

# City Council Work Session

5:30 PM  
Council Chambers  
February 3, 2014

## ATTENDANCE:

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

ADJOURN TIME: 7:37 p.m.

## Agenda

<b>TOPIC #1</b>	<b>FY13 Audit</b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- Loran Stenslend, JCCS: Reviews what JCCS does, personnel changes, and outline of presentation. Presentation - GFOA award; auditors statements on the CAFR; building and federal awards report; summary financial statements; internal controls and financial reporting have only one material weakness; single audit on federal programs results; page 199 summary of reports and results; material weakness identified on assets - staff found it and corrected it; prior audit findings and corrective actions. Management and staff take audit seriously, collaborate well. City awarded Achievement for Excellence for Financial Reporting.
- Cimmino: Page 200 states county is responsible for Aronson Bridge. Is that because the County Road Department was responsible for developing the bridges?
- Mr. Stenslend: Believes it is who maintains the asset thereafter.
- Cimmino: Who provided the financing to build the bridge?
- Mr. Stenslend: State funded.
- Ms. Volek: Funded as street project prior to her moving to Billings. State has taken over a lot of construction.
- Hanel: County is responsible for all bridges.
- McCall: Asked for an explanation on Page 199 of low risk auditee.
- Mr. Stenslend: Explained what triggers the determination. Handful of requirements – (1) any findings in prior year audit (page 201). Low risk auditee is a threshold of what the auditors were required to test as major in the next given audit. If a low risk auditee, threshold comes down to 25% of federal expenditures; if not, it's up at 50%. The larger projects with the larger dollars whittle down to what is being tested anyway.
- Mr. Stenslend: First 10 pages were put together by Finance staff – good read if you don't want to go through more of the report.
- Public comments: none

<b>TOPIC #2</b>	<b>600-Foot Separation Requirement</b>
<b>PRESENTER</b>	<b>Nicole Cromwell</b>
<b>NOTES/OUTCOME</b>	

- Nicole: Presentation is in response to January 2014 initiative about 600' separation requirement. Basic overview of the report was sent to Council in Friday Packet. Limit was first mentioned in 1977 Zoning Code. Exceptions could be allowed if it was an undue hardship on the applicant or if it served the public interest. Amended in 2000s due to issues in the Central Business District (CBD) and controversial waivers of 600' limit in other locations. At that time, criteria was created for granting or denying a variance request. Also have criteria for exceptions. Ms. Cromwell reviewed the current code. Reviewed state law on 600' separation that is different from City. Reviewed regulations from other MT cities. Reviewed several local casinos and their separation requirements.
- Cromley: Smaller towns don't have the 600' separation in CBDs?
- Nicole: No, but they typically regulate and separate casinos. Most rely on the state separation requirement; and those that modify it locally, modify it just for casino uses.
- McCall: She looked at MT Code and the law was created in 1937 and modified a couple times. Interesting none of other larger cities use the state's requirements. Would make it easier for businesses if Billings stayed with state law. Supports our ordinance but strange that other cities don't modify state standards. Why did Billings write its own standards?
- Nicole: She would say in 1977 given the technology available at the time, it was probably an easier way for staff to measure it; and there was concern about the location of parks.
- McFadden: Is a liquor store included?
- Nicole: No. Off-premise sales are regulated differently than on-premise consumption.
- Hanel: What method of measurement is being used? GPS?
- Nicole: They use a computer-based geographic information service mapping where they can identify the parcel that wants the alcohol license and then draw a 600' radius around the parcel. It's very accurate.
- Cromley: Report has no recommendation. Asked if Planning was happy with the status quo.
- Nicole: Said they could continue to measure the same way they do right now.
- Cimmino: Why are tap rooms exempt from the provisions?
- Nicole: Difference is in the code. Microbreweries and distilleries are considered to be food and beverage manufacturers.
- Cimmino: What license do they apply for when they open?
- Nicole: A brewing or distilling license with the state.
- McCall: Microbreweries are very firm with the number of drinks they serve.
- Public comments: none

<b>TOPIC #3</b>	<b>Parking</b>
<b>PRESENTER</b>	<b>Bruce McCandless</b>
<b>NOTES/OUTCOME</b>	

- McCandless: Reporting back from a January 6 work session where one particular question was asked on a strategic plan RFP. The Parking Advisory Board recommended a strategic plan be done and asked for council volunteers to serve on a selection and steering committee. RFP has been drafted and sent to Council in the Friday Packet. He distributed the schedule and scope of work for the RFP. Ms. Volek suggested the Parking Advisory Board give feedback on timing for hiring a parking supervisor, which they have provided. Presenting the RFP for Council approval. The recommendation was to publish the RFP asap. Parking Advisory Board will not review until next week, so may have to issue an addendum to change or include additional scope. Second recommendation was to amend the FY14 budget. Not a program anticipated when the FY14 budget was prepared a year ago, and was an anticipated large enough expenditure (\$65,000 to \$75,000) that the Parking budget could not fund. The advice from Parking Advisory Board was that a parking manager be hired only if the strategic plan proceeded. Both should be done simultaneously, so parking manager should be hired somewhere during the planning process and in order to participate in the planning.
- Cimmino: With that theory, would the person hired be on a one-year contract basis?
- McCandless: Does not remember if discussed by the Parking Advisory Board. Currently the Parking Manager is housed in City Hall and expected to be at work at a certain time. City provides materials and equipment to do their job. That is not a contract employee. They would not get away with hiring a contract employee under those conditions. The thought among Parking Advisory Board members, the City would retain management of the Parking system or it would go to a non-profit, such as the BID or an entirely new one just focused on parking.
- Cimmino: Still confused. In the meantime, City has an interim person. Is that the person they are talking about?
- McCandless: No.
- Cimmino: There was extensive discussion that most members of the Parking Advisory Board asked why they would hire someone on a one-year basis not knowing how the strategic plan was going to go.
- McCandless: There was a subsequent discussion at the Parking Advisory Board meeting in January. The consensus was a Parking Manager should be hired by the City but only if a strategic plan was underway at the same time. That was the Board's recommendation.
- Brown: Assuming whether it goes out to contract or not, the manager position would oversee it regardless. It would be a long-term position.
- McCandless: Yes, that was the content of the Parking Advisory Board discussion.
- Cromley: Noticed it encouraged a lot of downtown parking and wanted to make it clear that it would include immediately adjacent areas.
- McCandless: A map should be included with the RFP identifying the downtown core where there are meters and time-regulated parking. It is larger than the downtown core area.
- Cromley: Would not include looking at the areas between MSU-B and the hospitals. Maybe should think about it in terms of this study?
- McCandless: Should be separate.
- Cimmino: Said that was a good point. When they conducted the Downtown Circulatory Area, those areas were included.

- Bird: Did Parking Board discuss difference between hiring a supervisory or manager or director for Parking?
- McCandless: Could not remember how much discussion there was. They believed the person should have responsibility and accountability.
- Volek: Not certain person needed to be a Department Director because the City had been trying to consolidate. They all can acknowledge the individual they were seeking needed to be skilled in parking. In the past they had hired a general manager that they expected to learn the parking business. Will be looking at an upgrade to the position. To say department director may be more than is absolutely necessary to hire the qualified candidate they needed.
- Bird: Food for thought....if they do not go with a director and have a supervising manager, she would like to see conversation ensue about moving parking out of city administration and under the umbrella of another organization; possibly under facilities. City administration has more than enough to do without having to supervise parking.
- McCandless: Parking Advisory Board asked for copies of parking supervisor, manager, director job descriptions to review and try to assist with putting together a profile of a good parking manager.
- McFadden: How many employees would the parking manager supervise?
- McCandless: There are 13 or 14 parking employees. Depending on the level of technology, that number could go lower.
- McCall: Thinks they need to keep in mind that whoever was in the position had to have the savvy and finesse to deal publicly with some really dicey issues from time to time; to be able to work with business owners and so forth.
- Hanel: Very good point.
- Yakawich: Asked for the best pitch why Council should support the strategic plan?
- McCandless: Said he thought the Parking Advisory Board had lacked direction for several years. The strategic plan helped identify long-term goals and strategies on how to get there. They recognized a lot of stakeholder involvement was necessary and had a shared vision for where the downtown merchants, property owners, and streets should be.
- Yakawich: Said through this they would make more money for the city; or not lose money.
- McCandless: The parking fund was an enterprise fund and was to be self-supporting. Unless they wanted to reduce expenses, they would have to maintain the level of revenue necessary to pay for the current expenses. He did not believe the idea would be to reduce the amount of revenue; but revenue generation should not be the primary focus.
- Hanel: Ultimately to operate in a more efficient, respectful manner. It was very critical to the success of downtown. It will take a very unique person to fill the position.
- Bird: They have just completely made the case for why the Parking Division needs a director. It would be a high profile position with tremendous responsibility in dealing with the public and other issues. Parking has been such a mess for so long, they needed a leader and not a subordinate. If they do not hire someone very strong and accomplished in the position, they would end up right where they have been with too many layers of hierarchy.
- McCandless: Pointed out prior to 2006 or 2007, the City employed a very dynamic, charismatic parking supervisor at exactly the same level in the pay structure as the

subsequent parking supervisor. They need that kind of dynamic individual with good customer service skills and who is outgoing.

- Cimmino: Parking has to be financially successful for many reasons. It has to be successfully managed.
- McCandless: He and the City Administrator discussed should they hire the parking manager sooner than later, they would ask for participation from Parking Advisory Board members, the downtown public, and council representatives to help profile the successful candidate.
- Brown: He thought in a former discussion they were told the money was available.
- McCandless: Said the money was available but the Council had not authorized it to be spent. That is why they would need to have Council consider a budget amendment.
- Volek: They have people interested in parking at the meters and in the garages. She serves on the Board of the Downtown Partnership, who encourages the creation of the strategic plan. It would give them the long-term plan where to take the Parking Division.
- Hanel: Asked Council if there was a consensus to provide direction with the RFP. It was the consensus.
- Bird: Said they needed to think about the “bridge to nowhere,” which meant they would have parking to deal with on the other side of the tracks.
- Public comments: none

<b>TOPIC #4</b>	<b>Renaming the Inner Belt Loop</b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- Volek: Advised Councilmember Pitman was attending another meeting that evening, and said Pam Ellis, Chair of the Heights Task Force, would make a brief presentation.
- Pam Ellis: They have had a lot of internet hits and City website hits on the “Inner Belt Loop.” They have had 35 potential names submitted. The group decided to eliminate all names of people because they wanted a name to clearly anchor it to the Heights. It is a road that will provide safety and generate development to the Heights. The reason they came up with Skyline Drive and Skyview Drive was because physically it is so beautiful at the start and at the end. There were some issues with the Fire Department naming the roads. She would like to continue with the process and come up with a name that clearly anchors it to the Heights and also deals with the beauty of the area.
- Bird: Asked about the change from Drive to Street.
- Pam: That was Councilmember Pitman’s suggestion, but she personally favored Skyview Parkway. It starts at High Sierra Park.
- Bird: Doesn’t think it is a street. She suggested “boulevard.”
- McCall: Confused about what happened.
- Volek: The group did a search and could not find a listing for the two suggested names. When they named streets, they took into account ‘flow.’ First responders had concerns with similar names. Suggested that Fire Dept representatives attend the next task force meeting. She read BMCC Section 22-700 that stated Council could change the name and number of any street or avenue subject to conditions. Addressing has been done for quite some time by the Fire Department, and she would like to work with both groups to address it and make a suggestion to Council.

- McCall: Glad they were working with this group. It was done in good faith and they did not try to create an issue.
- Volek: The flow of the road had changed somewhat from original design. It was contiguous and there was some sentiment it was the natural flow, but she understood there actually was a hard left turn they would be looking at.
- Public comments: none

The Mayor called for a brief recess.

<b>TOPIC #5</b>	<b>Priority Based Budgeting/Strategic Planning</b>
<b>PRESENTER</b>	<b>Tina Volek</b>
<b>NOTES/OUTCOME</b>	

- Volek: Said it was sent as part of the Friday Packet. She wanted to confirm a few things so she could send them to Dr. Sipe. She reviewed the vision and values discussed the last time and she wanted to be sure they reflected what the Council wanted, particularly around the 'service' item.
- Hanel: Said it appeared to be precisely what they discussed.
- Volek: A couple weeks ago Council received a staff report on the staff's view of how they have responded since the last strategic plan was adopted in 2004. She asked for comments on the staff report. At Saturday's retreat they would look at those that were not complete and delete those that were complete. She referenced Strategy 1 and asked if any changes were needed. Council had none. She referenced the goals and objectives and asked that Council review them over the week so they could make determinations on Saturday which ones they would keep or remove. She referenced Strategy 2 and said many of the goals and objectives had been completed. She referenced Strategy 3. Much was ongoing, no-demand, or completed.
- Cimmino: Under Objective 2, should there be language identifying a funding source for maintaining the trails?
- Volek: There was an action, and she didn't list all of them. She said one was to find resources for acquiring the lands – BikeNet, CTEP, YPRA, etc. It was marked as ongoing. She referenced Strategy 4. They had maintained or met most of the goals. Council had no comments. She referenced Strategy 5. They had some positions that were eliminated, but they were in closer work with partners in the community. Boards and Commissions were discussed and Council decided not to eliminate any of them. The citizen survey was funded, so that strategy could be viewed as complete. She referenced Strategy 6. The staff believed had been completed or should be blended with a new proposed goal. Staff recommended that Strategy 6 be abandoned in favor of adding Strategy 7 – Quality of Life. It was amended to include items that were carried over. Council had suggested new goals on their desks. They were also sent to Council. Three new strategies being suggested by staff were Public Safety, Quality of Life, and Infrastructure. Public Safety had been the #1 item surveys had shown to be of concern to citizens. At the time of the last strategic plan adoption, they had just successfully completed a Public Safety Levy and an International Association of Chiefs of Police of Public Review of the Police Department. She said they would welcome Council comment

on any additions. She referenced Strategy 8, Quality of Life, that focused on the Library and Parks & Recreation Department with three objectives.

- Cimmino: Referenced Page 18, Action #1, and asked if they would be increasing electronic offerings.
- Volek: They would continue to need more computers, as well as increase the electronic offerings.
- Cimmino: Was the strategic plan for five or ten years?
- Volek: Five. She reviewed City Infrastructure. She asked if there were any concerns, questions or issues. Should they carry them forward for discussion and add the two additional goals and eliminate the one and replace it with Quality of Life for their meeting? Dr. Sipe had not seen them, but she would forward to him.
- McCall: Really good additions. Public Safety is reality based, and she really liked the category “Quality of Life” and “City Infrastructure.” She thought they were right on target.
- Volek: Would welcome any additional categories or items Council thought should be addressed.
- Swanson: Referenced ‘economic development’ and ‘cooperatively working with others.’ It was really important the Chamber, County, and the City work together. Should have an economic review council to get feedback and communicate with what was going on.
- Volek: Some kind of an economic development council?
- Swanson: They had one years ago, and the four leaders got together on a monthly basis.
- Volek: In past years they have had an annual meeting between those entities along with the Downtown Partnership and the School District. She could talk to the Chamber and BSEDA. Any other groups to be included?
- Swanson: The county.
- Hanel: Strategy 8 there was a lot of repetition – noxious weeds, cemetery, Objectives 5 and 6.
- Yakawich: Quality of Life includes mental health. How can they hone in on that working with the Hub and the Crisis Center, suicide prevention? Could it be included?
- Volek: The county does most of the mental health services. She will talk with staff about what we might propose. Can also talk with mental health agencies for ideas. Mental health is a challenge in any city. She will talk with Brenda Beckett.
- McCall: Great idea about mental health. She will call Yakawich about what they might talk about on Saturday. There are lots of resources out there, so it’s important to know what is already available. Do not want to leapfrog over other collaborations going on.
- Bird: Under Economic Development, Strategy 4, the first goal action #4 – Invite councilmembers to more fun stuff. Did she miss something? What did that mean?
- Volek: It was a bit tongue in cheek. The idea was that Council wanted to interact more with each other, staff, and the community. It came in with some of the participation on Boards and Commissions.
- Bird: They were moving ahead and exploring an equality ordinance and asked if it needed to be stated in Quality of Life.
- McCall: Referenced Swanson’s comments on bringing the stakeholders together. She said as they looked at Human Services and Mental Health, they needed to identify what they were already doing. There might be entities right now that are doing what he was talking about. A list of things already being done would really be helpful.

- McFadden: Where and what time?
- Volek: Mansfield Center, 8:30 a.m. will be a light breakfast. Session will start at 9:00, provide lunch and end whenever, probably 3:00 or 3:30. She needed to confirm with Dr. Sipe.
- Cimmino: Read document over the weekend and commended the entire staff. They put a lot of work into it. It was very comprehensive. Did they have their own retreat?
- Volek: They had a staff meeting with Dr. Sipe following Council's session and agreed to look at some changes as a group.
- Bird: Agrees with Cimmino. Getting good quality information from the staff.

Public comments: none

Council discussion:

- Hanel: Local Government Center training in Laurel on Thursday 9-3. Everyone notified?
- Volek: It was sent via e-mail. Will send again. Not mandatory.
- Hanel: Compliments and thanks for Saturday events at Library.
- Swanson: Celebration much more than anticipated.
- Cimmino: Agreed. Library card available to non-residents?
- Volek: Will have to check on it.
- McCall: The Local Government Center is housed at MSU in Bozeman. At the last legislative session, they just about lost their funding. It could happen again. It is a wonderful program that supports local government around the state.
- Bird: Any data generated related to costs the city might incur when the new middle school on the west end is built?
- Volek: Water and sewer has been extended. Will charge the School District to extend other services. Transit does not go that far west and so will need to be addressed.
- Bird: When the snow is plowed, where does the trail system fit in? Kudos to Public Works. Snow is in the center of the streets and not on the sidewalks.
- Volek: Trails are handled by the Parks Department, not Public Works.
- Hanel: Agreed with Bird. It was a step in the right direction.
- Swanson: When they get comments, do they pass them on to Mr. Mumford?
- Volek: Communication with dept heads is OK, especially compliments, but would like to be copied. Questions should be directed to her.
- Bird: Often times the whole Council receives a question. Should be forwarded to Tina for her response. She responds to the sender telling them their question has been forwarded on for an answer.
- Brown: Asked about the lights on Broadwater between 23<sup>rd</sup> and 24<sup>th</sup>.
- Volek: Lighting was damaged during summer construction. City will make repairs in the spring. It was an underground issue. Most of the lighting districts in the City were Northwestern Energy Districts.
- Hanel: Asked for update on lack of quality of chip seal in Central Heights and 19<sup>th</sup> Street West, etc. They were told the contractor had done a poor job. Will it be re-done by the contractor?

- Volek: Yes. City will pay for supplies and contractor will provide the labor.
- Brown: Does Parks remove snow on trails if less than 2 inches.
- Volek: She will check with PRPL.

Other public comments: none

Adjourn.