

## REGULAR MEETING OF THE BILLINGS CITY COUNCIL

April 14, 2014

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27<sup>th</sup> Street, Billings, Montana. Mayor Thomas W. Hanel called the meeting to order at 6:30 p.m. and served as the meeting's presiding officer. Councilmember McCall gave the invocation.

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Pitman, Cimmino, McFadden, Bird, McCall, Swanson, Crouch, and Brown.

**MINUTES:** March 24, 2014 – Councilmember Cimmino moved for approval, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

### **COURTESIES:**

- Mayor Hanel recognized National Dispatchers Week. He said the dispatchers did a great job for the City and its citizens and were greatly appreciated.

### **PROCLAMATIONS:**

- Arbor Day - April 25, 2014

Fred Bicha, City Forester, said they would be holding an Arbor Day Celebration in Pioneer Park on Friday, April 25. They would have a full day of activities starting at 7:30 a.m. with 100 volunteers beautifying the park; and at 9:00 a.m. approximately 400 fourth graders would be moving through environmental stations put on by Billings professionals. The formal Arbor Day ceremony would begin at 12:15 p.m. with Governor Bullock and Mayor Hanel presiding.

Councilmember Cimmino asked how Pioneer Park was chosen for the event. Mr. Bicha said they had a group of volunteers from the tree industry who had been working on the event for the past six months. They looked at different parks and determined Pioneer Park would be the best fit for the program they were working towards. It had the ability to handle a lot of kids, and a lot of good work could be done.

Councilmember Yakawich referenced the fine job Mr. Bicha had done at South Park the previous year. He asked if they would be planting trees in Pioneer Park. Mr. Bicha said on Arbor Day they would plant 21 new trees in Pioneer Park, and at 2:00 p.m. they would conduct classes for the general public on different soils, tree planting, and tree pruning.

City Administrator Volek noted an agenda for the Arbor Day celebration was on Council's desk and in the ex parte notebook.

- National Library Week - April 13-19, 2014

Bill Cochran, Library Director, said the Montana Library Association Conference was held in Billings the previous week. Librarians and trustees from across the state toured the new library and had many good comments and questions. He showed the Library of the Year Award they received and said the Library Foundation received the Special Friends of the Libraries Award, and the School District #2 Trustees and School Librarians received the Intellectual Freedom Award.

## ADMINISTRATOR REPORTS - TINA VOLEK

Ms. Volek commented on the following items.

- **Item 4 – Public Hearing and Resolution establishing FY2015 Collection, Disposal, and Landfill Fees effective July 1, 2014** – Additional information was sent to the Council in the April 11 Friday Packet. Copy was available in the ex-parte notebook.
- **Item 7A – Resolution approving \$6,100,000 DNRC, Series 2014 Bonds, Fixing the Form and Details and authorizing execution and delivery of the bonds** – Per Councilmember Yakawich's request, a copy of a memorandum from Finance Director, Pat Weber, with information on various kinds of bonds issued by the City was on Council's desk and filed in the ex-parte notebook.
- **Item C – Appointment of Councilmember Swanson to the Beartooth RC&D Economic Development District Board of Directors** - Beartooth RC&D advised it was up to the City Council to determine term length. Councilmember Swanson indicated an initial 2-year renewable term would be appropriate, which would be the staff recommendation. The term length was not included in the staff report.
- At the request of Councilmember Yakawich, Police Chief St. John provided the following background information on Consent Agenda Items E, F, and G.
- ✓ **Item E** – Billings was the fiduciary for the State of Montana with 13 affiliate agencies statewide. He introduced Tim West, Director of the Montana Internet Crimes Against Children (ICAC) Task Force, who helped expedite the donation and put together an excellent financial plan. The donor, Mr. Goguen, lived in the western part of the state, had a background in computers, was appalled at the bad things going on with computers, and was impressed with the ICAC operation. In support of ICAC, he donated \$2 million statewide over a five year period to help the task force with personnel, equipment, training, and operations. He had also offered help with support of a helicopter. Chief St. John referenced Pages 34 and 35 of the Police Department Annual Report distributed to Council a month prior and said it gave a clear and concise picture on how active the task force was. He distributed a copy of a Press Release that would be published if Council approved the donation.

Councilmembers Crouch and McCall asked that a formal thank you letter signed by the Mayor and City Councilmembers be sent to Mr. Goguen.

Councilmember Cimmino asked how the donation would be received. Mr. West said it was discussed with Mr. Goguen, and it was decided they would receive an annual payment of approximately \$400,000 over a period of five years. Councilmember Cimmino asked if the money would offset necessary overtime for that particular detail and not be used for the overall department operations. Mr. West indicated whenever they went to a community to conduct an operation, the money was used to offset the expenses in that community should they donate personnel. In other words, it would cover anyone associated with the task force, extra patrol, extra dispatchers, or whatever was needed to pull off the operation. In the past they would have to negotiate with the community to make it better for them to participate; and now they would be able to offer the money upfront. He said the funds were specifically for ICAC. Mayor Hanel thanked Mr. West for his work on behalf of Billings and the City Council.

- ✓ **Item F** - Montana was part of a four-state High Intensity Drug Traffic Area (HIDTA) task force. The eastern Montana task force was located in Billings, was supervised by a Billings Police Sergeant, and was comprised of local, state, and federal officers. State-wide approximately \$1 million of grant money was received to run drug operations. A HIDTA task force disrupted or dismantled drug traffic organizations. They looked for mid-level and higher management in drug traffic organizations and not local street dealers. He said when people coming from other states and countries were convicted in the federal system that was the HIDTA task force at work. Sergeant Brian Korell and the task force were awarded the Rural Task Force of the Year for 2013.
- ✓ **Item G** – The Enforcing Underage Drinking Laws (EUDL) Grant came from the State of Montana Board of Crime Control. The money was used to run operations to target businesses selling alcohol to underage drinkers or overselling to intoxicated individuals. A statewide training was scheduled in two weeks, which would include legal updates, rules and regulations on bar inspections, over-service operations, and nuisance establishments. The money allowed them to pay officers overtime and teenagers to enter businesses to try to buy alcohol.

Councilmember Yakawich introduced Kristin Lundgren of United Way, who was one of the initiators behind the grant. Ms. Lundgren said United Way had partnered with the Police Department for many years on underage drinking enforcement. She distributed and reviewed a handout of Yellowstone County statistics compared to the national average. She recognized Sergeant Conrad of the Billings Police Department and the team for their work on the project. Mayor Hanel thanked Ms. Lundgren and United Way for their involvement in the community and the EUDL project.

**PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1, 7A, and 7B, ONLY. Speaker sign-in required.** (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

The public comment period was opened.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, referenced Item C and said the City Council contributed \$10,000 to the Beartooth RC&D Board, which would put Mr. Swanson in a potential conflict of interest because he had to vote on the budget.

Mayor Hanel said he had faith in the Council that they were mature professionals who understood conflict of interest and who would take appropriate action should it be necessary.

There were no other speakers, and the public comment period was closed.

## 1. **CONSENT AGENDA**

### A. **Bid Awards:**

1. **Airport Miscellaneous HVAC Equipment Repair and Replacement.** (Opened 3/25/14) Recommend Climate Heating and Cooling; \$84,242.

B. **Consulting Agreement** with Alta Planning + Design for ZooMontana to Riverfront Park Bike/Pedestrian Trail Feasibility Study; \$40,000.

C. **Appointment** of Councilmember Swanson to the Beartooth RC&D Economic Development District Board of Directors.

D. **Acknowledge receipt of request for street name change** of Bonaventure Drive to Bell Drive generally located between Central Avenue and Bell Avenue, one block west of Shiloh Road, MorningStar Senior Living, petitioner; and set a public hearing for May 12, 2014.

E. **Acceptance of State-Wide Donation** to Montana Internet Crimes Against Children Task Force (ICAC); Michael Goguen; \$2,000,000.

F. **Acceptance** of 2014 High Intensity Drug Traffic Area (HIDTA) Award from Executive Office of the President, Office of National Drug Control Policy; \$194,245.

G. **Approval and acceptance** of United Way of Yellowstone County Grant Funds for Enforcing Underage Drinking Laws (EUDL); \$11,549.

### H. **Bills and Payroll:**

1. March 3, 2014
2. March 10, 2014
3. March 17, 2014

Councilmember Brown noted he would abstain from Consent Agenda Items H1, H2, and H3 due to his employment. Councilmember Cimmino noted she would abstain from Consent Agenda Items B, H1, H2, and H3 due to her employment.

Councilmember Pitman moved for approval of the Consent Agenda except for Items B, H1, H2, and H3, seconded by Councilmember Crouch. On a voice vote, the motion was unanimously approved.

Councilmember Pitman moved for approval of Item B, seconded by Councilmember McFadden. On a voice vote, the motion was approved 10 to 0.

Councilmember Pitman moved for approval of Items H1, H2, and H3, seconded by Councilmember McCall. On a voice vote, the motion was approved 9 to 0.

#### **REGULAR AGENDA:**

**2. PUBLIC HEARING AND FIRST READING ORDINANCE amending BMCC Section 8-333, Dedication and Special Rules for Veteran Memorial Plot, providing the disposition of qualifying cremated veterans in either the columbarium or in a dedicated veteran memorial grave at Mountview Cemetery. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Ms. Volek advised there was no presentation, but staff was available to answer questions. The item was the result of a Council initiative.

The public hearing was opened. There were no speakers, and the public hearing was closed.

Councilmember McCall moved for approval of Item 2, seconded by Councilmember Bird. On a voice vote, the motion was unanimously approved.

**3. PUBLIC HEARING AND RESOLUTION #14-10348 ordering improvements identified in W.O. 14-02, Miscellaneous Improvements Program. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Ms. Volek advised there was no presentation, but staff was available to answer questions.

The public hearing was opened. There were no speakers, and the public hearing was closed.

Councilmember McCall moved for approval of Item 3, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

**4. PUBLIC HEARING AND RESOLUTION #14-10349 establishing FY2015 Collection, Disposal, and Landfill Fees effective July 1, 2014. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Jennifer Duray, Public Works Finance Manager, said she would be giving a very condensed version of the materials presented at the March 3 work session. Her presentation would include both Agenda Item 4 and Agenda Item 5 followed by two separate public hearings. She noted the factors driving the rate increases were (1) annual O&M cost increases; (2) future on-going cost increases; (3) recycling; (4) the landfill as an investment cycle; and (5) shrinking reserve balance. She said the landfill had many years of minimal capital improvements; however, they were now at the point where there were a number of capital investments coming up, three

closures within the next four years, and a \$15 million Phase VI expansion project in the future. They had been using their reserves to fund a good portion of their Capital Improvement Program for the last several years. They were using excess reserve balances, which were balances in excess of the minimum recommended level. As the balances were dwindling, they needed to raise the fees to cover the cost of services not only for operations but also for the capital items. They were presenting two fee options. Option 1 would increase the residential collection rates to cover the cost of services in the first year, leaving a small amount of reserve balance for planned future capital projects. The downside to Option 1 was a greater, immediate short-term impact to the customers. Option 2 would increase rates to cover the cost of services over the next three years, which would deplete all excess reserve balances while phasing in the increase. Option 2 would lessen the short-term impact to the customers. Ms. Duray showed a comparison of current rates. The current residential monthly rate of \$7.77 would increase to \$9.78 under Option 1 with very minimal increases for the next couple of years; and to \$8.55 under Option 2 with similar increases the next couple of years. They were recommending no rate increase for commercial collection for FY15 because it was currently paying for itself. They were recommending an increase in the commercial roll-off amount from \$109.52 to \$125.95 under Option 1 or an increase to \$116.67 under Option 2. Staff was recommending Option 1.

Ms. Duray said they were recommending the same fees for landfill rates for both Option 1 and Option 2. The current tipping fee was \$14.76/ton, and staff was proposing an increase to \$16.19 in FY15 with minimal increases in FY16 and FY17. They were also proposing to eliminate the separate Yellowstone County rate and combine it with the other towns and counties, which would increase from \$17.62 to \$19.43; and proposing the implementation of an out-of-state tipping fee of \$28.48/ton for FY15. She reviewed a comparison of annual residential fees for collections in Montana, and said Option 1 at \$117.36 would be quite a bit below everyone except Kalispell. Option 2 at \$102.60 would be less than everyone including Kalispell. She said all Billings tipping fees were well below the other entities.

Ms. Duray referenced Item 5 and said the amendments being recommended would change the language to allow the City to have agreements directly with private haulers. The current language only allowed agreements with other towns and counties. The amendments would also eliminate the old billing language that the collection fees were assessed on annual tax statements and include the new language that the collection fees were included on the utility bills.

Councilmember Pitman said regardless if they went with Option 1 or Option 2, they would still end up in the same place with just a different method of getting there. Ms. Duray said that was correct. He said they were using excess reserves that had been set aside for that purpose. Ms. Duray said that was correct.

Councilmember Cimmino asked if the materials from the demolished Windsor Court building and old library building would eventually end up in the landfill; and if so, who would pay for it. Dave Mumford, Public Works Director, said the material would end up at the landfill. He said the contractors would still have to pay to haul the materials but generally the tipping fees would be waived.

Councilmember Yakawich asked if radioactive materials were allowed to be disposed of at the landfill. Mr. Mumford said they were very specific and very diligent of

what waste was allowed in the landfill. All toxic material was sent out of state. They did allow and regulate specific areas for asbestos, but they had not yet encountered radioactive materials at the landfill. The current landfill license would not allow them to accept radioactive material.

Mr. Mumford said the old sections of the landfill were lined naturally with bentonite. The new sections had a monitoring system of wells to provide material toxicity levels. Part of the \$15 million expansion cost mentioned earlier included monitoring and cleaning systems.

(Councilmember Bird left the chambers at 7:17 and returned at 7:20 p.m.)

The public hearing was opened.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT**, said the landfill fees and residential fees were not a fee for service; they were a flat tax for service. If they stayed on the tax bill, people would get a refund they were eligible for through state law. The City would be shortchanging the elderly by putting it on a monthly bill.

There were no other speakers, and the public hearing was closed.

Councilmember McCall moved for approval of Item 4, Option 1, seconded by Councilmember Bird.

Councilmember Pitman said he opposed Option 1. They were using reserves that were already there; so making it a gentler increase with Option 2 seemed more logical.

Councilmember Brown agreed with Councilmember Pitman. He said with the other items they were looking at this year, it would be a better idea to soften the blow a little bit. He said he was in favor of Option 2.

Councilmember Pitman made a substitute motion to adopt Option 2, seconded by Councilmember Bird. Councilmember Bird said she was in favor of Option 2 because it was a big year for increases, and the excess reserves seemed like a good use.

Councilmember Yakawich asked Mr. Mumford for clarification on Mr. Zurbuchen's testimony. Mr. Mumford said the landfill rates were a fee they charged for the collection; it was never a tax. It was just like street maintenance fees. If you were a commercial property owner, all fees were deductible. If you were a residential property owner, the fees were not deductible.

On a roll call vote, the substitute motion was approved 7 to 4. Councilmembers Yakawich, Pitman, McFadden, Bird, Swanson, Crouch, and Brown voted in favor. Councilmembers Cromley, Cimmino, McCall, and Mayor Hanel voted in opposition.

## **5. PUBLIC HEARING AND FIRST READING ORDINANCE revising BMCC Section 21-213 to include permit agreements with private haulers and Section 21-241 updating and clarifying solid waste regulations. Staff recommends approval. (Action: approval or disapproval of staff recommendations.) Ms. Volek advised the presentation was included with Item 4.**

Councilmember Brown asked Mr. Mumford if out-of-state and in-state independent haulers had to have an agreement before they showed up at the landfill gate. Mr. Mumford said an agreement was required. Typically they were one-year agreements approved by Council that outlined the payment per ton and the accepted landfill materials. Councilmember Brown said there had been conversations about opening up more landfill space in the future and asked if this would speed it up. Mr. Mumford said the trash that would be coming in was such a small percentage that it would have minimal long-term impact. They still needed to consider expansion partly because of the time frame involved. It could take five to ten years to get through a full permitting process. They still had over 70 years left of landfill life.

Councilmember Swanson asked if overall it was a profitable operation. Mr. Mumford said they broke even; they were not allowed to make a profit. They covered all of their costs. He said they charged out-of-state extra, plus a 6% franchise fee that went back to the General Fund.

Councilmember Bird asked if medical waste was accepted at the landfill. Mr. Mumford said it was not, and the hospitals took care of their own.

Councilmember Pitman asked if out-of-state haulers would be required to separate their yard waste. Mr. Mumford said it would not be required.

The public hearing was opened. There were no speakers, and the public hearing was closed.

Councilmember Pitman moved for approval of Item 5, seconded by Councilmember McCall. On a voice vote, the motion was unanimously approved.

**6. PUBLIC HEARING AND RESOLUTION #14-10350 approving the FY2015-FY2019 Capital Improvement Plan (CIP); FY2015 Equipment Replacement Plan (ERP); and FY2015 Technology Replacement Plan (TRP). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Vern Heisler, Deputy Public Works Director, said a detailed presentation was made to the City Council at the March 17 work session. He said it had been a very long process beginning last November. It was a very large document that dealt with over \$278 million, and it would become a part of the City's budget. Mr. Heisler said he had not received any comments this year compared to past years, and the information presented on March 17 had not changed.

Councilmember Pitman referenced the second phase of the Inner Belt Loop and asked when it would get into the big book with a price attached so it was not just an unfunded idea. They were spending a lot of money doing both ends of the project and to leave it on the last page as a "footnote" bothered him. Mr. Heisler commented it was listed with other future Public Works projects. All of the projects were important, and they hoped to have funding as time went on. Currently there was no funding for the project, and Public Works' thought was that there would have to be development in the area. Ms. Volek added they had committed all of the available Federal Highway Funds the next seven years to the Outer Belt Loop. Councilmember Pitman said they were not looking for federal funding on the Inner Belt Loop because they wanted to control the road. He said as long as it was in the document somewhere and if they were able to find funding, they would be able to bring it forward. Mr. Heisler said next year they would have public meetings on the CIP, and it would be a good time to spark the discussion.

The public hearing was opened.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, said the rotomillings from Laurel Road were going to the County to build roads; and there was no reason why the City could not use the rotomillings on some of its gravel streets. Mr. Nelson explained the process of using rotomillings and said it would cost no more than what the City spent maintaining its gravel roads. The State, County, and City of Laurel all used rotomillings. He wished the City would consider using rotomillings because it would extend the life of its equipment and cut down on the maintenance in the City.

Mayor Hanel asked Mr. Mumford to comment. Mr. Mumford said they used rotomillings on an alley off Rimrock Road by 17<sup>th</sup> about a year ago and were watching it to see how it would hold up and react to rain. He said the State did not use rotomillings as Mr. Nelson stated; and the County used them on very low volume roads. Rotomillings were recycled asphalt and did not hold up. One of the concerns with using rotomillings in alleys instead of gravel was it created a non-permeable surface and drainage ended up on adjacent properties. City streets needed to be built to city standards with proper drainage. He said heat also created problems because turning movements would actually move the asphalt. They did not disagree there were options for using rotomillings, but it was not as simple as Mr. Nelson stated.

Councilmember Cimmino asked about the possibility of using the material for bike trails. Mr. Mumford said they could, but it would break up and would not last. It depended on how they wanted to deal with maintenance. They could lower the capital cost up front, but the maintenance cost would increase. He said rotomillings could possibly be used in parking lots of parks and had been used in the past at Riverfront Park. Councilmember Cimmino asked if rotomillings could be used in the parking lot of the High Sierra Heights Dog Park. Mr. Mumford said they could look into it.

Councilmember Pitman suggested rotomillings would be a good topic for a future work session. Mr. Mumford agreed.

There were no other speakers, and the public hearing was closed.

Councilmember Crouch moved for approval of Item 6, seconded by Councilmember Swanson. On a voice vote, the motion was unanimously approved.

## 7. ZONE 3, CHAPPLE RESERVOIR EXPANSION

A. **RESOLUTION #14-10351 approving \$6,100,000 Department of Natural Resources and Conservation (DNRC) Bonds, Series 2014, fixing the form and details and authorizing execution and delivery of the bonds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)** Ms. Volek advised there was no presentation, but staff was available to answer questions.

Councilmember Cimmino advised she would abstain because her employer was part of the project.

Councilmember Yakawich asked if the City would be borrowing from the State. Ms. Duray explained it was a State Revolving Fund (SRF) Program, and the money passed through the DNRC. The bonds would be funded with state loans and federal grants. The interest rate would be approximately 3%, and it would be a 20-year loan with no upfront issuance costs. Ms. Duray said the City had approximately \$750,000 of its own money, and the balance would be the \$6.1 million SRF loan.

Councilmember Pitman moved for approval of Item 7A, seconded by Councilmember Yakawich. On a voice vote, the motion was approved 10 to 0.

**B. W.O. 08-25, ZONE 3 CHAPPLE RESERVOIR EXPANSION BID AWARD.**  
(Opened 4/1/14) Recommend Western Municipal Construction, Inc. in the amount of \$4,997,556.65. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) Ms. Volek advised there was no presentation, but staff was available to answer questions.

Councilmember Cimmino advised she would abstain.

Councilmember Pitman moved for approval of Item 7B, seconded by Councilmember McCall. On a voice vote, the motion was approved 10 to 0.

**PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign in at the cart located at the back of the council chambers or at the podium.)**

The public comment period was opened.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT**, said the minutes from March 24, 2014, were incomplete because they did not include some of the comments made during discussion of Items 5 and 7; and Police Chief St. John's thorough presentation at a January work session authorizing the number of police officers was not included in the minutes. He urged the Council to review its policy on what was to be included in the minutes for future reference. He had heard rumors the City Administrator was planning her retirement. She needed to consider the recruitment expense for her replacement in the current budget. If she brought forth the budget without it and then announced her retirement, it would be an incomplete budget and grounds for dismissal. He asked what new administrator would want to come into a strange city with dysfunctional government or a lot of problems to be solved. They needed a permanent, quality city administrator and not a lame duck.

Mayor Hanel commented he would never refer to Ms. Volek as a lame duck. He said Ms. Volek was fully aware of her accountability and contract, and her desire to retire was her personal decision. He said he was sure Ms. Volek would give them fair warning when the time officially came and up until that point it was exactly as stated – a rumor.

Ms. Volek commented that the City of Billings had the most exhaustive set of minutes in comparison with any other cities in the State of Montana; however, they were not, and were never intended to be, verbatim minutes. The minutes were intended to include a discussion of the items pertinent to the decisions of

the City Council and establish legislative intent so future Councils could determine why a past Council acted on a particular item as it did.

Ms. Volek assured the councilmembers she would give them ample notice when it was her intent to retire. She said she was 63, she was not eligible for Medicare, and she would not retire until she was eligible for Medicare, which was a good way down the road. She enjoyed her work, and they had a great deal of material ahead of them in the next couple of years. She said she served at the pleasure of the Council and hoped to continue to do so for quite a period of time.

- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT**, said the minutes from the last meeting did not reflect Mr. Crouch voting against one of the tax abatements. He also said Councilmember McCall had a clear conflict of interest serving on the Economic Development Corporation (EDC) Board. The corporate papers of the Downtown Billings Partnership listed Tina Volek as a director; and business was conducted and contracted with them to provide service to the City. He asked whose interest she had. He asked that both individuals be removed from the boards because it was apparent they could not control their conflicts.

Councilmember McCall clarified that she was ex-officio on the Big Sky EDA Authority Board, and she did not vote. She said she was a director on the Big Sky Economic Development Corporation representing Yellowstone Boys and Girls Ranch and not the City of Billings.

- **Walt Donges, 941 Constitution Avenue, Billings, MT**, voiced support from the Billings Human Relations Commission as they continued to work towards the language they asked for on non-discrimination for the BHRC and the city employees. Although they were not seen and not in the papers, they were there to support Council's decisions on what was best for the City of Billings.

There were no other speakers, and the public comment period was closed.

#### **COUNCIL INITIATIVES** - There were no initiatives.

There was no further business, and the meeting adjourned at 8:03 p.m.

CITY OF BILLINGS



BY   
Thomas W. Hanel, Mayor

ATTEST:

BY:   
Cari Martin, City Clerk