayor/Council** (please check)  Tussing,  Ronquillo,  Gaghen,  Brewster,  Pitman,  Veis,  Ruegamer,  Ulledalen,  McCall,  Astle,  Clark.

**ADJOURN TIME:** 8:46 p.m.

## Agenda

<b>TOPIC #1</b>	<b><i>Public Comment</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- **Al Staley, 3520 Masterson** distributed a picture of the intersection of Rimrock Road and N. 27<sup>th</sup> and pointed out that the left hand turn striping was not reinstalled when N. 27th was improved. He stated he made two calls to the City over a year ago, but nothing was done.  
Ms. Volek advised that it was a State road and asked Stefan Streeter from MDT, who was in the audience, to work with Ms. Staley. Mr. Streeter said he would do that.
- **Frances Harris, the Terrace**, urged the Council to pass a cell phone use ban. She said it was dangerous for pedestrians and other drivers.

<b>TOPIC #2</b>	<b><i>Aviation &amp; Transit Commission</i></b>
<b>PRESENTER</b>	Jack Bayne, Chair
<b>NOTES/OUTCOME</b>	

Mr. Bayne introduced commission members in the audience: Dick Larsen, Mark Kennedy, Stan Hill, Sterling Starr, Norm Kolpin, and Steven Tostenrud.

Mr. Bayne reported that he was part of an essential service task force of eight other cities with airports that met to discuss essential air issues. He reviewed other tasks of the Aviation and Transit Commission as:

- ✓ Interact with outlying airports and exchange ideas
- ✓ Monitor and precipitate Aviation & Transit work projects and activities
- ✓ Link to Big Sky Development Committee on aviation and transportation issues
- ✓ Connection to general aviation & transit issues

- ✓ Requests For Qualifications
- ✓ Attend public meetings
- ✓ Review documents
- ✓ Meet with departments to determine how they work
- ✓ Liaison between City and citizens on issues – clarify issues
- ✓ Information to clubs on Airport & Transit issues
- ✓ Assist in evaluating aviation & transit
- ✓ Make suggestions to improve services, locally and around the state
- ✓ Interact with Airport tenants, such as Museum
- ✓ Meet monthly

Mr. Bayne stated that he felt commissions were important to represent the public in government and the government in public. He commended Aviation and Transit staff for the great job they did.

Councilmember Ulledalen asked about the status of the master plan. Aviation and Transit Director Tom Binford reported that it was in the final stages and staff was reviewing financials and completing final steps for FAA. He noted it should be completed by the first part of 2010. He explained that high fuel prices and the recession slowed the plan development and staff had to re-evaluate the forecasts.

Mr. Bayne commented that Mayor Tussing did his homework when selecting commission members that were really interested and involved in aviation and transit.

Councilmember Ronquillo commented that Transit Manager Ron Wenger made an excellent presentation at a roundtable discussion providing information of transit services and the two park and ride facilities.

<b>TOPIC #3</b>	<b><i>Holiday Schedule</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Ms. Volek explained that the Council usually met Monday prior to Thanksgiving and wanted to make sure that schedule was still acceptable. Council consensus was to meet. She reviewed the December work session and regular meeting schedule and explained that Council traditionally chose not to meet between Christmas and the New Year. It was Council consensus to hold a work session December 7, and regular business meetings December 14 and 21, and no meeting at all on December 28. Councilmember Veis pointed out that a special session would be needed at the January 4, 2010, work session to swear in the new Mayor and councilmembers.

<b>TOPIC #4</b>	<b><i>Yellowstone Historic Preservation Board Update</i></b>
<b>PRESENTER</b>	<b>Lora Maddox</b>
<b>NOTES/OUTCOME</b>	

Neighborhood Planner Lora Maddox provided a brief update on the activities of the Yellowstone Historic Preservation Board. She pointed out that it was the largest historic preservation board in Montana and included Yellowstone County, City of Billings, City of

Laurel and the Crow Indian Reservation. She reported that the City of Laurel received Preserve America funds for a downtown survey of buildings to create a historic district and the City of Billings received Preserve America funds to survey the buildings in the Old Town Neighborhood to create a historic district. She added that other activities/accomplishments included:

- ✓ Working with the Western Heritage Center to create an architectural style for the South Side homes
- ✓ Historic Preservation Month observed in May, 2009
- ✓ Review building permits for Montana Avenue
- ✓ Update the outdated preservation ordinance
- ✓ Document potential historic buildings prior to any demolition
- ✓ Review of MSU-Billings student study of barns and silos in Yellowstone County to identify potential properties for the national register
- ✓ Annual roundtable and preservation awards. Award was presented to Vernon Drake who restored and replaced the old stagecoach markers south of Billings; and another award was presented to CTA Architects for its office building which was an old warehouse
- ✓ Work with the Billings Preservation Society

<b>TOPIC #5</b>	<b><i>North Billings Bypass</i></b>
<b>PRESENTER</b>	Scott Walker
<b>NOTES/OUTCOME</b>	

Councilmember Veis reported that the North Billings Bypass project was discussed at the last PCC meeting. He said County Commissioners had decided how they wanted to move forward but he wanted information from Mr. Walker and council discussion to determine where to go next.

Transportation Planner Scott Walker explained that the Department of Transportation wrote a letter to PCC Chair Commissioner Kennedy regarding the high costs associated with the environmental impact statement. He explained that the proposed bypass from the I-94 Interchange, intersecting with Highway 312, intersecting with Highway 87, and then around to Highway 3 was estimated to cost \$160-248 million. He said the transportation plan needed to be financially constrained, which meant that the document had to include projects that could be realistically built in a 20-year time frame. He noted that the City had been able to obtain grants in the past and expected that to continue, but probably not for \$248 million over 20 years.

Mr. Walker reported that the project was in the environmental and location phase to identify routes and related environmental issues. He said a past feasibility study indicated the project was feasible and was scoped as a four-lane road from I-94 to Highway 87 and then a two-lane road from Highway 87 to Highway 3.

Mr. Walker advised that there had been some public outcry from property owners between Highway 87 and Highway 3 that were opposed to that part of the project. He said the EIS could continue to reach a conclusion, or if the project was re-scoped, the process would have to start over. Councilmember Veis asked if it was accurate that the project was stalled because property owners in the western section did not want the project and were not allowing anyone on their property to finish the project. MDT representative Stefan Streeter said that was somewhat

correct, but those issues could be overcome. He said the scope of the project and whether it was realistic was what had stalled the project. Mr. Streeter advised that he asked the Planning Board not to say which way to go or how to go, but he preferred to leave the methodology to the experts. He said if the decision was to fiscally constrain it, the whole document could still be finished.

Councilmember Astle asked about the distance of the project and how long it would take to build a project of that size. Mr. Streeter responded that the bypass was about 12 miles long and two bridges would be needed. He said the original concept was examined to see if it could be fiscally constrained. He advised it would take 24 months or more to finish the environmental document, and then time would be needed for design and funding, so it was a multi-year project.

Councilmember McCall asked how much had already been spent on the current EIS, if it could be transferred if the project was started over, and how much it would cost to do it all again. Mr. Street said about \$3 million had been spent on the current EIS, and if the project was stopped now and started over with a new scope, most of it would transfer, but more money would be required.

Councilmember Ulledalen asked what the City's share would be of the \$248 million because he was concerned about binding a future Council to that financial commitment. Mr. Streeter stated he did not have that answer, but knew it depended on the funding source. He said the best case would be \$0 from the City and the worst case scenario would be 14% match, plus indirect costs. Councilmember Veis asked if it was correct that none of it was in the City limits. Mr. Streeter explained some of it was within the urban limits. Councilmember Veis commented that by the time it went to construction, some of the area could be in the City limits.

Mr. Walker reviewed breaking points. He stated that the Planning Board was concerned about traffic on Main Street and the Heights, but a bypass like that would help that issue. He said the Planning Board would support completion of the current EIS and liked the idea of completing Highway 312 and the intersection with Highway 87, and wanted it to be done quickly rather than starting over. He said it was to the point of getting the Council to react to what was out there.

Councilmember Ulledalen asked about the origin and destination of the truck traffic. Mr. Streeter said he did not have that information with him. Mr. Walker explained that postcard surveys were conducted and most of the traffic came from Canada, through Great Falls, to the I-94 interchange. Councilmember Ulledalen asked what it would cost to bring it closer in, such as near Metra. Mr. Streeter explained that different options were considered, but one of the big catches was that there were limited locations to cross the Yellowstone River. Councilmember Pitman added that some of the study indicated that it would go over 700 or more homes, which was not the intent and would be very costly. He said the I-90 to I-94 to Highway 312 was better because that was where most of the development was occurring. He said he was glad it could be done in phases. Councilmember Clark commented that the Commissioners had told him they wanted the bypass to get the truck traffic away from the Metra. Councilmember Veis advised that the Commissioners expected the bypass would reduce the truck traffic on Main Street.

Councilmember Veis asked what the Council preferred with the project. Councilmembers Pitman and Astle suggested supporting a phased approach. Mr. Streeter advised the Council to select a section it felt should be built without talking about phases that might not be developed later due to environmental issues. Council consensus was a preference to secure a route between I-90/94 and Highway 312.

Councilmember Ulledalen asked about the future of the federal highway trust fund. Mr. Streeter said that was not known.

Councilmember McCall asked about the percentages of the match and the split between local and federal. Mr. Streeter responded that it was impossible to say. He advised that current earmarks were \$22.3 million without a required match, so it depended on the source of the funding.

Mr. Walker provided some background on the Planning Board's consideration of the project. He said it recommended completion of the scope, EIS and feasibility study to leave options. Councilmember Clark asked how much input the City would have into the process. Mr. Walker said the Council would have one of four votes because it was an urban area issue. Mayor Tussing asked if it was theoretically a stand-alone project. Mr. Walker said that was correct. Councilmember Pitman asked if construction of the bypass would encourage completion of the El Camino Real route. Ms. Streeter stated he did not think that would have any impact, but there was no guarantee.

Councilmember Ulledalen said that during a PCC meeting, it was estimated that the project would take 15-25 years to complete and he wondered if that was still an accurate statement. Mr. Streeter advised that it would take at least two years for completion of the EIS and design work could take two to three years for each section.

Councilmember Veis suggested that Mr. Walker provide the Planning Board's language for Council to consider its preference.

Councilmember Ulledalen asked if there were other things in the state that would impact the route. Mr. Streeter advised there had been some funding earmarked for the project, but it was diverted to the Judith Gap road.

<b>TOPIC #6</b>	<b>Construction Time Limits Ordinance</b>
<b>PRESENTER</b>	Candi Beaudry
<b>NOTES/OUTCOME</b>	

Planning and Community Services Manager Candi Beaudry distributed a proposed ordinance to address situations when construction began and then was abandoned. She noted that an existing ordinance applied to cases that posed hazards. Ms. Beaudry explained that the ordinance placed an 18-month construction time limit for completion of the exterior only, with capability of Building Officials to extend the limit up to 12 months for reasonable cause, and violations would be processed as municipal infractions. Councilmember Veis asked what happened if a violation was found. Ms. Beaudry explained that it was a municipal infraction with a \$300 per day fine first, but if multiple violations were found and fines not paid, the facility could be destroyed and then an assessment would be made like any abatement. Councilmember Veis asked what happened when a builder could not pay the fines. Ms. Beaudry advised that most situations were not related to a builder's inability to pay. She said the City could go after a bank if it ended up with the property. Councilmember Pitman asked how the scope of a project could be considered because he thought large projects, like the First Interstate Bank building, took more than 18 months. Ms. Beaudry stated that the issue went through DPARB, which represented builders, and that group was comfortable with 18 months. She pointed out that would have covered Cabelas.

Mayor Tussing asked how big a problem it was. Ms. Beaudry said there had been about six houses in the last five years. She pointed out it applied to the exterior only. Councilmember

Ulledalen asked if that did anything for the burned, boarded-up houses. Ms. Beaudry explained that the ordinance related to hazards applied to those houses. Councilmember Ulledalen asked if that ordinance required the house to be repaired. Ms. Beaudry stated it only applied to houses that were permitted. Councilmember Ulledalen asked if an ordinance could be created that required clean-up after a fire. Ms. Beaudry said the nuisance ordinance could be used. Councilmember Ronquillo advised there were three boarded structures on the south side. Ms. Beaudry stated she had not looked at the ramifications, but the City would have to cover the additional cost of abatement, and would take the chance that it would not be repaid.

Councilmember McCall asked how long the property on Shady Lane had been under construction. Ms. Beaudry responded that it was at least three years, maybe longer.

Councilmember Veis asked if the City could waive fines for someone that took over a property and continued with the construction. Ms. Beaudry said municipal tickets were either paid or the person went to court before the judge. She said if a person took over the property, the judge could be asked to dismiss the fines. Mr. Brooks explained that the cost of the nuisance abatement could be placed as a lien against the property, which could be a means to obtain possession of the property if the liens were not satisfied. He noted that the necessary steps were outlined in the nuisance code. He said past problem had been costs of abatement. Councilmember Ulledalen said the City would have the ability to negotiate with a potential buyer. Ms. Beaudry said some of the houses had been considered for the Neighborhood Stabilization Program.

It was Council consensus to proceed with the process to hold a public hearing and first reading for the ordinance.

<b>TOPIC #7</b>	<b><i>MLCT Attendee Reports</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Ms. Volek reported that staff from Legal, Public Works and Administration provided written reports due to the anticipated length of the work session.

Councilmember Pitman reported that the City was asked to sign a document of support for members of the Montana National Guard and the Reserves. Mayor Tussing suggested incorporating that with the event planned on Veteran's Day. Councilmember Clark stated that the City, as an employer, was required to do most of what was in the document. Councilmember Gaghen added that the Undersecretary of Veterans Affairs attended that session.

Councilmember Pitman advised that he also participated in discussion about wastewater standards. Ms. Volek noted that the item was scheduled for a January, 2010, work session. Councilmember Pitman stated he met Department of Revenue Director Dan Bucks for the first time, and was advised to direct calls about property reappraisal to the Department of Revenue.

Councilmember Clark reported on the meeting about redistricting and the census. He said emphasis was placed on getting an accurate count after almost 15,000 were missed during the last census because it made a big difference in Federal funding. He said communities realized the importance of redistricting. He commented that the networking with councilmembers and mayors was valuable.

Councilmember Gaghen reported that Bill Johnstone, CEO of DA Davidson, spoke at the luncheon. She added that she attended a session on managing fire emergencies, which was interesting because of the major fires during the last year in Bozeman, Great Falls and Miles

City. She noted that the Great Falls fire took 600 million gallons of water to extinguish the tires, while the Miles City fire used 400 million gallons of water. She stated it was good to know that Billings had sufficient infrastructure.

Councilmember Pitman reported that he and Councilmember McCall attended a session that they thought concerned community conversations, but it was a discussion about beginning Council meetings with poetry, dance, etc. Mayor Tussing stated that at the next regular meeting, he would entertain a motion to name a Poet Laureate for City.

Mayor Tussing reported that he attended a Listen to the Experts session where mayors from Great Falls, Shelby and Kalispell discussed the length of public comment at meetings. He said some cities did not put limits on the public comment. He said not allowing each person equal time to comment would be unfair. He suggested discussion about the public comment issue at the upcoming strategic planning meeting. Mayor Tussing referred to an ordinance concerning rules of procedure that required the mayor to maintain decorum.

Mayor Tussing advised that another session referred to the requirement to have a 3% reserve for ARRA projects. Ms. Volek advised that a 10% contingency was normally in place for every project.

Councilmember Ruegamer reported that he attended the Board meeting that included discussion about reapportionment, and the possibility of a committee to attend all meetings to ensure better likelihood of good outcome. He reported that Bill Bronson, a Great Falls Commission member, would be the Third Vice President.

Councilmember Ruegamer reported that Governor Schweitzer told Department of Revenue Director Dan Bucks to find every revenue hole, which could be why Mr. Bucks got so interested in tax increment districts. He suggested coordination with Representative Arntzen who chaired the Education Committee and would overlap that with tax increment districts.

Councilmember Ruegamer advised that the next year's MLCT conference would be held in Butte, and then in Billings the following year. Ms. Volek suggested creating an ad-hoc Council committee within the next year to help plan and budget for the event. Councilmember Ruegamer said small towns look to Billings for examples. He added that the smaller towns wanted Billings to be more active in MMIA. He explained that even though the City's costs were way under, he would like to see some involvement. Ms. Volek reported that Assistant City Administrator Bruce McCandless had been elected president of the MMIA Board. She advised that an evaluation was being done to determine if there were MMIA products the City could utilize.

Ms. Volek advised that Councilmembers Ruegamer, Clark, and Gaghen volunteered to serve on an ad-hoc committee to begin working with the Chamber and Convention and Visitors' Bureau in preparation for the 2011 MLCT conference.

<b>TOPIC #8</b>	<b>Public Access to City Council E-mails</b>
<b>PRESENTER</b>	Brent Brooks
<b>NOTES/OUTCOME</b>	

City Attorney Brent Brooks reviewed changes to the resolution requested by Council during previous discussion. He advised that as far as he knew, Missoula was only other City that provided access to e-mails by posting them on the website after staff review, and School District #2 allowed public access to Board emails. Mr. Brooks stated that posting the emails would reduce staff time spent locating and reviewing e-mails to provide hard copy, even though the

details would require some review, but could be amended at any time. He said he would provide any additional changes, and a public hearing could be scheduled or it could be put on the consent agenda.

Councilmember Veis distributed a list of items that should be in the policy. Councilmember Astle commented that a City email account separated personal and business items and he recommended it. Councilmember Pitman added that the City's system was regularly backed up and the emails would be retained for seven years. Councilmember Veis clarified that the intent was to post the emails that were sent to the entire group, not every email message. Ms. Volek added that if councilmembers wanted any individual email posted, it could be sent to the group address. She noted that the City Clerk would review the messages to ensure HPPA and personnel issues were not violated.

Councilmember Ulledalen stated he was concerned with carry-over if citizens had already established contact with a personal email address. Councilmember Veis responded that he did not think that change had to be made if the personal account had been used for correspondence with constituents for several years, but new councilmembers should be required to use a City email account. Mr. Brooks suggested adding "collectively as group" to the first paragraph for clarification. Councilmember Veis commented that he liked the school district's website and the email display.

Mr. Watterson explained that the school district's site was different from what the City's would be and would have search capabilities through keywords. He said the difference was due to the staff review step of the process rather than allowing emails to be posted directly to the website.

Councilmember Gaghen asked if having a City email account was mandatory or strongly encouraged. Councilmember Veis stated he did not think a councilmember could be prevented from using a personal email address. Councilmember Pitman commented that the document would have to be adjusted as technology advanced.

It was Council consensus to make the proposed changes, and to include the item on the November 9 agenda for a public hearing.

Councilmember Ulledalen stated he did not want to give the impression that something was going on behind the scenes. Councilmember Pitman explained that it would not be a blog, but would be a series of email addresses and titles.

<b>TOPIC #9</b>	<b><i>City Council Electronic Communications &amp; Usage Policy</i></b>
<b>PRESENTER</b>	Brent Brooks
<b>NOTES/OUTCOME</b>	

Mr. Brooks reviewed changes to the policy since the last review by the Council. He pointed out the change to Item 4 regarding exceptions. Councilmember Veis distributed a copy of the policy that included items of concern to him and suggested revisions. He suggested eliminating Item #2 because it was addressed with the email policy. Mr. Brooks agreed with that idea. Councilmember Pitman stated he wanted to make sure that both the method and mode were addressed. He explained that now that the Council agenda was in electronic format, unless each councilmember printed the entire packet, he/she would not have access to supporting documents unless a computer was available during the meeting.

Councilmember Ulledalen asked about reasonable things to cover, such as text messaging for emergency/personal situations. Councilmember Veis stated that he felt the policy was

restrictive given how fast technology was going to change and that future councilmembers could be younger individuals that were frequent users of text messages. Councilmember Pitman suggested including a statement that the policy would be reviewed at least every three years. He noted that the council would self-monitor each other.

Councilmember Veis offered to review the policy further and provide suggested revisions. Councilmember Ronquillo commented that the council needed to govern itself and things had been taken too far and were too restrictive.

Councilmember McCall stated her concern about the length of time to get the policy in place. She said it would be nice to have the ability now to take laptops to the Council meetings to access supporting documents. It was council consensus to use the policy as a six-month interim policy.

Councilmember Veis suggested eliminating Item 2 and establishing a review in six months. Mr. Brooks suggested a resolution, not an ordinance. Ms. Volek advised that the item was on the October 26 agenda. Councilmember Ulledalen suggested adding instant messaging to Item 4. Councilmember Veis stated that during the interim policy period, personal phone calls, instant messages or personal text messages would be included as exceptions to the policy.

<b>TOPIC #10</b>	<b><i>Cell Phone Use While Driving</i></b>
<b>PRESENTER</b>	Brent Brooks
<b>NOTES/OUTCOME</b>	

Mr. Brooks reported that this was the result of an initiative from Councilmember Gaghen. He reviewed the three options developed as: (1) prohibit texting; (2) limit use to hands-free only; (3) a complete ban on cell phone use while driving.

Councilmember Ulledalen asked about enforcement and the burden to the police department that was already understaffed. Mayor Tussing agreed and said it should be a secondary offense. Councilmember Gaghen advised that had received nothing but positive comments about the issue due to the dangers of driving while using cell phones. She referred to other cities that had addressed the issue and noted that Missoula included bicycles. She said something needed to be done to get people's attention. Mayor Tussing stated he looked at the issue like prohibition because everyone would break it. Councilmember Ronquillo spoke about injuries from accidents related to cell phone usage. He noted that MDU required employees to pull over when driving or be fired. Councilmember Pitman stated that no one was opposed to the safety issue, but the community conversations suggested more education, not more regulations. He suggested using School Resource Officers to educate youth about the safety. He added that cell phones were not the only thing that distracted drivers.

Councilmember Ruegamer stated that the City could not avoid passing an ordinance because people would not obey it. He said the ordinance would need to be enforced.

Councilmember Ulledalen said he felt something should be done, but he heard the most complaints about speeding and running red lights. He said it would be difficult to prove cell phone use.

Mr. Brooks explained that with Council concurrence, it would be a civil infraction, but proof of the violation would be needed. He advised that an ordinance could be passed with a limited period of time that allowed review when it expired, or an ad-hoc committee could be appointed.

Councilmember Veis stated he agreed with Councilmember Pitman, and the education could be done in conjunction with other agencies. He added that if it was something that was considered as much a distraction as driving while drunk, the fines and penalties should be the same.

Councilmember Ulledalen suggested consulting with the Police Chief to determine what was practical. He asked if the cell phone records could be obtained through a subpoena if needed for proof. Mr. Brooks advised that those records could be obtained.

Councilmember Astle stated he agreed with the education and did not believe it should be part of Code Court.

Councilmember McCall agreed that something needed to be done. She suggested consideration of a sunset to make it a temporary ordinance that would be evaluated upon the sunset. Mr. Brooks stated that it could also have a delayed effective date, similar to the smoking ban, to allow an educational campaign. Councilmember Gaghen said she agreed with a campaign with other agencies and wanted something in place.

Councilmember Ulledalen explained that a federal ban had been initiated, and asked who enforced a federal regulation. Mr. Brooks explained that it was usually tied with an incentive through federal highway funds.

Councilmember Veis stated he would be supportive of starting a process that engaged the rest of the community to start raising awareness in conjunction with the ordinance. Mayor Tussing stated he would go along with elimination of texting, and making it a secondary offense.

Ms. Volek advised that during her conversation with Police Chief St. John, he indicated the department would enforce the law the same as others, but was uncomfortable with it being a secondary offense because it would be difficult to prove. She suggested discussion with Chief St. John after consultation with affiliated agencies to determine if they were interested.

Councilmember Ulledalen stated he was still concerned with proof. Mr. Brooks explained that usual standards would be used unless a witness saw the person driving while using the phone.

Councilmember Veis suggested representation from a cell phone company on an ad-hoc committee. He added that if a ban was enacted, it had to be on all forms.

Mr. Brooks reported that some cities had enacted distracted driving ordinances that could include other things besides the cell phone usage.

Councilmember Pitman suggested establishing an ad-hoc committee to have conversations with all players; otherwise hours of conversation would be spent on the topic.

Councilmember McCall suggested consideration of some type of survey question to get the public reaction.

Councilmember Gaghen advised she would offer an initiative to form the ad-hoc committee at the next meeting.

#### **Additional Information:**

Councilmember Clark stated that as public testimony procedures were considered, he wanted to consider changing the consent agenda comment time to three minutes instead of one minute so everyone had the same amount of time to comment. Councilmember Ulledalen stated that the reason for agenda review meetings was to review the consent agenda items to avoid separating so many during the regular meeting. He said it came back to the question of whether the Council needed to revise the way it did business. He mentioned that he had advocated

getting rid of work sessions and adding another televised meeting. He said he also thought about having an open mike night once a quarter to discuss any topic. Mr. Brooks said the regulations were stricter for regular meetings than for work sessions. He said the initiative to allow comment after each work session item could be expanded if Council desired. He explained that was Codified and needed to be amended by ordinance. Ms. Volek advised there would be questions of staffing and Channel 7 programming. Mr. Brooks advised he would look at discretion as the ordinance currently existed. Councilmember Veis stated that he felt an initiative was needed to revise the comment periods.

Councilmember Ulledalen referred to Pete Hansen's initiative to make sure each developer could not talk for more than three minutes, or a total of 20 minutes for each side similar to the process in legislative committees. Councilmember McCall stated she like that ideas and added that chairs of legislative committees had the flexibility to set the limits. Mayor Tussing reported that Mr. Hansen complained that staff had unlimited time, and it could be perceived that staff advocated for the developer. Councilmember Clark said all the options needed to be considered. It was consensus to have Mr. Brooks report on the latitude of the chair.

Councilmember Veis reminded Council of the dinner with political leaders from Nepal, at 6 p.m. October 30.

Councilmember Gaghen announced that Bright and Beautiful would present awards at its banquet November 28 at Crown Plaza.

Councilmember Veis suggested having staff compile a list of Council assignments for consideration at a future work session.