

City Council Work Session

5:30 PM
Council Chambers
Date: May 19, 2014

ATTENDANCE:

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

Agenda

Call to Order 5:32

Budget Only

TOPIC #1: Review of Previous Budget Work Sessions

- Brent Brooks: Question asked was, "Since 2008, how many civil lawsuits have been filed against the City?" MMIA shows downward trend in lawsuits.

YEAR	# OF LAWSUITS
2008	9
2009	Approx. 16
2010	14
2011	5
2012	7
2013	9

Will send more precise count to the Council. Personal injury, contract dispute (longevity), and employee. 95-98% MMIA covered.

- Swanson: Executive summary: Getting an overview of how last year and this year varied from prior. High points of the year to be worked on by CA and Mayor.
- Public comment: None.

TOPIC #2: Downtown Billings Improvement District

- Lisa Harmon: Presented a Power Point for FY2015. BID is a public/private partnership where property owners elect to fund services beyond what City offers.
McCall: How far south does the safe zone go?
- Lisa Harmon: Safe zone includes the South Park east to North Park and North to St. Vincent Healthcare campus. Included parks to make sure we could patrol there as well.
- McCall: First Ave South to ...?
- Lisa Harmon: To Garfield which is included.

Board of Directors has changed while trying to change board year from June to January. BID has vetted Rudi Marten, owner of Clark Marten Photography, and Randy Hafer to be added to BID Board. Will need to fill out City application and be approved by Council.

Business Improvement District – Work Plan

- ✓ Clean program (Street Level)
 - Sidewalk sweeping
 - Landscape, Planters
 - Trash removal
 - Graffiti removal
 - Power washing
 - Snow removal, 4' pedestrian right of way
- ✓ Public Realm
 - Events: Facilitation, Staging
 - Street Kit of Parts
 - Street Furniture
 - Hanging Flower Baskets
 - Christmas Decorations
 - Hospitality: Ambassadors, Info Bike, Assists
 - Loan a Bike Program
 - Outreach
 - SCRC / Purple 5K/Crit Bike Race
- ✓ Public Safety
 - Downtown Cooperative Safety Program
 - Crime Watch for Business
 - Quarterly Forums
- Yakawich: Saw hospitality program in Atlanta. Would you consider adopting?
- Lisa Harmon: We have a smaller budget. Most cities used a company called Block by Block which wanted \$275,000 budget. City brings in slightly more than \$100,000. Labor prices run high when you have a good snow season. Hospitality more a summer function in Billings. Looking at what we can and can't do. Most people identify function with Purple People. Downtown officers also fulfill function.
- Cimmino: With Memorial Day, providing U.S. flags?
- Lisa Harmon: Used to provide. A cooperative effort.
- Greg Krueger: Looking for funding for replacement flags. Flag holders updated by Scouts.
- Tina Volek: Offered to help Fire Department w/Greg's help.

- Mayor Hanel: Approximate cost on request?
- Greg Krueger: Can't remember.
- Tina Volek: Have e-mail from the Battalion Chief involved, and will forward to Council.
- Lisa Harmon: If you can provide, happy to work with Greg on those numbers.
- Lisa Harmon: Public Safety started with purple people when we did not have downtown resource officers. Needed downtown cooperative safety officers. Very popular. Created Crime Watch for business, and a calling tree. Quarterly forums will be starting at Billings Clinic. Will invite people to come and chat with Matt and Tony in the office about issues they are having respective to their districts.

Discussed the Budget for FY 2015 for BID. – Has not changed a lot. Assessments down about \$4,000 as existing businesses buy additional land. They have capped their contribution.

- Mayor Hanel: Surprised occupancy only changed by \$100? Very minimal. Operating efficiently.
- Lisa Harmon: Yes, owner operated. We hold the line. Showed formula of BID Assessment. Value of District has grown steadily since 2005.
- Cimmino: Does event revenue pertain to Alive After 5, etc.?
- Lisa: No. Contracts with groups like Women's Run trash, etc. DBA is the one that is the revenue from events like Alive After 5. DBA pays monthly fee for BID labor. If it was not in existence, the DBA would need help.
- Yakawich: Explain RR Non-Continuous Properties?
- Lisa Harmon: RR did not want to participate in BID. Businesses that wanted snow removal, etc., contract when they rent those properties, are not in district but adjoin it.
- McCall: With DBA, does surveying of members and stakeholders occur for satisfaction, needs for additional assistance.
- Lisa Harmon: I encourage annual meeting attendance. Held spring and fall. Last fall, wove a survey into the annual meeting with those who attended. Safe in downtown (78% thought moderately safe). By and large most satisfied, but worthy of discussion.
- Public comment: None.

TOPIC #3: Police

- Police Chief St John: Here to present Billings Police Department FY 2015 Budget. Increase of 5% at \$930,457. Majority of the increase is in Personnel costs. In 2013, calls for service were almost 80,000. Increased about three percent a year. \$930,457 increase in personnel – steps and salary increase. Operations up \$37,645 due to overall cost growths. At or below budgeted amount on O&M. No capital costs. Transfers down as radio and litigation paid off. Showed two slides on how department is divided by division as to costs. For example, \$11M for personnel, and \$1M for patrol. AFIS is automatic fingerprint effort. Animal Control included. Majority of budget (\$16 M) goes to people. City is employer of preference in part because of good contract and salary package. Authorized 142 officers. 1 vacancy for deputy chief may be replaced by 1.5 person.

- Cimmino: Difference between a Deputy and Assistant Chief?
- Police Chief St. John: Assistant Chief has more responsibility, and higher salary. Deputy Chief a little bit narrower responsibility. Had two deputy chiefs at one time and found we did not need two. Would petition to give that Deputy Chief position back and put more officers on the street.
- Police Chief St John: \$40,000 to buy and equip car, plus handguns and uniforms. 25 support staff, including ICAC (Internet Crimes Against Children) Administrator, funded by \$2M grant.
- Cimmino: Over course of time?
- Police Chief St. John: Five years.
- Police Chief St. John: 7 Animal Control Officers. Do a great job.
Always a question on overtime. In handout on Overtime Query FY 13 – What is budgeted and spent. All OT at one point and time have rolled into personnel costs. Line item for comp cash-out which is a financial liability. We are short officers. Serious issues required overtime. Contract allows unlimited cash out on unlimited amount of comp time whenever pay period. What is happening, our Officers are taking their OT in comp, and then cashing it out potentially at a higher rate. Will watch and negotiate at contract time. Underfunded liability rolled into personnel costs previously. Same for detectives,
- Cimmino: \$308,995 taxed?
- Police Chief St. John: Yes.
- Cimmino: Some private companies provided with 40 hours a year limit.
- Police Chief St. John: When I started could not cash out. It was one time per year for 40 hours, and then negotiated to current level. People taking OT in comp, sitting on it until next pay step, then higher rate. Need to figure out a strategy how to deal with it.
- Cimmino: Paid out 1.5 times?
- Police Chief St. John: Yes.
- Pitman: How much comp time is built up?
- Police Chief St. John: Will have to get it for you.
- Pitman: Where did you come up with money? Come back to Council?
- Police Chief St. John: Some other lines below level, salary savings will help offset. Will bring back if necessary.
- Pitman: Put aside in budget, if 5 years down the road, no reserves.
- Police Chief St. John: Okay. Next year based on projections. If you elect to move forward with any safety levy discussions, that will also be factored in.
- Tina Volek: Will negotiate this summer.
- McCall: Appreciates clarity and knowing what has to be done. On detectives, is \$2.75M for how many?
- Police Chief St. John: 20-22 – Including Administration and Detectives.
- McCall: Do you have enough detectives?
- Police Chief St. John: Stressed to the max. Everyone carrying 20-25 cases. When serious case, devote time to that. We let other things go.
- Brown: Going to cost a lot to get back comp time payout?
- Police Chief St. John: What would solve the problem would be a cap. We are not going to allow unlimited cashing out of comp time every pay period. Because our

officers are on overtime, they are pretty much driven to the comp cash out because it is so much more lucrative for them. If we can put a cap so they can only cash out X number of hours a year, that would help us immensely planning for a situation like this.

- Mayor Hanel: Officers may be pulling money out because short staffed.
- Police Chief St. John: Three time banks officers can use – Vacation Bank, Comp time which they can take either in cash or time off, or a holiday leave bank. We control how many people we let off on a particular day. If we are short, there might only be one person we let have a day off. Not going to let 2-3 people have vacation day and then turn around and have to back fill 4 of them at time and a half. We do the best we can to get people time off.
- Cimmino: 20 personnel including administration senior, in addition to longevity?
- Police Chief St. John: Yes.
- McCall: Assume we have done some analysis with Pat about going forward. When does that cost more than adding an additional patrol officer?
- Police Chief St. John: This is why we are having discussion now. Have done good jobs of no SBRs to Tina, including additional personnel. Staff things at City expense because “right thing to do,” i.e. Women’s Run, etc.
- Cimmino: Did not get Overtime Deficit Explained. Asked for copy.
- Police Chief St. John: Will provide. Do get reimbursed for security at Mustangs games, etc. We do generate some revenue.
- Mayor Hanel: What about retirement in next few years?
- Police Chief St. -John: In next 2 years, 10-15 people, when employees in command and detectives have 30-35 years plus. No one indicated hard dates.
- Mayor Hanel: Expensive to buy out?
- Police Chief St. John: Hiring at a much lower entry level salary.
- Mayor Hanel: Support Legislative funding for Academy with outdated equipment.
- Police Chief St. John: Critical. Required by law, shouldn’t put officers in dilapidated facility.
- Pitman: Have you received radios and how are they working?
- Police Chief St. John: Ready to be installed. Will report back on functionality.
- Public comment: Kevin Nelson – 4235 Bruce Ave: Last couple weeks, CM Cimmino said safety is this Councils number one objective. Brown concerned about safety mill levy. Why do we have 11 hypocrites. Take safety out of TID and move back in Police Dept. where it belongs.
- Mayor Hanel: Seems you pay close attention to the meetings, and you are here most frequently. I think you have been sleeping in back of room. Have discussed what you just brought up, and quite frankly those matters are based on budget presentations and our budget process which is just in the beginning stages. Will take into consideration.

TOPIC #4: Fire

- Fire Chief Dextrus: 2015 Budget Presentation: Work hand in hand with the Plan and Building Dept. Also our Code Enforcement that monitors sprinkler systems, fire codes, and review those plans. Generates \$184,646 in revenue. Dispatch charges come from two main entities. One is, we are a consolidated Dispatch Center. This means

almost everyone in Yellowstone County, excluding Laurel, we provide dispatch services for. It is Law Enforcement, the County Fire. We also have a fee that is assessed from A&R for services associated with dispatching for them. \$588,163 is revenue that we bring in associated with having this consolidated 9-1-1 Dispatch Center. Something that is real important to our Fire Dept., is the agreement that years ago this City entered into with Yellowstone County. BUFSAs (Billings Urban Buyer Service Area) is a partnership with County. We take these contiguous areas and contract with the County, provide the same level of service that we provide in our community, to those surrounding areas. Majority of these funds are derived by taking the average salary for 10 people in our Department. In our Department we have 105 personnel.

Expenditures: Personnel, including 9-1-1 with 31 employees, total of 146.5 with salaries of \$13.9 M, are 83% of budget. O&M: Includes utilities, IT, fleet services at \$1.6 M. Capital of \$237,000, asking to retain existing ladder truck at West end. Can be cross-staffed. Primary tools for flowing water.

- Brown: Understood old ladder truck would be back-up, spare. Now talking that it will be part of the fleet. How much will this actually cost? Talking \$1M for new truck.
- Fire Chief Dextral: Don't intend to staff that truck. Would be cross staffed, where if there was a building fire for example, the crew would take.
- Tina Volek: To clarify, it will make our unit out on the West end more flexible. We won't be adding more people to that unit. Just a choice of two vehicles, whichever would better serve the needs of the job.
- Fire Chief Dextral: Two reserve engines would help when another goes out of service or in a large fire we could bring to it.
- Brown: Do you have room for it?
- Fire Chief Dextral: Likely at Station 7, which is on 54th St. W.
- McFadden: Asked for breakdown of different trucks and what ladders are carrying.
- Fire Chief Dextral: A fire engine carries a compliment of ladders. Usually not longer than 24 feet. When you use the term ladder truck or ariel, it has a large ladder on truck, anywhere from 75-100 feet. Difference between aerial and ladder is no bucket or platform. Have one of each. Engine at Station 1 is straight ladder. Ladder truck at Station 5 has platform (bucket) truck. Can raise whole apparatus with people inside, so it eliminates the climbing. Both of these trucks have a compliment of multi-size ladders; ladders that slide out and are set up against the building.
- McFadden: What kind of ladder truck required putting water in air?
- Fire Chief Dextral: Either has large hose mounted on them.
- Cimmino: Will have 3 ladder trucks?
- Fire Chief Dextral: Keep third ladder truck as reserve and cross-staff or hold for reserve.
- Cimmino: Fleet also includes 2 QRV? What function?
- Fire Chief Dextral: Different departments use different trucks. Open spaces here require multi-dimensional truck. Handles ER calls plus open road.

- Brown: What percentage of time are the QRV's used?
- Fire Chief Dextras: First year, 900 alarms at each of 2 stations. Total alarms were about 1400. Used more than half the time. 70% of alarms are medical related, when supposed to be used. Battalion Chiefs monitor to make sure used to benchmark effectiveness of vehicles.

Capital item includes replacement of roof at Station 1 at \$165,000. More than 25 years old, multiple leaks. We had burn building but is unsafe. Put \$\$ into training tower but can't be used for burns. Asking for \$60,000 to construct burn building for Fire Department and Airport. Possibly partnering with the Fire Science program at City College for fraction of cost of other facility.

Debt service is part of existing lawsuit that ends in 2017. And transfer \$500,000 to ERP. Thermal imaging for \$36,000 creates safer conditions for firefighter. Hurst Tools transitioning to electronic tools, more mobile, lighter, and efficient. Other Capital Replacement of Truck #1 for \$918,044. Looking at replacing the backup Battalion Chief vehicle for \$56,339. Reserve truck used when we call in second Battalion Chief.

Future issues: 9-1-1 Center - Resolving property issues. Have done appraisals, funded from 25% of 9-1-1 fund. Will produce \$3M.

- Mayor Hanel: Where are you looking at?
- Fire Chief Dextras: Across from Station #1. Drawn to area because high-fiber technology; redundant in that area. Without having to spend \$\$ to move, makes this an attractive site.
- Mayor Hanel: Residential property?
- Fire Chief Dextras: Small home. Not habitable. In the process of working with property rep to abate asbestos.
- Mayor Hanel: What is the time frame or next step?
- Fire Chief Dextras: Do not have time to devote to project. Property owner willing to abate. Had one demolition company look at it for removal. Hope to be able to complete in summer.
- Yakawich: How are you raising \$3 million?
- Fire Chief Dextras: Service fee on every call at state, which is shared with City.
- Cimmino: 9-1-1 dispatch Montana Highway patrol in addition to PD and Sheriff?
- Paul: Can contact, but primarily City and Sheriff, AMR and County except Laurel volunteer units.
- Cimmino: Potential to share costs with County?
- Fire Chief Dextras: Part of the 9-1-1 funds for County goes into reserve. Creates dilemma in future if not owner.
- Tina Volek: The City as the PSAS (Public Safety Answering Service) is the recipient of the State Funds for 9-1-1 for Yellowstone County. In exchange for receiving that money, they pay for a Sheriff's Department Dispatcher. However, the City does all of the call taking for that Dispatcher. If the County were to remove its funding from the City's operation, it would also have to fund someone to take call. My understanding is,

that this combined unit was created in the 1980's when there was a severe fire, and it was overwhelming to the Sheriff's Dept. because they did not have the personnel to handle the call volume. That was when the two centers were combined. We have had that discussion, and as the Chief says, we are the primary recipient of it for all the services we provide. We would retain the majority of the money. In addition to having a \$3M reserve that we could use for the initial stages of the project, we can reliably count on money continuing to come over a number of years, that if we have to do bonding for the construction, or the equipping of the station, we will have money in that funding to take care of those needs. Should be self-sustaining. County does contribute to that through the money that comes to the PSAS through for the County. So they are already a participant.

- Mayor Hanel: Asked for copy of agreement to be distributed to Council.
- Crouch: Asks about dispatching for cell phones.
- Paul: Yes. Outstanding group of Dispatchers. Dispatchers handle many protocols.
- Tina Volek: \$10 million system for \$2 million. Has worked extremely well.
- McCall: Heard 9-1-1 centers accepting texts?
- Fire Chief Dextras: Not there yet, but working on it.

Other key issues include demands, especially as population ages. Staffing and budget limitations are challenging. Need Public Safety mill levy to sustain staffing. Another is planned future growth. Areas that want to be annexed, which will affect emergency services. In 2003, had a station study resulted in Station 7 and will need additional fire stations and personnel in the future. Training requirements would be addressed by having cargo facilities.

800 MHZ system is a source of revenue. City is one of 6 State-funded Hazardous Material Teams. Provides personnel, equipment and training for Billings also used in other entities in State.

Revenue for State 9-1-1 Fund is used for Operations and Maintenance and capital for 9-1-1 with 25% for building reserve. Have \$85,000 contingency for ERs. Staff ran 11,000 alarms, recent report underscored effect of staff on community. Having quality, trained, equipped people makes a difference.

- Brown: How come discrepancy between current and previous radio funds?
- Fire Chief Dextras: Costs for radio system. Now almost all implemented, you see a reduction.

As much as everyone values growth, have to match with services, or creates issue.

- Yakawich: Ambulance service pays into City \$24,000. City does not pay them?
- Fire Chief Dextras: Private service pays for paramedic and transport. AMR primarily dispatches out of Seattle, and monitors City services. System works well. Community does not pay tax dollars to AMR for the service they provide.
- Yakawich: When person injured, ambulance and fire respond, no additional pay for Firefighters to respond.
- Fire Chief Dextras: Correct. We don't generate revenue from responses. Provides additional service to citizens. I am asked a lot - "Why does fire truck come?" People

want us to come. Critical alarms labor intensive. Two people on ambulance, Fire Department helps on CPR, etc. May keep working on patient in ambulance on way to hospital.

- Cimmino: Part of the union contract, provided by ambulance company?
- Fire Chief Dextras: Have 25-26 paramedic employees. More with advanced skills. Partnership allows work on scene. If used paramedics from FD, would increase costs.
- Public comment: None.

TOPIC #5: Council Discussion

- Pitman: Update on rock and storm report.
- Tina Volek: Understand that the work continues. Still working on the Zimmerman site. Concerned about the storm we had yesterday. Did not have a significant effect. Had some vehicles damaged. HR Dept. sent out a request today for information about other damage. Storm was less severe than Sept. storm. Will provide update on storm damage.
- Pitman: Will present letter concurring with Feds taking over Yellowstone County Veterans Cemetery.
- Brown: Signs warning of 6th Avenue Rock?
- Tina Volek: Do not believe so. Will check on
- Pitman: Follow-up. Are you still putting together a funding mechanism to bring that rock down?
- Tina Volek: Yes. Still working to reduce the cost. As the Council directed, have talked to Mr. Whitaker about the projects from the maintenance acct. in lieu of GF Contingency. He would recommend that we reduce the amount of work that is going to be done at Stewart Park where we have \$1.2M of improvements scheduled, down to \$900,000 to help cover the cost. Mr. Mumford will pay \$200,000 out of the gas tax funds.
- Mayor Hanel: Asks for update on damage at Phipps? Mayor complains about mud in the streets and on sidewalks.
- Tina Volek: Will notify Public Works.

• TOPIC #6: Public Comment on Items not on the Agenda

- Emily Larsen – PO Box 21163: NDO - Has neighbor unjustifiably criticized at work for being gay. At a meeting when a man who did not want to rent to gays, was prosecuted. No need for gay ordinance. Three attorneys say will affect City and lead to lawsuits. Also violates three laws.
- Mark Carlstrom – 3139 Poly: Opposed to NDO for many reasons. Want to share local radio item: Last Wednesday, Missoula discussed 2015 budget. Discussed gender surgery. CM proposed adding gender reassignment surgery and hormone therapy for employees, citing non-discrimination ordinance. Example of item that needs to be considered.

- Adam Burt - 508 Zebra St: Emanuel Baptist Church Youth Pastor. Thanks Council for work. Anyone who chooses homosexual or transgender lifestyle would be welcome in my church. Discriminating automatically brings a negative connotation. Discriminated against because can't take dog to park. Auto enthusiast and told by City ordinances how loud car can be. Can't force his choice on other people. Asks the Council to vote no. Not about hate. Children in my youth group who struggle with sexual identity, and I try to help them. Asks opponents to NDO to stand.
- McFadden: Could the NDO affect ministry if someone wants to discuss gender identity. Would law prevent someone from counseling with person because discriminating against them?
- Adam Burt: Real possibility. Civil Rights Act of 1964 prohibits against discrimination on race, sex, religion. Students have limited availability because church or youth group face employment discrimination and reduced pay.
Understand ordinances for greater good of community. This NDO is not.
- Dick Pence - 4307 Palisades Park Dr.: Passes out and reads from "Overhauling Straight America" as marked. Saying and presented 1987 marching orders. As you listen to this play out, will see many of tactics are being used.
- Mark Hall - 3259 Chamberlin Drive: Based on being here for budget meeting, seeing Police overworked and understaffed with aging detective staff in comparison with subjective NDO, would require investigation and litigation of every claim. Don't see the economic viability of moving forward with an ordinance like that.

ADDITIONAL INFORMATION:

ADJOURN TIME: 8:20 pm