

# City Council Work Session

5:30 PM  
Council Chambers  
March 19, 2012

## ATTENDANCE:

Mayor/Council (please check)  Hanel,  Ronquillo,  Cromley,  Cimmino,  Pitman,  McFadden,  Bird,  Ulledalen,  McCall,  Astle,  Crouch.

Mayor introduces Bill Mercer and Zach Wald, scout leaders for scouts that are working on citizenship and community merit badges. Scouts introduce themselves. McFadden and Bird – cub scouts event this weekend.

ADJOURN TIME: 9:05 p.m.

## Agenda

<b>TOPIC #1</b>	<b>Human Relations Commission Annual Report</b>
<b>PRESENTER</b>	Ian Elliot and Kelli Bartholomew
<b>NOTES/OUTCOME</b>	

- Members introduce themselves. Handout distributed to Councilmembers. Ian Elliot and Kelli Bartholomew make the presentation. 2011 accomplishments and 2012 strategic plan were discussed. Major initiative is to better market the Commission and its objectives. Reviewed the FY2012 budget request.
- McCall: good impact on the community. Council contingency could be used to support budget request.
- Astle: don't necessarily like the form to report hate crimes; should be reported as a major crime. Should be a high priority crime for reporting and prosecution.
- Bird: city becoming more diverse and if we're going to grow, need to support all. Is contingency account a rollover?
- Tina: will get the dollar amount appropriated and still available this FY and explained how to appropriate the funds.
- Cimmino: HRC is an advisory commission to the city; could it also be a 501c corporation so that it can apply for grant funds.
- Brooks: would have to amend the ordinance and maybe the charter because all boards are advisory to the Council only.
- Ulledalen: probably don't need 501 status to accept donations – donations are tax exempt because city is exempt.
- Brooks: statute also allows donations and it requires city to spend the money as earmarked by the donor.
- McCall: value is that the Commission is an extension of the City.
- Crouch: are there funds available for additional diversity signs?
- Ian Elliot: yes, have the funds for more signs.
- McFadden: would the city copying documents help you?
- Gwen Kircher: would prefer to have a print shop prepare them.

- Public comments: none

TOPIC #2	<b>Park Maintenance District</b>
PRESENTER	Mike Whitaker
NOTES/OUTCOME	

- Mike Whitaker: Council asked for a timeline for improvements; staff came up with two (2) possible timelines. Option A completes most of the improvements in time for the 2013 season and Option B completes them by the 2014 season. Option A requires that Council approve assessments on June 11 and General Fund loan for design work for the large deferred maintenance projects. Option B requires Council approval of assessments in September, no loans from the General Fund, but projects wouldn't be done until 2014. Ongoing maintenance for both options begins in December 2012 as that's when the City will receive the first assessments.
- Tina: clarifies the prioritization process. Return them by Wednesday, March 28 and staff will report to Council at the April 2 work session.
- Astle: scoring information is confusing.
- Tina and Mike: explains the raw scores and the ranking of the improvements and projects.
- Hanel: questions the schedule for Option A projects.
- Tina: explains why the assessments must be made in June, 2012.
- Bird: can community conversations occur earlier to talk exclusively about the park district?
- Ulledalen: think we can still have the community conversations in June because work won't occur until later. Like Option A, it allows us to move forward. Based on past participation, we shouldn't delay Option A for the community conversations.
- Cimmino: when are the community conversations? Why not have the conversations earlier?
- Tina: June 6, 7 and 8. Council previously indicated it wants to talk about priority based budgeting and citizen survey and those won't be available until mid May.
- Astle: the City isn't adding any parkland soon, so what work are the proposed personnel going to do? Why not contract the work instead of staffing? Already have an arborist? Against hiring more people, just contract the work.
- Mike: over 8,500 trees in parks and haven't been maintaining them well. PMDs take 3.75 FTEs, so additional person will help make up for that loss. No arborist, just hired a forester.
- Tina: explains history of the forester position. Capital projects will be done by contractors.
- Mike: deferred maintenance projects are capital, additional personnel requested in order to keep the deferrals from happening again in the future. Explains the dollar split between projects and maintenance.
- McCall: tend to agree that personnel should be added.
- Hanel: where are we on selling undeveloped parkland? Need to be making progress on this. Rush Park maintenance district includes commercial properties, but only some and not all in the area; why?
- Mark Jarvis: subcommittee has met three (3) times, have a list of properties to bring to Council as a first step, working on a larger list that will take longer to analyze. Have two (2) parcels nearly ready to go. Think that the commercial properties that were developed

when the district was created are in the district and are paying, but more recently built ones were never added. They need to be added to the district and start paying along with others.

- Ulledalen: park staff mows undeveloped parks; sell some of them to relieve that work that could be committed to the developed parks.
- Jarvis: minimal maintenance being done on those parks – mowing about three (3) times/year.
- Cimmino: another work session on April 2 on this topic? When will we talk about the 38 PMDs?
- Tina: if the Council agrees to this schedule, we are ready to talk about them tonight. Looked at three (3) options, as explained in the email sent to Council late this afternoon. (Email attached)
- Ulledalen and Astle: talked about PMD assessments and the water rate increases.
- Tina: we cannot form new districts, so staff discussed the implications of terminating existing ones.
- Cromley: discussion about who pays now and who will be paying in the future.
- Ulledalen: discussion of subdivision improvements and agreements between developers and cities.
- Tina: DPARB formed a subcommittee to work on it and homebuilders sent proposed legislation.
- Bird: new law doesn't allow new districts? Need to look at our code and consider what we could do with it instead of state law? Term "sunsetting" is confusing in regard to the citywide district; may not be the correct term because the district can't automatically sunset. Council would have to leave district in place and assess \$0 or to go through a process to terminate the district?
- Tina: law doesn't address creating new districts. Correct that "sunset" isn't an exact term.
- Brooks: park donation requirement is state law and city can't modify it.
- Tina: past city practice was to accept land for parks that we wouldn't accept now.
- Bird: have been told that previous Councils didn't want to address park funding shortage, took guts for last Council to approve the citywide district, adding personnel isn't ever popular but city can't ever let the parks deteriorate to where they are now.
- Ulledalen: PMDs and undeveloped parks. County parks annexed to the city without any provision for improving or maintaining them.
- Tina: restates the prioritization process and timeframe for returning scores to staff. Reviews schedule for improvements. Council park tours could occur on Monday, April 30.
- Hanel: caution about having to pay overtime if Council takes these tours after-hours.
- Public comments:
- David Carter, 1829 S. Mariposa: support Park Department work and support option 3, retiring PMDs over time makes sense. Sell the unused parkland. Need to reassess what we want as city parks. Parks are infrastructure, just like roads and bridges. More Council courage needed in dealing with PMDs and for even more funding for parks. Support quality over quantity in parks. Ranking process is shortsighted; deals only for a short period of time, not the long term. Want the Council to deal with long view. Council should consider ranking or tiering the parks and spend most money on the high-ranking ones.
- Rick DeVore, 2614 Park Ridge Lane N.: park board member and park maintenance district chair committee. We are trying to determine how to staff the committee. This will take a

lot of time and energy regarding the PMD. Would like to present a plan to the council to how we will handle the park maintenance district. A lot of issues and a lot of cost is involved. We want an informed decision; therefore need to gather as much detailed information as we can.

- Frank Ewalt, 2131 Phoebe Drive: park districts being talked about now weren't discussed when citywide district was discussed. \$2 million cap was discussed and if PMDs are included, assessments will have to be increased by three quarters of a million dollars. Hiring more people isn't needed because parkland isn't increasing. Don't understand how city can sell subdivision parks.
- Brooks: if there are deed restrictions, Subdivision Improvement Agreements, etc., they may control sale of the land. If there aren't, 22-900 of City code allows city to dispose of city owned property.
- Ulledalen: you said that people asked for these subdivision parks, but not true often times. Developer agreed with city to build and maintain the parks, homeowners didn't have any ability to change the contract and not build the park.

TOPIC #3	<b>Street Closure Approvals</b>
PRESENTER	Dave Mumford
NOTES/OUTCOME	

- Dave Mumford: trying to make simpler process for event sponsors and Council. Presentation covers the current code and process; problems with present process; proposed new process; promises code changes as needed to comply with the new process. New process emphasizes that appeals would come to the Council.
- Hanel: was this your idea?
- Dave: staff idea.
- Cimmino: good to streamline the process; like the proposal. Also like to increase the fees.
- Dave: should scale the fee to the size of the event.
- Tina: it's in the city code, so if Council agrees by consensus, staff will start doing it this way.
- Ronquillo: possibility that events will be denied by staff, so Council needs notice of those as well as approved ones.
- Dave: City Administrator could provide that when Public Works recommends denial. Probably won't happen since staff and applicants work to resolve the problems.
- Cimmino: Council should act on the proposal and increase the fees.
- Dave: clarify that staff wants to proceed with this process due to the season, but will review code for any needed changes and for fee changes.
- Bird: when considering fee increase, should let the event sponsors know about it soon and allow their input to the recommendation and decision. Can't discourage events.
- Tina: suggest that present fee apply for this season but could work with sponsors in the fall to come up with a proposal before next season.
- Ulledalen: concerns about alcohol service on public rights of way.
- Dave: Legal and Police review and account for it.
- Public comments: none

TOPIC #4	<b>Priority Based Budgeting Results Definitions</b>
PRESENTER	Tina Volek
NOTES/OUTCOME	

- Tina: file sent to Council and handout tonight. Priority Based Budgeting Center expects overlapping results definitions. Review them individually with you and ask you to add, delete or change.
- Hanel: some duplication within the goal. Think there only need to be two (2) definitions on the “safe community” result. Also should rank the definitions.
- Cimmino: need all responses tonight?
- Tina: tonight or soon. Already delayed and could go late in May for results if we don’t proceed soon.
- Ulledalen: if consultant is OK with this, Council should move out of the way and let staff do their work. Trying to stay positive but at some point need dollars and cents.
- Tina: that will happen in the final step of the process. Priorities with dollars attached.
- McCall: should let the staff go to work on this.
- Hanel: staff will feel more comfortable with their work knowing that Council endorses these goals and definitions.
- Ulledalen: economic development result: citizen survey said there is an expectation that city works on economic development but we don’t have a budget for it and its outside what the Charter specifies. We don’t have a mechanism to connect what people expect with what we can deliver.
- Bird: dissonance between Charter and public expectations; maybe we need to correct that. Are we going to pit people against each other? There are questions about funding sources and how those get prioritized or compared to each other.
- Tina: scoring by departments and by peers. Programs will compete, but not people.
- Crouch: results are in priority order as set by Council?
- Tina: yes.
- Ulledalen: old Council set the goals and some have changed in their importance because of time passage and we’ve accomplished some of these over the years.
- Tina: remember that PBB Center suggested results that weren’t on our plan because they see them in other communities. For example, original plan had law enforcement but we accomplished the tasks, so it came off the goal list and we had to add it to the list for the PBB work.
- Hanel: eliminate the lower left definition on Effective and Connected Transportation System because it duplicates the top right one.
- Ulledalen: system definition is because we want to connect streets and trails and not have scattered pieces.
- Bird: don’t necessarily agree with the Mayor’s comments. Need to emphasize pedestrian and trail safety and opportunity, so don’t really want to remove it from the definitions.
- Public comments: none

TOPIC #5	<b>Council Committee Memberships</b>
PRESENTER	Tina Volek

NOTES/OUTCOME	
<ul style="list-style-type: none"> <li>▪ Tina: single sheet on your table showing the Council appointments to various board/commissions. Some are vacant due to retirements.</li> <li>▪ Astle: would do the Partnership board if no one else wants it.</li> <li>▪ Ulledalen: prefer to go off the Policy Coordinating Committee. Mayor used to represent City, changed it to Council to better ensure two way communications. Oversee federal funding program. Two (2) ideas; will have to reconsider how we're going to pay for our streets; reappoint the Mayor or Jim or Brent. Mayor represents the entire community and big projects are on the horizon in vicinity of the METRA and Exposition.</li> <li>▪ Hanel: would be glad to serve on that committee.</li> <li>▪ McCall: appreciate Ulledalen, has done a great job. Mayor should represent the city and Ronquillo should be the alternate.</li> <li>▪ Cimmino: go down the list. BSEDA – McCall (yes); Library design committee – Cimmino, Ulledalen and McCall (Cromley, Cimmino); CD Board – Ronquillo (Crouch or Bird); Work Force Housing Ad Hoc – Ronquillo; Veteran's cemetery – Pitman; EMS Commission – Clark (delay decision); MLCT – McCall; Beartooth RC&amp;D – Ulledalen; Bright and Beautiful – Cimmino; DBA – Astle/Ulleddalen; Independence Hall – Pitman/Cimmino.</li> <li>▪ EBURA and BIRD meetings – Bird would like to attend; send meeting information.</li> <li>▪ Public comments: None</li> </ul>	

#### Additional Information:

Public comments on items that are not on the agenda:

- Leo Barsanti, 3316 Pipestone: sent letter and email to all Councilmembers about NWE light districts. He explained the Public Service Commission (PSC) tariff and the effects on his light district. 85% of NWE light districts, the infrastructure costs have been recouped. Statewide, \$2 million - \$3 million/year overcharge. Supreme Court finally decided that individuals have standing, so appeal will go back to the PSC. He is asking the Council for a letter of support.
- McFadden: this is a work session tonight, so Council can't make decisions. Councilmember would have to sponsor an initiative next week. PSC should have pursued this even without individual standing. Why didn't they pursue this? Dereliction of duty!
- Bird: new ruling is you do have a standing as a citizen. Class action case? Do you anticipate a refund?
- Leo: Do not expect money, would like legal fees reimbursed and not continue to be billed for something that was paid for in 1997.
- Astle: when do you need the letter?
- Leo: don't know, could be soon or could be six (6) months. Don't think there's a big hurry.
- Tina: Mr. Barsanti's email was sent 2:38 on Friday.
- Cimmino: email said that no one on Council responded one and a half years ago. Don't remember the email.
- Hanel to Barsanti: don't take it personally. Council often advised to not respond.

- Debbie Singer, 4140 Corbin, Northwest Energy representative: NWE is not allowed to charge for infrastructure that has been paid off. Light charges are on-going, perpetual costs. PSC set the rates, we just charge them. Overcharging does not occur.
- McFadden: does NWE always have three (3) attorneys attend rate cases?
- Debbie: Consumer Counsel represents many individual cases.
- Hanel: Brooks may help us formulate an initiative on this matter.
- Brooks: will research and be prepared to talk with you about it.



# **Setting FY2013 City-wide Park District Assessment**

# Setting FY2013 City-wide Park District Assessment

- **Timeline**
  - Option A
  - Option B
- **City Council Scoring Sheets**
  - Deferred Maintenance Projects
  - Ongoing Maintenance Projects

# Two possible Timelines

(The assessment rate needs to be turned into the County by October 1<sup>st</sup> 2012)

- **Option A**
  - Approve the assessment rate on or before the June 11<sup>th</sup> City Council Meeting
    - Many capital projects completed for 2013 season
      - » The time schedule does not allow us to discuss proposed projects during the “Community Conversations” in June
    - Assumption: General Fund loans PRPL \$90,000 to do the engineering on projects (Waterslides & restrooms)
- **Option B**
  - Approve the assessment rate on or before the September 24<sup>th</sup> City Council Meeting
    - Most capital projects completed for 2014 season
      - » The time schedule allow us to discuss proposed projects during the “Community Conversations” in June
    - A budget amendment will be required

# Deferred Maintenance Projects

## Option A Timeline

<u>Project</u>	<u>Construction Period</u>
• Water Slides Rose Park <ul style="list-style-type: none"><li>– Assumption: General Fund loans PRPL approximately \$30,000 to do the engineering on the project</li></ul>	July 2012 to May 2013
• Castlerock Tennis Courts	Oct 2012 to May 2013
• Batting Cage Equipment	Nov 2012 to Apr 2013
• 9 Restrooms	July 2012 to June 2013
<ul style="list-style-type: none"><li>– Assumption: General Fund loans PRPL approximately \$60,000 to do the engineering on the project</li></ul>	
• South Park Playground	Jan 2013 to Sep 2013

# Ongoing Maintenance

## Option A Timeline

<u>Project</u>	<u>Implementation Date</u>
• Improved Park Maintenance	Dec 2012
• Weed Management in General Fund Parks	Dec 2012
• Trail Maintenance	Dec 2012
• Keep Park Restrooms Open 3 Months Longer	Dec 2012
• Picnic Tables & Benches Replacement	Dec 2012

# Deferred Maintenance Projects

## Option B Timeline

<u>Project</u>	<u>Construction Period</u>
• Water Slides Rose Park	Oct 2012 to Nov 2013
• Castlerock Tennis Courts	Dec 2012 to July 2013
• Batting Cage Equipment	Nov 2012 to Apr 2013
• 9 Restrooms	Feb 2013 to Jan 2014
• South Park Playground	Nov 2013 to Sep 2014

# Ongoing Maintenance

## Option B Timeline

<u>Project</u>	<u>Implementation Date</u>
• Improved Park Maintenance	Dec 2012
• Weed Management in General Fund Parks	Dec 2012
• Trail Maintenance	Dec 2012
• Keep Park Restrooms Open 3 Months Longer	Dec 2012
• Picnic Tables & Benches Replacement	Dec 2012

# Deferred Maintenance Projects Scoring Sheet



## City-wide Park District

**Directions:** Please rate each of the projects in importance by assigning a value of 1 to 12 to each in the **One Time Park Improvements**, and 1 to 5 in the **Ongoing Park Improvements** where 1 is most important.

PRC Board Scoring	PRC Board Rankings	Deferred Park Maintenance Projects	Council Scoring
9	1	<b>Rose Park Replace Existing Water Slides:</b> The existing water slides at Rose Park swimming pool facility are 17 years old and have become a safety issue. The fiberglass tubes are constantly exposed to the elements and are cracking exposing sharp edges. Repairs are made annually to ever increasing sections of the slides to the point that the previous repairs are failing.	
12	2	<b>Rebuild/Replace 9 Restrooms:</b> The park system has 22 restrooms. All of them are in need of repairs and upgrades to some degree to comply with ADA standards, upgrade fixtures and to make structural repairs. These 9 have been identified as those in most need of repair.	
19	3	<b>Emergency and General Maintenance:</b> This is funding for projects such as roof repairs and replacements, structural repairs to buildings and playgrounds and upgrades to comply with ADA Standards. Also it will provide for quick repairs for infrastructure critical to ongoing operations such as repairs/replacements to irrigation and swimming pool pumps and paved parking lots and park roads.	
23	4	<b>Playground Fall Protection Upgrades (36 sites):</b> Fall protection under play structures is critical for the safety of children playing on them. With new standards for playground safety and ADA recently mandated by federal agencies, the vast majority of playgrounds are no longer in compliance. This will allow all of the City playgrounds to be brought up to compliance with current regulations.	

# Deferred Maintenance Projects Scoring Sheet

## (Continued)



### City-wide Park District

**Directions:** Please rate each of the projects in importance by assigning a value of 1 to 12 to each in the **One Time Park Improvements**, and 1 to 5 in the **Ongoing Park Improvements** where 1 is most important.

PRC Board Scoring	PRC Board Rankings	Deferred Park Maintenance Projects	Council Scoring
31	5	<b>Castlerock Park Rebuild Tennis Courts:</b> Castlerock tennis courts have been closed for 5 years due to unsafe playing conditions. Numerous 6" wide cracks have appeared in the playing surface. Efforts to repair the surfacing in the past have been unsuccessful. Funding this project will help determine if the courts should be rebuilt in the same location or identify a more suitable location and also identify the most cost effective and durable construction method.	
32	6	<b>South Park Replace Playground Equipment:</b> The existing playground equipment is aging and in need of major repairs. This playground is no longer being manufactured and replacement parts are increasingly difficult to find. Portions of the playground have been removed because replacement parts are unavailable.	
36	7	<b>Stewart Park Replace Batting Cage Equipment:</b> The batting cage equipment is over 20 years old and obsolete. The batting cage provides a proactive venue for youth sports and generates an average annual net revenue of \$15,000. Replacing the equipment will provide a state of the art facility to the community and continue to generate revenue.	
37	8	<b>Pioneer Park Rebuild Tennis Courts:</b> These tennis courts have been in service since 1937 and are a major venue for the community, schools and clubs to play and host tournaments. While they have served the community well, they are in need of major repair and upgrades.	
44	9	<b>Pioneer Park Construct Large Events Shelter:</b> During the master plan update for Pioneer Park in 2010, a Large Event Shelter was identified as a needed feature in the Park. This shelter would provide a venue and an iconic focal point for large events in the park and a source of revenue.	
44	9	<b>South Park Construct Sprayground:</b> In 2010 the wading pool at South Park was demolished because of the extreme costs necessary to repair and bring the facility into compliance with federal pool regulations. A sprayground to replace the wading pool facility will provide summer water recreation for the community, will eliminate the need to provide life guard services and will be compliant to current ADA standards and federal pool regulations.	

# Deferred Maintenance Projects Scoring Sheet

## (Continued)



### City-wide Park District

**Directions:** Please rate each of the projects in importance by assigning a value of 1 to 12 to each in the **One Time Park Improvements**, and 1 to 5 in the **Ongoing Park Improvements** where 1 is most important.

PRC Board Scoring	PRC Board Rankings	Deferred Park Maintenance Projects	Council Scoring
50	10	<b>Amend Park Water Service Upgrade:</b> Amend Park is a venue primarily for youth soccer. With games starting early in the spring and going late into the fall, supplemental irrigation is needed to maintain the fields in top playing condition. Irrigation is traditionally done by pumping from an irrigation ditch but the irrigation water does not flow in the ditches until after April 15th and ends October 15th. Therefore an adequate source of supplementary water will provide the necessary irrigation to properly maintain these fields.	
53	11	<b>Stewart Park Infrastructure Improvements:</b> Stewart Park had developed over time in a piece-meal fashion. Today there are significant issues with parking, traffic circulation, emergency vehicle access, pedestrian circulation, storm water, ADA compliance and spring irrigation needs. This funding would help to address these issues and make the park safer and more user friendly for the community.	



# Ongoing Maintenance Scoring Sheet

## City-wide Park District

**Directions:** Please rate each of the projects in importance by assigning a value of 1 to 12 to each in the **One Time Park Improvements**, and 1 to 5 in the **Ongoing Park Improvements** where 1 is most important.

PRC Board Totals	PRC Board Rankings	Ongoing Park Improvements	Council Scoring
10	1	<b>Improved Park Maintenance (Includes 2 Maintenance Staff):</b> In the past 10 years the park maintenance staff has increased by only one position. In that same time period 27 PMD parks totaling 104 acres have been added to the parkland inventory. This has resulted in a decrease of 3.78 full time employee equivalents available to maintain general fund parks. This funding will help to close the deficit in full time employee equivalents adding manpower to maintenance efforts in general funded parks.	
12	2	<b>Weed Management in General Fund Parks:</b> Noxious and nuisance weeds proliferate in our developed and natural area parks and along multi-use trails. They crowd out and degrade established turf and native grasses and are an eyesore particularly in the spring. This funding will dramatically improve the management of weeds and improve the health of wanted turf and grasses in parks and help to comply with new state noxious weed regulations.	
15	3	<b>Picnic Table Replacement (75 Tables Per Year):</b> According to the 2009 City Wide Needs Assessment, picnic tables were identified as the greatest need in parks after restrooms. With an aging inventory of picnic tables, new ones are needed to meet demand. This funding will provide new, ADA compliant and safer picnic tables in city parks.	
19	4	<b>Keep Park Restrooms Open 3 Months Longer (Includes 3 Seasonal Employees):</b> According to the 2009 City Wide Needs Assessment and numerous user groups, opening restrooms earlier and closing them later in the year is a necessary service. This funding will upgrade strategic restrooms with supplemental heat and provide seasonal maintenance staff to provide additional maintenance services for the extended season.	
19	4	<b>Trail Maintenance (Includes Volunteer Coordinator):</b> The Heritage Trail system is an important source of recreation and method of alternative transportation to a large number of Billings citizens. To date there are over 30 miles of hard surface trails are in service, however funding for maintenance has not been provided. In 2011 a Trail Asset Management Plan was developed to identify the maintenance needs of the trail system along with the resources necessary. This funding will allow for the implementation of this plan and provide ongoing resources necessary for proper management of this important community resource.	

## **Maddox, Wynnette**

---

**From:** McCandless, Bruce  
**Sent:** Tuesday, March 20, 2012 8:10 AM  
**To:** Maddox, Wynnette  
**Subject:** FW: PMD Assessments

Here's the email on PMDs.

Bruce McCandless  
Asst. City Administrator  
PO Box 1178  
Billings, MT 59103  
406 657-8222 - office  
406 690-3062 - cell  
406 657-8390 - fax  
City website: [ci.billings.mt.us](http://ci.billings.mt.us)

All City of Billings e-mails are subject to Montana's Right To Know laws, can be considered public records and are subject to public disclosure.

---

**From:** Volek, Christina  
**Sent:** Monday, March 19, 2012 4:49 PM  
**To:** .Mayor & Council  
**Subject:** PMD Assessments

Ladies and Gentlemen:

Council Member Cimmino inquired last week if property owners would have to pay the \$772,146 of individual park maintenance district (PMD) assessments before the City can address the \$9 million of deferred community-wide maintenance projects?

The payment of individual PMD assessments versus the Citywide assessments has been the focus of several discussions by staff, the Park Board and Council. One option that was discussed was to make no change in the current plan, which would require property owners in individual PMDs to pay the Citywide District assessment, or postpone the decision for up to three years as the Parks Board recommended.

A second option is simply to not assess the property owners in individual PMDs for the Citywide assessment. However, the resolution that the Council adopted in December requires each lot within the Citywide district and the improvements on it to be assessed "for that part of the cost of the District that its taxable valuation bears to the total taxable valuation of the property in the District." It appears an amendment would have to be made to the resolution to exempt from the Citywide district properties that are being assessed for individual PMDs.

The third option would be to reduce or assess \$0 for the individual PMD payments and assess only the Citywide District. That was the process in Missoula, which only had two small PMDs when its Citywide District was created. However, that solution is complicated by several issues, all of which will require substantially more calculations than originally planned:

- 1) The 2009 Montana statute creating the Citywide assessment repealed sections of the Montana Code Annotated that allowed creation of individual PMDs. Staff believes that PMDs created prior to 2009 still can exist, although taking any of them down to zero could result in a challenge if they were reactivated if, say, the Citywide Park Maintenance District was sunsetted.

- 2) Where they still exist, Special Improvement Districts (SIDs) assessments would continue to have to be charged because they represent construction costs for which the City has bonded. Their costs are not included in \$772,146 of individual PMD costs listed above.
- 3) Some of the individual PMDs still are catching up negative account balances that occurred because former staff did not create the districts in a timely manner, or examine and adjust fees annually for several years. Staff recommends that those individual PMD property owners be assessed until those payments in arrears are caught up.
- 4) Some of the individual PMDs include costs for items not included in General Fund parks, such as street lights, storm water maintenance areas, or neighborhood entrance features. Staff recommends that those special maintenance items be separated and the individual PMD property owners would have to be charged them on an on-going basis.
- 5) If the approximately 5,500 properties in the district paid the average \$32 fee estimated on a \$200,000 home, the income would be \$175,000, or \$597,000 less than that from the individual PMDs. Of the 15 people working the Parks Division, an estimated 3.75 fulltime equivalents work in the individual PMDs. The nearly \$600,000 shortfall to pay staff, equipment and supplies would have to come from the Citywide maintenance district before any deferred maintenance occurred.

Staff recommends the third option with the understanding that the Citywide PMD will have to be maintained permanently to at least the level to fund the individual PMDs, or see those parks deteriorate. After the first set of deferred maintenance projects occur, there likely will be ongoing projects over the years that will need to be added to that total prior to the assessment being set.

We will be prepared to discuss this at tonight's work session.

Tina

# Special Events in Billings

---



Alive After 5

# City Code Sections

---

## ● Parade or Motorcade

- Sec. 24-514. - Issuance or denial.(a) *Standards for issuance.* The **city administrator** shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the terms of such permit.
- Sec 24-516. – Appeal Procedure. Upon denial of an application .....the applicant may appeal from the determination .....The city clerk will cause the matter to be placed on the city council agenda for hearing at the next available city council meeting. The **city council may reverse, affirm or modify** in any regard the denial or revocation of the permit.

## ● Processions

- Sec. 24-531 - No procession.....shall occupy, march or proceed along any street except in accordance with a permit issued by the **city administrator** and such other regulations as are set forth in this division which may apply.

## ● Fun Runs

- Sec. 24-540 - No person shall sponsor, organize, administer or hold a fun run that is conducted on or across a street without first notifying the **director of public works** at least fifteen (15) days prior to the date such fun run shall be conducted.

## ● Street Closures

- Sec. 22-217. - Traffic regulation. The **city administrator** is authorized to establish regulations governing the control of traffic through and around areas of construction or maintenance work being done within the public right-of-way.

## ● Encroachment

- Sec.22-407. – Encroachment. No encroachment on any public right-of-way or public property shall be allowed except by authority of an encroachment permit issued by the **city administrator** or his designee.

# Current Process

---

- ◎ Application
- ◎ Staff review
- ◎ Council Approval

# Approvals from:

---

- Downtown Billings (Administration and Maintenance)
- Public Works Event Closure Administrator
- City Traffic Engineer
- Police
- Fire
- Montana Department of Transportation
- Yellowstone County
- Legal
- PRPL
- Parking
- Dispatch
- MET Transit
- City Engineer
- Public Works Director
- Assistant City Administrator
- City Administrator
- Mayor and Council

# Issues

---

- Changes in time, date, location
- Late or incomplete applications
- Staff time
- Council time
- Policy Considerations

77 Events in 2011!!!

# Proposed Process

---

- Process unchanged through staff signoff
- City Administrator or designee approval
- Friday Packet and Website

# Example Friday Packet



**Special Event Calendar**

**\*Approval Pending**

For questions or details:  
[wellbrooks@ci.billings.mt.us](mailto:wellbrooks@ci.billings.mt.us)

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17 St Patrick's Day Parade/Street Fair 8-4pm
18 Shamrock Run 5k 11:30-2:00pm Virginia Ln/Pioneer Park	19	20	21	22	23	24 *MS Walk Downtown 8-11am
25 Purple 5k Race Downtown 10-2pm	26	27 Elephants on Broad- way Downtown 4-8pm	28	29	30	31

# March 2012

*Billings*  
MONTANA'S  TRAILHEAD

# Next Steps

---

- Begin new process according to City Code and clarify that City Administrator has this authority, along with Council reporting responsibilities
- Modify City Code Sections for consistency
- Questions?

# Priority Based Budgeting Strategic Result Maps

April 19, 2012

**Result Maps:** A set of priorities expressed in terms of measurable results that are of value to citizens and widely agreed to be legitimate by elected officials, staff and the public.

*When the City of Billings \_\_\_\_\_  
(fill in any of the result definitions), then we achieve the  
strategic result of \_\_\_\_\_ (filled in from the  
center of the results map).*





## Sustainable Economic Development

*Provides well-planned, well-maintained public infrastructure that supports the growth of the community and meets the needs of residents, business and visitors*

*Strategically diversifies its revenues and develops a full-range of funding options that contribute to the City's long-term financial sustainability*

*Supports the attraction, development and retention of a well-balanced mix of sustainable businesses that provide jobs for local workers, promote tourism and diversify the City's economy*

*Provides a safe, healthy and attractive place to live and work, offering quality housing choices, accessible amenities and an environment that provides a desirable quality of life*

*Stimulates and supports business development and growth through incentives, community partnerships and efficient, "business-friendly" processes*

*Encourages strategically planned, sufficiently regulated and appropriately balanced development and re-development that stimulates economic growth*



*Partners to plan, prepare and collaboratively invest in properly regulated, quality and future-focused development and redevelopment that stimulates the local economy and is consistent with community standards*

*Provides, maintains and invests in a well-planned public infrastructure network that accommodates the long-range growth needs of the community*

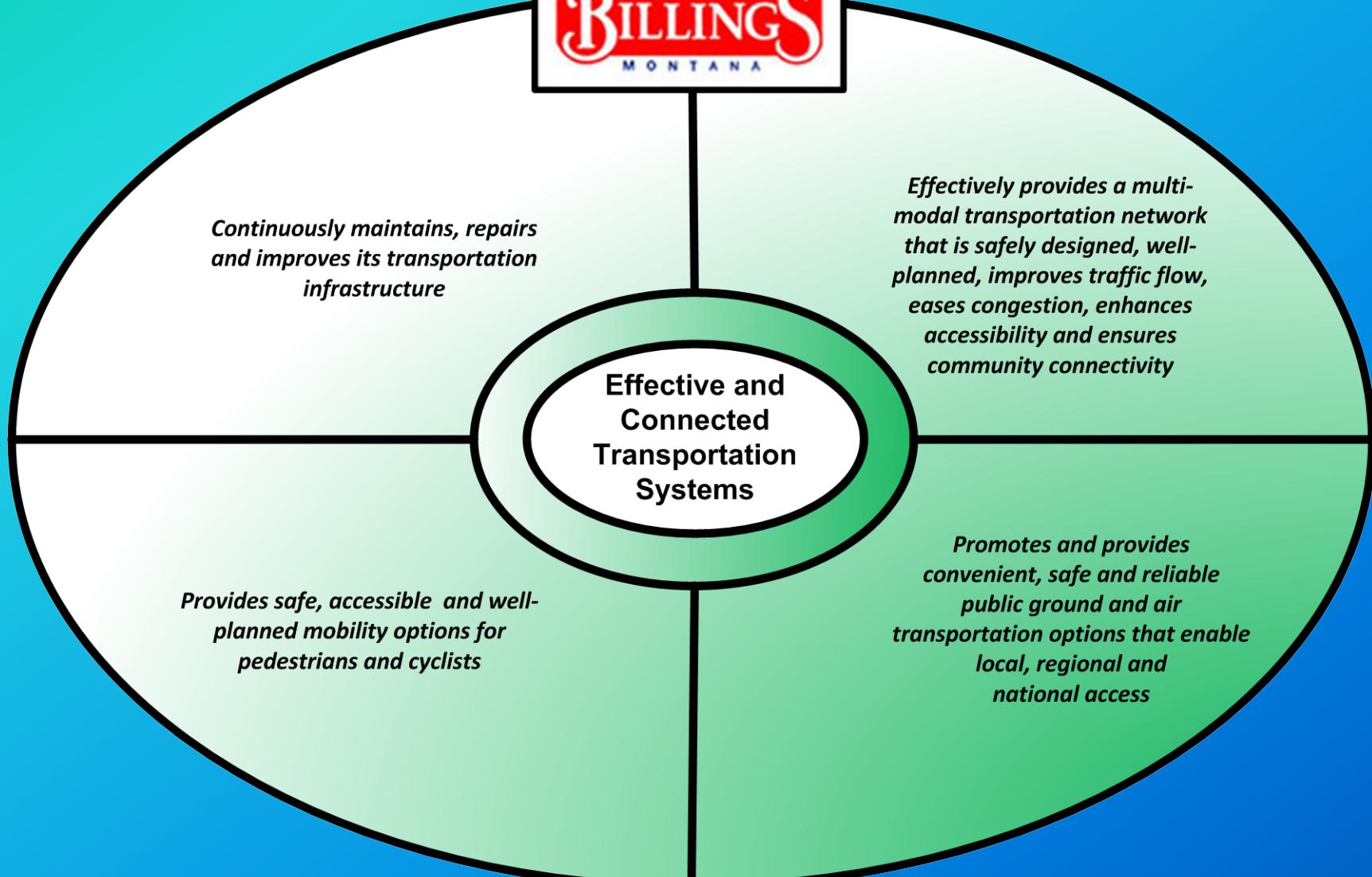
## **Comprehensive, Orderly Growth and Development**

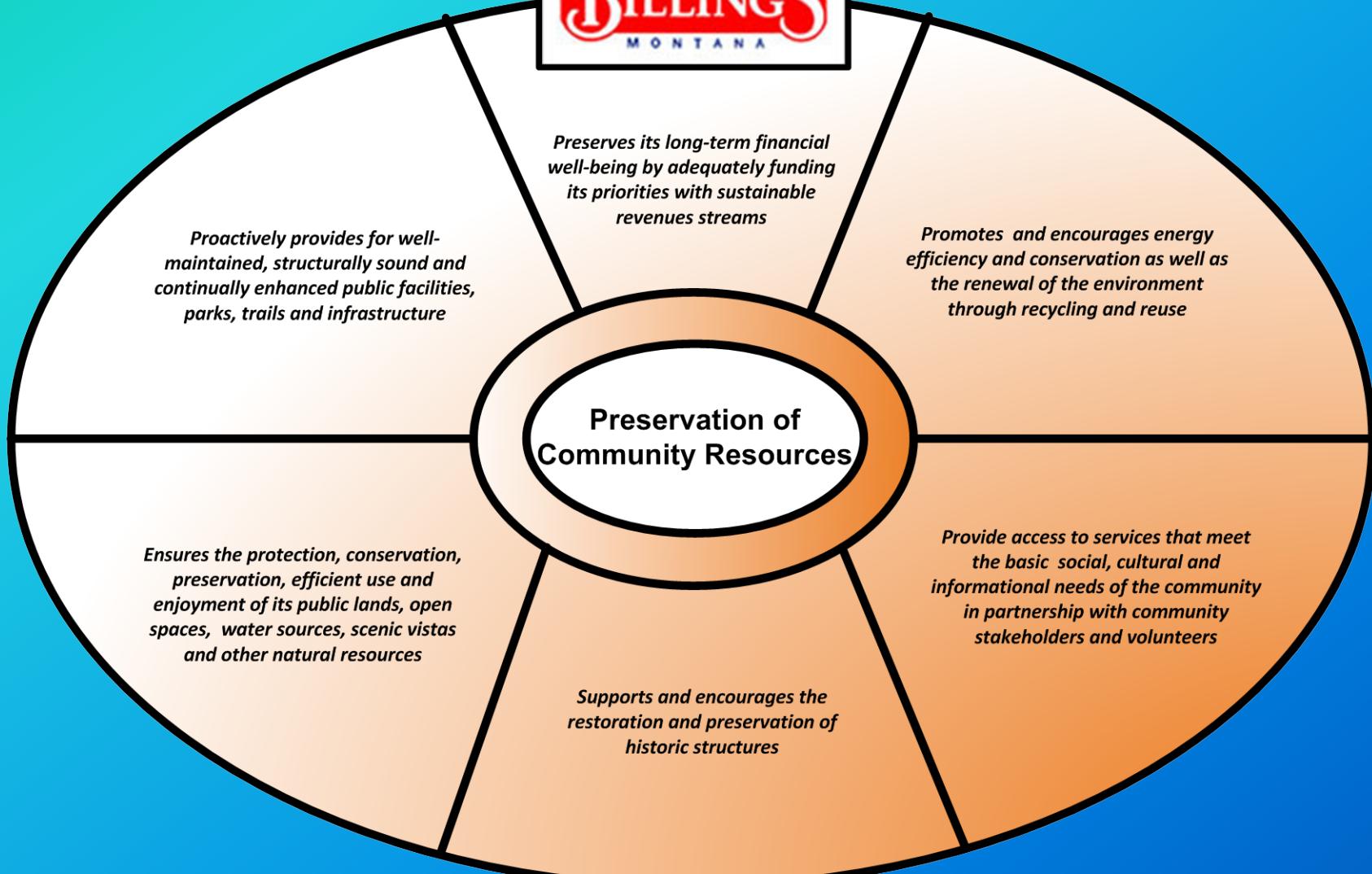
*Develops and prepares integrated, comprehensive long-range zoning and land use plans that are consistently followed and managed*

*Develops, preserves and revitalizes residential neighborhoods that are safe, attractive and provide diverse, affordable housing options*

*Optimizes the City's resources and enhances the growth needs of the community through well-planned infill and annexation*

*Appropriately plans for the creation, maintenance and accessibility of open space, parks, recreational activities and educational opportunities*







*Creates an engaged and informed community through public outreach, education and conversations that allow for constructive feedback, clear understanding and timely input*

*Engages in timely and on-going two-way communication, using a variety of mediums, with residents, businesses and other community stakeholders to share information, ensure cooperation and enable effective partnerships*

### **Involved, Engaged and United Community**

*Provides and supports events, programs and facilities that bring the community together*

*Promotes increased community involvement and participation*

*Encourages and facilitates a culture that is transparent, open accessible and responsive to the needs and concerns of its residents, businesses and visitors*



*Provides, supports and partners with the community to ensure access to life-long learning opportunities for all ages*

*Preserves, protects and restores its natural and historic resources to ensure their ongoing use and appreciation by residents and visitors alike*

### **Leisure, Cultural and Learning Opportunities**

*Develops and enhances its parks, trails and recreation facilities, ensuring they are safe, accessible, attractive and well-maintained*

*Partners with the community to provide and promote diverse and affordable opportunities that focus on the arts, cultural enrichment, entertainment opportunities and civic events*

*Provides a variety of recreation programs and leisure time activities for all ages*



<b>Council Member Committees</b>		
Big Sky EDA Board	Jani McCall	
Library Building Design Committee	Brent Cromley	Anglea Cimmino
Community Development Board	Becky Bird	Ken Crouch
Policy Coordinating Committee	Mayor Hanel	
	Jim Ronquillo (Alt)	
Work Force Housing Ad Hoc	Jim Ronquillo	
Yellowstone Veterans Cemetery Board	Denis Pitman	
Emergency Medical Services Board	Delay	
Montana League of Cities & Towns	Jani McCall	
Beartooth RC & D	Ed Ulledalen	
Bright & Beautiful	Anglea Cimmino	
DBA Board	Mark Astle	Ed Ulledalen
Independence Hall Advisory Board	Denis Pitman	Angela Cimmino