

## REGULAR MEETING OF THE BILLINGS CITY COUNCIL

October 11, 2011

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 Thomas Hanel called the meeting to order at 6:30 p.m. and served as the meeting's presiding officer. Councilmember Astle gave the invocation.

**ROLL CALL:** Councilmembers present on roll call were: Ronquillo, Gaghen, Pitman, Cimmino, McFadden, Ruegamer, McCall, Ulledalen, Astle and Clark.

### **MINUTES:**

- September 12, 2011, Councilmember Cimmino referenced the second line on Page 9 and said the 2.9% should read 2.5%. Councilmember Cimmino moved for approval as modified, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.
- September 26, 2011, Councilmember Gaghen asked to clarify one of her statements during the discussion of urban chickens. She referenced when she said she urged a 'thorough' effort on the part of staff and clarified that she felt that staff always gave the greatest effort to be thorough and comprehensive in staff reports. She said her point was that she wanted staff to also look at communities that decided not to allow urban chickens and be comprehensive in that way and asked the City Clerk to modify her statement in the minutes to reflect her clarification. Councilmember Gaghen moved for approval as modified, seconded by Councilmember Ronquillo. On a voice vote, the motion was unanimously approved.

### **COURTESIES:**

- Mayor Hanel thanked Administration and City Staff, City Council, and Vendors for assisting with the Montana League of Cities and Towns Conference held in Billings. Ms. Volek said staff also appreciated City Council's involvement, and most people felt it was a very successful conference that set a landmark for future conferences.
- Mayor Hanel recognized Councilmember Ruegamer for receipt of the Lifetime Service Award issued by the President of the Montana League of Cities and Towns in recognition of his leadership and for establishing a standard of excellence for all those who follow. Councilmember Ruegamer said he really did not think he deserved it but really appreciated it and said he appreciated the Council for its work on the conference.

### **PROCLAMATIONS:**

- Councilmember Ruegamer referenced the \$10,000 from the Council Contingency Fund appropriated to help with purchase of the jackets and the costs associated with the President's Reception at the Montana League of Cities and Towns Conference. He said they received at least \$7,000 in vendor donations, so they

only needed to use approximately \$3,000 of the \$10,000. Councilmember Ruegamer said there were 341 attendees representing 58 of 129 incorporated cities in Montana. He asked Ms. Volek to provide an accounting report in two weeks.

## **ADMINISTRATOR REPORTS - TINA VOLEK**

Ms. Volek commented on the following items.

- Item G – Approval of proposed Yellowstone County/ City of Billings Redistricting and Apportionment Plan establishing new House and Senate Districts. Copy of proposed Redistricting Plan presented and discussed at the September 19<sup>th</sup> work session was in ex parte notebook for public review.
- Item 2 – Permanent Ordinance Defining and Prohibiting Medical Marijuana Storefronts. Due to confusion with agenda item, a public hearing was not advertised. The ordinance anticipated a public hearing, and staff recommended action be postponed until October 24 to allow proper notice of a public hearing. She said reconsideration of the Medical Marijuana Moratorium would also be on the agenda for October 24. Councilmember Ruegamer asked if they had to have a public hearing. Ms. Volek said the ordinance anticipated there would be a public hearing. She said the ordinance could be amended and Council could proceed without one. She said it was an item of significant public interest. Attorney Brooks said the ordinance required a public hearing on first reading, and it needed to be advertised for public notice requirements. Councilmember Ruegamer said for the record they had already heard 40 hours of testimony, and they would hear the same things from the same people.
- Copy of 2012 Budget was distributed to each Councilmember that evening and was also available for public review at the Library Reference Desk and in the City Clerk's Office.

Councilmember Ulledalen moved to postpone Item 2 until the October 24, 2011, meeting, seconded by Councilmember Astle. On a voice vote, the motion was approved 10 to 1. Councilmember Ruegamer voted in opposition.

### **PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: #1 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to one (1) minute.

Please sign up on the clipboard located at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

The public comment period was opened. There were no speakers, and the public comment period was closed.

**1. CONSENT AGENDA**

**A.** Mayor Hanel recommends that Council confirm the following appointments:

|   | <b>Name</b> | <b>Board/Commission</b> | <b>Term</b>   |             |
|---|-------------|-------------------------|---------------|-------------|
|   |             |                         | <b>Begins</b> | <b>Ends</b> |
| 1 | Cheri Milne | Tourism BID Board       | 10/11/11      | 06/30/15    |

1. Unexpired term of Chris Johnson

**B. Bid Awards:**

- 1. Three-Year Maintenance Agreement for Elevator/Escalator Maintenance Services.** (Opened 9/13/11) (Delayed from 9/26/11) Recommend ThyssenKrupp Elevator; \$20,388 for first 12 months, and \$21,586.44 for remaining two years once the new IP-9 elevator is added to the Agreement.
- 2. IP-5 Building Exterior Repainting Project for Billings Logan International Airport.** (Opened 9/27/11) Recommend ACOM Painting; \$33,490.
- 3. W.O. 11-03, 2010 Street Maintenance Program, City Crack Seal.** (Opened 9/27/11) Recommend Harddrives Construction, Inc.; \$133,452.46.
- 4. Private Contract #631, Kings Green Subdivision, Phase IV, Infrastructure Improvements.** (Opened 10/11/11) Recommend delay of award until 10/24/11.

**C. Professional Services Contract for W.O. 11-10, North 25th Street Pedestrian Bridge**, Engineering Design and Construction Administration Services; Morrison-Maierle, Inc.; \$156,500 contingent upon CTEP concurrence.

**D. Approval** of Scheduled Airline Operating Permit with ExpressJet Airlines.

**E. Approval** of Scheduled Airline Operating Permit with Mesaba Aviation, Inc. dba Mesaba Airlines.

**F. Acceptance of Right-of-Way Easement** from Rodney Markegard for construction of sidewalk, curb, and gutter on the southwest corner of Moore Lane and Central Avenue.

**G. Approval** of the proposed Yellowstone County/City of Billings Districting and Apportionment Plan establishing new House and Senate Districts.

**H. Acceptance of Donations** from Cablevision Systems Corporation for \$2,500 and Montana Dakota Utilities Company for \$1,000 for support of the 2011 Montana League of Cities and Towns Conference.

**I. Approval and acceptance** of the Domestic Violence Unit and Victim Witness Assistance Program Grants awarded by the Montana Department of Justice and Board

of Crime Control. Domestic Violence grant award - \$41,606; Victim Witness Assistance grant award - \$30,126.

**J. Resolution of Intent #11-19118** to create SILMD 310, Bench Boulevard Connector, Main to 1,000' East of the Intersection; and set a public hearing date for November 14, 2011.

**K. Second/Final Reading Ordinance #11-5541 expanding Ward I (Annexation #11-02)** for 16.94 acres located at 3128 South Frontage Road and legally described as Tract 1 of Certificate of Survey 1591 and Tract 1 of Certificate of Survey 1596; Knife River, Inc., owner; Land Use Consulting, agent.

**L. Bills and Payroll:**

1. September 2, 2011
2. September 9, 2011
3. September 16, 2011

Councilmember Ronquillo separated Consent Agenda Item C. Councilmember Cimmino separated Consent Agenda Items L1 and L2. Mayor Hanel separated Consent Agenda Item J. Councilmember Ruegamer moved for approval of the Consent Agenda excluding Items C, J, L1 and L2, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

Councilmember Ronquillo referenced Item C and said they would be putting in "a bridge to nowhere" and asked for the total cost. Public Works Director David Mumford said it had not been designed. He said they did not have the bridge yet but the consultants had looked at it and felt it was structurally sound. He said part of the analysis would be to insure it was structurally sound. He said there were eight different scenarios to be reviewed because they needed to get ADA access. Mr. Mumford said at that point they did not know what the total cost would be. He said it was estimated at \$780,000 that included the \$156,600 for the design and construction administration services. Councilmember McFadden asked if the \$156,600 was in line. Mr. Mumford said he felt it was, especially with the required geo-techs. Councilmember Cimmino said she supported the project and asked if a local match had been obtained. Mr. Mumford asked Planning Director Candi Beaudry to respond. Ms. Beaudry advised they had an estimated \$68,886 of remaining GO Bonds going towards the project. She said \$2,500 would be from BikeNet, \$10,000 from the Sample Foundation, and \$7,500 from other private grants and donations. She said the CTEP funding, which was what they were matching, was \$718,614; and they had not yet received final concurrence from MDT but it was on its way. Councilmember McCall moved for approval of Item C, seconded by Councilmember Astle. On a voice vote, the motion was approved 9 to 2. Councilmembers Ronquillo and McFadden voted in opposition.

Councilmember Cimmino referenced Item L1, Invoice #748422, and Item L2, Invoice #748586, and said she would be abstaining from both items due to her employment. Councilmember Pitman moved for approval of Item L1 and Item L2, seconded by Councilmember Astle. On a voice vote, the motion was approved 10 to 0.

Mayor Hanel referenced Item J and said recently a councilmember had requested a report on the numbers, locations, and costs of light maintenance districts. He said for the benefit of the public and the media, NorthWestern Energy managed 117 districts, the City managed 56 districts, and Yellowstone Valley Electric managed one district, for a total of 184. (Note: Not mentioned were 10 combined districts managed together by Northwestern Energy and the City of Billings.) He said the numbers did not include the district proposed on the agenda. He said the City managed 48% of the districts, which was a huge responsibility for the City of Billings and city employees. Mayor Hanel thanked the Public Works and Finance Division for their work on the 56 districts. Mayor Hanel moved for approval of Item J, seconded by Councilmember Gaghen. On a voice vote, the motion was unanimously approved.

## **REGULAR AGENDA:**

**2. PERMANENT ORDINANCE defining medical marijuana "storefront" businesses and prohibiting the operation of medical marijuana storefronts in the City of Billings. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Earlier in the meeting following the City Administrator's Report, Councilmember Ulledalen moved to postpone this item until October 24, seconded by Councilmember Astle. On a voice vote, the motion was approved 10 to 1, with Councilmember Ruegamer voting in opposition.

**3. PUBLIC HEARING AND RESOLUTION #11-19119 assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Planning Director Candi Beaudry advised every year beginning May 1<sup>st</sup> the City implemented the weed ordinance, which required every landowner to maintain their vegetation on their property at a height of 12 inches or lower. She said Code Enforcement staff responded to citizen complaints by notifying the landowner and giving him/her 10 days to remove or cut the vegetation. Ms. Beaudry said staff returned after the 10 days to re-inspect the property and if the weeds had not been cut, the Parks Department was notified, city staff cut the weeds, and the landowner was billed. She said the charges included an hourly rate for the mowers, inspection costs at \$40/hour, a 25% penalty applied against the mowing charges, and a \$25 administrative fee. She said if the bill was not paid, the charges were applied to the landowner's tax statement. Ms. Beaudry showed charts of reported weed violations, compliance percentages, and totals billed and paid for 2008 – 2011. She said they received 1,109 complaints in 2011, and only 121 properties were actually cut by the City, which was a 91% compliance rate.

Mayor Hanel asked Ms. Beaudry if she could provide an estimate of the cost on the taxpayers for staff time. Ms. Beaudry said it was significant. She said the weed season was from May 1 to September 30 and a good half of each code enforcement officer's time was taken up in weed enforcement. She said almost all of the half-time code enforcement clerk's time was taken up by weed enforcement, as well as a good portion of Nicole Cromwell's time and her time.

Councilmember Pitman asked if they were recouping the costs. Ms. Beaudry said they were recouping most of them due to the 91% compliance rate. She said of the 121

landowners billed; only 60 had paid. She said the others would be assessed, and there was no additional penalty for being assessed. Councilmember Astle commented that even though people complied after being noticed, it still cost the City money.

The public hearing was opened.

- **Carol Mick, 2902 Ramada Drive, Billings, MT**, said her complaint was not against weed control at all. She said when she received the letter, she tried to respond and talk to people. She said one thing that was not taken into consideration was that the City had the area torn up, and it was not easily accessible. Ms. Mick said she wanted to use Round-up, mow and weed whack but ran into some problems. She said she let the City know she was getting a new tool to help cut the weeds. She said she had a neighbor that had it in for her and wanted her out of the neighborhood. Ms. Mick said she was a good citizen who had lived in Billings since 1952, and she had volunteered a lot to make Billings a better town.

Councilmember McCall said she had communicated several times with Ms. Mick, and she had followed up with Ms. Beaudry and Code Enforcement. She said she believed Code Enforcement had done what they needed to do. She said she asked Ms. Beaudry to call Ms. Mick, which she did and left a message. Councilmember McCall commented that Ms. Mick had been an advocate on many important city issues, but after looking at the situation, she believed that Code Enforcement followed through and tried to communicate with Ms. Mick. Ms. Mick said the bottom line was if \$121 came out of her budget, it would cause financial havoc with her. Councilmember McCall suggested dealing with Ms. Mick's issue separately if there were still questions at the time of the motion.

Councilmember Astle asked if this was the first time Ms. Mick had received a complaint notice. Ms. Mick said it was the first complaint on that issue, but Code Enforcement had come out before with regards to her landscaping project. She said her landscaping project had taken at least three years and she wanted to talk to someone face-to-face to help them understand what she was trying to do.

Mayor Hanel asked if there were dates when the project on Rimrock Road started and when the complaint came in on the weeds. Ms. Beaudry said they had all that information. She said Ms. Mick's property was inspected on July 14; she was notified on July 25; and Code Enforcement re-inspected on August 9 and found the weeds had not been cut. Ms. Beaudry said she had spoken with Ms. Mick and told her she could not waive the charges because staff had followed the correct procedures, but offered to set up a payment schedule for Ms. Mick at a minimum of \$25 a month. Mayor Hanel asked if there was any conflict with the work being done on Rimrock Road. Ms. Beaudry said there was not.

- **Diane Welhaven, 2726 Wood Drive, Billings, MT**, said she and Ms. Mick were acquainted through church. She said Knife River had created havoc on Rimrock Road. She said Ms. Mick was a veteran who had served her country yet she could find no one to help her, and she did not have the resources to pay the assessment. Ms. Welhaven said a group from the Mayflower Congregational

Church would help Ms. Mick and asked if there was a way to get volunteers to help Ms. Mick complete her project.

- **Joe White, Billings, MT**, said he had not seen the list of landowners who were assessed, but enforcement was terrible. He said the area between MetraPark and downtown had many properties with overgrown weeds that had not been cut.

There were no other speakers, and the public hearing was closed.

Councilmember McCall asked what the deadline was for the assessments.

Finance Director Pat Weber advised the assessments needed to be to the Treasurer's Office on October 14. Mr. Weber said his suggestion would be to approve the resolution as is that evening, and after working with Ms. Mick, the tax specialist would be able to adjust it, if necessary. Councilmember McCall moved for approval of Item 3 and asked staff to work with Ms. Mick on any items that needed to be resolved, seconded by Councilmember Clark. On a voice vote, the motion was unanimously approved.

**4. PUBLIC HEARING AND RESOLUTION #11-19120 granting a tax abatement to Golini Real Estate, LLC, DBA All American Pharmaceuticals, for building expansion at 2376 Main Street. Staff recommends approval. (Action: approval or disapproval of staff recommendation)** Assistant City Administrator Bruce

McCandless explained that the Tax Incentive Program was for industrial construction or expansion; remodel, reconstruction or expansion of existing buildings; and remodel, reconstruction or expansion of abandoned commercial buildings. He said the current application was for a 33,000 square foot addition to the property at 2376 Main Street at a value of \$2 million. Mr. McCandless advised the owner planned to hire five to 15 new employees within two years. He said the abatement itself was 100% of the added value for the construction period plus the four additional years; and at the conclusion of that period, 100% of the value would go back onto the tax roll. Mr. McCandless said for city taxes, the estimated abatement would be \$7,720/year, which could be a little high because the Department of Revenue consistently undervalued property. He said the additional assessments for storm, street maintenance, arterial construction, etc. would continue and were not included in the property tax abatement. Mr. McCandless showed photographs of the existing building and the addition.

The public hearing was opened.

- **Jim Paul, Director of Plant Operations for All American Pharmaceuticals**, said All American Pharmaceuticals continued to grow as a company and offer jobs and careers to individuals in the community. He said they were adding on to the existing building and planned to employ 12 people in the warehouse at between \$9.50 and \$11 per hour to start. He said the building was scheduled to be done November 15, and they were paving that day.

Councilmember Ruegamer asked if they were currently using the entire old K-Mart building and just adding on. Mr. Paul said in 2007 they took possession of the K-Mart building and had filled the entire building.

Councilmember Ruegamer asked how many people they currently employed. Mr. Paul said they currently employed 85 people.

Councilmember Ulledalen asked if they had any more room to expand. Mr. Paul said they did not. He said if they outgrew the warehouse, they planned to expand from the front of the building.

Councilmember Gaghen said they needed to celebrate what had turned out to be a great success that had come more quickly than many had thought it would. She said because they did not just provide locally, it put Billings on the map. Mr. Paul said they shipped worldwide.

There were no other speakers, and the public hearing was closed.

Councilmember Cimmino moved for adoption of the resolution granting the tax abatement, along with the city resolution for All American Pharmaceuticals, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

**5. PUBLIC HEARING AND FIRST READING ORDINANCE adopting proposed amendments to the City of Billings Subdivision Regulations, Article 23, BMCC, in accordance with State law. Planning Board recommends approval. (Action: approval or disapproval of Planning Board recommendation.)**

Planner II Juliet Spalding advised the proposed amendments were based on legislative changes affecting the Montana Subdivision and Platting Act. She said after the legislative session closed in April staff drafted the amendments in June and July, sent them to the development community for comments in August, and presented them to the Planning Board for review, public hearing, and recommendations in September. Ms. Spalding said the amendments were presented at a work session on October 3 and were being presented for public hearing and first reading that evening. She said if approved on first reading, the second reading would be held on October 24 and if approved on second reading, the amendments would become effective on November 24. Ms. Spalding advised the following six House and Senate bills influenced the amendments.

**2011 Legislative Bills**

- House Bill 460 – Redefines Townhouses
- Senate Bill 298 – Addresses Wildland Urban Interface as review criteria
- House Bill 522 – Allows extension of preliminary plat approval
- House Bill 403 – Allows another option for permanently protecting open space

**2009 Legislative Bills**

- Senate Bill 305 – Adds 80 working-day preliminary plat review for 50+ lots
- House Bill 486 – Numerous minor procedural amendments

Ms. Spalding said the Fire Department had requested a minor amendment, per International Fire Code, in relation to their firefighting needs in the Fire Protection Requirements, Section 413. She said the Fire Department wanted it added that fire apparatus access roads, as well as water supply, were required for protection.

Ms. Spalding advised that the Planning Board held a public hearing on September 27 and was recommending approval of the proposed amendments.

Councilmember Clark asked if there were any changes since the presentation at the work session. Ms. Spalding advised there were no changes, and it was verbatim of what had been presented at the work session.

The public hearing was opened. There were no speakers, and the public hearing was closed.

Councilmember Cimmino moved to approve the proposed amendments to the City Subdivision Regulations, as submitted, seconded by Councilmember Ronquillo. On a voice vote, the motion was unanimously approved.

**6. PUBLIC HEARING AND FIRST READING ORDINANCE expanding the boundaries of Ward II to include recently annexed property in Annexation #11-03: 14.87 acres legally described as Tract 2D of C/S 2776, Amended, and generally located west of Highway 87 and north of the existing commercial development that includes American Pharmaceuticals in the Billings Heights; Wayne Laufer, petitioner. Staff recommends conditional approval. (Action: approval or disapproval of staff recommendation.)** City Administrator Volek advised staff had no presentation but was available for questions.

The public hearing was opened. There were no speakers, and the public hearing was closed.

Councilmember Pitman moved for approval, seconded by Councilmember Cimmino. On a voice vote, the motion was unanimously approved.

**7. PUBLIC HEARING AND RESOLUTION #11-19121 authorizing energy efficiency improvements at the Billings Logan International Airport and at certain city-owned parking garages and approving the Energy Performance Contract with McKinstry Essention, Inc. and Lease-Purchase Agreement with U.S. Bank Equipment Finance, Inc.; Estimated Airport improvements - \$1,399,068. Estimated parking garage improvements - \$578,311. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

City Administrator Volek said approximately three years ago City Council authorized staff to become involved in a state-created program allowing for energy reviews of city property and the financing of an energy performance contract. She said that evening a public hearing would be held on the results of the energy performance audit conducted under contract with McKinstry. She said the entire cost of the project in terms of the review was paid for by American Recovery and Reinvestment Act funds, so there was no cost to the City. She said they discovered there were many other projects in the City that could benefit from energy efficiency but there were limits on how much could be borrowed due to existing demands on the General Fund, so those projects could not be addressed at this time; but staff had a list of those projects and would continue to try to work on them as funds became available. Ms. Volek said they were successful in identifying a series of projects in two Enterprise Funds – the Airport and the Parking Garages. She said they would be doing lighting upgrades in three of the four parking garages for a total of \$578,311. She said in the first three years the city would achieve a savings of \$151,988 to offset the investment in making the improvements. She said the bonds in both

projects were 15-year bonds being financed through U.S. Bank Corp. Ms. Volek said at the airport there would be lighting upgrades, systems commissioning and balancing, and digital control systems for total project cost of \$1.3 million, with an expected savings over the first three years of \$307,188. Ms. Volek advised staff was recommending that City Council authorize the lease purchase agreement with U.S. Bank Corp. and the ongoing engineering and installation of the projects.

The public hearing was opened. There were no speakers, and the public hearing was closed.

Mayor Hanel asked the representatives from McKinstry who were in attendance to stand and introduce themselves.

- **Tim Tollman** said he was the Business Manager for McKinstry in the state of Montana. He said it had been a long project but they were finally to the point where they would really get some work done. Mr. Tollman said it was important to know the project would create about 30 good-paying jobs for local contractors. He said everyone they used would be local.
- **Jeff Davis** said he was Project Director for McKinstry out of their Bozeman office.

Councilmember Gaghen said it was such a great project with the projected savings over the years. She said it set Billings apart as leading the way, and she was gratified they had the opportunity to be part of the project. She said she heartily endorsed it.

Councilmember Clark asked if there was an estimate as to when total payout would be. Ms. Volek advised it would pay for itself within 15 years. She said they looked at lengthier projects, and there were decisions made that those were projects that could not be recommended at this time.

Mr. Tollman with McKinstry added Phase I of the project would pay for itself in 15 years. He said it was a good project with good benefits. He said they had identified another \$2 million that they could do in other buildings in the future. He said the debt service would be paid by the energy savings.

Councilmember Astle moved for approval, seconded by Councilmember Gaghen. Councilmember McFadden said he appreciated the fact that local people would be doing the work. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT** on Non-Agenda Items -- Speaker Sign-in required. (*Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign up on the clipboard located at the podium.*)

The public comment period was opened.

- **Joe White, Billings, MT**, commented on reports in the newspaper regarding a new federal building being proposed at the Aldrich Lumber location. He said he was concerned about land stability and air control. He said it would be an unlivable building. He mentioned the Veteran's Home (inaudible). He said action

was taken to appoint Candi Beaudry as administrator and asked what the timeline was to look for an assistant.

- **MacKensey O'Hara, 37<sup>th</sup> Street West**, said she was one of several members of the Montana Conservation Corp in the audience. She said part of their service was to attend a public meeting. Ms. O'Hara said they made up three different crews, and they had been in the Sawtooth Mountains in Idaho, the Shoshone National Forest in Wyoming, on BLM Land near Havre, and they were getting ready to start helping low income residents with housing winterization in Billings. Each one of the members introduced themselves and gave his/her hometown. There were representatives from California, Rhode Island, Virginia, Washington, New York, Kentucky, and Massachusetts. Councilmember Ruegamer thanked the members and said they were a good example to young people everywhere.

There were no other speakers, and the public comment period was closed.

## **COUNCIL INITIATIVES**

- **Hanel**: Moved to have the proceeds from the 5K Run on the Rims during the Montana League of Cities and Town Conference be moved to go towards the Swords Rimrock Trail Fund and placed on the next consent agenda, seconded by Councilmember McCall. On a voice vote, the motion was unanimously approved.
- **McCall**: Said regarding the recent changes made to parking and parking meters, she had spoken with the manager at the Log Cabin Bakery on Montana Avenue who said they were told that the area would not be monitored in terms of the length of time for parking. She said it had been 2-hour, but the recent changes had made a huge impact on their customers because the same cars were parked there all day long. City Administrator Volek said staff would check into it. Councilmember McCall said it was the area from 26<sup>th</sup> going east.
- **McCall**: Referenced the Community Conversations scheduled for October 25, 26, and 27. She said they would be at Fuddruckers in the Heights on October 25, at Faith Evangelical Church on October 26, and the Community Center downtown on October 27. She said Mary Hernandez, the interim director for Leadership Montana, would be facilitating two of the meetings, and they would be training a couple of others in Leadership Montana to take on the role. Councilmember McCall asked for an update on the topics. City Administrator Volek said the first topic would be urban chickens. She said a second item was the redistricting approved that evening. She said the third item had to do with the new anticipated wastewater fee. Ms. Volek said they had looked at priority based budgeting and the boarded up housing ordinance for spring.
- **Ruegamer**: Asked about city flu shots. Ms. Volek advised they were given at the health fairs the past week. She said there were also notices sent out that there were events scheduled throughout buildings in the city that would include flu shots. Councilmember Ruegamer said he also still needed the report on Boards and Commissions vacancies and said the other councilmembers should receive it, as well.

- **Ruegamer:** Moved to have staff give a brief presentation at a work session on the status of the green yard waste recycling containers, seconded by Councilmember Ronquillo. On a voice vote, the motion was unanimously approved.
- **Ronquillo:** Moved to have staff write a thank you letter to be signed by the councilmembers to the eight major sponsors to show how much they appreciated the Blues Fest held in South Park, seconded by Councilmember Gaghen. On a voice vote, the motion was unanimously approved.
- **Ronquillo:** Said last September 10 a fire occurred in a 3-car garage and two upstairs storage bins at 309-1/2 South 28<sup>th</sup> Street, and the building needed to be condemned and torn down. He said kids from a nearby apartment house were jumping off and falling through the roof, and it was amazing there had been no accidents. Ms. Volek advised staff would look into it.
- **Gaghen:** Said she was contacted by a former employee of the YMCA because there used to be diagonal parking on the east side of the YMCA on North 33<sup>rd</sup> between 4<sup>th</sup> and 5<sup>th</sup> Avenues North that had gone away. She said the YMCA was constrained not having it, there was confusion as to how it occurred, and hope that it could be looked at and possibly reinstated. Councilmember Gaghen asked staff to look into it.
- **Astle:** Said Moore Lane was being paved that day. He mentioned the weeds at the Broadwater Army Reserve had been mowed very quickly after they were sent a letter from Code Enforcement.
- **Ulledalen:** Said he received a call from a member of the School Board, and they were exploring moving their meetings to Tuesday night instead of Monday night. He said they would like a letter of support from the Council suggesting it was a good idea. Mayor Hanel advised he would follow up on it.

There was no further business, and the meeting adjourned at 8:07 p.m.

CITY OF BILLINGS



BY: Thomas W. Hanel, Mayor  
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk