

# City Council Work Session

March 20, 2006

5:30 PM

Community Center

## ATTENDANCE:

Mayor/Council (please check)    Tussing,    Ronquillo,    Gaghen,    Stevens,  
 Brewster,    Veis,    Ruegamer,    Boyer,    Ulledalen,    Jones,    Clark.

CONVENE TIME: 5:32 P.M.

ADJOURN TIME: 8:25 P.M.

## Agenda

TOPIC	PUBLIC COMMENT
PRESENTER	
NOTES/OUTCOME	

- There were no speakers.
- The public comment period was closed.

<b>TOPIC</b>	<b>Board &amp; Commission – Parking Advisory/Public Utilities</b>
<b>PRESENTER</b>	<b>Liz Kampa-Weatherwax/Brenda Burkhartsmeire</b> <b>Dave Mumford/Eric Coobs</b>
<b>NOTES/OUTCOME</b>	
<p><b><u>Parking Advisory Board:</u></b></p> <ul style="list-style-type: none"> <li>• Parking Manager Liz Kampa-Weatherwax introduced Brenda Burkhartsmeier, chair of the Parking Advisory Board (PAB) and a downtown business owner. Ms. Burkhartsmeier said the PAB serves in an advisory capacity to the City Council and the Parking Staff on all aspects of parking within the Central Business District (CBD). The primary responsibilities of the board are to provide input on all aspects of parking within the CBD including on-street parking, parking meters, parking garages, surface lots, capital projects and plans, parking fees and fines and all parking policies. The PAB makes recommendations to the City Council regarding public policy and parking within the CBD. She said there are nine members on the Parking Advisory Board, all of whom are involved in downtown businesses.</li> <li>• Ms. Burkhartsmeier said there are several projects the board members are working on. Those projects include: 1) Park II Expansion (10 years in planning with construction bid opening scheduled for 3/28/06), and 2) Parking Rate restructuring (on hold for one month to incorporate late public comment).</li> <li>• She noted that Parking Manager Liz Kampa-Weatherwax will be leaving her position and assuming the position of Purchasing Agent for the City on April 7<sup>th</sup>. She said this will be a great loss to the Parking Division as Ms. Kampa-Weatherwax has been a great spearhead behind many valuable projects. Ms. Burkhartsmeier noted that Ms. Kampa-Weatherwax has committed to working with the rate restructuring project to its completion.</li> <li>• She said the board meetings are held on the second Monday of every month. The board meets for special sessions and goal planning once a year.</li> <li>• Councilmember Ruegamer expressed the desire that the downtown merchants (in the downtown core) be polled about the proposed rate restructuring especially in the area of the parking meters. He asked for a count of how many are for it, against it and those that have no comment. He said he has not seen anything definitive from that group. Ms. Kampa-Weatherwax said a poll has been discussed and recommended and will be done with the board's assistance. Ms. Burkhartsmeier said the poll is a good idea, but added that there still will be some opposition to the proposal. She said the poll should be directed to Downtown Billings Association members as the downtown core is too small of an area.</li> <li>• Councilmember Boyer asked how the downtown employee issue of parking at the meters will be addressed. Ms. Burkhartsmeier said it must be addressed through education (location of economical parking lots), marketing and offering economic incentives. Councilmember Boyer asked if the booting policy will be employed with these chronic parking abusers. Ms. Burkhartsmeier replied "yes". Councilmember Boyer said she is hearing that more and more employers are paying for employee parking. She asked if there are any incentives the City can offer these employers. Ms. Kampa-Weatherwax said at all eight public meetings the City expressed the concern that it cannot "do this alone"; trying to discourage the "space-hoppers". The downtown employers must assist with solving this problem through agreements with and education of their employees. Ms. Burkhartsmeier said the board thinks that education relating to the long-term parking is an area that needs to be explored.</li> </ul>	

- Councilmember Ruegamer noted that other cities have restricted parking in the downtown area between the hours of 6 AM and 9 AM, deterring employee parking. He also said that there should be fewer courtesy tickets issued. Councilmember Jones said the courtesy ticket is okay, but the next ticket should have a higher penalty for the same violation. Ms. Burkhartsmeier said she likes the concept behind the courtesy tickets, and agrees that a higher penalty should be assessed on the third or fourth offense in a month. She added that the PAB looked at many other communities for how they handle this concern. Councilmember Jones said this issue will be controversial and suggested that it should go forward and let the Council deal with the fallout.
- Ms. Burkhartsmeier said the PAB is constantly looking for areas to expand parking facilities, especially additional surface parking lots. Ms. Kampa-Weatherwax said the PAB deals with many issues from large to small, but for the sake of this meeting chose to outline the two major projects.

**Public Utilities Board:**

- Public Works Director Dave Mumford introduced Eric Coobs, the chair of the Public Utilities Board. Mr. Coobs gave Presentation A. He said the board is composed of 5 members that meet the third Thursday every other month. The last meeting was February 16<sup>th</sup>. Subjects discussed at the last meeting included the Lockwood Sewer Agreement, current construction projects, Water and Wastewater Master Plan Study, budget updates, and Montana Public Power. He said the board reviewed the draft for the Lockwood Sewer agreement in December with some changes and voted for approval. The agreement allows Lockwood to have a place to send their sewage. Even though the agreement does not include system development fees (SDFs) it does include a 15% guarantee on investment.
- Construction projects include the Headworks Building, the Treatment Plant improvements, and a pipe replacement program that are progressing well and on schedule. The Water and Wastewater Master Plan study has been a subject of discussion. Barry Nolan attended the stakeholders meeting. The plan is complicated because it deals with future growth and the associated requirement to meet placement of additional lift stations, storage pumps and backup power.
- He said budget updates were discussed and he noted that the department is currently running a deficit. He noted that the rate increase took effect last summer, but water consumption is down and energy costs have risen. He also noted the proposed resolution that was handed out to the Council concerns actions to resolve high energy costs with Montana Public Power (MPPI).

<b>TOPIC</b>	<b>Public info/public meetings (delayed from 2/6/06)</b>
<b>PRESENTER</b>	<b>Interim City Administrator Tina Volek/City Attorney Brent Brooks</b>
<b>NOTES/OUTCOME</b>	
	<ul style="list-style-type: none"> <li>• Interim City Administrator Tina Volek noted that City Attorney Brent Brooks would give the presentation (Handouts B2 &amp; B2). She noted that media attending the meeting included representatives from the Gazette, the Outlook, KTVQ2 and KULR8.</li> <li>• Mr. Brooks said the Legal department was charged with investigation of document production, review of the current request for public document review process and investigation into the method used by Bozeman. He provided the Council with a memo (Handout B1) that was included in a Friday packet in February and a case synopsis (Handout B2) that illustrates the right of privacy that can come to bear upon public agencies. He suggested the Council review the first two pages of the memo that relate to the competing interests, constitutionally and statutorily, in Montana concerning the public's right to know, to participate and to observe deliberations of governing bodies and how that relates to the right to privacy.</li> <li>• He noted the current process used for document requests on page three and the actions taken when</li> </ul>

right to privacy is involved (according to statute, case law and constitution provisions). If there is a question as to what information should be disseminated, District Court rules in those cases.

- Mr. Brooks said page three and four addresses the process used in Bozeman and its limitations. He noted discussions that he had with District Judge Michael Salvagni relating to this more expedited process (not involving criminal justice information) that could provide a quicker review and disclosure to the requestor but also protect the City from attorney's fees as well. Judge Salvagni noted that it is crucial to have the local District Judges agree to this expedited process. Discussions with Bozeman City Attorney Paul Luwe included similar comments about the process and emphasized that it is a formal practice agreed to by all of the District judges.
- He said his office has obtained a copy of the Bozeman process for criminal justice information and a potential draft of what a document request process could look like in Billings which are included in the handout.
- Mr. Brooks said recommended alternatives #2 and #3 are the most hopeful and promising. Alternative #2 suggests appointing a "special master" to review documents. Alternative #3 would be to work out a formal process. District Court judges would have to be involved in this process to assure that it would be workable. He noted those courts are very busy and the process would have to be articulated in a way that would not be time consuming for them to deliberate upon.
- STEVE PROSINSKI, THE GAZETTE, said he disputes the statement on present practice. He said the City's first response is usually to say the requested information is not public information. He said the City needs to learn the lesson that the documents previously requested are public documents. He said it is the governmental agency's obligation to do the review process, redact the documents if there are privacy issues and turn the requested documents over to the requesting party. If the Gazette is not happy with the redaction, its next step would be to go to court. This process will work if the City redacts properly and does not refuse to release documents that are clearly public. Councilmember Boyer asked how the City should handle the expediency concerns, when the City is not responding as fast as the Gazette would like. Mr. Prosinski said he does not have a clear answer for that now, but stated that there must be trust and he feels there is not that level of trust at this point. There has to be a good feeling that progress is being made. The public's right to know is important to the community regardless of the staffing conditions. He said alternative #2 and #3 are not needed if the City acts properly.
- Mayor Tussing said the City is asking the courts to determine the private versus public issues because that is not always a "slam, dunk" for the City Attorney's office. Mr. Brooks said case law is clear that there are instances where it is necessary to have the district courts make the decision on what is public versus private. He noted the district courts have even redacted significantly more information than what the City had suggested. There is no hard, fast or simple solution to this issue. He said the City Attorney's office is trying to offer alternatives that may be helpful to everyone.
- JON STEPANEK, KTVQ2, said this issue has arisen due to a difficult year's worth of issues that may not reoccur in the future. He said he is not convinced that there is a better model for dispute resolution. He said he likes the way the system is now.
- BLAIRE MARTIN, KULR8, agreed this was an unusual year and the new process may not be needed. She said it is frustrating to receive a "flat out "no"" rather than the comment that the request is being reviewed. She said she is not sure involving the judicial element is the answer. She said she would not like to see the City straying from the Constitutional method.
- Councilmember Brewster said the City did lose a lot of court cases last year and at some point needed to change the way it did business based on what happened. He asked if the City has taken

that into account in its response to public information requests. Ms. Volek said the City has changed practices and noted the recent Police Chief application and selection process. She said the City honored an oral request from the Gazette to release the applicants at great City expense. She added that one applicant withdrew because of the request and that had a chilling affect on the selection process. Mr. Brooks noted that Montana has one of the most liberal, open record statute guarantees for the right to public information versus the right of privacy.

- Councilmember Ulledalen asked about costs involved in the Bozeman process. Mr. Brooks said charges are allowed by state law. He said per page charges and staff time is charged by Bozeman. Councilmember Ulledalen said it is a reasonable expectation that the taxpayers should not bear the cost of unreasonable “google” type search of City documents. Deputy City Attorney Kelly Addy said his research found that the Bozeman process charged as follows: If the search for documents took 10 minutes or less, the charge was \$.25 per page, but if it took more than 10 minutes, the charge was \$.50 per page.
- Mayor Tussing said the media still must concur with the City’s adoption of this new method. Mr. Brooks said the City Attorney’s office always starts with the premise that the documents are open to disclosure and can be redacted if needed. He said it was not always his call. Councilmember Stevens said this expedited method is a way for the City Attorney’s office to get a court opinion which would happen quicker than if the media would have to go to court. This gives the City assurance that the process is being done properly.
- Councilmember Brewster said it may be quicker and cheaper to hire an attorney to process the requests and expedite the process rather than pay attorney fees involved in court cases. Mr. Brooks said this would be an additional cost issue for the City (to find a lawyer who would be willing to take this on at a reasonable price). Ms. Volek noted that another issue would be whether another attorney would want to be involved in the liability. Mr. Prosinski said the Gazette is interested in the current process becoming workable and is not willing to adopt a new process at this time.
- Councilmember Jones said the City should remember the lessons learned this past year and move forward with the same process.
- Mr. Brooks noted that there were times when the three attorneys in the City Attorney’s office were working 8 hours a day on the document requests to the exclusion of everything else that the Council and the taxpayers were requiring of them.
- Councilmember Gaghen said she does not understand why Alternative #3 is not a workable option. Mr. Prosinski said the Gazette’s attorney is always willing to work with the City Attorney’s office to refine requests and avoid duplicate requests and wasting time. He said he does not think the process is expedited if the requests go to the judge. Mr. Brooks said the real issue is attorney fees. In a process that we all agree to, there would be no attorney fees.
- Councilmember Brewster said he would rather give the Attorney’s office more resources to process the requests rather than pay the media’s huge lawyer fees. This may not mitigate all of the issues, but the City would be presenting a good faith effort. Mr. Brooks noted that the statute of requests upon demand does not articulate that the request must be in writing.
- Ms. Volek said the City intends to do its best to work with the media, but cannot guarantee it will not find itself in court again.
- Councilmember Brewster said if there is no agreement to cooperate, there is nothing the City can do but continue with the same process.

<b>TOPIC</b>	<b>Naval Reserve Center (follow up)</b>
<b>PRESENTER</b>	<b>Deputy City Administrator Bruce McCandless</b>
<b>NOTES/OUTCOME</b>	
<ul style="list-style-type: none"> <li>Deputy City Administrator Bruce McCandless gave presentation C. He gave background information for the facility. He said the Navy had declined to remediate the facility (full asbestos abatement and demolition of one garage). He said the Navy has now reconsidered that position and sent an Industrial Hygienist (on 3/6 and 3/7) to assess the environmental situation and determine if additional testing is required and then make their report to the Navy command. At that point the Navy command will come to Billings to discuss final resolution of the property. He said the Navy is continuing to maintain the boiler system and make continuous daily checks on the building. Mr. McCandless said the environmental report should be available in the next 2 to 3 weeks.</li> <li>He said there are potential city uses for the facility from City departments. The Police department, Code Enforcement and the IT department toured the facility. The Police department and Code Enforcement are considering placing people in the facility and IT is considering the facility for equipment placement only. The Fire and Parks department are only interested in the land. The Fire department would use the land for a new emergency communications center and the Parks department would turn it back into a park use. An informal assessment of the facility is being conducted including an environmental assessment.</li> <li>Other interest in the facility are from Young Families – Early Head Start, WIC program, County Council on Aging, Stars-N-Stripes Boxing team and the Montana Bureau of Mines – Billings office (a lease paying tenant).</li> <li>The site review included accessible routes, facility architectural integrity, building systems (mechanical, electrical and emergency), environmental issues and roofs. The architectural integrity was rated “okay” with problems and some expense required to fix those problems. The building systems were rated “poor” with the exception of the boiler which is “okay”. Those systems also have problems and would require expense to fix. There are no emergency systems and would require expense to add. There is asbestos in the building and it is expected that there is a small amount of lead in one of the out buildings. He added the asbestos is on the thermal piping and some has been identified and marked by the Navy, but it is suspected that there is a large amount of that insulation surrounding piping within the walls. That is what is unknown and remains to be discovered. Mr. McCandless noted the individual renovation needs that would be required if the City were to occupy the facility. The costs for City occupancy would be approximately \$63.33 per square foot (new costs are approximately \$200.00/sq.ft.). The approximate square footage is 20,000. This would be a total of \$1,266,500.00 to completely remodel the building for City use. Minimal renovation (not recommended for City occupancy) would cost \$40.49 per square foot for a total of \$809,800.00. Building operating costs include \$25,000 for annual utilities, and approximately \$50,000 for annual operating costs (cleaning, maintenance and repairs). He noted that partial occupancy doesn’t affect operating costs significantly.</li> <li>Mr. McCandless said there are a number of challenges for City use. Both the Police department and the Planning department said that operating in two separate facilities would be difficult. Code Enforcement relies on assistance from at least one Planner and other resources that are contained</li> </ul>	

in the current department office. Moving the detectives to a facility away from the Police department (patrol officers) presents the same problems. Support staff is shared by a number of different departments and removing individuals who share staff will increase support staff costs. He said remodeling costs are not included in the Capital Improvement Plan and funds are not budgeted. Most departments that are interested in occupying the building are in the General Fund or the Public Safety Fund, both of which are the most difficult to fund. This would also be one more City facility for citizens to find and there would be concerns about access and security.

- Mr. McCandless said there are options for the Council to consider: 1) City could use the property, 2) City could demolish the facility (environmental remediation still must be done with this option, 3) sell/lease the facility, or 4) close the facility, secure it and leave it until there is a decision on its use.
- Councilmember Veis asked if there is a definitive answer as to whether the facility can be sold. Mr. McCandless said the property cannot be sold, but the building may be a possibility.
- He said the next steps are to complete negotiations with the Navy and determine the City direction. He said the City Attorney would have to determine whether it is legal to sell or lease the property as is. Mr. McCandless said the Staff's recommendation is to wait for the Navy's response before making a decision on the facility use.
- Councilmember Ruegamer said he would like to see the Young Families – Early Head Start program have a chance to utilize the facility. Cal Spangler said their organization did have access to a Head Start grant to utilize the building, but that deadline has passed. He said the plan was to remodel one wing at a time, involving the community in the process for any kind of help. He said they are aware of the asbestos and the lead and have talked with abaters that were willing to work for them to get the job done. He said the facility would be used as an Early Childhood Learning Center serving teenaged parents. The location is ideal because it is centrally located to the high schools, colleges and related services. He said there were 294 teenaged mothers who gave birth in 2005. Many of those are quitting school and the community must serve them. This is the goal of Young Families.
- Councilmember Clark said it is wise to wait for the Navy's response because if the Navy decides to abate the environmental issues that would make a great deal of difference in the options the City would have for the facility.
- Councilmember Veis asked what City department has expressed real desire to locate in the facility. Mr. McCandless said the IT department is the only City department that has done so. The equipment to be relocated would involve communications equipment from Fire Station #1 and would probably require a small amount of space. Operating cost issues makes it unfeasible for other City departments.
- Councilmember Jones asked for a further breakdown of the costs.

<b>TOPIC</b>	<b>Annexation Policy Update</b>
<b>PRESENTER</b>	<b>Interim Planning Director Candi Beaudry</b>
<b>NOTES/OUTCOME</b>	
<ul style="list-style-type: none"> <li>• Interim Planning Director Candi Beaudry presented the proposed revised annexation map that correlates with the Annexation Policy and is concurrent with updates in the Capital Improvement</li> </ul>	

Plan (CIP). The map illustrates the area the City departments feel they can serve within a certain time period. There are three areas and two time periods (2006-2012 and 2013-2023). The red area denotes areas the City departments feel they can serve with existing resources or with infrastructure that is planned in the next five years. The orange area denotes areas where it is logical that the City can extend services, but at this time there are no resources to do so. She emphasized that these are not areas the City will annex, but are areas the City staff can support petitions for annexation. The yellow area denotes areas the Staff feels have too many uncertainties to make a determination relating to possible annexation.

- Ms. Beaudry explained the changes and the information that was used to determine the need for a particular change. The first area is south of the Yellowstone River along Blue Creek Road, north of Briarwood. In 2004 this area was in a more uncertain category because Fire and Police departments were uncertain that they could adequately serve the area. In 2005 Council approved an annexation in this area, so Staff reconsidered its recommendation. She noted the Public Safety Mill Levy will add additional personnel to resolve some of the previous issues, but Fire and Police may still have concerns because there is only one access across the River. The sewer line should also be installed by 2007. She noted that portions of the property known as Blaine's Trailer Park have been removed from the area that would be considered for annexation in the next five years because it is significantly substandard according to City standards. Annexation of this area would be very costly. Councilmember Ronquillo asked if the Blue Creek Fire Department could eventually assist in serving this area. Ms. Beaudry said it is a volunteer fire department and is not structure rated. It could provide certain services, but it would not be at the same level as the City Fire department.
- Ms. Beaudry said another area that has changed categories concerns the area around King Avenue, Shiloh and Hesper Roads. Those areas that are contiguous or almost wholly surrounded have been moved into the category that can be served within five years. The area south of the BBWA canal on Hesper Road is also in a pressure zone that can be served. She noted that the City would not support the cost of infrastructure in these areas, but would allow the area to be developer driven (developer bearing the cost of extension of the utilities). She noted there are utilities along Gabel Road in the TransTech development. The area immediately west of Montana Sapphire to 48<sup>th</sup> Street was an area that was brought to the City's attention by a developer. Utilities will be extended to the far west of Montana Sapphire. She said Staff could support annexation of this area and it will be a request by developers if they agree to pay for extension of the main lines. The developers would enter into a reimbursement agreement where they would be reimbursed for costs as the area develops.
- Councilmember Boyer asked how this plan will contain urban sprawl. Ms. Beaudry said this map plans for contiguous development and that is the most efficient way of growing. She said the City is not trying to stop growth but to contain it along existing City limits. Councilmember Veis asked if the area along Shiloh Road would change to the 2006-2012 category because of increased development. Ms. Beaudry said the Staff is not prepared to reclassify that area until the infrastructure needs are known. Councilmember Jones said he would like to see another classification (colored area) that denotes areas that could be considered for annexation if the developer would be responsible for the infrastructure costs.
- Ms. Beaudry said the area between 56<sup>th</sup> Street West and Grand Avenue has changed classification. She noted that the Council denied a request in 2005 that was partially within the 2006-2012 area.

The boundary actually split a parcel. East of the property, developers have installed a lift station that has the capability of serving a much larger area than the subdivision itself. She noted that the Council will be acting on an annexation in this area on 4/10/06. Another request for annexation will come later that involves property at the far end of Rimrock Road near the railroad tracks. This area is included in the uncertain area but the new Water and Wastewater Master Plan is considering this as a potential service area. She noted an annexation request for the Staley-Westwood Ho property (which the Council postponed from last year and will act on April 10<sup>th</sup>) is still not being supported by Staff because the area is at the limits of response time for City services and the extension of facilities would have to be paid by the developer.

- Ms. Beaudry said there are two modifications to the map in the Heights. A parcel north of the K-Mart in the Heights is split by the current map and the Staff is trying not to split parcels. The area north of Skyview High School (High Sierra) is another addition to the 2006-2012 area. She added that there are a few text amendment changes, correcting statutory citations.
- There was also an explanation of the County zoning jurisdiction and boundary line.

<b>TOPIC</b>	<b>Medical Corridor Signage (Billings Clinic/St. Vincent HC)</b>
<b>PRESENTER</b>	<b>Rod Schaefer/Dan Poling</b>

#### **NOTES/OUTCOME**

- Rod Schaefer, representing Billings Clinic and Dan Poling, representing St. Vincent Healthcare gave the presentation. Mr. Schaefer said the Council will be considering the Medical Corridor Sign code changes at the next Council meeting. He noted that the Medical Corridor special permit zoning district was included into the code in 1985, allowing medically-related uses to expand within the perimeters. The eastern boundary of the medical corridor is 27<sup>th</sup> Street, the southern boundary is 7<sup>th</sup> Avenue N, the western boundary is the alley west of 30<sup>th</sup> Street and the northern boundary is primarily Poly Drive. In 1989, an amendment to change the sign code allowed for expanded uses. He noted that is the last time this piece has been amended. He said the change that is being addressed now emphasizes wayfinding and not advertising. The idea is to help navigate patients in an easier fashion. Because the hospital campuses have grown in size the current sign code has not changed to address the limits set on the number of signs per developed parcel.
- Mr. Schaefer said the two healthcare communities started working 1-1/2 years ago to formulate a different approach to the sign code issues and changes that would work in the medical corridor. He noted that the number one complaint is the difficulty in navigating the medical corridor for services. National consultants were consulted during this process to improve wayfinding, assuring that the medical corridor not become cluttered with signage.
- Dan Poling also noted that complaints from clients and patients centered on the confusion in navigating the hospital campus. In the past, the only way to improve signage was through the variance process, which is a lengthy process. He agreed that both campuses have grown and it just didn't seem fair that the hospitals should still be limited to two signs for the entire area. He said both hospitals have worked hard to include all stakeholders in this process, holding several neighborhood meetings. He said there has been criticism about the proliferation of signs, but their purpose is not to congest the area with signs. The face of both hospitals has or will be changing soon with huge projects in the future. The hospitals are trying to address the needs that will arise

from these changes through better, more efficient signage. He emphasized that changes have been made to the preliminary proposals after each neighborhood meeting. The area of concern for the wayfinding signs is the east side of 30<sup>th</sup> Street to 27<sup>th</sup> Street, north to 7<sup>th</sup> Avenue and south of Poly Drive. The changes are only for medical facilities and not any of the businesses included in this area. He said change would allow 100 feet separation between signs. The request is for signs that are 30 feet high on 27<sup>th</sup> Street and 20 feet high in the remaining area east of 30<sup>th</sup> Street. He noted that not all signs will be that size, but this will afford the hospitals the ability to employ that size. Thirty feet is the same height as all signs allowed in Community Commercial zones and is the size of signs currently on 27<sup>th</sup> Street. He added the west side of 30<sup>th</sup> Street will remain at 12-foot sign heights.

- Zoning Coordinator Nicole Cromwell stated that 30-foot signs are proposed for the frontage along N. 27<sup>th</sup> Street and on no other frontage. The 20-foot signs are proposed for all other areas of the medical corridor except the west side of N. 30<sup>th</sup> Street which will remain at the 12-foot height restriction. She said the maximum square footage of the sign is proposed for 175 square feet, the same as on the east side of N. 27<sup>th</sup> Street.
- Councilmember Clark asked if the code can be changed to restrict that large of a sign. Ms. Cromwell said that size has been proposed in the text amendment and only applies to healthcare-related signs. She added that the Zoning Commission is recommending approval of the text amendment as it is currently proposed based on what was presented at the Zoning Commission hearing. She said the Council can change the size if it desires.
- Councilmember Gaghen asked how the hospital signage will blend with the proposed wayfinding signage this is being installed by the Downtown Billings Partnership in the downtown area. Mr. Schaefer said the DBP wayfinding signs are in the right-of-way whereas the hospital signs would be on private property.
- Councilmember Boyer asked if any artist renderings or visual models have been produced to illustrate the type of signage that will be used. Mr. Poling replied “no”, because the two campuses are different with different signage requirements. He said the hospitals are not at that point yet. Mr. Schaefer added that no trees will be removed to accommodate signs. He said the signs are planned to be monumental in style with landscaping around the base and consistent with the current theme of the campuses. He added that the taller signs probably won’t be used immediately, but the hospitals wanted that flexibility in the code so that in the future they would not have to come back and go through this process again.
- Mayor Tussing expressed concerns about the tight spacing with the proposed sign provisions. Mr. Schaefer said each hospital campus has thirty or more services to which patients need directions. The signs will not be advertising type of signs.
- Ms. Volek noted this item would be on the March 27<sup>th</sup> agenda.

#### **Additional Information:**