

# City Council Work Session

5:30 PM  
Council Chambers  
Date: October 6, 2014

## ATTENDANCE:

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

## Agenda

- Tina Volek: Announced that Al Thelen passed away over the weekend.

### TOPIC #1: MDT Traffic Signals

- Stefan Streeter introduced Danielle Bolan, State Traffic Engineer for MDT: Presented a handout that shows MDT and City signals. Gave an update on plans to upgrade the signals. About 40 signalized downtown intersections, and about half are MDT. There are two systems and that is how we communicate to the signals in the downtown area. The reason for two systems is because with the current infrastructure we have, we are limited on how many controllers we can put on each system. Have two controllers in downtown, there is a system out in West Billings (24<sup>th</sup> & King). Have now separated 24<sup>th</sup> from King with some upgrades that have been done on King Ave. There is also a system on Main Street. Those are the only traffic signals we have communication to currently. Within the City of Billings there are 56 state maintained signals, and 101 City signals. Citywide, City owns and operates more signals than MDT.
- Mayor Hanel: What can be done to alleviate traffic problems downtown, in relationship to trains and signals and signage?
- Danielle Bolan: 27<sup>th</sup> street project in design. Will have to work with the City on its signals because once MDT updates controllers, City will have to do it also. Another project in the downtown area with the State signals is to upgrade the remaining 13 signals. In the downtown system we are operating a system that is pre-timed. This means we don't have a lot of detection. When we have pedestrians, we have to provide for that time. With the signals we are upgrading, we are looking at providing detection all the way around to give us that flexibility that we could operate the traffic signals differently in the future.
- McCall: What do the timelines look like and how much is the cost?
- Danielle Bolan: 27<sup>th</sup> St. project – Construction in 2016 and finishing up in 2017. \$2M for FY15 signals. \$6M to upgrade the 13 State maintained signals. Looking at delivering in 2016. Construction won't take place, maybe fall of 2016 but probably 2017. Included in that is ADF upgrades and upgrading signals with all of our current standards.
- Cromley: Upgrades to 27<sup>th</sup> and MT Ave.?

- Danielle Bolan: At that specific intersection with the 27<sup>th</sup> St. project for the southbound direction, will be adding a protective left turn arrow. We are able to do that at the time we do the upgrades. Providing a left turn arrow at 27<sup>th</sup> St. will not change our cycling. You will see operating in a protective permissive mode. Will also include the flashing yellow arrows.
- Bird: Pedestrian safety in downtown? Does MDT look at accident history and how does that affect signals?
- Danielle Bolan: When we come in to take a look at a signal timing project. We do take a look at the crashes with both vehicles and pedestrians to see if there is anything we can do to help improve the safety. As far as these specific projects we have for the controllers and communication operates in themselves, we are looking at just going forward and getting those upgraded. Because of the pavement preservation project, and because we are looking at doing full operates at those 13 signals, we do take a look at that and if we don't have pedestrian countdown timers, we will be adding that. Taking a look at those crossing distances and also with the new requirements, making sure we meet ADA and where we actually measure our distance where pedestrians have to cross. Through our safety program, this isn't specific to the downtown Billings area, but if we have issues that come up with that, we will take a look and see if there is something we can do different at each of the intersections that would make it safer.
- Bird: The time that you are looking at adding to for pedestrians to cross, is that based on a national standard?
- Danielle Bolan: Yes
- Bird: Does that standard take into consideration mobility issues and also elderly?
- Danielle Bolan: That is why the standards changed were for the mobility and the elderly.
- Bird: Could we provide an opportunity where the MDOT can discuss some of these issues before the planning is solid? Do you plan on having a public hearing in the City for people to come and ask questions?
- Stefan Streeter: We don't have any public meetings planned. It is a pavement preservation project. We will put out press releases that give people an opportunity to comment. Typically we do have outreach in public meetings. We work well with our partners within the City on all of these projects to make sure both of our needs are addressed through the design process.
- Bird: Tina, if the Dept. would be willing to do this as a community conversation at least to provide an opportunity.
- Tina Volek: If the Council wishes. Not sure where they are in their process at this point. They may be close to decision making and the timing may be difficult.
- Stefan Streeter: We have to look at what is in the best interest of all users of the system. You can't sacrifice one part for another if you start causing issues, congestion backups, etc. I frequently meet with groups.
- Brown: Can you sync them so they all extend time all the way up 27<sup>th</sup>?
- Danielle Bolan: Could come out with a timing plan that would account for that. Again, we would have to look at how does that affect the cross streets, and the pedestrians?

- Brown: Is that a possibility with the system we have now?
- Danielle Bolan: I would say no.
- Cimmino: This project is just one of a larger project?
- Stefan Streeter: Yes. N 27<sup>th</sup> from the Airport all the way down to the Interstate. Includes signals and will have new lighting. Upgrade the ADA anywhere that the sidewalks are elevated, we are looking at replacing. When we do an intersection using Federal Funds, we have to bring the intersection up to ADA compliance.
- Cimmino: How will this all be coordinated?
- Danielle Bolan: Plan is to have 27<sup>th</sup> St. in 2015 to begin construction. The majority of the work on 27<sup>th</sup> St. should be completed before we start working on the 13 signals in 2016. We will upgrade the controller on 27<sup>th</sup> St. so they are in sync. We are changing both the software and the communication media with these projects and are looking to go to broadband radios on the state maintained systems. We are improving communication to all traffic signals within the City.
- Crouch: Have you considered scrambles where all the pedestrians walk?
- Danielle Bolan: Yes, you can stop all of the traffic and let the pedestrians go. You are going to have to balance those needs. You will traffic stopped on all your other approaches. That is going to add to your congestion in the downtown area.
- Swanson: How do you account for a dramatic increase, for example, in coal train traffic?
- Danielle Bolan: Not a lot of control on how many trains come through on the railroad tracks. We know that the increase in trains is coming. We will have to deal with that the best we can while still providing for the safety of the traveling public.
- Pitman: This is a system that when you see this map, you are going to start realizing how important it is for our Depts. and your Dept. to be working closely. Maybe a year from now we can get another update.
- Danielle Bolan: We are trying to have more flexibility with all of our systems statewide so we can respond in the future as we look at new timing plans. We are taking a look at this from a State perspective.
- Mayor Hanel: This is quite expensive, and with the growth and the increased traffic flow, there is obviously need for improvements and signal devices. We are all very aware that the railroad traffic is also another major factor in this. Has there been any discussion at all of approaching the railroad BNSF, MRL in helping with the cost?
- Danielle Bolan: As far as the existing signal systems that we have, no. These are on the State roadways and are our responsibility.
- Bird: Is the 6<sup>th</sup> St overpass, a separate project?
- Stefan Streeter: Yes. There is concrete pavement that is starting to fail. There is starting to be more accidents at the intersection. We also a pigeon problem underneath the structure. We have hired DOWL HKM and their first part of the project is to come up with a traffic solution. Then we will go into a design with an intersection improvement. And will have some bird mitigation to keep the pigeons from having issues on the walkways. There will also be some walkway lighting and some improvements for the pedestrians. We will upgrade the ADA in the intersections and all new signals.

- Bird: Does that include pedestrian access or walkway from the underpass east along the tracks where there is no crosswalk?
- Stefan Streeter: We tried with a TA Grant one year ago and we weren't successful. This project is for the intersection starting from Central to State Ave.
- Bird: With the signal management plan you have talked about, is that going to impact some of the discussions we have had with the conversion of some of our one-ways back to two-ways?
- Dave Mumford: Yes, it does. It would require us to upgrade all of the intersections into the \$6-8M range. We would also have to look at some of the roads we own.
- Public Comment
- Kevin Nelson, 4235 Bruce Ave. – I have noticed on Laurel Road and Monad and Moore Lane. All we need is an additional timing for the westbound traffic leaving downtown. We need a longer green light at that intersection.
- Stefan Streeter: Will take a look, and the timing there also.
- Becky Mitchell – 3124 Milas Circle: Chair of Yellowstone Valleys Citizens Council. This was a very informative presentation that was given. Implementing fixes to the traffic lights is a small step towards solving the traffic backup downtown. Especially at 27<sup>th</sup> and Montana Ave. However, steps forward by Billings's decision makers are what we need. Cost is going to be an issue with any solution that is put forth. Billings lacks funding to mitigate community impacts related to increase in coal trains, coal export, and oil by rail traffic. Concern about not having a plan in the event of an oil car derailment. With other initiatives, I think of downtown revitalization, or bike trail projects, the public and private sector have come together to fund projects. We think the City should look to the railroads for a significant contribution to any major projects that are rail/traffic solutions. Tax payers should not bear the cost of mitigating the impacts of increasing rail traffic. Those who are profiting should help bear the costs.
- Walt Gulick – 2018 12<sup>th</sup> St. W: Questions raised about the whole issue of train traffic. I worry about the future of Billings's downtown. A divided City is a problem. Looking at 20-30 years in the future. I would urge to reconsider some things like the issue of over, under, around issues that were brought up in 2004. We need to be serious about that for our future. Noticed Billing Northern Railroad is putting a lot of money into improving their train tracks north from Mossman through Great Falls up to the Hi-Line. They are committing to improving their own traffic. We need to enter into a conversation with them, the County and State. Those who are profiting from increased rail traffic should bear some of the costs.

## TOPIC #2: Legislative Priorities

- Ed Bartlett: First discussion of several, leading up to the 2015 Legislative Session. Nov 17 at the Work Session we will come with a draft set priorities and policies for Council approval on Dec. 8. I would ask you to adopt legislative priorities and policies. Would like to mention several issues, such as legislation on public intoxication, Medicaid expansion, resort or local option tax, property forfeiture, satellite crime lab in Billings, property reappraisal, tax increment, entitlement program, and business equipment tax reduction.

- Cromley: Any opportunities for Council to meet with newly elected representatives?
- Ed Bartlett: Several sessions ago, decided to not do that but to meet with them individually as opportunity or need arises. Council is always invited. Also want Councilmembers involved in our local coalition.
- Tina Volek: Have used lunch video conferences during sessions in the past. Are you going to do it again?
- Ed Bartlett: Yes. Wednesday noon or Thursday noon from election to session for all of the Billings delegation. Do have a video conference location.
- Mayor Hanel: Also have weekly teleconference calls with many of the representatives from Helena that the Realtors have every week. The door is open to the public. These are usually Monday mornings and begin around 6:30-7 am.
- McCall: Other activity that has taken place for several sessions is after the election legislators come together Monday mornings around 6:30 am and have a variety of presentations. Everyone is welcome to be there. Great way to get to know new legislators. I will let you know when that takes place.
- Ed Bartlett: They are scheduled to meet following the first Monday after the election. We are the only community in the state that meets on a regular basis.
- Bird: Are you going to be working for the Judges, City and the County again this session?
- Ed Bartlett: Yes. My primary client continues is the City of Billings.
- Pitman: Would like an email about the positions that the City may take.
- Ed Bartlett: Councilmembers should send issues to Tina and she will distribute to Bruce I and others if needed.
- Public Comment:

Kevin Nelson - 4235 Bruce Ave.: McCall said that MLCT was looking for issues. Want City to pursue Arntzen legislation about county islands and favor more public input. Maybe amend state annexation law that would allow cities to annex industrial property if it meets qualifications such as wholly surrounded.

McCall: Reports on MLCT resolutions that will be considered at conference and 3 bills that will seek support. Resolutions are statements of support from the League.

## TOPIC #3: Budget Quarterly Update

- Pat Weber: Discussed handout:

### City of Billings

#### GENERAL FUND OPERATING

For Period Ending 06/30/2014

For Periods 1 - 12

	Total 2014		2014 Encumbrance	Variance	%	YTD 2013	
	Amended Budget	YTD 2014 Actual				2014	
						%	Actual
<b>Revenues:</b>							
TAXES	\$ 14,157,373	\$ 13,511,526		\$ (645,847)	95	\$ 13,266,261	
LICENSES & PERMITS	4,131,492	3,525,373		(606,119)	85	3,914,727	
INTER-GOVERNMENTAL	9,617,586	10,004,829		387,243	104	9,315,578	
INTRA-GOVERNMENTAL	458,284	458,292		- 8	100	482,782	
CHARGES FOR SERVICES <sup>1</sup>	2,674,135	2,851,951		177,816	107	2,757,171	
FINES & FORFEITS	1,794,762	1,577,694		(217,068)	88	1,809,948	
SPECIAL ASSESSMENTS	-	2,122		2,122	-	13,838	
INVESTMENT EARNINGS	50,100	72,832		22,732	145	44,270	
INTERFUND TRANSFERS	49,107	47,475		(1,632)	97	1,839,710	
DEBT PROCEEDS	-	-		-	-	-	
MISCELLANEOUS	105,500	47,292		(58,208)	45	39,209	
Total Revenues	\$ 33,038,339	\$ 32,099,387		\$ (938,952)	97	\$ 33,483,494	
<b>Expenditures:</b>							
<b>By Category</b>							
PERSONAL SERVICES	\$ 7,158,957	\$ 6,787,643		\$ 371,314	95	\$ 6,474,536	
OPERATIONS & MAINT	3,688,766	3,169,809	105,400	413,557	89	2,936,584	
CAPITAL	642,520	577,413	162,659	(97,552)	115	939,909	
DEBT SERVICE	-	-	-	-	-	-	
INTERFUND TRANSFERS	22,939,505	22,850,091	-	89,414	100	23,019,719	
Total Expenditures	\$ 34,429,748	\$ 33,384,956	\$ 268,059	\$ 776,733	98	\$ 33,370,748	

- Bird: Where are we in terms of the obligation for the Diehler Park – Rimrock deal?
- Tina Volek: We received all of the contributions that had been pledged this year.
- Pat Weber: Except for Wendy's. They will pay at the end of the year.
- Public Comment: None

## TOPIC #4: Public Safety Presentation

- Tina Volek: Introduced Police Chief St. John and Fire Chief Dextras, and Todd Buchanan.

When I first came to the City of Billings, a decade ago, the residents were gracious enough to grant us the last Public Safety Levy. When it was approved, we estimated it accurately that the Levy would hire additional staff in the first 5 years and then continue to support the Dept. for the remaining 5 years. We have come to the end of that time and now we are at the point, with the consent of the Council, we are asking again, that the City residents consider a Public Safety

Levy and we are here to talk about this tonight. Public Safety Fund which is a separate fund within City Government, and separate from the General Fund, which is the main recipient of Property Taxes, covers the Police Dept. which includes Animal Control. And the Fire Dept. that includes the 911 Dispatch Center. Tina gave a Power Point on the Proposed Public Safety Levy.

**Public Safety Revenues**  
**FY15 Budget**

General Fund	\$21,911,000	58%
2004 Levy	\$ 8,200,000	22%
1999 Levy	\$ 3,757,528	10%
Other Sources	\$ 3,858,074	10%

64% of General Fund Expenditures are a transfer to Public Safety

**Public Safety Expenditures**  
**FY15 Budget**

Personnel Services	\$30,385,809	80%
O & M	\$5,812,100	15%
Capital	\$237,000	1%
Debt Service	\$566,053	1%
Interfund Transfers	\$1,172,088	3%

**Financial Constraints**

- City Charter Limitations
- Six Year Reappraisal
- Centrally Assessed Properties
- HB 124 Legislature Changes
- General Fund Non-Budgeted Reserves will be spent by FY17
- Tina Volek: Other Departments in the General Fund includes the City Council, Administration, Municipal Court, Park Recreation Public Lands Dept., IT, Legal, HR and Finance. This is a 24/7 operation for most of the divisions. Personnel Services make up the largest portion. This is significant because should we lack sufficient funding, the primary source of adjustments would probably have to come from Personnel. We have several financial constraints in the GF and they include our City Charter. City Charter was adopted in the 1970's and sets the CAP on the City's GF Property Tax Levy at 74 Mills. We have been at that Mill Levy for many decades. Our first challenge is that we do have a 74 Mill property CAP. Can only be changed by a vote of the public. We have had 2 public safety levies, and also a small levy for Transit and for the Library. The City Charter which is our Constitution requires us to go to the public if we want to raise that Mill Levy. In addition, one of our significant challenges is a 6 year reappraisal cycle by the Dept. of Revenue. Some time ago, the State Government became concerned about the effect of rising property taxes on people's abilities to continue to own those properties. They initiated a 6 year reappraisal cycle.

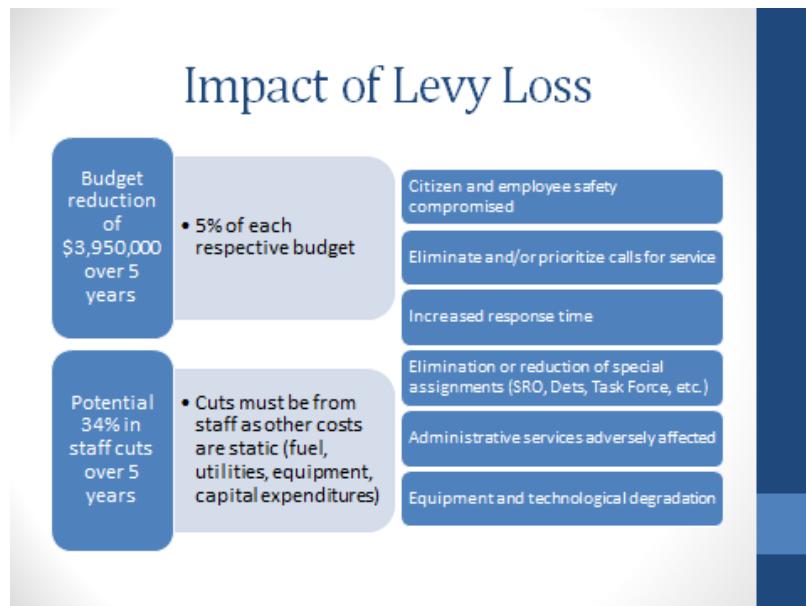
Reappraisal cycle is a bit unusual. It rolls property at the beginning of the cycle back to where the values they should have been at 6 years previously, and then gradually increases that amount over the six year period. In 2008, the first cycle was held, it moved values back to 2002, and today in 2014, our values are where they should have been in 2008. We begin a new cycle this year. We will roll our values and our taxes back to what we were in 2008, and gradually increase them. The values rolling back, have an effect and also CAPPED the value of the Mills that we have. So you can see starting in 2009, we had a slight increase. We added back in the Library which we had been paying out separately. (Tina shared a Power Point on General Fund Taxes). Our property taxes have not increased significantly between 2009 and 2015. This is a result of that process and it answers the question, why won't growth in the City simply pay for new operational costs? The fact is we will be rolled back to the levels in 2008, one of the worst years of the last great recession. That is why growth will not take care of itself. One of our other issues is central assessment of properties. The State of Montana has total control of reappraisal and assessment process. They are the ones who negotiate with the companies that are doing business in the State and the central assessed properties are primarily the RR and the Utilities. This can have a significant impact on us. We began the year thinking that we would have a modest 1% increase in our values and our property taxes. The State negotiated an agreement with Charter, adjusted their tax levies, and while we did get cash back, some money that was owed for past years, instead of getting a 1% increase in property taxes this year, we are going to be  $\frac{1}{2}\%$  lower than we were last year as a result of the changes in the central assessments. In addition, in the early 2,000's the State adopted HB 124, also called the Big Bill in which it took to itself certain revenues that had traditionally gone to the City's primarily gambling revenues. The agreement was, they would reimburse cities on a basis proportional to their population in 2000, and they would give us a 3% increase each year to make up for cost increases. Part of the problem in Billings is that we not only have the largest population in the State, we have 300,000 to 500,000 visitors each year who come to Billings to use the resources here. They use our Public Safety resources significantly. We get no credit for those individuals. They use primarily the gambling revenues here. We are getting a percentage based on our 2,000 population. Not taking into account these visitors. In 2011 we did not get an increase that year when the State was having trouble balancing its own budget. We are also understanding that the Legislators who adopted this process, are now term limited and there is a new group of Legislators. We anticipate from this point forward, we will consistently have to work with that group to insure that we are given credit and they understand what the deal was and will follow up in the future.

- Cimmino: Can we take a look at this with Ed Bartlett on the Agenda that is being proposed for November?
- Tina Volek: We will talk to Ed. Right now it should be our right to have the funding according to that law. It is changes to those laws that we would have to very vigorously oppose.

- McCall: The League always continually monitors the entitlement bill, and it was brokered between cities, counties, and the State of Montana. It was a joint effort. It is one of our Resolutions and will be monitored. Anticipating that it will be a 3.5% increase.
- Tina Volek: Financially speaking, we anticipated several years ago, we would come to a point where the amount of money that we would receive from the last Public Safety Levy, would be maximized, and that we would need to find other revenues to support our Public Safety Depts. which have always been listed by both the Council and the public as a #1 service. Over time, with diligence of both the GF and the Public Safety Fund Depts., we have established a reserve. That reserve is approximately \$10M that should carry the Depts. for another two years, if absolutely necessary. We will talk later about what will happen if we are able to pass this levy, and how we will use that fund to benefit taxpayers in the early years. We did have to tap into this fund this year to balance the Public Safety Fund of \$600,000.
- Mayor Hanel: The amount of money collected in the last fiscal year in taxes, based on the chart of the limits, was under \$10M?
- Tina Volek: Just a bit over. In 2009, we collected \$10.7M. For 2013, which was the last year we had completed figures, was also \$10.7M. That is our challenge, level Mills and level income from those Mills. A significant challenge. At the same time, we had seen our property tax income being leveled. We have seen a 32% increase in the number of calls to our Public Safety Dept. About 11,000 calls a year to fire and emergency services, and another 80,000 to the Police Dept. All have been funneled through the Dispatch Center. We are continuing to grow. Again, new properties are assessed on the exact same basis as existing properties, rolled back again and brought forward on an incremental basis. But we continue to have the challenge of providing service to those areas. While we have added water, sewer, those are services that are enterprise funds, and pay for themselves, Public Safety has not had an increase, and will not unless we adopt this Levy to continue to add employees to deal with these extended areas.
- Chief St. John: **Number of Authorized Police Officers**
  - 1974 – 101
  - 2004 – 126
  - 2009 – 140
  - 2014 – 142

We are broken into 4 separate functions. We have our administrative function which handles the day to day business of running the Police Dept. Our patrol division, about 80 men and women. They are first responders, 24/7 operation. We work 4 – 10 hour days, 3 shifts a day. We have overlaps from 3 to 5 and from 9-1 in the morning. They are busy all day and all night. They are responsible for answering calls for services. We have 20 people assigned to our Detective Division. They are responsible for long term investigations. They are the ones that you see working on the big cases (homicide, serious sex crimes, and assaults). Each detective is carrying approximately 20 cases each. The majority of their cases are felonies. Both of these two divisions are reactive in nature.

Third function is our proactive branch. Those are the men and women assigned to our specialized units. Our Drug Unit is the one people are most familiar with. Is a local, state, and federal task force. Is responsible for disrupting and dismantling drug traffic organizations. We are looking at is mid-level and higher in those drug organizations. Our cases are multi-state and international, specifically down in Mexico, and the meth problem we are dealing with right now. Very active group. Do have a pass through. Some of it is staying here, and some going to the Bakken. You don't hear a lot about this because a lot of it is done in the Federal arena. The Feds have a rule that you can't talk about it. We don't compromise cases. When you see prosecutions and arrests that show up in the paper, generally those are about 6-12 month old news. Internet Crimes Against Children - Working on pedophiles, pornography, and all online stuff. We are the fiduciary for the State of Montana. We have people assigned to the Marshalls Task Force and they chase high level warrants. People assigned to the ATF, felons in possession of firearms, DEA, prescription drugs, and diversion. We have somebody working in the computer front. We have six police officers in the schools. About 1/3 of 5 of the officers' salaries are picked up by School District 2. The 6<sup>th</sup> is paid 100% plus a car in cooperation with School District 2, and the Catholic School system. Those are 15 officers that are in the proactive function. Last is preventative. That would be our Crime Stoppers Neighborhood Watch, and all of our public presentations. Attached to that would be our volunteer program. About 100 volunteers in the summer and about 50 in the winter because some are snow birds. We anticipate significant savings. One year ago, we figured on paper, they saved us 300,000 man hours. Very thankful to have them.



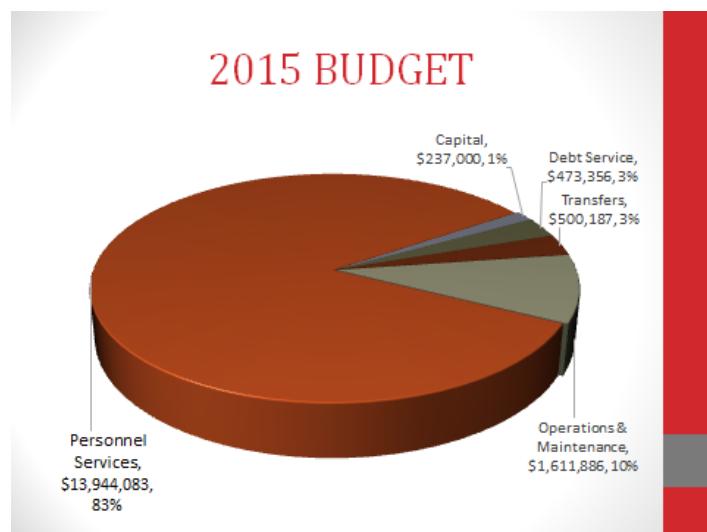
## City Investment to Grow Levels of Police Service

- 5 Year Plan

- 13 Officers
- 1 Police Support Specialist
- 1 Animal Control Officer
- Requisite Equipment

We currently have 9 beats in the City. Billings has become much more densely populated and there is lot more area to cover. On a bad day if we have sick, injured, etc., we could go to work with as few as 9 people handling a City of 43 sq. miles and 109,000 people. We assign two people to a call. If there are 4 calls then we are out of cops. This is what we are trying to avoid. We do not want to put people on hold, but occasionally this happens. It takes 11 months to get an officer trained. It is important that the citizens know that there are ramifications if you run into financial problems, and start having to cut back on services and assets. Projected for Police Dept. alone, over 5 years, \$4M. Only way to get that is to pass the Levy. First priority is citizen safety.

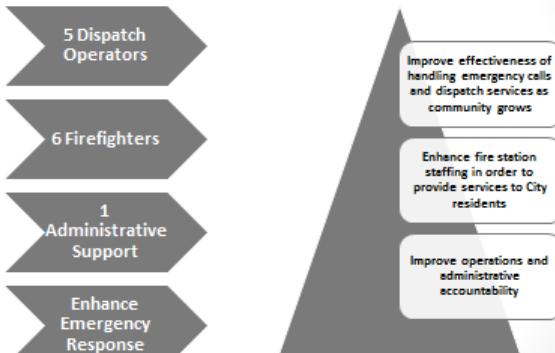
- Crouch: Could you tell the people what a City of our size would need in addition to what we have now?
- Chief St. John: We are 50% short of what we need. That is not realistic. Just the patrol division alone based on our workload study, 22 additional officers.
- Fire Chief Dextras: Our Fire Dept. has 146 people. Down 1 position. 31 1/2 of 146 are at the 911 Center. We are as good as the number of personnel we have to meet the community's needs.



## IMPACT IF LEVY IS NOT APPROVED

- There will be a reduction in staffing levels that will directly impact the overall delivery of essential emergency responses to fires and emergency medical calls
- The City of Billings Insurance rating for commercial and residential property could be increased as a result of a reduction in staffing
- Some area fire stations may not be staffed for periods of time due to fewer firefighters on duty
- Fewer on duty firefighters means fewer staffed emergency response vehicles resulting in an increase in overall response times
- Annually there will be a continual reduction in firefighter staffing levels resulting in a compounding reduction in emergency services

## IMPACT IF LEVY IS APPROVED



- Fire Chief Dextrus: We are primarily a service delivery dept. 70% of what we do is providing emergency/medical care in the community. Very time sensitive. It happens sometimes 30-40 times a day. People are having heart attacks, strokes, falls, difficulty breathing. It is young as well as old and nobody is immune. So important to have a trained, professional capable group of people that can respond in a quick manner. If we had to make a cut, it will be reduced personnel. It will impact our ability to meet the needs of the community. As this community grows, we are going to run more alarms. We have great equipment. Fire Dept. has a direct impact on everyone's insurance whether you rent property, whether you own residential or commercial property. 3-4 years ago, the insurance service office which is an arm of the insurance industry, came in and evaluated our

community. They based our community on a scale of 1-10. 1 being the best, Billings was a 3. Very good rating. After ISO evaluated our community, we dropped to a 5. We had 6 months to make some changes in our Dept. We moved back up to a 4. This underscores that everybody has a vested interest in this Mill Levy. If the Fire Dept. regresses and your insurance goes up, it has financial impact on you. Can't guarantee what those rates would be. Every insurance company is different. Insurance companies go to the ISO rating and start with a foundation of what your community provides as far as fire mitigation services.

- Cimmino: Do we also dispatch Sheriff Deputy? Will the Yellowstone County Sheriff help?
- Fire Chief Dextras: They pay for a dedicated dispatcher on the Sheriff's side. This one is primarily for Billings Police. It is a 24 operation. Although you can never tell when the busy times come, we can target the 16-18 hours when it is the most advantageous. We need a lot more people than what we are asking for.
- Bird: In terms of the dispatch dedicated to County calls, is that adequate for the County?
- Fire Chief Dextras: Right now the demand on the dispatcher on the County side especially for fire is not that high.
- McFadden: Are we going to be able to keep up with the demands and requirements for some of the growth our City is seeing?
- Fire Chief Dextras: We are getting better. We have a lot of equipment. We are below what national standards are for the fire protection association. For example, we staff our fire engines with three personnel. The national standards are 4 and fully staffed would be up to 6 people. The overall number of fires nationally is dropping, but this demand on EMS in communities is increasing.
- Tina Volek: Here are the numbers. Just to remind Council that we have talked about this for almost a year. We did bring to you three options. One was to make no changes which would have led to a reduction in staffing. A reduction in staffing also was associated with the Levy in 2004, but was not talked about publicly. I believe we need to be candid with the public about what the potential impacts are if we do not pass the Levy. Also looked at a Levy that would have retained the same forces we have now. These are not going to keep us up with growth.

## Community Growth

Scenario 3 - Community Growth	Estimate FY 16	Estimate FY 17	Estimate FY 18	Estimate FY 19	Estimate FY 20
Levied Dollars	\$ 2,000,000	\$ 2,500,000	\$ 4,000,000	\$ 7,900,000	\$ 11,200,000
Estimated Mills	12.00	15.00	24.00	46.00	65.00
Estimated Annual Tax on \$200k house	\$ 31.00	\$ 39.00	\$ 62.00	\$ 119.00	\$ 168.00
Estimated Annual Tax on \$100k house	\$ 15.50	\$ 19.50	\$ 31.00	\$ 59.50	\$ 84.00

Scenario 3 - Community Growth	Estimate FY 21	Estimate FY 22	Estimate FY 23	Estimate FY 24	Estimate FY 25
Levied Dollars	\$13,400,000	\$15,600,000	\$18,000,000	\$20,200,000	\$22,800,000
Estimated Mills	77.00	88.00	101.00	112.00	125.00
Estimated Annual Tax on \$200k house	\$ 199.00	\$ 228.00	\$ 262.00	\$ 291.00	\$ 325.00
Estimated Annual Tax on \$100k house	\$ 99.50	\$ 114.00	\$ 131.00	\$ 145.50	\$ 162.50

- Todd Buchanan: 250 calls a day are going through our Dispatch Center. This community is facing some of those challenges that big cities face. We are the only City in the State that has to go to the citizens to fund Police and Fire Dept. We get a lot of questions about why 10 years out, why not 2 years out? Billings has experienced one of the steadiest upward trending growth patterns of anyplace around the region without a lot of problems.
- Bird: I have been getting feedback from people who have told me they are not going to support the Public Safety Mill because the City Council did not pass the NDO. To me it is a retaliatory sentiment that doesn't make any sense. To not pass the Public Safety Mill for that reason puts the entire community in a more vulnerable position. Have you heard that, and if someone were to say that to you, what is your response?
- Todd Buchanan: In these public formats, we have not heard any specific mention to that. There are a handful of obstacles when it comes to voters' minds about how to figure this out. The issue about this Charter is one that people have not been aware of. We have a very educated electorate in the community. The obstacle of the Charter is one that I found not all of us knew the limitations to your authority and how challenging that is when you are talking about basic services such as this. The general consensus I am hearing, is the understanding that once every ten years this is required to be up for review. Another obstacle is fatigue on property tax owners. It is our only revenue source. There is an interest in discussing some alternative resources when it comes to finding revenues. Billings is a growing City and the only thing that could derail that growth is if we fail to stay ahead and on top of these issues we see emerging.
- McFadden: Does the public believe that the City is thrifty with their money, and concerned with the taxes they have to pay?

- Todd Buchanan: The complexity of municipal budgeting is in itself, the hardest thing to overcome when it comes to building that trust. The City budget is complex. We have been trying to share in this proposal; these are maximum levels that you would have the ability to levy against the citizens. On the final closing of the charter communication settlement, when some money did come to the City, through the recommendation of the City, and your approval, you didn't even levy the maximum in this most recent year. There was \$1.2M that you left on the table that you did not tax us as citizens. People trust in the City Administrator, Police Chief, and Fire Chief. We are a thrifty municipality, because of the current administration.
- McCall: Agrees the staff is stellar and have done an exceptional job. Cap on Mills with the Charter. Somehow we need to get this message out to the community that this is a topic that we need to discuss. The fact that we are the only City in the State of Montana with this restriction, and we are the largest City is really incompatible. With the Legislative Session coming, the Montana League of Cities and Towns is going to be sponsoring a bill to lift the restrictions on the formula for the Mill Cap for all cities and towns in the State of Montana which is a very good bill for us to be supporting because of the amount of expense that goes along with running a quality community. For Billings, we are still under the restriction of just the number of Mills that we can actually use without going to a vote. I took the yearly rates and year one for a \$100,000 home. The cost is \$1.29 per month to support the Safety Mill Levy. When you get to year ten for that same valued house, the amount per month is \$13.50. This is an incredible bargain. There is not one person in this community that is not impacted by this. We are not exempt. Sooner or later every single one of us is going to need the assistance of our public's safety services. What we are doing here is the right thing. Thank you Todd for your support.
- Mayor Hanel: As Mr. Buchanan has stated, it is up to us as the governing Council. We do not have to apply the maximum amount. This is what we need to show the voters one – by law, two - we want to be honest and open with them. At the same time, in the year 2025, should the maximum amount be applied to, for example, a \$200,000 home, that is 89¢ per day.
- Yakawich: So many ways that I have seen on Council how the City, Police and Fire have been working hard to save money, or to gain support from other areas. Getting grants, donations, the volunteer police officers. Impressed with both Fire and Police Chief how they are positive, optimistic, and great attitude. There is a vital need for more police and fire and there are critical issues that we cannot deny and must address.
- Todd Buchanan: I think Billings is a safe City but can be safer. The transient issue is better. There has been tremendous attention from the police force to make a presence felt.
- Swanson: Compliments the staff in presenting the Mill Levy. Do you see a couple of things we need to stress to give us some assurance that we win this one?
- Todd Buchanan: Get the information out. We feel we have a good foundation for that. Two resources that I would encourage you to use to get more information out. The first is Billings Chamber. From early on they have endorsed us. Has a

great web page with specifics related to the way the money will roll out on us as citizens as well as some of the data related to the growing demands of service of the Police and Fire Dept. we are seeing. Second, a Facebook page called "Make Billings Safer" was started a couple of weeks ago. We have had great media coverage by the Gazette as well as both television stations. Councilmember Brown has attended the most meetings. The Council is in a position where you do have constituents that have voted for you, those that you serve that may have not voted for you. Reach out to them and encourage them to look at the information. Tina has made herself available for those that have direct questions. We are eager to help get the information out. The group of people that are continuing to get on board and support are propelling a lot of energy toward these two web pages. One presentation was with the Yellowstone Lodging Association. The Board President said that was one of the biggest attendances they had.

- Mayor Hanel: Are there other citizens that have been involved in participating as far as presentations?
- Tina Volek: From our Staff - Asst. Chief Rash, Asst. Chief Slade, and Captain Harper have all done presentations. We have also been making presentations to our own staff as well as to the public groups. I also need to thank Mr. McCandless and Mr. Brooks who have been of assistance in addressing issues, and especially Mr. Weber whose calculations have made up a good deal of this presentation. One of the most startling things I saw, I had not realized the impact of the reappraisal process until I saw that flat line. Todd would you talk about members of your committee?
- Todd Buchanan: Todd listed a group of people who were the key participants.  
Public Comment
- Kevin Nelson – 4235 Bruce Ave.: While the City Administrator may claim that the taxes have remained flat – true, but the Council made them flat. This was by your vote and your own admission. How did you do it? Your TID (Tax Increment District). About 5-6% of the total taxable value of the City of Billings is in your TID. You put that back onto your tax rolls; your taxable values aren't flat anymore. They are progressing up. Take the Safety Mill Levy back out of these TID, put back into the General Fund and you would have the money to fund the Police and Fire.
- Mayor Hanel: Appreciate your attendance at our meetings and your input, but I think you have missed the boat on a lot of the TID funding, and improvements that have come about because of those, there is two ways to look at this. You are partially right. The States reappraisal process is something we have to live by. The Charter has been talked about a lot. We have talked about the Cap on Mills, and if you think for once that we are not going to do what we have done with the tax increment finance districts, you are wrong. They have created tremendous improvements throughout our community. And they will continue to do so, and we will continue to support them.
- Joe: It seems to me you have a bad funding problem. My opinion, you failed to realize that household budgets today are strained to the breaking point. People are wondering how they are going to make all ends meet. An issue I hope to

bring before the Council, is very closely related to this. This is the horrible mandatory auto insurance law. I have been studying this issue for a number of years. If people didn't have to pay these huge sums for mandatory car insurance, they might have a little more freedom of their budgets to go along with the Mill Levy. Households are having a rough time these days. One of the worst things that the mandatory auto insurance law does, it takes food out of the mouths of the children. The household only has so much money and many budgets have been cut. I think there are some very good and effective ways we can get the burden of the mandatory insurance law off the backs of the people.

- Marty Elizabeth Ortiz – 707 1<sup>st</sup> St. W: I have testified personally in favor of the Mill Levy because public safety is very important. We do support the Safety Levy and it is not OK to compromise the Public Safety.
- Mayor Hanel: Thanked Marty for attending the Montana Meth Presentation that afternoon.

#### **TOPIC #5: Holiday Schedule**

- Tina Volek: We are coming up on the holidays. Traditionally in the past, the City Council has considered not meeting the week of Christmas, and we have deleted one of the Work Sessions. What we would normally do would be to have a Work Session on the first of December, hold a Business Session on the 8<sup>th</sup> of December and a Business Session on the 15<sup>th</sup> of December, and then have the weeks of the 22<sup>nd</sup> and the 29<sup>th</sup> off. Wanted to see if this was a schedule the Council was okay with this year.
- Consensus of Council.
- Tina Volek: First of December will be a Work Session, Business Session is the Dec. 8<sup>th</sup> and 15<sup>th</sup>, no Council sessions the week of the 22<sup>nd</sup>.

#### Public Comment

#### **TOPIC #6: Council Discussion**

- Tina Volek: The majority of the Council will be attending the Montana League of Cities and Towns Meeting which is being held starting tomorrow in West Yellowstone. The Council will go Wed., Oct. 8, 9, & 10.
- Cromley: Regarding the downtown Post Office building. Is someone keeping their eye on that? Have heard rumors.
- Tina Volek: Will check into that. I too have heard there is some interest in developing that building. If I am not mistaken, it is a historic building and I believe there is a process.
- Yakawich: Concept of renaming Black Otter Trail to call it Chief Black Otter Trail? It is an Initiative that has been brought up before. Some of the Native American organizations that I have been working with, and I would like direction of what is necessary to look into that more?
- Tina Volek: Not sure where that designation comes, but I will check with the Parks Dept.
- Pitman: Follow-up to Park Maintenance District from our last meeting. Didn't get a chance to go back and look at the equipment after I talked to Staff. My issue

was, the presentation we saw showed two empty circles where some park equipment had been removed. There is a lot more details that should have been shared with us. Request that our Parks Dept. come back and give us a more detailed explanation as to what is going on.

- Tina Volek: Mr. Pitman raises a good point, and I too was under a misapprehension. This is to replace this money which is in the neighborhood of \$800,000, is not just to fill in those two circles, but to replace the Park equipment that is on the grounds there. After an audit by our employees who are trained in this, we determined that there are significant issues with it in terms on the preschool equipment of potential head trapping sites, and both pieces of equipment, a good deal of concern about overlaps in insufficient spacing between pieces of the equipment. A child could come off a swing and hit a child on another piece of equipment, or come off of a slide and hit a child elsewhere on the equipment. The audit has just been recently completed. This was one of the items that when we first discussed the Park Maintenance District, was new equipment. The equipment goes back to the 1990's. We did have to take the entire swing down because of its situation in conjunction with one of the other pieces of equipment. And where the concrete edge is, it is too close to some of the equipment. I will have them bring back a report and get this scheduled on a future Work Session.
- Cimmino: The signs for no texting and driving in our City limits? We really need to emphasize that. It continues to be a problem. My recollection is that we allocated \$1,500 from Council Contingency last year for additional signage. Especially to inform visitors that may not know we have an Ordinance. Really important to communicate that. No texting and driving allowed.
- Tina Volek: Will check into that.
- McFadden: Public participation in the planning of bicycle striping on the streets. Concern is the City Council and the people who live on these streets are being left out of the process. What I would like to see, is before striping gets approval, it shows up on the regular City Council Agenda so everybody on the City Council can see it, and our citizens will see it advertised so if they want, they can come down to the podium and talk about it. It is not fair for people who come home from work and there is striping and their parking spot has been taken away. Should it be an Initiative or a consensus?
- Yakawich: Lewis is very dangerous to ride your bike down.
- Cimmino: Public Works Dept. provides us with monthly status reports, as do the other Depts. I read that Lewis Ave. was going to be striped. That was in the August or September Report.
- Tina Volek: This was a subject of the Public Hearing Meeting several years ago, and a survey in the neighborhood. The striping is completed for Lewis Avenue. There were original concerns because it would have eliminated parking. I believe there are a couple of spots now that the vast majority of the striping was done in such a way to allow ride or land sharing in that area for both parking and bicycle riding. One of the designs and arguments on the other side of this was there are two schools on that route. A middle school and a grade school. The traffic was extremely fast by these schools. Part of the idea behind a bicycle route, is to help

narrow and slow down traffic on those streets. It will present a significant challenge to the staff, if every street that we repave, or every street that we intend to stripe, particularly with our new transportation and bicycle plan, has to be brought to the City Council for approval. It will mean that we get less work done in a given year because we are going to have to slow up in order to have a Public Hearing. At the beginning of a season, we come in and say we are anticipating doing certain streets or restriping. It will be a significant impediment to the active placement of bicycle trails which the Council has designated as being important to our process here. Staff will follow whatever the Council directs.

- Mayor Hanel: If you want to bring it forward in the form of an Initiative at a Business Meeting, you are welcome. Is that satisfactory?
- McFadden: Yes.
- Bird: Since there has been a request to have Parks come back and provide some additional detail, would you also ask if there are any plans for skating rinks this winter?

I would like to have a map of the new boundaries for Ward III since we have had some revisions to our Ward Boundaries. Could I also get a map of what the new boundaries are that include all five wards?

- Tina Volek: Does this include annexations?
- Bird: Yes, with the annexations and limitations. So I can see where we are now.
- Tina Volek: We will do that for you. Will see if we can find a local plotter to print, if very expensive, I will report back at the next meeting. Think we have added a plotter of our own that we might get to do cheaper.

Public Comment

- Kevin Nelson – 4235 Bruce Ave: On the tourism budget back on May 28 Work Session. Main Destination Challenges. This was the second bullet point in that presentation that night. This was challenges as they seem to the Billings destination. It said, “Taxi cab and public bus options limited in some incidences, a lower standard than those of competitive cities.” A lot of you saw the letter I wrote when my wife and I arrived at the Airport. One of our complaints was, “Where are the taxis?” Mr. Binford wrote back to me. He said that I should go to the PSC (Public Service Commission) and talk to them. If we are spending \$1.8M of taxpayer funds, and we are going to be a destination City and this is one of the challenges, it seems to me, we should address it. Two people couldn’t get car rentals until Thursday. I would like videotaped the rental car area and the outside entrance where you get picked up.
- Mayor Hanel: Is the Chamber aware of this?
- Kevin Nelson: I don’t know.

**TOPIC #7: Public Comment on Items not on the Agenda**

- None

**ADDITIONAL INFORMATION:**

**ADJOURN TIME:** 9:52 pm