

# City Council Work Session

March 17, 2008

5:30 PM

Community Center

## ATTENDANCE:

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

## ADJOURN TIME: 8:15 p.m.

## Agenda

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

- There were no public comments

<b>TOPIC #2</b>	<b><i>Downtown Transit Center</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Director of Aviation and Transit Tom Binford advised that Councilmembers received a memo in the Friday packet regarding the ad hoc committee's final design option for the downtown transfer project. He said Eirik Heikes and Mike Tuss from CTA would provide a brief overview of the project and that questions would be addressed after their presentation.

Mr. Binford introduced Nancy Boyer, Council representative on the Ad Hoc Committee. Ms. Boyer stated that the design was a rewarding process. She added that the stakeholders were present and the amount of time people put into the project was amazing. She encouraged questions and thoughtful consideration of the project and suggested celebration of the results.

Eirik Heikes of CTA said he was the project manager for the project. He reviewed the design team membership. He said integrated design was implemented which allowed input from numerous individuals and it was handled as a team effort.

Mr. Heikes reviewed the project timeline. He said the preliminary design work was nearly complete and public meetings were held to gather input. He noted that the construction completion goal was November 2008.

Mr. Heikes advised that the consensus building with stakeholders progressed through a six-step process. He explained that the first step was a series of predesign meetings in which a primary concern was pedestrian and bus rider safety. He said the architecture and site design were geared to be long-lasting and easily maintained. Mr. Heikes continued that the second step was advisory committee meetings with the ad hoc committee. He said business

owners participated in those meetings as well. He said the third step was to meet with the Traffic Board which offered its support of the project. He advised that the fourth step was to obtain input and comments from a larger group of engineers and planners and those affected in the City in a pre-development fashion. He advised that the next step was to meet with Tom Binford and the Aviation Transit Board which liked the direction the project was headed; and the last step was the current presentation to the City Council.

Mr. Heikes said there would be a focus of sustainability with the project which would be discussed later by Mike Tuss.

Mike Tuss, CTA Designer and Architect, advised that he was the architectural designer for the project. He said a goal was set for the transit center to be a sustainable, green building. He said he hoped to obtain a high level of LEED (Leadership in Energy and Environmental Design) certification. He said the site and building would be a compelling argument to use the bus service for people who were concerned about energy conservation. Councilmember Veis asked who paid for LEED certification. Mr. Tuss responded that the City paid for it through a federal grant. Mayor Tussing asked Mr. Tuss if he could quantify the cost of the initial expense and long-term cost recovery. Mr. Tuss advised that the additional cost depended on the certification level, but a ballpark number would be about 5-10%, and he was unsure about a payback time. He said the life-cycle cost would have to be reviewed to determine payback time and that study hadn't been done yet. He went on to present a PowerPoint review of the site layout. Mr. Tuss pointed out the elements that would contribute to the security of the layout. Councilmember Clark asked if there were restrooms for passengers. Mr. Binford replied that there wouldn't be passenger restrooms there because of the expense; it would be similar to the Stewart Park facility. Mr. Tuss continued his presentation with a review of the covered waiting areas, the use of photovoltaic cells to convert the sunlight to electricity, and the landscaping. He noted the attention paid to the Billings terrain and materials.

Councilmember McCall asked if outdoor heating components were included in the plan. Mr. Tuss responded that there were none right now, but the shelters were three-sided, made of glass and designed to serve as wind breaks. He added that radiant heat was being studied.

Councilmember Gaghen asked if there was the potential for coordination with the Federal Courthouse building design. Mr. Tuss responded that he was trying to tie the Courthouse lawn/park, the Federal Courthouse building and the transfer center together.

Mr. Tuss reviewed the conceptual design cost estimates. He said with Council's approval, the costs would be refined. He indicated there were strategies planned to keep the project within the \$3.6 million budget and it would be bid so that elements could be added or deleted to stay on budget.

Councilmember Clark asked what type of glass product would be used on the shelter. Mr. Tuss replied that it was half-inch tempered, laminated glass which was essentially bullet-proof glass. Mr. Astle asked if it was a one-level facility and Mr. Tuss responded that it was.

Councilmember Pitman asked if advertising space would be sold at the facility. Mr. Binford explained that a fair amount of advertising was used currently to help defray some costs. He noted that it would probably be used in some of the passenger areas, but the Ad Hoc committee recommended that the advertising didn't go overboard.

Mayor Tussing asked about the hours of operation. Mr. Binford stated that it would be opened 6 a.m. - 6 p.m. Mr. Tuss noted that closed circuit cameras and recorders would be in place as security measures. Councilmember Clark asked about security after hours. Mr.

Binford said it was a public area but the plan was to use signs, a surveillance system, patrol/security within the allowable budget, lighting, and necessary means to keep people out at night.

Councilmember Gaghen asked about the skateboard consultant that was listed as part of the design team. Mr. Tuss said it was actually an anti-skateboard consultant to make the area unattractive to skateboarders.

Mr. Binford asked if Council was agreeable to move to the final design stage. Council's consensus was 'yes.'

Councilmember Gaghen recognized former Councilmember Boyer. She said Ms Boyer was recently commended for her years of service to the community and was recommended as a 'Salute to Women' honoree by YWCA.

<b>TOPIC #3</b>	<b>MDT</b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

City Administrator Volek introduced Stefan Streeter from Montana Department of Transportation who passed out information regarding State Avenue. He said Councilmember Ronquillo also requested that he address other projects in progress in Billings.

Mr. Streeter reviewed the Moore Lane project, which MDT hoped to complete by June 2008, even though the scheduled completion date was September, 2008. He said the City was working to get the utilities moved. He noted that Monad would become a direct route to the old Laurel Road.

Mr. Streeter also reviewed the Shiloh Road project which could be delivered by Spring 2009. He said right-of-way negotiations were underway and he hoped they would be resolved by mid-summer so utilities could be relocated in the fall. He noted that there were funding issues the City of Billings and the State were addressing. Councilmember Veis asked if MDT was willing to condemn property on Shiloh. Mr. Streeter replied that the direction was not to due to unfunded liability. Councilmember Veis asked if the state had conducted a cost/benefit analysis of the cost of land versus the escalating cost of construction that would result in construction delays. Mr. Streeter said he assumed the State would do that.

Councilmember Astle asked about the status of the right-of-way property. Mr. Streeter answered that 39 of 106 parcels had been purchased, eight more were in process but not yet closed, and the remainder were in negotiation. He added that to stay on schedule, the right-of-way negotiations had to be completed by July or August, preferably sooner. Councilmember Veis asked about the last possible date for land acquisitions. Mr. Streeter said he didn't know for certain, but MDT would try to stay on schedule. He said it was a high priority project.

Councilmember McCall asked what process was used to obtain right-of-ways. Mr. Streeter explained that it was mostly one-on-one contact; much of it was contracted and there was quite a bit of negotiation. Councilmember McCall asked if all the property owners had been contacted by now. Mr. Streeter said a small number had not been contacted due to design changes. Councilmember Gaghen asked if there were any property owners that had dug in. Mr. Streeter said he didn't think that were any owners to that stage yet. He said he

didn't have the schedule so he wasn't able to answer specifics at that time. Councilmember McCall asked if the City played a role in regard to obtaining the right-of-ways. City Administrator Volek said the City had done what it could and there was no other role at this point. Public Works Director Mumford added that assistance had been provided as needed, but it was best to have just one person negotiating and it was best to have the State do that on its own. Ms. Volek asked at what point the State would move to condemnation so that it could occupy and use the property. Mr. Streeter responded there had been some discussion about that at the state level, but the funding was still limited and in place. He said condemnation resulted in some uncertainty.

Ms. Volek advised that the project was a priority on the federal funding list. She said the City requested \$10 million based on the preliminary estimate; the State requested \$18 million and the County requested \$20 million. She said Senator Baucus's office called to ask which number to use for the Congressional request. She said the agreed-upon request was for \$20 million; in hopes of getting \$10 million. Councilmember Ulledalen asked how much was on the table to use on Shiloh. Mr. Streeter said approximately \$26 million was allocated and at least \$16 million more was needed. Councilmember Ulledalen said a term that came up at the last stakeholders meeting was that it was approaching the fish or cut bait date on Shiloh. He said the group was not able to answer the question about what methodology would be used to decide whether that project could go forward as originally conceived. He said that from a business standpoint, a decision would have to be made to change course if the rights-of-way couldn't be acquired and the whole project couldn't be accomplished with the funds available. He wondered how that decision would be made and who would make it. Mr. Streeter said that MDT Director Lynch said it wasn't to that point and if it got to that point, the decision would be his.

Mr. Streeter said in March 2008, a project would be let on Broadwater for milling and overlaying from 28<sup>th</sup> Street West to Shiloh and from Division to 12<sup>th</sup> Street West. He said a mill and fill would also be done on Yellowstone River Road from Bench to Ernstone; and a joint project between the City and State for Rimrock Road, from Shiloh to 54<sup>th</sup> Street West, was scheduled to be let May 2008.

Mr. Streeter advised that another very big project scheduled for July 2008, was Airport Road. He said it was in the right-of-way phase and the funding was in place. Councilmember Veis asked if there were any right-of-way issues with the City. Mr. Streeter said there were not any even though Airport staff expressed concern about access and time. He said FAA approval was needed and from his understanding, everything else was ready once the last right-of-way was worked out. Mr. Mumford reported that all the issues were resolved with the State and a joint resolution would be brought to Council next month for approval of all land acquisitions at the same time.

Councilmember Gaghen asked if the final design was approved. Mr. Streeter answered that a final plan had been reviewed and minor changes were expected. He said there would be a concrete roundabout in front of the airport. He said it was important to resolve all the agreements in a timely fashion to keep that project on track. He added that it was a major road project for the City. Councilmember Stevens asked if the project went all the way to Main Street and Mr. Streeter confirmed that it did. Councilmember McCall asked about the construction period. Mr. Streeter advised the estimated length was probably two years. He said the lower part near Alkali Creek would probably be first and the Airport entrance would be addressed in the spring to be able to work without weather delays. Councilmember

Stevens asked Mr. Mumford if that worked with the Aronson construction project. Mr. Mumford replied that it would be coordinated so that Aronson would be done in September before the State started on the highway.

Mr. Streeter said there was also a project on 6<sup>th</sup> Avenue North from Bench north, which was still in the early phases with some earmarked money. He added that in conjunction with that, was the Bench connection route. He noted that it was a City project but negotiation may result in it returning to the State oversight.

Mr. Streeter also reviewed the Parkhill Drive project, an intersection alignment with 13<sup>th</sup> Street. Councilmember Ronquillo said he'd heard complaints about that; Parkhill wasn't supposed to be a through-way and the alignment would direct more traffic to that residential area. Mr. Streeter said it was a safety project because the number of accidents in that area made it eligible for safety funds for remedial action to try to reduce accidents. He said the design would be submitted to the City. Councilmember Stevens asked about Parkhill's street classification. Mr. Mumford confirmed that it was a collector street. Mr. Streeter said the bulbs that would be put in for pedestrian crossings were traffic calming by taking the wide road and narrowing it to two lanes which would make people slow down. He said traffic shouldn't speed up, it should be equalized.

Councilmember Ulledalen asked about the number of landowners the State didn't have agreement with on Airport Road. Mr. Streeter said he didn't know exactly, but it was less than half a dozen. He said the area around Boothill Inn was redesigned and it took a little longer. Councilmember Pitman asked about detours during the construction and if Alkali Creek would be used. Mr. Streeter said they would try to keep the road open all the time, except for short closures for blasting and that information would be released to the public often.

Councilmember Gaghen said she didn't get a sense of the 6<sup>th</sup> Avenue North to Bench project. Mr. Streeter explained that the proposal was for a tunnel under Main Street to connect to Bench and another project that would go to Hwy 87.

Mr. Streeter advised that State Avenue was a contentious project. He said most people didn't like the idea of changing it to a three-lane road. He said he was told that when this same concept was done elsewhere, there was always initial resistance, but great satisfaction when it was completed. He advised that the project was eligible for federal aid safety money because of the number of accidents and the two fatalities on that road. He said the accident rate was about 58% higher than the national average for the number of accidents and the severity of them. He noted that the funding had to be used to address the safety issues and the whole corridor had to be improved. He added that there were numerous suggestions to install a light at Hallowell and that wouldn't fix the problem and warrants for a light weren't met in the four-lane configuration, but the funding was available if the corridor was addressed. He said there was quite a bit of discussion with the City Engineer's office and he believed they thought it was a good project. He said Council would have to decide on the design in April. If it would get turned down, the money would go toward another project.

Mr. Streeter explained that the proposed project would start just west of Orchard and continue to 27<sup>th</sup> Street South. He said that on that segment of road, 71% of the accidents occurred at intersections; 60% were right angle crashes or left turn accidents, both indicative of the left turn hazard. He noted that the same strategy had been used nationally. He said it was done on 17<sup>th</sup> Street West and records reflected a 70% reduction in accidents on that street. Councilmember Veis said that design was implemented on 5<sup>th</sup> Street West as well.

Mr. Mumford said the purpose was to get the turning movement out of traffic and in its own safe space. Mr. Streeter advised that the average speed on State Avenue was over 40 mph and the three-lane roadway would slow traffic.

Mr. Streeter referred to the handout and reviewed both the current and proposed State Avenue configurations. He pointed out that currently, there were no shoulders on the road which was a safety issue.

Councilmember Ronquillo asked Mr. Mumford how plowing would occur with a three-lane road. Mr. Mumford responded that there would be snow storage area in the parking lane/shoulder or it could be hauled away.

Councilmember Ronquillo asked if there was data related to the number of beet trucks that traveled on State Avenue. Mr. Streeter replied that he didn't have that information, but he stated that the three lanes would still handle the traffic. He noted that the truck turns at Riverside and State were safer because a truck that turned from Riverside didn't have to pull into an oncoming lane to complete the turn.

Mr. Streeter reviewed the diagram in the packet that showed the mid-block contact points. He said the three-lane configuration reduced the accident potential and he was confident that the road could handle the traffic volume and could even handle two to three times the current volume. He said it was a cost effective way to improve safety.

Mr. Streeter reviewed the transition plan which would be chip seal and new striping. He indicated that Hallowell would warrant a signal with a three-lane configuration. He said the project was estimated for Spring, 2010. Ms. Volek noted that an agreement would be entered into prior to the start of the project.

Mayor Tussing asked if the project was fully funded and Mr. Streeter confirmed that it was federally funded with a State match and no City money would be required.

Mayor Tussing asked why residents and business owners in the area wanted State Avenue to remain a four-lane road. Councilmember Ronquillo explained that there were four lanes and people didn't want to lose them. He said he knew the three-lane configuration worked, but constituents preferred four lanes. He said he was glad South 28<sup>th</sup> Street would be opened again.

Councilmember Gaghen recommended that Montana Department of Transportation talk with the sugar beet factory about the project. She said she felt the redeeming factors were the traffic light at Hallowell and the addition of the shoulder on the road. She said a buy-in from the factory would placate the process with the public.

Councilmember Ulledalen asked if there were any accommodations for Cabelas. Mr. Streeter replied that there wasn't anything in the plan because the preliminary design predated that proposal. He stated that he still believed the street would have enough capacity for that growth. Mr. Mumford commented that the route into the Cabelas site had been modeled to direct most of the traffic to South Billings Boulevard and the Interchange.

Councilmember Gaghen asked if the State would turn the street back to four lanes if the three-lane configuration didn't work. Mr. Streeter responded that data would have to be gathered for at least two years and the accidents on that street would have to have risen to the top of the safety program; then it would have to go through the lengthy process again. If there were other reasons to make the change it could be the City's responsibility to move it back to a four lane.

Councilmember Clark asked if MDT could look at the striping on 32<sup>nd</sup> Street West and Broadwater to ease the turning movement.

Councilmember Ulledalen said the biggest struggle for the Council was how to pay for growth. He said there was frustration with projects that had taken a long time to develop. He said he thought the Council would take a harder look at some projects and could move funding to other projects; the Bench project was a prime example. Mr. Streeter responded that the Bench project was needed, but how it was delivered would be the issue and that it was within the scope that matched the funding.

Councilmember Ronquillo said the pigeons at the Sixth Street West underpass made a big mess. He said the State put something up once but it didn't work. Mr. Streeter said he would look into it and get back to Council.

In conclusion, Mr. Streeter said there was overlap with several projects with the City. He said to call him if there were issues with projects so the two entities could work closely together.

<b>TOPIC #4</b>	<b><i>Broadwater School Safe Routes to School</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Mr. Mumford introduced Erin Claunch, the new City Traffic Engineer and advised that Chief St. John was available as well to answer questions on this topic. Mr. Mumford said the issue started with a call to Engineering about concerns at the drop-off area at Broadwater Elementary, followed by a letter to the City and the Council, then Council asked for follow-up information.

Mr. Mumford said Title 61 of the State Statute indicated that the State of Montana was required to use MUTCD (Manual Uniform Traffic Control) under federal law. He said the statute required all local government agencies to use the same statutes to decide what went in the street. He said that set the standard for all roadways to use the same signage and their purposes.

Mr. Claunch said the project was a response to safety concerns at Broadwater School. He reviewed the map which showed the area of concern, 4<sup>th</sup> Street West and Wyoming. He said the daily north/south traffic on 4<sup>th</sup> Street was about 600 vehicles per day, and the east/west count was about 300 vehicles per day. He pointed out that Broadwater Avenue was on the south side of the school with about 17,000 vehicles per day and 5<sup>th</sup> Street on the west with about 4,000 vehicles per day. He also reviewed the signage, crosswalks, and crossing guard locations for that area. He noted that there was on-street parking on Wyoming and 4<sup>th</sup> Street and the bus loading zone was at the corner. He said that speed counters were also installed and it was found that during the full day, the 85<sup>th</sup> percentile speed was 25 mph, including the school zone times. He advised that during school crossing hours, there was a slight decrease in speed to 22 mph.

Mr. Claunch said the next factor reviewed was accident data which indicated that from 1998-2006, there were four accidents in the area; three were bicycle accidents after hours and no pedestrian accidents during that time period. He said there was a recent pedestrian accident that wasn't included in that data. He said the school principal's account of the accident was that the child had left the school but returned because he had forgotten a book and when he left the school the second time, he darted into the street from between two parked cars.

Mr. Claunch reported that the next factor considered was intersection controls. He said that in accordance with MUTCD requirements, the 4<sup>th</sup> Street and Wyoming intersection didn't meet the criteria for a two or four-way stop control. Mr. Mumford added that it was against regulations to use stop signs as a form of speed control. Mr. Claunch said the next alternative looked at was school flashers. He said there were no MUTCD warrants required for that option so the comparison used was other elementary schools.

Mr. Claunch advised that an intersection change was the next alternative reviewed. He said the petition from Broadwater School requested closure of 4<sup>th</sup> Street, which wasn't a good option. He said a feasible alternative would be to create a cul-de-sac which would require using school property and other property owner permission. He explained another option of curb bulb-outs which would be a pretty expensive solution due to new curb construction and it would reduce some of the on-street parking. Mr. Claunch said another option considered was the installation of a bus pull-out which would require the school to dedicate some of its property, and it would be pretty expensive to install new pavement and curbing. He said the last option considered was to move the bus stop to 4<sup>th</sup> Street instead of on Wyoming. He advised that would open the intersection views, and was a cheap alternative because only signs would need to be relocated, and he suggested an additional sign between Broadwater and Wyoming on 4<sup>th</sup> Street that would alert drivers to the school crossing sooner. Councilmember Clark asked if there was consideration to move the bus to the west so it wasn't near the corner. Mr. Claunch responded that it could be done, but the sidewalk went to the intersection and if that option were implemented, it would need to be relocated and the fence would need a new opening. Chief St. John noted that the alley or driveway at mid-block would be shielded, so it would just move the problem. Mr. Claunch said there were issues with relocation of the bus stop. He said he would have to check with the School District since relocation of the stop changed the direction the bus would head when it left the school. He said another issue was parking on the east side of the school and the staff parking area on the west side of the street. He said there had to be enough room so the bus didn't have to pull in at the back of the parking or have to back up to get out of a parking space.

Mr. Claunch said a School Safe Route funding application would be submitted. He explained that the grant would approve a study to prioritize ranking for schools that could use funding for safety factors similar to this situation. He said Broadwater School would not apply for that grant directly and it would be a few months until any information would be known.

Ms. Volek pointed out that letters from schools were common. She said that all requests were bound by the same rules as other traffic controls. She stated that the study would be the best route to take at this point if the funding were secured.

Mr. Claunch summarized by stating that various alternatives were reviewed. He said the engineering industry went by the 3 E's motto -- engineering, education and enforcement and that would be the model to follow with the situation.

Mr. Mumford asked Chief St. John to comment on enforcement activities in that area. Chief St. John stated that there were 10 accidents in the vicinity since the beginning of the school year and 35 citations had been issued.

Mayor Tussing asked if it would be a good idea to have the same presentation at a PTA meeting. Ms. Volek said that was an option and the first step should be to meet with the school's principal about the school district's willingness to move the bus stop.

Mr. Mumford said the area had very low volume street traffic and even though the safety factor was important, there was not a lot that could be done to remedy things. Councilmember Clark noted that there weren't many accidents on side streets, the majority of them were on Broadwater.

Councilmember Stevens said that even though a child was hurt, she wondered if anything really needed to be done based on the data and if so, what solution would actually change anything. She said that she didn't get a sense of a recommendation based on the presentation by Mr. Claunch.

Mr. Mumford advised that Council did not ask for solutions, just for data. He said the school district asked for a solution or recommendation, and that Mr. Claunch and other Engineering staff spent time on that issue. He said the remarkable thing was that parents were driving safely for the most part and sight distances were pretty good.

Councilmember Stevens stated that child education might be the most important element to a solution for the issue. Mr. Mumford said someone could visit the school. Councilmember Veis said he would like to go with the staff when the school visit occurred.

Councilmember Gaghen stated that Weldon Birdwell knew about the neighborhood and asked him if there was anything he could offer about the situation. Mr. Birdwell responded that the presentation provided a good synopsis of the traffic situation. He pointed out there were about 330 students at Broadwater Elementary and about 200 of them crossed 4<sup>th</sup> and Wyoming twice each day. He said parents weren't just looking at the number of cars that passed through the intersection, but considered that cars plus 200 children passed through there. He said parents wanted something done. Councilmember Veis suggested attendance at the Central-Terry Task Force meeting. Ms. Volek said she would schedule a presentation to the PTA. Mr. Birdwell said both the Task Force and PTA were focused on the issue and should be addressed.

<b>TOPIC #5</b>	<b><i>Neighborhood Services Zoning Text Amendment Follow-up</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Zoning Coordinator Nicole Cromwell reported that the Council reviewed a first reading amendment to the zoning code in November, 2007, and had concerns about the types of commercial uses that could be established in a neighborhood convenience store. She said those concerns were implemented into the definition and the current recommendation was to exclude them from the list of permitted uses. She referred to the highlighted exclusions on the copy of the ordinance. She added that the ordinance also limited alcohol sales areas to a total of 100 square feet, but that limitation could be eliminated if Council was uncomfortable with it. Ms. Cromwell noted that Council had wanted to make the special review across the board, not an allowed use in the residential districts. She said she thought the changes to the proposed ordinance met the concerns brought up in November during the first reading. She advised that the County Commissioners adopted the amendment to the Code on November 27, 2007, so it was in effect in the County. Ms. Volek stated that the item was continued with the specific date of April 14, so it would be on the agenda for that meeting.

Councilmember Stevens asked Ms. Cromwell to explain how the issue came about for the benefit of the new Councilmembers. Ms. Cromwell explained that at the end of 2006, Staff

recommended several zoning code changes that implemented the Growth Policy goals and objectives. She said one of those goals was to allow more housing and business choices within existing neighborhoods. She referred to another goal to restore property values in neighborhoods and to expand the business and residential uses in neighborhoods. She said the ordinance might allow some clandestine businesses to apply for the special review so that it could carry on past its ownership. She added that if a business closed for six months and then reopened in the same location, it couldn't be changed at all. She said another Growth Policy goal was to encourage pedestrian-oriented businesses and commercial ventures by locating businesses in neighborhoods.

Councilmember Veis asked about the space requirement. Ms. Cromwell responded that the ordinance specified a minimum distance of 1,500 feet between stores. She noted that research indicated that people would walk a quarter mile for commercial service.

Councilmember Ulledalen stated that he thought a restriction to limit tobacco sales should have been included in the ordinance. Ms. Cromwell said she didn't get that from the minutes she used as a basis for the changes.

Councilmember Pitman asked if there was a specific building that triggered the issue. Ms. Cromwell responded that she wasn't aware of one. She said Council initiated it after Staff's presentation in November.

Councilmember McCall said Poet's Market or Great Harvest were examples of that type of store. Councilmember Ulledalen said those were regional, not neighborhood stores because people drove from all over town to get there. He said that was part of the issue – whether stores would be opened that were serving more than just the neighborhood. Councilmember Clark said the small neighborhood stores all went away because they couldn't make any money. He added that there would be a bunch of empty businesses. Ms. Cromwell reminded Council that it didn't have to approve it; the zone change could be in effect in the County but not the City.

Councilmember Gaghen said she remembered that the issue was somewhat driven by City expansion and the desire for limited commercial services without having to drive across town. Councilmember Clark said there was commercial property in many residential areas and this was a mistake.

Councilmember Stevens said that even though everything was subject to special review, the problem was that a neighbor could sell his house and open a sandwich shop.

Ms. Volek said it would be brought to Council April 14 with the tobacco product amendment. Councilmember Ulledalen suggested a 25 square foot area restriction for tobacco.

#### Additional Information:

Councilmember McCall reported that Carl Venne, Chairman of the Crow Nation, had requested a meeting with Big Sky EDA, the Chamber of Commerce, and MSU-B. Councilmember McCall said she was at that December 6, 2007, meeting and a steering committee was formed. She said she would like to attend the steering committee meeting on April 10 to talk about employment opportunities and partnerships and asked if anyone else would be interested. Council's consensus was that Councilmember McCall would attend the steering committee meeting. Councilmember Ronquillo said a job fair would be held at

Garfield School in May and he would provide contact information to take along to the meeting.

Councilmember McCall stated she had sent an email to Council regarding a citizen's survey and focus groups. She noted that the concept was mentioned during the budget process presentation. She said she had done some research and had a copy of the National Citizen Survey, and had also talked briefly with the MSU-B research department. She said she would like to work on it with staff, preferably with Bruce McCandless.

Councilmember Veis asked if there was a fiscal note attached to that. Councilmember McCall said a national survey would cost about \$20,000, with potential donations of approximately \$10,000. She indicated that the process could broaden the citizen input to the Council. She said the survey addressed services, activities, facilities, etc. Councilmember Veis stated that a survey would have to have some dollars tied to it so the people who answered the survey understood that the services would have costs attached. He said it was a good general idea but a good survey would cost a tremendous amount of money. Councilmember McCall said the National Citizen Survey had been used by many citizens and then results were compared with cities throughout the country. She said the cost for that was \$19,600, which included the analysis.

Councilmember Clark stated his concern about the proposed survey methods. He explained that he thought phone survey results were skewed because so many people wouldn't answer a call from a number they didn't recognize and so few even had land lines any more. Councilmember Ulledalen advised the need to figure out a methodology to make results accurate. He stated that there was a need to get feedback in a structured manner but the problem was how to get it.

Mayor Tussing reported that MSU-B completed police department surveys by mail and that worked well.

Councilmember Stevens stated that she appreciated Councilmember McCall's enthusiasm; she had it too when she first started. She added that it was hard to actually engage people. She said she tried different methods with little or no result and was getting cynical about it.

Ms. Volek advised that she had experience with surveys in other cities. She said one way to ensure responses from representative groups was to specify the number of responses that would be gathered by each ward. She continued, that as the budget season commenced, the survey could be considered during that process.

Councilmember Gaghen stated that she had attended lots of meetings with only two or three people in attendance. She asked how responses could be implemented with the budget constraints.

Mayor Tussing expressed his agreement that a survey had to be done. He said it would provide more than anecdotal responses. Councilmember Veis asked about expected outcomes. Mayor Tussing responded that it would help prioritize. Councilmember Veis responded that then all other input would be ignored because the survey responses were used to set priorities. Mayor Tussing said that wasn't the reason, but the decisions made could be better informed because we would know what people wanted. Councilmember Veis said he felt it would be used to drive certain outcomes.

Councilmember Pitman asked Councilmember McCall if her request was authority to proceed with some staff time and Councilmember McCall answered that was correct.

Councilmember Astle advised that people who attended meetings usually had an axe to grind. He said he didn't ever hear from the general public and he was now hearing from people in the Big Sky Elementary School vicinity, which was an example that there was very limited and focused input. He said he agreed that broader responses were needed. Mayor Tussing stated that the police surveys were very helpful.

Councilmember Veis said a large amount of money was spent on the ICC study and then only some of the recommendations were used. He said he was leery of investing a lot of money that would drive outcomes when it didn't align directly with the Council's fiscal responsibility. He said people would take the time to respond to surveys and indicate they wanted things but at the same time, they would also respond that they didn't want to pay for any of those things.

Councilmember Stevens said the question was whether it was agreeable for Councilmember McCall and staff to work on this issue and develop a plan for presentation to Council; then further debate would be warranted.

Council's consensus was for Councilmember McCall to work with Mr. McCandless. Councilmember Clark clarified that he didn't want Mr. McCandless to devote excess time on the project when he was in the middle of the budget process.

Councilmember Stevens said she sent an email about various reports that Councilmembers received and Ms. Volek would communicate with Council about the reports. Consensus was to receive budget and Public Works reports and others could be sent electronically so they could be shared with constituents and save paper.

Councilmember Ronquillo asked if the appointment of members to the South Billings Boulevard advisory committee was complete. Consensus was the appointments had been made.

Councilmember Stevens said at one time there was discussion about eliminating some boards and commissions. Ms. Volek said that item would be on the April 7 work session agenda.

Ms. Volek said Council orientation would be held March 31, at 6 p.m., at the City Hall conference room. The orientation was intended for new Councilmembers and any others who wished to attend.

Ms. Volek reminded Council that Friday, March 28, would be a luncheon for the Fire Chief candidates. Councilmembers would be notified later of details and were encouraged to attend.