

# City Council Work Session

July 30, 2007  
5:30 PM  
Community Center

## ATTENDANCE:

Mayor/Council (please check)  Tussing,  Ronquillo,  Gaghen,  Stevens,  Brewster,  Veis,  Ruegamer,  Ulledalen,  Boyer,  Jones,  Clark.

## ADJOURN TIME: 10:00 p.m.

## Agenda

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

- Joan Hurdle: League of Women voters – City had a duty to preserve appearance of community and protect all citizens. Special interest members on committees were not balanced. Please reconsider e-sign committee recommendations.
- Councilmembers Ruegamer and Veis: Asked Ms. Hurdle what she did not like and the role of committee.
- Ms. Hurdle: Does not like the sign size. Technical subject but technicians do not have to be voting members.
- Michael Norris, Play Inn owner: Put in e-sign last year and nothing but good comments, especially about video presentations. No difference between flags displayed on flagpoles. Experienced over 30% increased food sales since installing sign.
- Councilmember Ulledalen: Asked Mr. Norris if he could prove food sales increase was due to the sign.
- Michael Norris: People notice them, and they display the food they sell. He said they paid over \$1000/yr personal property tax on the sign. Over 300 signatures on a petition.
- Gilbertson: Western Security owned many of these signs. People on both sides of issue would oppose the proposal. Worked for compromise and found it.
- Councilmember Stevens: Who were other committee members?
- Gordon Tryan: Became committee chairperson by default. Names committee members.
- Teresa Keaveny: Consider reducing sign size to 24 sq. ft.; no signs in or near residential zones; increase display change frequency to 8 seconds; require landscaping or other means to make them more attractive.
- Ed Gulick: Committee did good work but maximum size should be 24 sq. ft. Business case for smaller signs. Billings had to promote quality of life, and visual pollution would make it more difficult to attract employees.
- Councilmember Stevens: 40% of sign size or 24 sq. ft.?

- Ed Gulick: 24 sq. ft.
- Mayor Tussing: Several received electronic and paper correspondence. Would be reported as ex-parte communication.
- Paul Whiting: Concentrate on something not mentioned: Current code was vague and may conflict. When did committee get charge to regulate when the basic question should be whether or not allowed at all? South part of Shiloh would allow video boards but not the other parts. Passed out copies of email sent earlier to the Council.
- Councilmember Veis: Committee was never charged with deciding whether signs should be allowed.
- Councilmember Brewster: Kept the scope of committee assignment narrow.
- Dennis Harriman: Served on committee and a retired sign company owner. Can presently have very large signs on arterials and highways. If go to 24 sq. ft., might as well eliminate them.
- Councilmember Stevens: Freedom of speech. Government can place reasonable limits on commercial speech. Some committee members have stated otherwise.
- Dennis Harriman: Outdoor advertising industry was contesting that through lawsuits.
- Councilmember Stevens: If signs were smaller, they might slow down traffic so they could be read.
- Councilmember Ulledalen: Existing sign size?
- Dennis Harriman: Average was 36 sq. ft.
- Councilmember Brewster: Recommendation would make many signs nonconforming.
- Nicole Cromwell: 58% would be nonconforming at 24 sq. ft.
- Michele Cormier: In business one year, and new sign would be installed in 4 days. Took a year to decide to invest in sign. Small local businesses need the signs, not national stores who had other advertising. Changes in business might cause sign changes and make existing e-signs illegal. Ordered 3'X 8' e-sign and overall sign was larger.
- Councilmember Stevens: True about sign and building remodel?
- Nicole Cromwell: No. Only if sign structure was changed.
- Rich Hageman: Concerned about terms like visual pollution. Don't allow emotions to control your decisions.
- Councilmember Ulledalen: Size of your sign? How did that impact business?
- Rich Hageman: 26 sq. ft. Picture of new or current products sells them. Creative stuff was available.
- Councilmember Boyer: Explain how other cities got along with smaller signs?
- Rich Hageman: Couldn't.
- Councilmember Gaghen: National brand sign requirements?
- Rich Hageman: There were standards, but not e-signs.
- Councilmember Ulledalen: Sign costs?
- Dennis Harriman: Average of \$40,000. Have several millions of dollars of signs in place.
- Pat Cormier: Signs were important to local businesses.
- Pat Endres: On committee. Several states reported no changes in traffic accident statistics. Agreed that if you reduced size, eliminate them.

<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- None.

<b>TOPIC #3</b>	<b><i>E-Sign Ad Hoc Committee Recommendation</i></b>
<b>PRESENTER</b>	<b>Nicole Cromwell</b>
<b>NOTES/OUTCOME</b>	

- Nicole Cromwell: Committee charge, members, process, schedule. Proposal: definitions,
- Councilmember Veis: Difference between animation and electronic message display?
- Nicole Cromwell: If the physical sign moved, not just the sign message, it was animated. No flashing, blinking or motion borders on signs. This was an operational limit, not a physical one; and Council would have to decide whether to impose it and whether to apply it immediately or over period of time – in Section 27-708. Not currently prohibited.
- Councilmember Stevens: Asked if billboards would be prohibited.
- Nicole Cromwell: Nonconforming sign may be replaced with conforming sign anywhere in the community. Some businesses had banked billboard sign faces. Automatic ambient light monitor and dimming feature would be required and must operate at all times. Allowed city inspector to require signs be dimmed if there were complaints. Must be part of a wall or free standing sign. Max of 40% of total sign area.
- Mayor Tussing: Asked if other elements of sign code were looked at.
- Councilmember Brewster: Said no, the committee's charge was narrow and if it had worked on other elements, it would have been overwhelming.
- Mayor Tussing: Asked if the proposal would work with other elements of sign code?
- Councilmember Brewster: Yes, looked at that.
- Councilmember Boyer: Other cities' codes were much simpler. Need to look at entire code. Limit signs to 1 per premises and limit number of special circumstances signs and size.
- Councilmember Stevens: Scoreboard at Cobb field affected?
- Nicole Cromwell: City already applied for zoning contrary to zoning and BZA had already heard it. Committee recommended that Council initiate zoning code amendment to be heard by Zoning Commission. Council had other options such as do nothing, change the proposal, appoint another committee, etc.
- Mayor Tussing: Asked if anyone did not want it to go to Zoning Committee.
- Councilmember Boyer: Remember that the decisions were for the next few decades. Looked at what other cities had done and wanted that to be talked about at Council before recommending to Zoning Commission.
- Councilmember Stevens: Agreed and also wanted to look at maximum sign size.

- Councilmember Brewster: Could put on hold and look at overall regulations, while additional e-signs were built. Good start and Zoning Commission should look at this. Committee had the info from other cities.
- City Administrator Volek: Last rewrite took 3 years. Would be helpful if Council would identify the parts to change.
- Councilmember Brewster: Moved to direct staff to forward the proposal to Zoning Commission, second by Councilmember Ulledalen.
- Councilmember Brewster: Not proper to ignore the committee's recommendation.
- Councilmember Gaghen: Committee worked well but there were concerns about committee balance. Need to consider protecting community.
- Councilmember Brewster: Some think that industry shouldn't be involved with committee, but they helped inform and educate the other committee members. Some of the sign advocates were not pleased with the proposal, but it was a consensus decision to move it forward.
- Councilmember Ruegamer: Agreed that we needed more public input but reminded the Council that the Events Committee was made up of people who sponsor events. MET Transfer Center Committee was mostly vested in downtown, but ended up with a really good recommendation and site.
- Mayor Tussing: Seven to approve motion, so recommendation will be forwarded to the Zoning Commission.

Recess for 5 minutes at 7:00

<b>TOPIC #4</b>	<b><i>CTEP Trail Proposals</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- Candi Beaudry: Council requested early discussion on the CTEP nominated projects. Solicited public nominations and had not received any, with tomorrow being the deadline. Staff recommended 5 projects, all in the CIP. Lampman Park Strip. Discussed the MDT Indirect Cost Allocation Program, this year at 12.25%. Last year was 10%. Legislature directed this and it took several years for MDT to get it implemented. Will get info on how MDT determined the % ICAP. On street bike lane striping in four areas of city. 31,500 lineal feet. Gas tax would be the match. Swords Park was largest project. Would take the trail from east end of existing trail to the Swords bypass/Highway 3.
- Councilmember Stevens: Expressed concern that if the trail aligned with the road and the road was improved due to the trail construction, it would increase traffic speed that was already a problem.
- Nick Bailey – Skeleton Cliffs to Swords Bypass would be rebuilt for bike lane and roadway closed.
- Councilmember Ruegamer: When?
- Candi Beaudry: When Airport Road was improved but project may have been delayed again by MDT. Swords Park project was a large one, taking most or all of one year's worth of grant funds. Discussion about who shared the money. Broadwater crossing at

Lillis Park. School Route sidewalks, nominated by Engineering Division – sidewalks along Poly Drive, Westfield to Shiloh Road and along Rush Park.

- Councilmember Stevens: Could we use CTEP for recreation trails?
- Candi Beaudry: Either transportation or recreation were eligible. Just depended on priorities.
- Darlene Tussing: Built first 2 miles of Swords Park using Air Quality Improvement Funds because bike transportation improved air quality and MDT did not want bikes on Airport Road.
- Mayor Tussing: Asked for recommendation.
- Candi Beaudry: No recommendation at the time; wanted to allow Council to set the direction.
- Councilmember Ulledalen: Want to improve connectivity, and Lampman and Broadwater did that the best, then School Route. Total of those projects was slightly less than \$500,000.
- Councilmember Boyer: Safety problem at Poly and Shiloh.
- Councilmember Stevens: One strategic focus was preserving natural resources and closing road and building bike path in Swords Park would help protect that resource.
- Councilmember Ulledalen: Traffic congestion on Shiloh when people drop off kids for Arrowhead school.
- Councilmember Veis: Delay Airport Road?
- Candi Beaudry: May delay to 2009 because just starting to buy right-of-way. Seeking direction from Council.
- Councilmember Brewster: Asked if CTEP could be used to build the bottom connection to Airport Road/Bypass, then close the road and use it temporarily for pathway.
- Candi Beaudry: Yes. Did not have it designed or know the cost, but it would be eligible.
- Councilmember Veis: Support Ed's priorities. (others concur)
- Councilmember Brewster: OK, but also work on design and cost estimates for the bottom part of Swords Park Trail if there was any money left over.
- Consensus agreement.

<b>TOPIC #5</b>	<b><i>Bike Lane Presentation</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- Kathy Aragon: Involved with safe routes to school and trails. Lots of good reasons to encourage bike use and pedestrian facilities. Mr. Jim Spielman from MRL had offered striping to Billings. Other expenses were for signage, engineering, but a nice offer. Supported by Planning and Engineering, Health Dept., DBP. Would ask for Pepsi grants.
- Councilmember Boyer: Kathy offered to Celebrate Billings and it was appreciated. Engineering had to give other costs.

- City Administrator Volek: Public Works knew about it and prepared the map that was distributed. Showed existing and proposed on-street routes. Striping cost was only about 10% of total cost to designate and mark on-street routes.
- Nick Bailey: Magenta lines on map would be a good start. Many of them were arterial streets so design had to be careful and well done. Signs and decals were major part of cost because about 20 per mile of each and for one sign and decal = \$335.
- Mayor Tussing: Problems with just striping?
- Nick Bailey: Yes.
- Councilmember Clark: Would receive complaints on some because residents thought the streets were too busy and fast now. 32<sup>nd</sup> and Zimmerman for example.
- Kathy Aragon: Narrowing roads with bike lanes would slow the vehicle traffic.
- Councilmember Ulledalen: Could decals be painted?
- Nick Bailey: Cheap to do but they were slick and did not last as long as the thermoplastic symbols.
- Councilmember Ulledalen: Could it be phased, both for cost and to reduce resident opposition?
- Councilmember Boyer: Work with neighborhoods.
- Councilmember Veis: Lewis traffic needed to slow and bike lane had been discussed.
- Vern Heisler: Don't know the status and don't know about the traffic light timing change.
- City Administrator Volek: Council authorize Kathy to apply for grants on behalf of the City?
- Councilmember Boyer: Timing?
- Kathy Aragon: Grant application due August 17<sup>th</sup>.
- Mayor Tussing: Put on future agenda? August 13<sup>th</sup>?
- Consensus: Yes.

TOPIC #5	<b>Class &amp; Comp</b>
PRESENTER	
NOTES/OUTCOME	

- Bruce McCandless: Introduces George Gmach from Employer Associates in Minneapolis and Paul Hutter, Assoc Employers of Montana, Billings. Class and comp study process started in 2002. Aborted in 2005 with original consultant and selected the present ones. Still trying to survive with a system that was adopted in 1993 and never fully understood. Council heard from those consultants over a year ago. Project languished for many reasons but now wanting to get it back on track. Report on status, recommendations and work still to be done.
- Paul Hutter: Would update on status and George would give recommendations. Went over the agenda.

- George Gmach: Internal equity and job evaluation process. External equity was determined by market analysis. Discussed the pay line and pay lines of comparable cities. Internal equity improvements by moving all employees to or above 85% - 90% of the pay line. 85% = 41 jobs, \$30,000 immediate cost and \$62,000 long term. Moving to 90% = 123 jobs, \$92,000 initial cost and \$223,000 long term. Administrative support jobs consolidated into 4 grades, about 3.5% of workforce. Management would have an ongoing task to move people to right grade, adjusting pay and/or responsibilities.
- Councilmember Clark and Mayor Tussing: Only way to do that was through attrition and no offset to cost to move people up by reducing rates of pay.
- George Hutter: Did not recommend 2 simultaneous systems and it was all subject to bargaining. Pay exceptions for technical or other high demand, low supply jobs. Those could go outside the system parameters, if difficulties with attraction and retention were proven to City Administrator. Pay compression was another justification for pay exceptions. Target pay to 90% to 110% of pay line. Hard to bargain to cap the top but may be possible over time. Don't like the term COLA because it was tied to CPI-U and that went up and down. Better to compare to other cities to be competitive with other cities who were hiring for the same positions. Three year detailed surveys and annual less intensive reviews. Recommend a new extensive survey in 2008.
- Councilmember Boyer: Billings had 2% unemployment rate. How did that impact the pay plan?
- George Hutter: Looked at own experience. Good success attracting professionals, technicians, rates must be about right. If can't hire laborers, would need to increase the rates. Overall the city was in pretty good position, except for the 41 jobs that appeared to be too low compared to other jobs in the city.
- City Administrator Volek: Long time since done and cannot continue with present system. At risk to lose those below 85% and some of the lower paying seasonal positions.
- Councilmember Ulledalen: Look at benefits too?
- George Hutter: No, pay only.
- Mayor Tussing: Need from us?
- George Hutter: 85% or 90%?

<b>TOPIC #5</b>	<b><i>Executive Session</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- Mayor Tussing – Recess to executive session at 8:55 p.m. Reconvened following the executive session at 10:00 and adjourned the meeting.

<b>Additional Information:</b>
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Other discussion:

- Councilmember Clark: Last Council meeting approved a contract to construct the ballfield. Some people are working to eliminate some features, such as part of the concourse, and that was not what Council approved. Would make the stadium less than what we promised the people. Three options to raise more money to match the contract and we need to state this so that staff doesn't waste time dealing with these people. Asking for Council support to build what was approved.
- City Administrator Volek: Interesting interplay between what was in the contract and the alternates that were bid that some people think are higher priority. May want to give up some of the minor improvements in favor of some alternates.
- Councilmember Clark: Should not be working on proposals that can't be overcome at a later date. Substantial cuts that change appearance and function should not be pursued. We'll get the money to keep the field and the contract whole.
- Councilmember Veis: In essence, Dick is asking us to commit General Fund reserves if none of the three options for more money occur.
- City Administrator Volek: A&E working on potential cuts. Could discuss options on August 6 and Council could tell us what was not acceptable.
- Consensus: OK
- Councilmember Ruegamer: Not anyone's intent to make the project look cheap. Already working on raising more money.
- Councilmember Gaghen: Shortsighted and unwise to cut features already promised.
- Councilmember Veis: Interoperability forum in San Francisco – Would go if no one else wanted to go.
- Mayor Tussing: Why elected officials and how different from other sessions such as the one he attended in LA earlier in the year that the state encouraged.
- Marv Jochems: Billings only city on 800 megahertz. State is building UHF and up to 6 months ago, told them that UHF would not work here. Have to play with the state because we're the biggest. Motorola testing whether UHF will work here. San Francisco trip may be worthwhile because decision makers need to be convinced that whatever was recommended would work for us. One elected from city and one from county but struggling with who the appointed people should be.
- Brewster: Had experience with interoperability and would like to go.
- Mayor Tussing: Would call state and ask why state committee had not been involved.
- Councilmember Veis: For cities and counties, not focused on the state and its system. Christianson from state may also be eligible to go.