

# City Council Work Session

5:30 PM  
Council Chambers  
April 6, 2015

## ATTENDANCE:

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

## ADJOURN TIME: 8:55 pm

## Agenda

TOPIC #1	Legislative Update
PRESENTER	
NOTES/OUTCOME	

- Ed Bartlett: Report: 22 days left in session. Answer CM Yakawich about why he reports on money: everything in session is directly or indirectly related to the budget. Sometimes specific info and others that are more general. Medicaid expansion in SB 405, tough hearing tomorrow, will be hard to get out of the House. SB 157, property reappraisal, changes tax rates, classes and cycle from 6 years to 2. SB 360, public intoxication, tabled in House, deadline to move it is 4/11. HB 224, building fund reserve, tabled and in trouble, probably won't pass this session because leadership says cities should be able to work with 12 months' reserve. HB 512, crime lab in Yellowstone County, good progress, has only operating costs and building or lease is in SB 416. That bill also provides loans, grants and bonds for cities.
- City Administrator Tina Volek: last legislative teleconference on Thursday at noon at MSU-B.
- **Public comments:** none

TOPIC #2	Street Maintenance Districts
PRESENTER	Dave Mumford, Public Works Director
NOTES/OUTCOME	

- Dave Mumford: trying to eliminate shortfall in Street Maintenance District 1. Reviews Billings SMDs. Assessments based on lot sq. ft., with a cap on vacant property. Reviews proposed changes and impact on 10,000 sq ft lot outside and in downtown. SMD 1 would pay directly for services that others don't get and pay the same base rate and services as the rest of city. Feedback?
- Hanel: how base rate and vacant lot cap of \$1,510 established? Wanted to keep costs reasonable. \$1,510 was established as a base rate years ago (not sure where the base rate came from), and the base rate has been adjusted for increase in costs over the years.

- Brown: endorse the proposal. Costs are more equally distributed for street maintenance.
- Pitman: has City looked at dissolving District 1? Mumford: not yet, but could look at this in the future.
- Bird: could a neighborhood request additional services and pay for them? Mumford: a new SMD would need to be created for each of those areas. It would be difficult to manage, but it is a possibility.
- Volek: OK to bring proposal to Council on rate changes?
- Hanel: commended Mumford for the work on this
- **Public comments:**
- Kevin Nelson, 4235 Bruce Avenue, Billings, MT: wealth shift. All City properties should be paying the assessments.
- Frank Ewalt, 2131 Phoebe, Billings, MT: other assessments should have a cap for vacant property.
- Hanel: asked Mumford to clarify vacant property assessments. Street maintenance provides value to the vacant property, so those properties are assessed.
- Cimmino: street assessments for Empire – assessments based on sq ft lot, there is common property, how are assessments made? McCandless: will look into and provide information to Council.
- Pitman: concern that downtown is subsidized by remainder of City, especially since assessments are based on lot square footage.
- Swanson: does airport pay street maintenance fees? Yes, it is an enterprise fund so it pays street maintenance fees, sewer fees, water fees, etc.
- Consensus to move this proposal forward at budget time.

TOPIC #3	Park Easements
PRESENTER	Mark Jarvis, Park Planner
NOTES/OUTCOME	

- Mark Jarvis: parkland has unique characteristics: heavily used and in varied ways and times. Several reasons why process needs to change: City does not currently have a park easement policy. Damages to utilities and park property, risks to public safety, restrictions on park development and maintenance. Goal is to establish communication channel with utility companies to minimize damage, and allow for efficient and safe use of the land.
- Volek: no policy now, NWE and others are working with the City.
- Cromley: staff needs to propose policy for Council.
- Volek: Proposed policy sent on Friday to Council by email.
- McCall: surprised that nothing is in place. Definitely need a policy.
- **Public Comment:**
- Debby Singer, 4140 Corbin Drive, Billings, MT: works for NWE and appreciates the hard work that has gone into this policy. Clarified a few statements in the proposed policy.

- Steve Schmidt from NWE: project in Olympic and Harvest Parks to replace underground power cable. Will affect over 800 customers. Emphasize that NWE also wants policy in place and wants to work with the City.
- Cayne Claunch from NWE: embrace working with Parks Department to ensure maintenance of utilities.
- Consensus for staff to move forward.

TOPIC #4	Complete Streets
PRESENTER	Dave Mumford, Public Works Director
NOTES/OUTCOME	

- Mumford: Complete Street Policy: guidelines for how streets should look. Make sure that rights of way are safe and accommodating to everyone. Benefits of completing streets.
- Bird: is an advocate for sidewalks. Would like to see improvements on Central Avenue. Mumford: some older developments were completed when there were different trends, different standards.
- Cromley: did something prompt the review of the Complete Streets program? Mumford: some concerns have been voiced. Examined certain aspects, such as sidewalks, bike lanes. Should review policies more often than this one has been reviewed.
- McCall: it was exciting to work on the Complete Streets committee several years ago. Has only heard a couple of complaints from drivers about sharing road with bicyclists. Mumford: drivers and bicyclists all need to be aware of each other on the roads.
- McCall: any need to revise Complete Streets resolution? Mumford: not at this time. Program seems to be working and is a benefit to the community.
- Cimmino: where did Complete Street program come into play on Lake Elmo Drive? It is esthetically displeasing and there are maintenance issues. Mumford: tried to be accommodating to and work with property owners; maintenance became an issue especially with gravel. Lake Elmo doesn't meet the expectations of the program. Sometimes accommodating property owners leads to issues with the program.
- Pitman: where can public input and dialogue come into play with the program? Mumford: public hearings are always held before work begins. PW does not ignore the public's opinion/input.
- Hanel: support this project and program. Program has been very successful.
- McFadden: concerned with potential lack of flexibility with program. Concerns over bicycle safety; bicyclists sometimes dart out in front of traffic. Mumford: bicyclists and drivers need to follow the law and respect each other's rights to use the roadway.
- Bird: change is difficult, and safety is a primary concern. Mumford: encourage further conversation to discuss concerns and potential issues.
- Brown: would like to see plans of where bicycle lanes will be throughout the City. Appreciates this discussion.
- Yakawich: need to use common sense when placing bicycle lanes on roads; encourage to spread the word throughout the community when new strategies and ideas are implemented.

- **Public Comment:**
- Luke Kobold: 4404 Poly Drive, Billings, MT: representative of Billings Clinic Alliance and involved with Complete Street program. Found that many health issues are the result of obesity. Complete Streets program creates more opportunity and availability for exercise; encourages people to use bicycles or walk instead of driving. There is a true medical benefit to programs like this.
- Kathleen Aragon, 645 O’Malley Drive, Billings, MT: involved with helping children walk to school, involved in safety and health issues in the community. Was involved with Complete Streets program to ensure that children are able to safely walk to school. Goal is to avoid all accidents. Appreciates Council’s actions in moving this program forward.
- Kevin Odenthal, 139, Avenue B, Billings, MT: thankful for Council’s support of the Complete Streets program. Program has made Billings a more livable community.
- Pam Purinton, 3606 Quimet Circle, Billings, MT: goal of program is to promote and encourage healthier living, improve safety, and alleviate traffic congestion. How has the adoption of the Complete Streets Policy further those goals? Traffic congestion has worsened. Hopes that Council will guide City Planning to address the goals of the program. Hopes that the public has a voice in the program. Hanel: can provide data on these concerns; one trail near this address is the most heavily used trail in Billings. Purinton: bicyclists do not use that trail, and bicyclists need to follow traffic laws. Still a lot of data lacking and many improvements to be made. What does Complete Streets do for the City?
- Tom Zebruchen: 1747 Wicks Lane, Billings, MT: should not adopt Complete Streets program in the existing resolution. What is the priority? Building streets or building bicycle lanes? Why rebuild Central Avenue to add bike lanes?
- Ed Gulick, 3015 10<sup>th</sup> Avenue North, Billings, MT: supports Complete Streets policy. Millennials look for things like bike and pedestrian paths when making decisions of where to move. Need to provide bicycle path access across the City. Yakawich: how to address issues of gravel in bicycle paths? Gulick: City provides maintenance, but more is sometimes needed.
- Corinne Glen, 343 Glenhaven Drive, Billings, MT: need safety and good health in City, but concerned with how far the City will strive to comply with goal of eliminating fossil fuel vehicles? How will mass transit need to change? Will more people use mass transit in the future? Will program decrease automobile use in the City? Hanel: resolution for Complete Streets has been in place for a few years. Glen: is this the “classic Complete Streets” program? Hanel: unsure of what “classic Complete Streets means” but resolution may be viewed on the City’s website.

TOPIC #5	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- Hanel: Landfill debris a problem after Saturday’s wind storm. Mumford: Solid Waste will take care of it. Debris is collected on an almost daily basis. County won’t enforce

rules for unsecured loads, which adds some to the debris. Bird: can City take advantage of County Sheriff's labor detail? Mumford: continuing discussions and looking into this.

- Hanel: paving Poet Street subdivision? Mumford: residents have declined the offer to pave the road four times.
- Swanson: thanked Mumford for tour of water treatment facility.
- McFadden: 8<sup>th</sup> St. West and Ave D – bus service ending in that area? Volek will check on that with MET, but there is a balance since there is a limited transit budget. Need to examine routes and usage.
- Cimmino: Prince of Wales and Lake Elmo stop sign is down. Mumford will communicate to street department. Pioneer Park presentation? Volek will get information from Mike Whitaker.
- Cromley; City's ethics code and ethics board violate State law? City Attorney Brent Brooks will report soon.
- Bird: City policy on gravel and grading City alleys? Done annually, just started for this year. Citizens are able to call Street Maintenance with issues or concerns and can inquire as to the plan/schedule for maintenance.
- Bird: Battin Building status? Signs for soliciting tenants are down but property still looks good. Volek: has not been contacted recently for an update. Code enforcement is keeping an eye on it as well.
- McFadden: some alleys have potholes/mud issues. Can gravel be spread?

TOPIC #6	Public Comment on Items not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- NONE