

REGULAR MEETING OF THE BILLINGS CITY COUNCIL

April 27, 2015

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

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

MINUTES: April 13, 2015 – Councilmember Crouch moved for approval, seconded by Councilmember Brown. On a voice vote, the motion was unanimously approved.

Mayor Hanel noted at the April 13, 2015, council meeting staff provided an incorrect date as to when the Arterial Fee was created. He asked staff to confirm the correct date so that tonight's minutes would note the correction. City Administrator Volek advised the correct date for creation of the Arterial Fee was 2004; not 2007 or 2008 as reported on April 13.

COURTESIES:

- Councilmember Yakawich thanked Helen Johnson, city staff, the task forces, Alternatives, 4-H Clubs and the many other volunteers who helped with the Bright n' Beautiful event the past Saturday. Ms. Johnson said 122 bags of litter were gathered, and a dump truck and a roll-off dumpster were filled. The rain hindered some people, but there were more activities planned for this weekend.
- Councilmember McCall referenced the current legislative session, which had been very interesting the past three to four days. She said on Friday there was a notion that the legislature might fully sine die (adjourn). The Senate had forwarded Senate Bill 416, a compromise infrastructure bill worked on by both parties that failed in the House on Friday. There was an attempt to add amendments that failed, and the House agreed to come back on Saturday. It failed again on Saturday but the House agreed to give it one more try Monday, and the bill failed again. Councilmember McCall said a motion was made for the House to sine die, and it passed by 81 votes. In order for the House to conclude its business, the Senate had to agree. The Senate felt it needed to try one more time for passage of the bill, so the Senate voted not to concur with the sine die of the House. Both houses would be in action early Tuesday morning. If the bill did not pass, the State would go without most of its infrastructure planning and funding for two years. House Bill 8, a bill based on bonding, was attached to Senate Bill 416, and was being held hostage until Senate Bill 416 came across. Councilmember McCall encouraged everyone to notify their local representatives and ask them to support the bill.

- Councilmember Bird acknowledged Olympic Gold Medalist, Bruce Jenner, in terms of humanity and compassion, for publicly bringing forth his life. It was a very personal, intimate, and very difficult situation; and she wished Mr. Jenner and others in similar situations well.
- Councilmember Cimmino said she echoed the sentiments in Councilmember Swanson's invocation for keeping Nepal in their prayers. She was very glad to live in a country who lent support for medical aid and recovery efforts. She encouraged everyone to keep the victims and survivors in their thoughts.
- Councilmember Crouch said the City of Baltimore was having its own cataclysmic time and asked everyone to pray for peace.

PROCLAMATIONS: Arbor Day - May 8, 2015

Mayor Hanel asked Superintendent of Parks, Jon Thompson, to comment on the Arbor Day activities that would take place May 8. Mr. Thompson noted the past year the City of Billings Parks Department won the International Society of Arboriculture Gold Leaf Award for best Arbor Day program in Pioneer Park. The award covered the states of New Mexico, Colorado, Wyoming and Montana. On May 8 at 7:30 a.m. the activities would start in Riverfront Park, and so far they had over 200 volunteers to plant trees and shrubs, prune existing trees around the ponds, mulch, paint, and spruce up the shelters. At 9:00 a.m. approximately 500 children from 14 community grade schools would be visiting 20 environmental booths learning about insects, trees, plants, forest animals, etc. All volunteers would receive a t-shirt and certificate and be fed lunch thanks to donations from many local businesses. The event would conclude with a ceremonial tree planting at 12:30 p.m. Mr. Thompson invited the Mayor and City Council to attend.

ADMINISTRATOR REPORTS - TINA VOLEK

- Item G – Adoption of Downtown Billings Parking Strategic Plan with final plan implementation recommendations to be made by October 2015. The initial agenda description omitted the word "Parking." The description has been corrected in all documents to include "Parking."
- Item K – Resolution adopting a Policy on Utility Easements in City Parks. Memorandum from Parks Director, Mike Whitaker, with proposed changes to the park easement policy was sent in the April 24, 2015, Friday Packet. Staff asks that the item be separated for discussion. Copy was filed in the ex-parte notebook.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1 and 2B ONLY.
Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign in at the cart located at the back of the council chambers or at the podium. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

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

1. CONSENT AGENDA

A. Bid Awards:

1. North Side Public Aircraft Parking Ramp Project. (Opened 4/14/2015)
Recommend CMG Construction; \$916,830.

2. Front Load, Side Load and Rear Load Garbage Trucks. (Opened 4/14/2015)
Recommend Montana Peterbilt - Two Rear Load Trucks - \$490,711.16; Montana Peterbilt - Two Side Load Trucks - \$552,505.00; Montana Peterbilt - Two Front Load Trucks - \$526,277.22.

3. W.O. 15-01, Schedule 1, Will James Area Water Main Replacement. (Opened 4/14/2015) Recommend COP Construction; \$1,200,645.

4. W.O. 15-01, Schedule 2, Sanitary Sewer Main Replacement. (Opened 4/14/2015) Recommend COP Construction; \$1,509,574.50.

5. W.O. 15-01, Schedule 3, 17th Street West Water Main Replacement. (Opened 4/14/2015) Recommend COP Construction; \$1,753,263.

6. W.O. 15-17, WWTP Aeration Blower Improvements. (Opened 4/14/2015)
Recommend Aerzen; \$157,714.

7. Ponderosa School Path. (Opened 3/31/2015)(Delayed from 4/13/2015);
Recommend delay of award until May 11, 2015.

8. Waterborne Traffic Paint. (Opened 4/21/2015) Recommend delay of award until May 11, 2015.

B. Subordination Agreements with GSA Billings, L.C. and First Interstate Bank for purposes of debt coverage in the East Tax Increment Financing District.

C. Amendment #1, Automobile Parking Concession Agreement with SP Plus Corporation.

D. Acceptance of Warranty Deed for a street tract for Barrett Road from School District #2 (Delayed from 4/13/2015).

E. Acceptance of donation to Billings Police Department from Phillips 66 for construction of Firearms Training Center; \$50,000.

F. Acceptance of Montana State Reading Council Creative Assistance Grant; \$1,000.

G. Adoption of Downtown Billings Parking Strategic Plan with final plan implementation recommendations to be made by October, 2015.

H. Resolution of Intent #15-10447 to create SILMD 315, Bench Boulevard, and set a public hearing date of May 26, 2015.

I. Resolution #15-10448 relating to \$9,615,000 Storm Sewer Revenue Bonds, Series 2015; authorizing the sale and prescribing the forms and terms.

J. Resolution #15-10449 authorizing the issuance and calling for a negotiated sale of up to \$310,000 pooled sidewalk bonds (W.O. 15-06, Poly Drive and W.O. 14-02, Miscellaneous Improvements)

K. Resolution #15-10450 adopting a Policy on Utility Easements in City Parks.

L. Final Plat of Josephine Crossing Subdivision, 5th Filing.

M. Bills and Payroll:

1. March 30, 2015
2. April 6, 2015
3. January 1, 2015 - March 31, 2015 (Municipal Court)

Councilmember McCall separated Consent Agenda Item K. Councilmember Yakawich separated Consent Agenda Item C. Councilmember Brown separated Consent Agenda Item M1 in order to abstain. Councilmember Cromley indicated he would also be abstaining from Consent Agenda Item M1. Councilmember Cimmino separated Consent Agenda Item G. Councilmember Cimmino also separated Consent Agenda Items M1 and M2 in order to abstain. Councilmember Pitman moved for approval of the Consent Agenda with the exception of Items C, G, K, M1 and M2, seconded by Councilmember Crouch. On a voice vote, the motion was unanimously approved.

Councilmember McCall referenced Item K and said she separated it for purposes of staff discussion. Parks Director, Mike Whitaker, advised a small change needed to be made to the Park Utility Policy to include existing easements. The language was included in the proposed resolution; but it was inadvertently excluded from the language in the policy. Staff felt it was important that both documents be consistent and include existing easements. Councilmember Yakawich asked if there would be a penalty imposed if the policy were not followed. Mr. Whitaker said there would be no penalty. The purpose of the policy was to improve communications between the Parks Department and the utility companies. If a utility company caused damage to a park, the utility company would compensate the City for the damage. Mr. Whitaker said staff believed that improved communication would help prevent a lot of the damage. An

example would be if staff received notice a utility company planned to bring heavy equipment into a park, staff would not water that park beforehand, which would help eliminate the deep rutting that had occurred in the past. Mr. Whitaker noted if a utility company caused damage to a park, the utility company would pay the cost of the restoration and the inspection related to the damage. Councilmember McCall moved for approval of Item K adding the existing easement language to the policy as requested by Mr. Whitaker, seconded by Councilmember Crouch. On a voice vote, the motion was approved 10 to 0. (Note: Councilmember Bird left the council chambers at 6:45 p.m. and did not return until 6:53 p.m. after the vote had been taken.)

Councilmember Yakawich referenced Item C and asked Assistant Director of Aviation, Kevin Ploehn, to explain why the amendment was being requested. Mr. Ploehn said they were in the fourth year of the 5-year Concession Agreement with SP Plus Corporation. The airport had always struggled with the limited area it had for parking, and they often had to use an overflow area that did not collect revenue. About a year ago the employee parking lot was moved further east, and in the next week they would begin construction on the former employee parking lot that would create 225 revenue-generating stalls that would require installation of operational equipment to include credit card readers on the south end and a drive-through for paying cash. They would also be upgrading the ticket dispensers and revenue control equipment at the older lots for a total estimated equipment cost of \$224,000. Mr. Ploehn said because they would need to go through SP Plus Corporation for the specialized equipment, they came to the agreement that SP Plus Corporation would buy the equipment for the airport if the airport would give them an additional 5-year term. Also included in the amendment was establishing a rate structure for the new parking lot, which would be less expensive than the short-term lot and a little more expensive than the long-term lot. Mr. Ploehn said the airport currently received 70% of the revenue; however, with the anticipated, additional flow of revenue, they negotiated 80.5%. He said it was a good deal for the City of Billings. Councilmember Brown asked if at the end of the five years the airport would own the equipment in addition to receiving the 80.5 %. Mr. Ploehn confirmed at the end of the 5-year term, the City would own the equipment in addition to receiving 80.5% of the revenue. Councilmember Yakawich moved for approval of Item C, seconded by Councilmember Pitman. On a voice vote, the motion was unanimously approved.

Councilmember Cimmino referenced Item G. She said on Page 31 of the plan the consultant indicated that no effort had been made to establish a practice and process for auditing revenue generated by the parking system. She asked Assistant City Administrator, Bruce McCandless, what necessary steps would be implemented to complete an audit and report on the revenue. Mr. McCandless said he believed the consultant was talking about comparing the cash receipts with two other programs; the control equipment for the parking garage and the meters. He did not believe they were doing full reconciliation among those three factors. Finance did do occasional internal audits, and they were subject to an annual audit required by state law. Mr. McCandless said there would always be improvements to be made in cash handling, but he felt much more secure that the cash was being handled properly in the Parking Division than it was even a couple year ago. Councilmember Cimmino said she understood the Parking Advisory Board (PAB) was looking at taking a more proactive approach in their

role as an advisory board and asked for an update. Mr. McCandless said by August the PAB planned to bring a number of recommendations to the City Council to include the level of authority or responsibilities the board had, the board make-up, representation of specific groups on the board, etc. Councilmember Cimmino moved for approval of Item G, as presented, seconded by Councilmember McCall. On a voice vote, the motion was unanimously approved.

Councilmember Pitman moved for approval of Item M1, seconded by Councilmember Bird. On a voice vote, the motion was approved 8 to 0.

Councilmember Pitman moved for approval of Item M2, seconded by Councilmember Bird. On a voice vote, the motion was approved 10 to 0.

REGULAR AGENDA:

2. EAST BILLINGS URBAN RENEWAL AREA

A. PUBLIC HEARING AND RESOLUTION #15-10451 FOR ANNEXATION #15-01: portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive) and some alleys in the area of East Billings; City of Billings, petitioner. Staff recommends approval of the annexation and acceptance of the County Quitclaim Deed for road rights-of-way. (Action: approval or disapproval of staff recommendation.) Planning Division Manager, Wyeth Friday, began a brief presentation showing a map of the rights-of-way proposed for annexation. He said when the City Council approved annexation of the 12 properties in January, by state law the City had to annex all adjacent rights-of-way. He said with the infrastructure project planned, it made sense to annex the non-adjacent rights-of-way, as well. Mr. Friday provided the following background on the project.

- The Council annexed 12 properties in East Billings in January 2015
- In coordination with these annexations, the City has planned an infrastructure project to make public improvements in the area in multiple road ROWs and has requested the ROWs be brought into the City Limits
- Yellowstone County concurs with the City's intent to annex the road ROWs and has quitclaimed any interest it may have in the ROWs to the City
- The ROWs include: portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive), and some alleys in the area

Councilmember Brown asked how many county rights-of-way would remain in the particular area. Mr. Friday said there should be none. There were properties that were still in the county, but no road or alley rights-of-way.

The public hearing was opened.

- **Cliff Hanson, 1281 Lonesome Pine, Billings, MT**, distributed a handout. He said annexation was a process and sometimes it ignored failures and

collateral damage. Bad process gave him heartburn. He said there were streets "near and dear" to the property he owned. It was unclear who owned the streets because they were not part of a subdivision plat. According to state statute, the adjoining property owned the land under the street to the centerline unless shown otherwise. State statute also addressed the purchase of land for rights-of-way and the proper way to deed new ownership. What was occurring did not address purchase of the land from an owner; as no proof of ownership by the county was listed. No deed transfers were shown and there was no proof of purchase price or realty transfer certificate. Since there was no warranty deed and a dispute in ownership had been declared, should money be spent before clear title was held? Mr. Hanson said Council should be cautious in proceeding until clear title was held, which may be easier said than done. Twenty years ago the City sold right-of-way adjacent to his property without permission of all adjoining landowners. That process gave him heartburn. Mr. Hanson said the annexation violated historical policy initiated to protect the City from hidden and exorbitant expenses.

Councilmember Crouch asked Mr. Hanson for the location of his property. Mr. Hanson said it was Tract 9A and the adjacent lots to the south off of 3rd Avenue.

Councilmember Yakawich asked Mr. Hanson if his property was included in the annexation. Mr. Hanson said he had not signed an annexation petition. Councilmember Yakawich asked Mr. Hanson if he was concerned with other areas being annexed. Mr. Hanson said he was specifically concerned about flooding that occurred on his property when the storm sewer backed up and they had reverse flow. Mr. Hanson said there was a Supreme Court ruling that government agencies may be held accountable for using private property for flood mitigation; and the private property owner may be entitled to compensation. He said he would be requesting compensation the next time it happened.

Mayor Hanel explained one of the goals of the annexation was to improve the infrastructure and the storm drainage problem. Mr. Hanson said he participated in the development of the concept plan and supported it the best he could. There was a disagreement whether the project would fix his concern of the reverse storm flow.

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

Councilmember Pitman moved for approval of Annexation #15-01, seconded by Councilmember Yakawich.

Councilmember Yakawich asked Mr. Friday to address Mr. Hanson's concern about storm drainage. Mr. Friday said he did not know the specifics of each area, but he knew the project to improve storm drainage, curb, gutter, sidewalk, water, and sewer was going forward.

On a voice vote, the motion was unanimously approved.

B. SECOND/FINAL READING ORDINANCE #15-5652 relating to the modifications of the East Billings Urban Renewal Area and adopting a modified

Urban Renewal Plan, including a tax increment provision. Staff recommends approval. (Action: approval or disapproval of staff recommendation.) City Administrator Volek advised there was no presentation, but staff was available to answer questions.

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

3. PUBLIC HEARING and approval of the FY2015-2019 five-year Consolidated Plan, the FY2015-2016 Annual Action Plan and the allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) program funding. Staff recommends approval. (Action: approval or disapproval of staff recommendation) Community Development Manager, Brenda Beckett, began her presentation noting the following funding sources.

Community Development Block Grant (CDBG)

- Since the 1970s
- \$562,741 to allocate in FY15-16
- HOME Investment Partnerships (HOME)
- Since the 1990s
- \$263,688 to allocate in FY15-16

She noted all funds had to benefit low income households; and the total household income for a family of four was less than \$48,500. Ms. Beckett said they used the data studies of (1) Housing Needs Assessment, (2) Market Analysis, and (3) Analysis of Impediments to Fair Housing Choices to discover key findings that would identify priority needs in the community. The City would then develop programs to address the needs, per federal regulation, to predominately work on housing issues. Ms. Beckett noted the following Key Findings.

- **Housing Cost Burden:** Most severe housing problem for residents is paying >30% income for housing expenses.
- **Smaller Housing Units:** 1,200 households on Housing Authority waiting list for one-bedroom units.
- **Tight Housing Market:** Low vacancy rates and over half of the voucher holders seeking housing have not been able to secure it due to high rent costs and poor unit conditions.
- **Minority Concentrations:** Beginnings of segregation and evidence of lending discrimination against Hispanic Americans. Most homeowners are White and most renters are minorities.
- **Homelessness is on the rise:** An average of 711 individuals are experiencing homelessness on any given day, including 122 families.
- **Special Needs Populations:** Elderly, Disabled, Public Housing Residents and HIV/AIDS populations are in need of various services and support.

Councilmember Bird referenced the housing cost burden and asked if it would be reflective of net or gross income. Ms. Beckett said it would be gross income.

Councilmember Bird asked if the 122 families were included in the 771 individuals. Ms. Beckett said they were included.

Ms. Beckett showed a map of the housing cost burden across the city and said the majority was paying higher than recommended.

Councilmember McFadden questioned the statistics concerning the ethnic breakdown of homeowners and renters. It indicated more homeowners were White. He said Billings was predominately White, so it was a misuse of statistics. Ms. Beckett said they used the percentage of African Americans and American Indians that were in Billings, so it was a valid statistic. Councilmember McFadden said because the population of the area was predominately White, naturally most homeowners would be White. The statistics were skewed. Ms. Beckett advised further in her presentation she would be better able to address his concern.

Ms. Beckett showed a slide of the Housing Authority of Billings Assistance Programs and advised there were almost 5,000 families waiting for Housing Authority Assistance, and only 500 households could be served at one time. She said 1,240 families were waiting for a one-bedroom, 309 families were waiting for a two-bedroom, 195 families were waiting for a three-bedroom, and 80 families were waiting for a four-bedroom. She said they had a 2% vacancy rate/fully booked in Section 8 housing. Ms. Beckett showed a map giving the locations of minority households in Billings and noted the more concentrated areas were in the Central Heights area, downtown area, and southwest corridor area. She reviewed a graph of Owner/Renter Population by Race/Ethnicity and noted 28% of American Indians in Billings were in owned housing, and 72% of American Indians in Billings were renters. She said even though Whites made up the predominant population in Billings, 70% of Whites were in owned housing. Ms. Beckett said the City of Billings was required to work on reducing and ending homelessness and have an anti-poverty strategy to reduce the number of families in poverty. Welcome Home Billings was the City's 10-year plan to impact homelessness and the AmeriCorps VISTA program provided full-time volunteers to support the efforts of non-profit organizations and public agencies working to fight poverty in low-income communities. Ms. Beckett advised from 2006 to 2014 there had been an acceleration of people experiencing homelessness and poverty in Billings. The special needs population (elderly, disabled, HIV/AIDS) found difficulty in securing housing, accessibility modifications, food security, financial literacy, employment, volunteer engagement, healthcare, transportation, childcare, etc. Ms. Beckett showed a slide of the increase in students in the Billings Public Schools experiencing homelessness. Statistics indicated from 2002-2003 to 2013-2014 the numbers had increased from 107 students to 583 students.

Ms. Beckett said their Primary Needs and Goals had been identified, as follows:

- Housing Preservation – Promote preservation of existing affordable housing supply, particular in older neighborhoods.
- New Housing Opportunity – Promote new affordable housing opportunities.
- Housing Choice – Expand housing choice option for existing and potential new residents to foster stable, socio-economically diverse neighborhoods citywide.

- Poverty Impact – Support housing and community development specific to lower income and special needs households through poverty-impact initiatives.

Ms. Beckett presented a slide showing how the Key Findings were related to the Needs and Goals and the following slide of their 5-year goals.

Strategy	Objective	Activity	Outcome Type	Five-Year Goal
A: Preserve existing affordable housing supply, particularly in older neighborhoods, to support the stability of the current affordable housing stock.	A1: Provide direct, affordable financing and assistance to low income homeowners for the completion of needed repairs citywide.	Housing Rehabilitation	Housing Units	50
		Manufactured Home Repair		25
	A2: Revitalize low income neighborhoods through foreclosure remediation, redevelopment and infill development.	Foreclosure Acquisition / Rehabilitation		5
		Affordable Housing Development		10
B: Create affordable housing opportunities to further improve access to and quality of the affordable housing stock.	B1: Provide affordable financing and support to promote homeownership opportunities citywide.	First Time Homebuyer	Housing Units	175
	B2: Provide homebuyer education to all households utilizing acquisition programs.		Households	175
	B3: Encourage the citywide development of new affordable single-family, multi-family and special needs housing in the community through private developers and nonprofit organizations.	Affordable Housing Development Program	Housing Units	See Above
C: Expand housing choice options for existing and potential new residents to foster stable, socio-economically diverse neighborhoods citywide.	C1: Ensure equal opportunity and housing choice with all programs and activities citywide.	All Programs	-	-
	C2: Ensure core programs are implemented citywide to promote desegregation and inclusive neighborhoods.	Billings Home Center	Clients	250
D: Support housing and community development specific to lower income and special needs households through poverty-impact initiatives.	D1: Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	All Programs	-	-
		Billings Metro VISTA Project	Clients	1,000
		Billings Home Center	Clients	See Above

Ms. Beckett noted they estimated a 5% decline in CDBG and HOME resources over the next four years, not including the current year. She presented the following slide on the Funding by Program.

CDBG		
Admin Cap	Maximum Allowed	\$112,548
VISTA Admin Support		\$ 75,000
Housing Rehabilitation	Remaining CDBG	\$310,193
Foreclosure Acquisition/Rehab		\$ 65,000
HOME		

Admin Cap	Maximum Allowed	\$ 26,369
Affordable Housing Development		\$ 35,000
Community Housing Development Org.	Minimum Required	\$ 39,553
First Time Homebuyer	Remaining HOME	\$162,766

Ms. Beckett showed a slide on the 2012 process that ranked the programs through the City's Priority-Based Budgeting. She noted Quartile One included First Time Home Buyer and Home Repair, Quartile Two included Billings Metro VISTA Project and Foreclosure, and Quartile Three included Housing Development.

Ms. Beckett advised they had received a letter from the Montana Smokefree Housing Project with support from the Department of Public Health and Human Services, American Cancer Society/Lung Association – Montana Chapters, RiverStone Health, and Billings Clinic. She said in response a priority had been established for tobacco-free housing projects as of July 1, 2014.

Ms. Beckett provided the following information on the Billings Metro VISTA Project.

- 136 members had served at 37 Host Site organizations.
- \$2.6 million was raised for nonprofit poverty-impact services.
- Initiatives included:
 - ✓ Billings Community Connect
 - ✓ Faith Engagement in Homelessness
 - ✓ Spare Change for Real Change
 - ✓ Illuminate Poverty
 - ✓ Resource Map/Notepad (provided to Council and in the ex-parte notebook)
 - ✓ Veterans Services List
 - ✓ Homeless Play
 - ✓ Community Gardens
 - ✓ Veterans Commissary
 - ✓ Billings Blue

Ms. Beckett noted questions she had received from Council via e-mail that afternoon regarding elimination of segregated neighborhoods and the poverty initiative and provided the following responses.

- Segregated Neighborhoods / Lending Discrimination / Dual Housing Market:
 - Commitment to expansion of housing choice achieved in Con Plan Goals *Page 125 of Analysis of Impediments to Fair Housing Choice*
 - Citywide programs rather than target neighborhoods
 - Zoning Recommendations
 - Home Center:
 - First Time Home Buyer Education / Rental & Fair Housing Education
 - Celebrating Neighborhoods

- Poverty Initiative:
 - Billings Metro VISTA Project, supporting non-profits serving low income families and the homeless, Billings Community Connect, etc.

Councilmember Cimmino asked for the location of the segregated neighborhoods. Ms. Beckett said they were predominantly the North Park area, the south side area, and the southwest corridor. Councilmember Cimmino asked how those neighborhoods received the classification. Ms. Beckett said it was a finding from the Analysis of Impediments to Fair Housing Choices in 2013. Councilmember Cimmino asked for further explanation of Lending Discrimination. Ms. Beckett said there was an analysis of the Home Mortgage Disclosure Act (HMDA) data that called out a higher number of denials for Hispanic Americans. Councilmember Cimmino asked if the 711 homeless individuals referenced earlier included students from School District 2. Ms. Beckett said the numbers were from a Housing Status Survey done every January and sponsored by the Montana Continuum of Care Coalition. She said all of the non-profits involving homelessness were involved in the survey.

Councilmember McFadden asked what the trend was for minority homeownership. Ms. Beckett said it was difficult to say because the standard deviations were high. Homeownership overall had decreased a little bit for everyone in Billings. She thought they were making some ground; but the numbers were not getting much better over time.

Councilmember Yakawich said he appreciated receiving the Executive Summaries and said homelessness, poverty, and segregation were growing problems in the community. He asked what they could work hard on the next couple of years to help solve the problems. Ms. Beckett said they had major non-profits working on the issues and providing services. Limited resources were the number one barrier. It was all about money. She said volunteer time, effort, energy, and cash provided to the non-profits would be a huge benefit. The non-profits' strongest needs were money and resources. Ms. Beckett asked Patt Leikam to come to the podium to help answer Councilmember Yakawich's question.

Patt Leikam, 4449 Ryan Avenue, Billings, MT, said she was a member of the CDBG Board, and the Board was recommending that Council approve the Consolidated Plan, Annual Action Plan, and the Allocations. Their efforts were to solely support low and moderate income individuals in the community. The answer to the problem was to continue to support affordable housing development and provide housing choices by increased and continued fair housing education. Education and communication were essential in the overall plan. They also needed to continue supporting the Metro Billings VISTA Project that provided information and education to the homeless population. Ms. Leikam said the Board recommended all of the programs presented that evening. She listed Fred Button, Kathleen Candelaria, Nate Fawcett, Neil Kiner, Katrina Kruger, and Michele Zahn as the other Board members. Ms. Leikam said she had advocated for low and moderate income individuals for almost 50 years, and she had always said the same thing – "We have to go to the people. The people are not coming to us."

Councilmember McFadden asked where someone interested in the First Time Home Buyer Program would go to get more information. Ms. Leikam said they would need to contact the City's Community Development Division.

Councilmember Brown asked who worked with landlords to rent to lower income individuals. Ms. Leikam listed the Housing Authority, HRDC, the Self Help Law Center, and the Montana Landlords Association.

Councilmember Crouch asked if there were figures available on how long the 711 homeless individuals mentioned earlier had been homeless. Ms. Beckett said she thought the majority had been experiencing homelessness for more than a year. She said the past four years she felt the increase was related to economic development in other regions that brought people who were not able to obtain jobs or housing, so they moved to Billings. Councilmember Crouch asked if the individuals were asked where they were from. Ms. Beckett said they were. She was told by a non-profit organization that provided emergency rental assistance that they had experienced a 30% increase in clientele the past 18 months due to the Bakken. She said there were landlords who would rent to low income individuals, but if a landlord had a 3-bedroom house he could rent for \$1,300 versus \$900, he would go for the higher rent to pay for his property. Councilmember Crouch said he had heard other towns provided homeless individuals with a bus ticket to Billings where there were services. Ms. Beckett said she heard that practice had been discontinued.

Councilmember Bird asked if the 583 homeless students were included in the 711 homeless individuals and asked for the age range of the students. Ms. Beckett said as far as she knew the 583 was a separate number. She did not have an age range but knew they were school-age children. She did not sense the numbers were specifically high school students. They were typically families with multiple children.

Councilmember McCall said she believed the 583 students were attached to homeless families. There were many other youth who were couch surfing, emancipated, not living with their families, or on the run that impacted local services.

Councilmember Yakawich said in reading the documents he saw a trend of poverty and segregation on the rise. Ms. Leikam said she lived it, her grandchildren lived it, and it was on the rise. Unless they had support from the city leaders to stand up and say it was wrong, it would continue to increase and no one would see it unless they were a person of color. It was in the schools, businesses, and the real estate market. Ms. Leikam said it was unfortunate the NDO did not pass. A message was sent to the community that injustice for one was injustice for all. They needed to keep discussing, educating, and letting people know they were all working together to make everyone on the same page.

The public hearing was opened.

- **Dennis Ulvestad, 3040 Central Avenue, Billings, MT**, commended Ms. Beckett and Ms. Millar for attending the task force meetings. The figures in the 5-year plan were accurate. They needed more money. Staff did an amazing job, and the VISTA volunteers did an amazing job. He asked City Council to approve the 5-Year Consolidated Plan because it was needed in Billings.
- **John Firehammer (no address given)** said he represented the State's Tobacco Use Prevention Program. He commended the Board and staff for including the tobacco-free language. Their program had a smoke-free housing project that focused on multi-unit housing and affordable housing. It was very important

because having a smoke-free policy in that type of setting protected all tenants from second-hand smoke exposure and protected the public investment in public housing.

Councilmember McFadden asked if a smoker would not qualify for the program. Mr. Firehammer said a smoker would not be excluded; a smoker would just not be able to smoke indoors.

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

Councilmember McCall moved for approval of the Community Development 5-Year Consolidated Plan, seconded by Councilmember Cimmino.

Councilmember Brown commented their discussion that evening was “all over the place.” He supported the motion and said it was important to say the particular program “gave a hand-up and not a hand-out.” It was for gainfully employed people and for people who were going to buy a home. It was not like they would be given a house.

Councilmember Bird commented it was also an opportunity for people who may not be ready for assistance but who may desire the education and information on the process of homeownership.

Councilmember McFadden said he wanted to echo Councilmembers Brown and Bird. He said there were a lot of complaints about government for spending so much money on handouts. This was the opportunity to spend a few dollars on a hand-up.

Councilmember Cimmino said she supported all of the programs 100%. She noted in her six years in office she had recommended to three families to contact Ms. Beckett and her staff, and they were now three homeowner families. She asked if participants in the First Time Homebuyer Program were required to repay the down payment if they remained in the house for more than five years. Ms. Beckett advised the City relied upon the program repayment to assist another family, so the City's current programs did not forgive the down payment.

On a voice vote, the motion was unanimously approved.

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

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

COUNCIL INITIATIVES None

There was no further business, and the meeting adjourned at 8:16 p.m.



CITY OF BILLINGS

BY: Thomas W. Hanel
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin
Cari Martin, City Clerk