

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

## **MONDAY, APRIL 12, 1999**

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, given by Councilmember Michael Deisz.

**ROLL CALL** – Councilmembers present on roll call were: McDermott, Bradley, McDanel, Deisz, Iverson, Kennedy, Johnson, Ohnstad, Elison and Larson.

**MINUTES** – **March 16<sup>th</sup>, March 22<sup>nd</sup>**. The Minutes of both meetings were approved as printed.

**COURTESIES – Administrator's Award**. City Administrator Mark Watson presented the Administrator's Award for Excellence to Barb Butler of the Solid Waste Division. Ms. Butler has been instrumental in establishing the Household Hazardous Waste Program, the Household Compost Program, and securing a grant from the Corp. of Engineers to reclaim the Coulson Park area that was a former landfill.

Mayor Tooley welcomed two Skyview High School students: Shantell Anderson and Stefanie Isorio, to the meeting. He explained that the council is inviting students from the various high schools to participate in local government by attending and observing council meetings.

**PROCLAMATIONS** – Mayor Tooley proclaimed the following:

1. APRIL: Fair Housing Month
2. APRIL 11 – 17: Public Safety Telecommunicator's Week
3. APRIL 11 – 17: Boys and Girls Club Week
4. APRIL: Keep America Beautiful Month
5. MAY 1: Great American Clean Up

**BOARD & COMMISSION REPORTS** -- Councilmember Kennedy said he is the council liaison to the Community Housing Resource Board (CHRB). The board has been nominated by the U.S. Department of Housing and Urban Development (HUD) to receive national recognition as an organization conducting best practices and actions to affirmatively further fair housing.

Councilmember Larson said he was tasked with finding a consultant to work with the council on refining the criteria for a new city administrator. He said he has been in contact with four consulting groups. Two proposals are in hand from two local groups; a third was attempted to be sent via email this evening, but was unreadable. They will be contacted tomorrow for a readable copy of their proposal. Councilmember Larson said he was not sure the fourth group would submit a proposal. It is his intent to distribute these proposals to the council this week and schedule it for discussion at the next agenda meeting. Councilmembers can pick up their copies from the Administrator's Office after

tomorrow and for those who do not pick up their copies, copies will be sent to them in their Friday packet.

Councilmember Larson said he was notified by the Firefighter Union of an Emergency Medical Services convention in San Francisco in May. Several union members are attending the convention. Councilmember Larson suggested that it might be beneficial for a member of the Ambulance Committee to attend the convention on a fact-finding trip. Mayor Tooley said he also received a call from the union about the convention. He noted that he was not available to attend the convention and suggested Councilmember Larson, as Deputy Mayor attend the convention. Councilmember Larson said he can be available to attend, if the council supports his attendance. Mayor Tooley noted that the Firefighter's Union offered to pay the travel expenses of a councilmember to attend. Councilmember Johnson moved to endorse Councilmember Larson's attendance at the conference, seconded by Councilmember Iverson. Councilmember Deisz suggested that the committee should be appointed first before sending anyone anywhere. Mayor Tooley said he would like to "nail down" who the participants on that committee should be at the next agenda meeting. Some suggestions have been submitted. Councilmember Kennedy asked for some input from the City Attorney about the Firefighter Union paying for the travel expenses when the City will be entering into union negotiations with them in the coming weeks. He suggested that there might be a conflict of interest involved. City Attorney Brent Brooks said it would be worthwhile for him to review all state and local statutes to determine if a conflict exists. He said the council should avoid even the appearance of an impropriety, and suggested the council pay for such a trip by other means than funds from the union. He offered to research the issue for the council. City Administrator Mark Watson said if the council wishes to send a councilmember to the convention, it would be appropriate for the City to pay for the travel expenses. "In the future, you will be making the decision of whether or not the City will be getting into the ambulance business. That decision will also include whether or not the fire union will be receiving that contract," he stated.

Councilmember Johnson amended his motion that the travel expenses be paid by the City instead, seconded by Councilmember Iverson. Councilmember Johnson said it is very important for a representative of the City to make every effort possible to learn more about ambulance programs and what is happening in other cities. Councilmember Larson suggested that the motion not be specific to his attendance, just to the attendance by a member of the council. Councilmember Johnson amended his motion to endorse sending a member of the council to the Emergency Medical Services conference in San Francisco in May at City expense, seconded by Councilmember Iverson. On a voice vote, the motion (with amendments) was approved. Councilmember Deisz voted "no".

**ADMINISTRATOR REPORTS - Mark Watson.** Mr. Watson finished the presentation on Administrator Transition that he began in the Committee of the Whole. Refer to the Committee of the Whole Minutes for a summary of the presentation and discussion.

## **CONSENT AGENDA:**

**1. A. Mayor's Appointments:**

(1) **ADA Compliance Committee.** Recommend the following members:

- Michael Deisz, Council representative
- Reg Gibbs, Health/Medical member
- Ardis Olin, Disabled representative
- James Thompson, Business owner
- Warren Webster, Architect/Construction representative

(2) **Staff Liaison.** Recommend Cliff Fillner as Staff Liaison to the ADA Compliance Committee and the ADA Coordinator for the City of Billings.

**B. Bid Awards:**

(1) **1999 Amend Park House: Purchase and Removal.** (Opened 3/19/99). Recommend Paul Siewart, \$600.00.

(2) **Total Organic Carbon Analyzer for Public Utilities Dept.** (Opened 4/6/99). Recommend delaying award to 4/26/99.

(3) **Access Control System Replacement for Billings Logan International Airport.** (Opened 4/6/99). Recommend delaying award to 4/26/99.

**C. Interlocal Agreement** with Yellowstone County for data processing services for the Sheriff's Office, 7/1/99 – 6/30/2000, \$59,563.00.

**D. Amendment #5, W.O. 79-35: Rimrock Road, Phase II.** (Delayed from 3/22/99), MSE-HKM, \$24,750.00.

**E. Change Order #1, Administrative Office Remodel,** Hardy Construction, Inc., +\$797.00.

**F. 1999 Turnkey Agreements:**

- (1) Cobb Field: Billings Mustangs and American Legion Baseball
- (2) Stewart Park: Billings Softball Association
- (3) Poly Vista Park: Billings Softball Association

**G. Professional Services Contract** for labor negotiations with the Firefighters, Steven J. Lehman, \$6,000.

**H. Professional Services Contract** with Network Address, Inc. (NAI) for development of an Information Technology Strategic Plan, \$46,200.00.

**I. Request for Street Closure** from the Crystal Lounge for a Country Western Music Day in the downtown area on May 9.

**J. Acknowledging receipt of petition to vacate** public right-of-way in Industrial Subdivision, 2<sup>nd</sup> filing adjacent to Lot 5, Block 5, originally platted for railroad spur, and setting a public hearing date for 5/10/99.

**K. Confirmation of Police Officers:**

- (1) Michael Gilluly
- (2) Kenneth Tuss
- (3) James Nyquist
- (4) Jamie Schillinger
- (5) Holly Metzger
- (6) Shawn Finnegan

**L. Authorization** to apply for a Certified Local Government (CLG) grant through the State Historic Preservation Office (SHPO) for carrying out historic preservation activities, \$5,500.

**M. Acceptance** of a Community Development Block Grant (CDBG) Flood Grant from the Montana Department of Commerce to address flooding problems in/near Kings Green Subdivision, \$300,000.

**N. Variance** from Section 6-1042 BMCC to allow the City to leave portions of the existing concrete footings and structures in place following demolition of the dangerous roof structures at the Pierce Packing Plant at 21 North 15<sup>th</sup> Street.

**O. Resolution of Intent 99-17444** to create a special improvement maintenance district to maintain the Montana Avenue Streetscape landscaping improvements installed as part of SID 1334, and setting a public hearing date for 5/10/99.

**P. Resolution 99-17443** authorizing the use of Council Contingency funds for legal consultation fees associated with the Arredondo v. City of Billings lawsuit, \$75,000,

**Q. Preliminary Minor Plat** of Bergquist Subdivision, generally located on the north side of Pemberton Lane off Main Street.

**R. Bills and Payroll.**

**LATE ADDITION:**

**S. Resolution 99-17442** authorizing the use of Council Contingency funds for refunding variance #778 application fee to Kale Constitution, \$150.00.

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

Councilmember Deisz separated Items K, M, O, and P. Councilmember McDermott moved for approval of the Consent Agenda EXCEPT Items K, M, O, and P, seconded by Councilmember Larson. On a voice vote, the motion was unanimously approved.

Councilmember McDermott moved for approval of Item K, seconded by Councilmember Johnson. Councilmember Deisz asked why the Council is being asked to confirm these officers and what the ramification is of doing so. City Attorney Brent Brooks said he would have to check whether or not this was a state requirement and essentially the council is confirming that these officers have successfully completed their probationary

term of employment. Councilmember Deisz said his concern centered around the fact that the council does not see their applications or has no knowledge of their official capacity. City Administrator Mark Watson said these officers are recommended for confirmation by the Police Dept. Confirmation is required under state law; this is the only class of employees that the Council is required to confirm. He noted that they have attended the Police Academy, completed field officer training, and observed in their activities, etc. before being recommended for confirmation after their 1-year probationary period. Councilmember Deisz asked Mr. Brooks to get some information to him regarding the ramifications of the Council confirming these officers – under state law. On a voice vote, the motion was unanimously approved.

Councilmember McDermott moved for approval of Item M, seconded by Councilmember Johnson. Councilmember Deisz requested additional information on this grant, asking if the money could be spent on any flood measures and if there were any strings attached. City Administrator Mark Watson said this grant is an allocation through the state CDBG funds. Flooding is now an acceptable activity for grant requests. This funding will be used to do further assessment and actual work on addressing the flooding for the undeveloped area south of the Kings Green Subdivision. On a voice vote, the motion was unanimously approved.

Councilmember McDermott moved for approval of Item O, seconded by Councilmember Larson. Councilmember Deisz asked if there would be a public hearing. City Administrator Mark Watson said a public hearing is scheduled for May 10<sup>th</sup>. On a voice vote, the motion was unanimously approved.

Councilmember McDermott moved for approval of Item P, seconded by Councilmember Larson. Councilmember Deisz said at the last agenda meeting he had requested information on the additional expenditures for this lawsuit and a history and total dollars expended to date, but had not yet received the information. City Attorney Brent Brooks replied that he called the law firm of Sherman and Howard, who has been hired to handle the lawsuit, and requested an accounting of the expenses incurred to date and a summary of the history of the case to date. He said the information should be forthcoming. He reminded the council that it is difficult to separate out the cost for just this individual, because there were originally two other individuals involved in the lawsuit against the City. Councilmember Deisz said he wondered how much longer the City should drag this out and if perhaps a negotiator should be brought in. "It seems like we keep pouring bad money after good and I'm wondering if there is an end in sight," he asked. Mr. Brooks said a previous council decided was to not have this kind of case covered by insurance. He noted the City's current policy excludes the employment relationship with one exception that does not apply to this situation. City Administrator Mark Watson reminded the Council that about three years ago he talked to the Council about a potential settlement on this case. He noted that the dollars were too high at that time. "Although, looking back, we are now expending more than that settlement would have been at that time. At that particular time, there was not support by a majority to even consider a settlement. We had a council that said 'take it all the way to the Supreme Court' without regard to expense, because it's the principal of the thing. I think we had an opportunity about three years ago when we got into the process," he stated. Councilmember Deisz said he would vote for this item this evening, "predicated on the fact that we will get an update on this as soon as possible, that

we will get total dollars expended on this and a history of the case, but second of all, how far do we carry this. I think the Council should have had the information tonight before we vote on this item ... We need to make these decisions before we commit hundreds of thousands of dollars ...," he stated. Councilmember Bradley said he does not have the information to vote for this item. Councilmember Larson said it's difficult to close the door at this time when the City is embroiled in a lawsuit. To try to step it out of it at this time is a bad deal because it would end up with a less than satisfactory resolution for both parties. On a voice vote, the motion was approved. Councilmembers Deisz and Bradley voted "no".

Councilmember McDermott moved to ADD Item S, (the resolution for council contingency money to refund a variance application fee) to the Consent Agenda, seconded by Councilmember Larson. On a voice vote, the motion was approved. Councilmember McDermott moved for approval of Item S, seconded by Councilmember Elison. On a voice vote, the motion was unanimously approved.

## **REGULAR AGENDA:**

**2. PUBLIC HEARING AND SECOND READING ORDINANCE 99-5084**  
establishing a smoke-free environment for all indoor areas of city-owned buildings or other facilities as posted and in all city-owned motor vehicles; establishing exceptions for leased property; amending the BMCC by adding Section 2-402 prohibiting smoking in all city-owned buildings. Staff recommends approval. (Action: approval or disapproval of ordinance on second reading.)

City Administrator Mark Watson said the proposed ordinance includes a proposal for additional language that would allow for exceptions to be made by the City Administrator. Councilmember Deisz asked if the Council would hear about this issue again – if the additional language were adopted as well. Mr. Watson replied the key is that the ordinance established a smoke-free organization in all of the locations within the organization. "There has to be some type of exceptional or extenuating circumstances to warrant an exception. A City Administrator would be very reluctant and cautious about amending this policy for a specific location... However, there should be a process available for the City Administrator to look at situations on a case-by-case basis...", he stated.

The public hearing was opened. KYLE ANN KOYLE OF 2210 PRYOR LANE said she hoped the Council would pass the ordinance. 50% of all cancers can be controlled. She said she's not only worried about the stench, but the health of the citizens of Billings.

ERNIE RANDOLPH OF 1250 KOOTENAI AVENUE said he represents the Billings/Yellowstone County Tobacco Free Coalition. They support the ordinance. If an employee is forced to work in an area that is not smoke free, it presents a potentially litigious situation. He suggested that if the Council wished to make any changes in the language, that they make it even more stringent.

SHERYL REYNOLDS OF 3704 TOMMY ARMOUR CIRCLE said she is concerned about the health choices of private citizens. She said she has seen the bitterness that can result between smokers and non-smokers as they debate their rights. Misinformation from tobacco companies over the past few years had created a "smokescreen" that divides and separates smokers and non-smokers. The result is a non-productive tug-of-war that leaves everyone with a bad taste in our mouths. She urged the Council to work quickly toward a fair resolution of this issue. Smoking is a dangerous choice she said.

There were no other speakers. The public hearing was closed. Councilmember Bradley moved for approval of the ordinance on second reading with the inclusion of the additional language for considering exceptions, seconded by Councilmember Elison. Councilmember Elison said he agrees with the language that allows the City Administrator to make determinations. This is important because there does appear to be the possibility of creating animosity between smokers and non-smokers. "Left up to a City Administrator to determine the precise, rare situations in which a person is allowed to smoke is appropriate, rather than saying it is absolutely forbidden in any space... It is important to at least some avenues or exceptions that can be pursued," he stated. Councilmember McDanel said the language reads: "The City Council recognizes that certain isolated and unique facilities within City government could potentially be exempted...." The words isolated and unique and potentially are the three words that are key to this issue," he stated. On a voice vote, the motion was unanimously approved.

**3. PUBLIC HEARING CONTINUED FROM 12/14/98 ON RESOLUTION 99-17441 ANNEXING (#98-03): a 40-acres parcel in the W2W2SW4 of Section 34, T1N-R25E, located at the northeast corner of Grand Avenue and 38<sup>th</sup> Street West. Hancock Properties, Inc., owner/petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)**

Zoning Coordinator Jeff Bollman said this annexation has been continued since last November. When it came before the Council the first time, there were some concerns about the recently adopted CI-75. The Supreme Court has since struck down CI-75. This petitioned annexation is for an unplatte 40-acre parcel at the northeast corner of Grand Avenue and 38<sup>th</sup> Street West. It is located directly east of the existing Circle Fifty Subdivision. A zone change and subdivision plat are being processed concurrently with this annexation. All action had been delayed along with this annexation due to the CI-75 issue. The zone change will come to the Council on April 26<sup>th</sup>. Staff recommends conditional approval of the annexation. The condition is that a development agreement or a Subdivision Improvements Agreement be signed and filed with the Clerk and Recorder's Office before any building permit is issued, to guarantee that any improvements will be made to this property.

The public hearing was opened. CHARLES HAMWEY OF 1010 GRAND AVENUE said he represents Hancock Properties. They agree with the condition and are ready to proceed with the project. He urged the Council to support the annexation.

There were no other speakers. The public hearing was closed. Councilmember McDanel moved for approval of the resolution, seconded by Councilmember Deisz. On a voice vote, the motion was unanimously approved.

**4. DOWNTOWN PARTNERSHIP PRESENTATION on procedures for selection of a downtown developer. (Action: presentation)**

Dan Berry, newly elected Chairman of the Downtown Parking Advisory Board said he is also a member of the Board of Directors of the Downtown Partnership. The Parking Advisory Board last Fall initiated some discussion with developers from Lacrosse, WI on a multi-use parking facility that included retail, parking and living space. It was a public/private partnership that seemed like a good item to the board, but does present some interesting challenges. The board agreed that the idea should be pursued. The next step would be an RFQ – a Request for Qualifications. A committee was formed, consisting of Finance Director Nathan Tuberger, Bruce McCandless, Charlie Yegen and Mark Burnham, to put together an initial draft of the RFQ. Mr. Berry said the Parking Advisory Board's involvement at this point has been to present the idea and work closely with the Downtown Partnership and all the other parties. Two areas were recommended as areas of the highest demand for parking: (1) the Lincoln Center/Library area and (2) the area of the Courthouse/City Hall/Norwest Bank.

Bruce McCandless of the Downtown Partnership said in 1995 Carl Walker Associates, on behalf of the City conducted a parking study that identified two areas that would be future high-demand areas. Those two areas were the areas identified above by Mr. Berry. The Parking Advisory Board, a city-appointed board is convinced that conditions have changed enough since 1995 and today that there is demand for an additional parking structure. Of the City's four parking structures, 3 of the 4 are leased at 110-120% of capacity. The two private garages are full with leased parking. The Parking Advisory Board receives regular reports from commercial realtors that there is available office space downtown, but it is difficult to lease the space out because they cannot guarantee parking for the tenants of the buildings. The Parking Advisory Board has also determined that it would not be a good idea for the City to commence construction of another parking garage in isolation of the other development and that it makes a lot of sense to combine uses and try to get private dollars invested along with public dollars.

Mr. McCandless said a group of downtown property owners met throughout the winter and came up with a list of several projects they wanted to promote and endorse for Downtown revitalization. Among those projects, their highest priority was the multi-use parking structure. That report was given to the Downtown Billings Partnership and they have endorsed the report as well. He said they also feel it would not be a good idea for the City to pursue an exclusive negotiation with the developer, but authorize the Downtown Billings Partnership to request qualifications from prospective developers, then in conjunction with City Staff and City council representatives, select 1 – 3 potential developers for that project, further refine the concept and proposal with those developers, and finally select the best developer for the project.

He said they think this approach is appropriate because they've only heard from one potential developer for this type of project. He said there are a number of other communities that have developed similar facilities and the City could learn from these entities. There will be several millions of dollars invested in this project if it proceeds and the City is obligated to make sure the community gets the best deal. A competitive

process as they are outlining, is probably the best way to establish that competitive process.

Mr. McCandless said this is the first big project that they are proposing to the Council. "It's important to us that we do it right and do it well and get community support and that it be as open a process as it can be. The RFQ process is the best way to do that," he explained. The draft is just an outline of what they intend to submit to prospective developers. He said they are asking the Council to endorse the concept or the process of requesting qualifications from developers, then narrowing the list and finally getting to the appropriate developer.

He said they felt an RFQ was a more appropriate method because they are quicker, requiring less information from the proposers, doesn't have to be site specific and finally it is a lot less expensive for the developers to prepare than a response to the RFP. An RFP would require a lot more background research on the partnership's part, identification of the specific site and get into the financial feasibility of this kind of project in order to request specific proposals from developers. This involves significant cost.

If the process is approved, the RFQ will be distributed to known developers, contractors, architects, and in trade journals. The urban renewal plan will need to be amended to endorse the project as well.

Councilmember Larson said he is concerned that this project needs to be driven more by private investment than by public investment. The more the project is defined, the narrower the field of candidates of investors becomes. He asked whether or not the housing component will actually be financially feasible and whether or not there will be some flexibility in the project specifics. Mr. McCandless said they would probably say that housing is a requirement because it is essential to the effective revitalization of the downtown. He added that it may not need to be a part of this project however and the Partnership will be flexible enough to make the decision down the line, if shown by the developers that it simply is not feasible.

Councilmember Bradley asked if an RFP would follow the RFQ. Mr. McCandless said it would not. After the RFQ, discussion, negotiation and further refinement of the proposals with up to three developers would occur. Councilmember Bradley asked how the project would be financed. Mr. McCandless said it would be a combination of public/private funding. The Lacrosse development was a \$13.2 Million development; about \$9 Million came from the public sector principally for the construction of the parking garage, but also a subsidy for the privately owned portion of the project, which will be repaid over time in the form of property taxes on the privately owned portion of the project. The developers put about \$4 Million in equity and debt into the project. A similar blending of public and private dollars is proposed for this project as well. Councilmember Bradley asked how much of the private financing was equity. Mr. McCandless replied about \$800,000. Mr. McCandless replied that the City retained ownership of the land and the parking structure.

Councilmember Elison said he didn't have any problem examining the possibility of such a project and seeing where it leads the City. "But if I were presented right now with a proposal to build a parking garage at a fraction of that, at several million dollars, that would not fall at the highest priority in the City budget right now. I'm all in favor of pursuing the concept. I'm totally opposed to you saying the City is going to commit to build a parking

structure in downtown at this point," he stated. Mr. McCandless reminded the council that three out of the four City parking garages have been built out of tax increment funds. The Tax Increment District has a remaining life of about eight years. There currently is an excess amount of tax increment dollars being generated annually and it is going to downtown development projects. The parking fund has accumulated several million dollars of balance in it over the past few years in anticipation of construction of additional garage in the downtown.

Councilmember Deisz asked who developed the RFQ. Mr. McCandless said he and Mr. Tubergen were the principle parties as well as the committee Mr. Berry referenced above. Councilmember Deisz asked if the business owners of the downtown development group have seen it and signed off on it. Mr. McCandless said it was presented to the Downtown Billings Partnership, which has representation of the property owners on it. It was endorsed at their meeting last Friday. The downtown property advisory board is in a state of flux right now, in the process of creating a new, expanded board, and as a result they have not "signed off" on the RFQ at this point. Councilmember Deisz said the only way something like this project could move forward is if the downtown property owners had a stake in it and bought into it. "I would like to be reluctant to give you a go ahead tonight on any kind of RFQ that they have not looked at and have not signed onto. My second concern is – are you asking us to sign up on this entirely tonight or you will bring us a final RFQ in the future?" Mr. McCandless said they are asking the council to endorse only the process. The final RFQ will closely follow the outline presented in the draft, but contain supplemental information. Councilmember Deisz said his last concern was about the City funding a portion of the project and retaining ownership of the land. "My big problem with that is that the tax increment district was formed to put property taxes on the rolls. If we maintain ownership of the land, then we won't get any taxes off of it. If we are going to go forward with this, we need to be looking at how it is going to put money back into the City and into the Tax Increment District," he stated.

Mr. Tubergen said the proposal would be such that the City owned the property and the structure, "but the people that owned the housing and the retail would be taxed on that portion." Councilmember Larson cautioned the council to "not beat up the RFQ tonight. What we have are a group of folks who are trying to work with a concept. It is in a very fragile form right now. They are not here tonight to present to us a recommendation that we spend \$9 or \$6 Million dollars. But they are saying they want to go out and using this format and see if anyone will talk to us about a project like this... We are not obligating ourselves to anything except saying roughly that the concept could work here if the developer comes in and is able to do that," he stated. He noted he would object to an exclusive relationship with the Lacrosse developer, which is what they requested.

Mayor Tooley said he was in favor of the process and would like to move forward with it. Councilmember McDanel said he sees this as an opportunity for the Council to gain a lot of experience and described the process as "embryonic" at this stage, with nothing to do but grow. He suggested the council is investing very little right now, other than a commitment to come back and discuss it again in the future.

Councilmember McDermott said the City is fast approaching a situation where another garage needs to be considered. She noted she has gotten many comments from people who work and shop downtown that more parking is necessary. "This is a perfect

opportunity to see what we can add on to a parking garage, rather than just go out and built another garage," she said.

Mary Westwood said she is a member of the Downtown Partnership and the property owner's advisory board. She said they are very interested in this process and are meeting tomorrow. The property owners advisory board existed as the first entity for property owners and has decided to "resign" in favor of the ad hoc property owners committee, who has been more active. They will be providing feedback on this process as well.

Councilmember Bradley said in closing that the “devil is in the details”. The RFQ process was confirmed by consensus of the Council.

**ADJOURN** – With all business complete, the Mayor adjourned the meeting at 9:10 p.m.

## THE CITY OF BILLINGS:

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

**ATTEST:**

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE City Clerk