

City Council Work Session

5:30 PM
Council Chambers
January 21, 2014

ATTENDANCE:

Mayor/Council (please check) Hanel Cromley, Yakawich, Cimmino, Pitman, McFadden, Bird, Swanson, McCall, Crouch, Brown.

ADJOURN TIME: 8:37

Agenda

TOPIC #1	AMR Annual Report
PRESENTER	Greg Pulver
NOTES/OUTCOME	

- Greg Pulver, AMR Operations Manager: Mr. Pulver explained who AMR was, gave a description of their local services, and provided statistics on their performance over the past year. He said they continually analyzed the statistics to make sure they were applying the appropriate resources to the streets, had the right hours of the day covered when 911 calls came in, and if they needed to add resources to the streets.
- Cromley: Asked for elaboration on non emergency service. Does the train traffic interfere with their services?
- Mr. Pulver: Non-emergent service is locally advertised through the phone book and hospitals; patients call the AMR dispatch center for service. Non-emergent transport service is provided without flashing lights or sirens. Trains do occasionally impact service. They staff five different locations to meet needs and can usually reach calls despite trains. They constantly move vehicles throughout the city to remain centralized. They tend to use the underpass off Montana Avenue to get to the south side of town to avoid the trains.
- Mayor Hanel: Where is AMR's corporate office located? How many of the 68 employees are full-time and how many are certified EMTs? What are some of the most common challenges to providing service in Billings?
- Mr. Pulver: Corporate headquarters are located in Greenwood Village, CO. There are 34 nationally-registered paramedics, 15 are EMTs, and the remaining employees are split between part-time paramedics and EMTs. Billings is a challenging city to provide coverage because of the expanse of the area. The streets are good, and most the intersections are clearly marked. Could use additional traffic controls. During the winter travel is always challenging and lack of snow removal can be a problem when not on the main arterials. They have no 4X4 vehicles, so are using a more aggressive all-terrain tire.
- McCall: The EMS Advisory Board was disbanded. Has it caused any negative effects?
- Mr. Pulver: Committees have a useful life. It was no longer a necessary function.

- Ms. Volek: Committee members said their work was done and the task had been accomplished. The Advanced Services Committee does the coordination between the departments and the hospitals. Mr. Pulver, Fire Chief Dextras, and she meet monthly to review calls and arrival times.
- Bird: How many exceptions are requested and granted? Does AMR have the needed staff and resources for a growing and sprawling community?
- Ms. Volek: There are four categories of exceptions – unusual high demand, weather, disaster, and audio review (course corrections more than an exception). Does not remember numbers but have records in the office and Council is welcome to see them. The numbers vary from month to month.
- Mr. Pulver: Always evaluating data to meet demands. Almost continually hiring for part-time. Not having problems with recruiting. Their focus is to grow with the community.
- Yakawich: AMR and the Fire Department both respond to an emergency. Could money be saved? Is it always necessary to have both entities respond to the same emergency?
- Mr. Pulver: Both agencies monitor demand and split resources, if needed; especially during high demand. Crews release others when appropriate. He would be very hesitant to look at a system to stop both from responding. Feels the current system works very well.

Public Comments: None

TOPIC #2	2012-2016 TIP Amendment II
PRESENTER	Scott Walker
NOTES/OUTCOME	

- Scott Walker: Every 2 or 3 years a Transportation Improvement Program is completed. Current program is their 2012-2016 document. Every once in a while they run into a change in project costs, for whatever reason, and an amendment to the document is needed. He distributed and reviewed a page of information regarding the projects being amended. A lot of the projects have more than one funding source. The dollars and projects that appear in the Transportation Improvement Program are being funded.
- Bird: Asked if Amendment 1 and Amendment 2 had different funding sources?
- Scott: No. Amendment 1 had known projects in May 2013, and Amendment 2 was today's money. He briefly reviewed the projects listed.
- McFadden: When will 13th and Parkhill receive a signal?
- Scott: 2015 or so.
- Cromley: How will Parkhill and 13th signal be funded? Have there been engineering studies that indicate a signal is the best solution? May be cheaper to do a four-way stop initially and see how it works.
- Scott: Will come out of Safety funds. MDT says a signal is warranted.
- Tina: Federal "warrants" dictate traffic regulations.
- Pitman: How did 13th and Parkhill get highway funds?

- Scott: It's on the Montana highway system. Last item to review is transit funding, a big part of the TIP planning.
- Hanel: Asked for plans for Main Street/Airport Road
- Scott: Intersection project that will improve signing, striping and signal upgrades. Did not know 6 months ago what it would cost. Have made their best estimate of costs.
- Bird: Is there a date identified for the Airport/Main Street project? King Avenue projects and approximate date.
- Scott: 2015 or 2016. King Avenue signals are circuitry upgrades to help with flow but cannot remember when they will go, but probably same timeframe. After Council takes action next week, the County Commissioners look at it the first part of February. The Planning Board will act on it next week, and the PCC will take action on February 18.
- McCall: With Bench Boulevard, north Phase I, the earmark dropped significantly and asked if the rest of it was a scramble to bring up additional funds in the other categories?
- Scott: They spent more of the earmark ahead. If part of the project that was earmark-ready was ready to build, they would use that earmark first because they never know when the earmarks might vanish. It was used sooner rather than keeping it on the books.
- Public comments: none

TOPIC #3	Snow Removal
PRESENTER	Dave Mumford
NOTES/OUTCOME	

- Dave Mumford: Introduced street supervisors and superintendents. There were 517 miles of paved roads in Billings, and they plowed 193 miles; or 631 lane miles. Since 2000 they had increased lane miles by 38% with minimal changes in staffing. State-maintained routes were Airport Road, Main Street, 27th Street, Montana, First Avenue North and First Avenue South. City staff maintained snow routes; or roads plowed during a storm. Every storm is different. They received 700 calls in December, which was less than 1% of city population. They do not start plowing until 2 inches of snow have fallen. Emergency entrances to both hospitals and areas around fire stations are cleared first. After the main routes are plowed they clear the multi-use trails along the arterials and collectors. Sand and de-ice downtown, hills, and places where people stop. They hauled snow from Hilltop, Wicks, Aronson, downtown, Poly, Parkhill, Broadwater, Central, 24th Street West, Rimrock, and Grand. Talked about the vehicles they used. Typically have 37 line staff and five supervisors on any given day. Can bring in Utility, Solid Waste, and Parks employees to help during heavy snowfall. Once a storm occurred, they shift into two 12-hour shifts. Each snow event requires alterations to the schedule depending on the length and severity.
- Pitman: During one of the last storms he was told they had a hard time getting staff to come in, and asked if that was something that needed addressed. What was the issue?
- Dave: The last two storms they had difficulty bringing in crews. Out of 30 employees, only 7 to 9 showed up right away when called. The union did not have a problem. They have had a change in personnel and some are not as eager to come to work. They were looking at going on stand-by. If they did it all winter, it would cost about \$3,000 a week,

and they were not interested in spending that much if it was not needed. They had conversations with staff, and they had gotten a little better.

- McFadden: Asked if the City was hampered by MDT regulations for CDL drivers. Were individual drivers required to take breaks because of the regulations?
- Dave: No. That was why they had the two 12-hour shifts that allowed adequate rest. Supervisors were aware of work and rest time rules. All drivers are Class A certified for air brakes, etc., so they can come in and work. Takes about 24 hours after the storm ends to clean all streets. Downtown snow removed first. Talked about snow removal techniques and said it was an area they were always trying to get better at. They talk to other communities and attend snow conferences. Biggest problems with snow were initial plow-out and what to do with the snow. Try to get it off the pavement by feathering it into a parking or bike lane to keep off the sidewalk. Causes problems with mail delivery. Burying sidewalks causes problems. Difficult streets are Grand, 24th, and Broadwater because there is no place to put the snow except down the center or on the sidewalks. For safety of employees, they do not use down pressure on the blades because a valve box or manhole sticking up 1/4 inch will stop a snow plow going 15 mph and cause damage. Staff was looking to Council for ideas or areas they wanted staff to be more diligent. Billings has about seven snow storms per year. Another problem is where to put the snow when it has been picked up. They hauled what snow they could to city property off Airport Road. Metra Park letting them use area by the barns, and they just negotiated two dump sites with Knife River. City does not plow residential streets. Have looked at it before and brought to Council, who made decision not to move in that direction. Only way it could be done would be to plow to the curb and not haul. It would plow in driveways and put snow in the parking lanes. Would have to contract out the work because it would not be cost effective for city to hire people and buy equipment that would be needed. Estimated cost to plow residential streets across the city would be \$600,000 to \$650,000/year; or \$20-\$25 per year extra street maintenance fees.
- Hanel: This is Montana and if people want warmer climates, they are available in other parts of the country. Received several phone calls and most were positive. City cannot afford residential plowing, and parked cars along the streets are problems. Concerned with the plowing on Broadwater. Snow was pushed onto the sidewalks and stayed for quite some time, which was dangerous for residents and children. Need to find a way to do it differently.
- Dave: Plowing to the center is probably the solution. Maybe only on the major streets. They would always receive calls from unhappy people whichever way they did it. Some property owners don't remove snow from sidewalks and wait for the city to do it, which causes an issue.
- Hanel: Asked if ride-alongs were allowed in the plow trucks to gain a better understanding.
- Dave: Ride-alongs were welcome.
- Hanel: Public needs to have a better understanding of what the City's frustration was with snow removal. Many people not aware the State was responsible for some of the arterials. Asked why there were more washboard bumps this year.
- Dave: No down pressure on blades so the ice was not being cut off. Rain then snow hardens fast. Traffic compaction makes it hard to remove. A particular piece of equipment caused a lot of the bumps, and it has been corrected.

- Hanel: Crews are already filling potholes now that weather has improved.
- Bird: Staff has done a great job. It's a hard, frustrating job. Supports plowing snow to the center on arterial streets, particularly Broadwater, Central and Grand. It's a minor inconvenience to drive farther to turn and may slow down cars. She is amazed how fast people still want to drive. There are lots of pedestrians and bicycles on Central from 6th to 24th and they need clear sidewalks. Asked if there was an adequate drainage system on Monad between 20th and 24th, particularly on the north side.
- Dave: There is adequate drainage, but if the curbs are full of snow it will not drain.
- Pitman: Asked how the City could work better with the State to improve plowing on their routes. Did the City have any leverage?
- Dave: It is an issue. They are state-owned roads and sidewalks. They do a good job getting on the snow but they use highway-scale equipment. City staff has talked to them, but they don't have the right equipment for urban snow removal. The State plows snow onto the sidewalks, which are state-owned property. 27th Street always becomes an issue once it gets out of the downtown area, and there is a lot of pedestrian traffic.
- Pitman: Asked if there would be enough money in the spring to start repairing some of the winter road damage.
- Dave: They had adequate money to repair the streets. This year they had spent triple the money on sand, salt, etc. than last year.
- Pitman: Could they have a standard public service announcement ready to go right before major snow storms reminding people to get their cars off the street and not to put their snow back into the street? People don't remember from winter to winter.
- Dave: A great idea. They could work with an agency to put something together.
- Bird: Has there been any discussion with others on how to approach MDT and ask them to modify their equipment and techniques more fitting for urban snow removal? Police volunteers could help code enforcement with contacting and citing people who don't remove snow from sidewalks.
- Dave: They had talked with the State, and MDT did bring smaller plows to Billings. They are doing a good job but their main objective is to remove snow from driving lanes.
- Public Comments:
- Dennis Ulvestad: City crews do an outstanding job with snow plowing. Agreed with Mayor about keeping snow off sidewalks near schools and for disabled. City should work with the State. He asked for the difference between blade in and blade out. He agreed the City should not hire contractors to plow residential streets.
- Bill Kemp: Blade in or blade out throws the snow to the side of the blade.

TOPIC #4	Public Safety Radios
PRESENTER	Police Chief Rich St. John
NOTES/OUTCOME	

- Rich St. John: Everyone working in public safety expects their radio to work; and they don't have that now. System is starting to fail, and they have been throwing good money after bad to do repairs. A decision was made to look at another hardware system and get away from the problematic equipment. They have close to 500 units between Police and Fire. The mobile units are semi-fixed in vehicles and don't have the same failure rate as hand-held radios. It takes about 1 in 10 tries to get through to the Communication Center,

which is totally unacceptable. Radios are the most important piece of equipment provided to public safety. They are a lifeline for public safety workers. Converting analog to digital never worked well. Expensive to repair because there's no local repair. Both departments spend personnel time repairing and finding working radios. Becoming a safety issue.

- Tina: Four years ago the city radio system had been overrun by Sprint Corporation and as a result there was an FCC ruling that Sprint was required to provide new radios to the City at no cost. The radios were analog and not digital. Radios had not been budgeted. Tait has a state contract, and the city can buy from that contract. The Deputy Police Chief position was left open, and the money saved had been going towards a lawsuit payment, which has now been paid. The money was now available to pay for the Police Department's share of the system. Chief St. John said Tait would buy back the existing Police Department radios for \$225,000 and the existing Fire Department radios for \$56,000. The ongoing cost to the Police Department, which they proposed financing through US Bank Leasing, would be \$522,000 to be paid out over 48 months. There was an approximate cost of \$308,000 for Fire Department radios after the trade-in. The Fire Chief was continuing to make payments on another lawsuit and did not have reserves to pay for them. They had unbudgeted reserves of \$11 million, and staff was recommending the \$308,000 be paid out of those reserves. The radio situation has become dire, and they feel they need to move forward with it.
- Pitman: Why not use reserves to pay the entire cost?
- Tina: They could, but it would reduce the amount of money that could be used to sustain operations over a period of time barring cuts or a new funding source.
- McCall: Confirmed Tait was the name of the company with the new equipment. Referenced an e-mail from a man who offered information on radios, and they needed to pay attention to his comments. Will the City be taking bids?
- Tina: Taking advantage of state having competitively bid for radios.
- Swanson: System needs to work. Wants assurance that radios work with other entities. Would like a spreadsheet listing advantages and disadvantages of various pieces, and then have an expert give a stamp of approval.
- St. John: Radios will be compatible with other city departments. County has always been on a different system but that is another whole discussion.
- Tina: PRPL has gone to a push-to-talk radio system and not involved with this type of radio. Public Works does have same radios and will look at it down the road. Code Enforcement, Animal Shelter, and Parking are under Police Department's radio umbrella.
- McCall: Referenced the e-mail from Allen Miller sent to Council on January 20. He is the radio program lead for BLM for Montana and North Dakota. He indicated he did not think the EF Johnson radios were adequate. His assessment was fairly negative. Very interesting and helpful e-mail.
- Pitman: How long will it take to get new radios up and running?
- St. John: The company is ready to go.
- Bird: Did Tait develop the product, or do they represent another vendor? Will the City have the capability to communicate with others on a different system?

- St. John: Thinks its Tait's equipment but will check. Have the ability now but will be able to do better with new equipment. Interoperability means communication with everyone.
- Cromley: Looked at Tait's website. Looks like a very impressive company. Suggested everyone look at taitradio.com.
- Brown: Is there a contingency fund set aside for radio replacement? Can we set one up? Minor configurations will be needed.
- Tina: The presumption was Tait would provide the city with a working radio system, and they would work with current vendor in terms of the backbone system. They know what we have.
- St. John: Tait will make sure it is up and running. We are a priority customer for them. The contingency would be dealt with in the Equipment Replacement Program. Need to create one for situations like this. Just talking about the equipment with the officers and firefighters in vehicles and not about the Communication Center.
- Tina: Have \$80,000 in budget to do radio maintenance. Tait was offering a 10-year package with replacement of radios at midpoint. Free software upgrades and ongoing support. If City bought radios outright, the \$80,000 would remain.
- Swanson: What is the range of the radios?
- St. John: Everywhere in the city limits. Will have ability to penetrate out from buildings and basements. Probably significant on the portables and mobiles in the cars. Transitioning analog to digital was never compatible and very frustrating. Clear, concise radio traffic is important.
- Yakawich: Council must understand public safety needs. Commendable that company will buy radios and save the City money.
- McCall: Great that the Tait equipment was field tested. City must respond by Feb 14. When is it going to be on the agenda? Interested in cash purchase but not ready to agree today. Need to better understand the financial options.
- Tina: February 10 agenda. Pat Weber will show financial results at tomorrow's pre-budget session.
- Hanel: No question as far as need. Safety of citizens and employees is ultimate priority. Council agrees with direction but needs more information before decision.
- St. John: Fortunate how Tina, Mr. Weber, and Council watch the money so they are in a position to do something. If he was standing before Council and there were no options, public safety would be in trouble.
- Brown: At one point the city must have been told that EFJ would work; and it didn't. Did they look at alternatives other than Tait? Agree that Council has to act but need more information.
- St. John: They did but he did not have the names. He would include pros and cons on the report.
- Tina: By piggybacking on the state contract, they saved considerable time not having to do a competitive bid. The system that works well is what they have to have.
- Bird: How long can the PD position remain vacant? At what point do they need to discuss it was the best way to continue to generate resources for the Police Department.

How much is city saving by using state bid/contract. What are pros and cons of paying cash vs financing.

- St. John: His plan was to eliminate the Deputy Chief position and put it on the bottom as one and a half patrolman. Currently he did not need another Deputy Chief. He needed patrolman on the bottom.
- Tina: There is additional pending litigation that would need a funding source. Until they know that outcome, she asked the Chief to look into acquiring the radios on a phased basis. The company did not believe it would be a workable solution.
- McFadden: Assumes they would have excellent communication with highway patrol and other state agencies.
- St. John: Not necessarily but they will continue working on interoperability.
- Pitman: Confirmed it would be on February 10 agenda with all options.
- Public comments: none.

TOPIC #5	Council Committees
PRESENTER	
NOTES/OUTCOME	

- Tina: Said there were several boards without a council representative. Former Councilmember Ronquillo retired from the Policy Coordinating Committee and the Work Force Housing Ad Hoc Committee. Former Councilmember Ulledalen retired from the Beartooth RC&D, and Former Councilmembers Astle and Ulledalen were on the Downtown Billings Association Board. They needed volunteers or nominees to fill those positions and any others that may have been missed.
- Mayor: Does anyone have status of Beartooth RC&D?
- Tina: Director had resigned to work in private sector, but thought they were looking for another director.
- Pitman: Do the appointments need to be done on a regular agenda?
- Tina: Would want formal appointments on the 10th.
- Hanel: This topic in other cities causes a lot of controversy. Any decision should be on hold. CM Cimmino is absent and should also have the opportunity.
- McCall: Beartooth RC&D is an interesting group. Whoever volunteers has to commit to traveling quarterly to nearby smaller communities.
- Bird: Would be helpful to have information on meeting frequency and times. Does Beartooth RC&D reimburse for travel expenses?
- Hanel: Most of these organizations have good websites that would have the specifics.
- Pitman: Currently on the Veteran's Cemetery Board but hopefully by Memorial Day it will disband when federal government takes over the cemetery. Has been on the Independence Hall Advisory Board since its inception. It's a transition home for homeless veterans on Lake Elmo Drive. It's an amazing facility. The home is in Ward 1, so group may ask CM Yakawich to join and advise. He was just appointed to MLCT and

has attended one meeting and making progress. He would be interested in being an alternate for the Policy Coordinating Committee.

- Hanel: Is everyone willing to do own research about organizations' meeting times/places/etc.?
- McCall: Really important for everyone on Council to become involved and be a representative on boards and commissions. They need to spread the appointments out.
- Pitman: Two positions on the Downtown Business Association are very important and need to be filled.
- Brown: Would be interested in the Downtown Business Association if it fit into his schedule. Not sure he would be a good fit for the Beartooth RC&D because he did a lot of work for cities and counties. Maybe as back-up.
- Crouch: Would be interested in Beartooth RC&D and Downtown Billings Association.
- Public comments: none
- McCall: She sent an email on January 17 to arrange time for City Administrator's review. They were looking at February 12 or February 13. She heard from four people and she will re-send the e-mail. Would like to have responses by the end of the week. It will be an executive session but does not require all members to attend. She asked if any councilmembers would be interested in serving cake at the new Library grand opening and dedication on February 1.
- Crouch: In 2012 the roundtable group invited council to attend a meeting with city organizations; i.e., conservation and voters. Another meeting is planned for March 18 and asked Council to put it on their calendars.
- Tina: Reminded of pre-budget work session tomorrow evening at 5:30. Will send the reviewed report on strategic plan that evening. Needs Council to look at the vision and values for tomorrow to make sure they are recorded accurately. Council received in the Friday packet a one-page executive summary on public safety campaign. They really need to make decisions so will be on the agenda the following evening. State of the City and County presentation will be held on February 11 at the Crowne Plaza. Arrangements to attend need to be made with Wynnette. On February 27 there will be a meeting with the SD 2 board at noon in the City Hall conference room. The dinner for outgoing councilmembers will probably be the week of March 17 or 24. She asked if anyone had a problem with either of those weeks to let her know. The City Council received information about an offer from Jerry T. Ray to sell the City two parcels on Midland Road. She received no direction from Council so was assuming there was no interest in the property or in the Crane building.
- Swanson: Was there any reason they should be interested?
- Tina: The land is next to a parcel the City already purchased next to the police evidence building. That parcel should sustain the police operations. The feeling of the department heads would be better to go out to more remote locations that would serve the needs of the City's road operations, such as in the Heights or on the far west end.
- McCall: Asked if the facility master plan was still in the works.
- Tina: An RFP was out, and they did not have an identified use for the Crane Building at that time.

TOPIC #6	Public Comment on Items not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- Dennis Ulvestad: Said one minute was not enough time to speak during the public comment period on non-public hearing items. He encouraged Council to increase the time to three minutes.
- Walt Donges: Said he was representing the City Human Relations Commission. He introduced other members of the Commission. The Commission need direction. He had spoken with LGBT couples, who are living in fear of standing up to be counted. When they lived in fear, it made them invisible. They make their homes safe, protect their children, and do everything every other citizen does. They should be treated the same. Too many individuals and couples live in fear of being ousted by employers, property owners, and neighbors for simply standing up as a same-sex couple. They must protect the unprotected and the work they do now paves a foundation for the city's growth. He asked Council to seriously consider the specific language recommendations in the handout and advise them on the proper process for changes to the Human Relations charter. The current language is at least 25 years old. The new language would broaden the spectrum and increase the scope of service of the Human Relations Commission. In December he presented information on the Municipal Equality Index. The City Council has pointed Billings in the correct direction. The Municipal Equality Index grading criteria was changing. The intent of the Municipal Equality Index was to recognize progress for full equality at state and federal levels. Research indicates that most municipalities will move first by passing non-discrimination ordinances that later serve as important models when inclusive state-wide laws for corporate policies are under consideration. Mr. Donges asked the City Council to add the draft language to the Billings Human Relations Commission Charter and incorporate the language into the language for Billings City's employees EEOC statement.
- McCall: Said she agreed with Mr. Donges and said there needed to be equality across the board. She will sponsor an initiative at the next business session to begin the process and ask staff to begin to look at the language with the Human Relations Commission and then move forward one step at a time.
- Tina: Said it was a city code that would need to be amended, and there was a process. She noted one thing that was not the case when the last survey was done, the City of Billings now provides health insurance to legally married partners regardless of their orientation, but it did not cover unmarried heterosexual or same sex partners. The City has a number of employees who have married in other states where same sex marriage was legal.
- McFadden: Asked how it would impact someone's perception of their own freedom of religion. What if a gay person applied for a job at a conservative church, and the church turned them down. Would that mean that individual could bring a lawsuit against the church, organization or business. What kind of lawsuits would people in Billings be open to if the ordinance was passed.
- Mr. Donges: Said they were only talking about language for the Human Relations Commission to expand their scope. If they started discussion on a non-discrimination

ordinance, most of the time the ordinances were directed at public businesses, so a church could staff according to its beliefs.

- Bird: Said regardless of potential for legal action, there was never an excuse to discriminate against anyone. It was no different than equality for women, equality for people of color, equality for LGBT, equality for individuals with physical limitations, etc.
- Cromley: Asked Councilmember McCall what she meant by taking it one step at a time.
- McCall: Said step one was requesting staff to change the language of Section 2-551 on the function and duties of the Human Relations Commission. She did not know where to go from there.
- Hanel: Confirmed there was a consensus to move forward and that an initiative would be made at a future business session.

Additional Information: none
