

**REGULAR MEETING OF THE BILLINGS CITY COUNCIL**  
**April 11, 2016**

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27<sup>th</sup> 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 Sullivan gave the invocation.

**ROLL CALL:** Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Cimmino, McFadden, Friedel, Sullivan, Swanson, Clark, and Brown.

**MINUTES:** March 28, 2016 – Councilmember Brewster moved for approval, seconded by Councilmember Clark. On a voice vote, the motion was unanimously approved.

**COURTESIES:**

- Mayor Hanel recognized Donna M. Forbes, who is retiring from serving on many boards and organizations, including the City County Board of Planning. Mayor Hanel stated that Ms. Forbes has performed her duties admirably, and her retirement was effective starting in April 2016.
- Mayor Hanel asked for City Administrator Tina Volek to recognize Police Chief Rich St. John, the Police Department, and Council for having a sufficient number of police officers to continue and become active again in the Selective Traffic Enforcement Program.
- Mayor Hanel thanked Councilmember Sullivan for mentioning the recent passing of Chief Joe Medicine Crow in the invocation, and called for a moment of silence to remember Chief Joe Medicine Crow.
- Mayor Hanel thanked Lisa Harmon and Greg Krueger of the Downtown Billings Alliance for a successful Purple 5k, and noted that this year's event included around 600 participants.
- Mayor Hanel called Community Development Manager Brenda Beckett to the podium to discuss the celebration of National Service Recognition Day. Ms. Beckett introduced Jackie Gerard of AmeriCorps, who provided an overview of the VISTA program, and Jim Corson of the Community Development Board, who presented Council with pins and a VISTA bag for Mayor Hanel. Councilmember Brewster noted that he served on the School Board with Mr. Corson in the past, and that Mr. Corson was a pleasure to work with. Current VISTA volunteers introduced themselves and their service projects: Chris Keeve, Parks Department – Food Security and Community Gardens; Madeline Alpert, Housing Authority of Billings – Literacy; Emily Meyer, Family Promise of Yellowstone Valley; Emily Aerts, NeighborWorks Montana/The Billings Home Center; Rachel Vegors, AmeriCorps at Little Bighorn Battlefield; Kayla Janowski, Community Development Division – Faith Engagement in Homelessness; Laura Yord, Pompeys Pillar – Mobile Classroom for Title I Schools; Anthony Chase, Planning Division; Erin Schock, School District 2 – STEM; Erika Brown, Rocky Mountain

Tribal Leaders Council – Access to Healthcare; Sade' Johnson, AmeriCorps No Kid Hungry; Hanna Bansley, National Alliance on Mental Illness Billings; Tashya Melville, Housing Authority of Billings – Food Security and Community Gardens; Elizabet Woche, AmeriCorps Family Support Network; Samantha Heaps, Housing Authority of Billings – Literacy; Ari Denson, Billings Metro VISTA Project Leader; and Apryl Bantom, Wise Wonders Children's Museum – STEM. Mayor Hanel stated that he and Council were honored to recognize the VISTA volunteers. The VISTA volunteers gathered for a photo with Council.

- Councilmember Swanson noted that Donna Forbes was famous for turning an old county jail into a successful museum, and that she performed great work.
- Councilmember Yakawich thanked Mayor Hanel and Councilmember Swanson for a successful Mayor's Prayer Breakfast.
- Councilmember Cimmino thanked Mayor Hanel for the moment of silence for Joe Medicine Crow, and thanked the media and School District 2 for the new Medicine Crow school tour.

#### **PROCLAMATIONS:**

- Mayor Hanel read a proclamation declaring April 5, 2016 to be National Service Recognition Day.
- Mayor Hanel read a proclamation declaring April 10-16, 2016 to be Crime Victims' Rights Week.
- Mayor Hanel read a proclamation declaring April 10-16, 2016 to be National Public Safety Telecommunicators' Week. Mayor Hanel noted that the 911 center is supervised by the Fire Department. Lieutenant Casey Hafner of the Police Department thanked Mayor Hanel, and recognized the hard work of the 911 center staff. Councilmember Yakawich asked for Lieutenant Hafner to discuss the 911 facility. Lieutenant Hafner explained that the 911 center in Fire Station 1 becomes an operations center in the event of an emergency, such as a tornado.

#### **ADMINISTRATOR REPORTS - TINA VOLEK**

- City Administrator Tina Volek stated that, in regards to Item 1M, a copy of the proposed resolution was not attached to the staff report. A copy of the resolution was provided at each Council desk and placed in the ex parte notebook.
- Ms. Volek mentioned that, per Council consensus and based on the necessity for emergency approval, she signed and accepted a \$1,000 grant to the Library for promoting financial literacy. The materials will be made available, and a staff report will be included on the April 25 agenda for Council ratification.

#### **PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: #1 ONLY.**

**Speaker sign-in required.** (Comments offered here are limited to one (1) minute for one item, or three (3) minutes for multiple items. 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.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT**, in reference to Item 1K, asked if the money for the wireless management system would be well spent. Mr. Zurbuchen stated that the staff report indicated that the previous wireless system lasted for seven years.

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

## 1. CONSENT AGENDA

### A. Bid Awards:

1. **W.O. 16-04 2016 ADA Ramp Replacement Project.** (Opened 3/29/2016) Recommend J&J Concrete, Inc., \$212,900.
2. **W.O. 16-07 Interstate 90 Water Main Crossing Project.** (Opened 03/29/2016) Recommend delay of award until April 25, 2016.

**B. Professional Services Contract** for 2016 Integrated Water Plan; HDR Engineering, Inc.; \$507,000.

**C. Acknowledging Receipt of Petition to Annex # 16-03:** a 4 acre portion of an 89 acre parcel described as the N1/2NE1/4, SWNE1/4, Section 31, Township 1 North, Range 25 East, generally located south of Rimrock Road at the southwest corner of the intersection of 54th Street West and Trail Creek Drive; Yellowstone Meadows Partners, LLC, petitioner; and setting a public hearing date for May 9, 2016.

**D. Confirmation of Probationary Police Officers** - Michael Beechie, Jairo Solorio, and Chad Wildin.

**E. Acceptance of Warranty Deed** for a street tract for Grand Avenue and 56th Street West from School District #2.

**F. Acceptance of Donation** to the Parks, Recreation and Public Lands Department from Bright n' Beautiful for tree purchasing and planting at Lillis and Descro Parks; \$5,000.

**G. Acceptance of Donation** to the Parks, Recreation and Public Lands Department from Bright n' Beautiful for Amend Park Community Garden Greenhouse; \$5,000.

- H. **Revolving Loan Fund** to Singh Contracting, \$110,000.
- I. **Approval** of Tax Increment Financing Assistance from East Billings Urban Renewal District Tax Increment Funds to Eggart Enterprises, LLC for new concrete sidewalks and approaches, landscaping, and public utilities at 1711 6th Avenue North; \$49,000.
- J. **Approval** of Tax Increment Financing Assistance from East Billings Urban Renewal District Tax Increment Funds to North Park Properties for demolishing a structure at 504 N. 20<sup>th</sup> Street; \$7,200.
- K. **Approval** of the purchase of a new wireless managed solution from High Point Networks and Extreme Wireless, \$75,342.
- L. **Law Enforcement Officer Reimbursement Agreement #HSTS02-16-H-SLR604** with Transportation Security Administration accepting partial reimbursement, including the accompanying Statement of Joint Objectives.
- M. **Resolution** authorizing application for Land Water Conservation Funding (LWCF) to improve Hawthorne Park Playground.
- N. **Final Plat** of Moody Subdivision, 2nd filing.
- O. **Resolution** adopting Montana Municipal Records Retention Schedule 8 and Schedule 10.
- P. **Bills and Payroll:**
  - 1. March 14, 2016
  - 2. March 21, 2016

Councilmember Brewster separated Item 1B for discussion.

Councilmember Clark separated Item 1K for discussion.

Councilmember Cimmino separated Items 1B and 1P1 in order to abstain.

Councilmember Cimmino separated Items 1F and 1G for discussion.

Councilmember Yakawich moved for approval of the Consent Agenda, with the exception of Items 1B, 1K, 1P1, 1F, and 1G, seconded by Councilmember Sullivan. On a voice vote, the motion was approved 10-1, with Councilmember Friedel voting in opposition.

Councilmember Brewster separated Item 1B to ask Deputy Public Works Director Vern Heisler if the \$1 million item in the proposed Capital Improvement Plan (CIP) would be for next year, and if Item 1B would be completed this year. Mr. Heisler stated that there is \$1 million budgeted in the current year's CIP for this project. Councilmember Brewster asked if Item 1B would be using \$507,000 of the \$1 million in the current CIP. Mr. Heisler stated that was correct, and explained that the \$1 million budgeted in the current year's CIP was an estimated cost. Through the RFP selection process a \$507,000 contract was negotiated. Councilmember Brewster moved for approval of Item 1B, seconded by Councilmember Sullivan. On a voice vote, the motion was approved 10-0, with Councilmember Cimmino abstaining.

Councilmember Clark separated Item 1K to ask David Watterson, Chief Information Officer, for information on the wireless management system. Mr. Watterson explained that there are 16 City facilities that utilize wireless internet. Mr. Watterson explained that the proposed system will replace an older system, and that the newer system will provide a greater bandwidth. Councilmember Brewster asked whether the system would be installed in-house. Mr. Watterson stated that the initial setup of the system would be completed by a contractor, but that the City will complete the wiring and the installation process. Councilmember Brown asked if the proposed system was competitively bid. Mr. Watterson stated that several systems were examined, and that High Point Networks and Extreme Wireless has entered into a contract with the State as a participating addendum. As a result, the City may purchase the same system through the State's contract. Mr. Watterson stated that he hoped the new system would last for ten years. Councilmember Cimmino asked if the proposed contract was a cost savings. Mr. Watterson stated that the State contract price was less than what staff had originally budgeted for the system. Councilmember Cimmino asked whether the system would provide wireless internet access for airport passengers. Mr. Watterson stated that the wireless system would only provide wireless internet for the offices at the Airport. Councilmember Sullivan moved to call the question, seconded by Councilmember McFadden. On a roll call vote, the motion failed 5-6, with Councilmembers Cromley, Brewster, McFadden, Sullivan, and Swanson voting in favor, and Councilmembers Yakawich, Cimmino, Friedel, Clark, Brown, and Mayor Hanel voting in opposition. Kevin Ploehn, Director of Aviation and Transit, stated that wireless internet is available to passengers for a fee. Mr. Ploehn stated that the costs for providing sufficient free wireless internet access to passengers would be around \$10,000 per month. Mr. Ploehn stated that other options are being explored as well. Councilmember Clark moved for approval of Item 1K, seconded by Councilmember Friedel. On a voice vote, the motion was unanimously approved.

Councilmember Cimmino separated Items 1F and 1G to recognize Bright n' Beautiful for donating a total of \$10,000 toward the Amend Park Community Garden Greenhouse and for tree purchasing and planting at Lillis and Descro Parks. Councilmember Cimmino asked for Parks, Recreation, and Public Lands Director Mike Whitaker to provide an overview of how the funds will be used. Mr. Whitaker stated that the City partnered with Bright n' Beautiful to submit grant applications for the funds. The donations from Bright n' Beautiful will allow for a new greenhouse to be constructed at

Amend Park, and for new trees to be planted at Lillis and Descro Parks. Councilmember Yakawich asked Mr. Whitaker how he would describe Helen Johnson, Executive Director of Bright n' Beautiful. Mr. Whitaker stated that Ms. Johnson is very nice to work with. Councilmember Yakawich referred to Ms. Johnson as the "Queen of Clean" for the City, and thanked her for her work. Councilmember Yakawich also thanked the Parks Department for all of its work. Councilmember Yakawich noted that April 30, 2016 is Bright n' Beautiful Cleanup Day in the City. Councilmember Cimmino moved for approval of Item 1F, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved. Councilmember Cimmino moved for approval of Item 1G, seconded by Councilmember Sullivan. On a voice vote, the motion was unanimously approved.

Councilmember Brewster moved for approval of Item 1P1, seconded by Councilmember Sullivan. On a voice vote, the motion was approved 10-0, with Councilmember Cimmino abstaining.

## **REGULAR AGENDA:**

### **2. PUBLIC HEARING AND RESOLUTION approving FY2017-FY2021 Capital Improvement Plan (CIP), FY2017 Equipment Replacement Plan (ERP) and FY2017 Technology Replacement Plan (TRP). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Ms. Volek stated that a memo from Mr. Heisler was distributed via email on Friday, April 8, 2016. The memo included proposed changes to the CIP. Ms. Volek stated that Fleet Services Manager Larry Deschene, and Mr. Watterson did not plan to make an additional presentation, and were available for questions. Mr. Heisler provided a brief overview of the proposed changes to the CIP as outlined in the memo. Mr. Heisler stated that the changes addressed in the memo would be in addition to the items originally presented in the CIP on March 7, 2016. The additions include two projects within Public Works and three projects within the Airport. The Public Works projects include: Midland Road Reconstruction, \$700,000 in FY17 and \$2,700,000 in FY18; and Inner Belt Loop, \$50,000 in FY17. The Airport projects include: Rework Access Control Points for the Airlines, \$60,000; Overhead Lighting – North Car Rental Parking Lot, \$42,000; Lamp Head Replacement for FED EX Ramp with LED Lighting, \$20,000. Mr. Heisler explained that staff requested the addition of the Inner Belt Loop to the draft CIP. The \$50,000 cost would include a realignment analysis to examine the original design of the Inner Belt Loop.

Councilmember Brown asked Mr. Heisler what the \$50,000 realignment analysis would accomplish. Mr. Heisler stated that the Inner Belt Loop was scheduled for discussion at the April 18 work session, but the \$50,000 realignment analysis could take the place of that discussion. Mr. Heisler stated that the Public Works Department would like to review the realignment analysis information and then present the information to Council. Councilmember Clark asked whether this proposed realignment analysis would be a new analysis. Mr. Heisler stated that this realignment analysis would be a

refinement and examination of the original Inner Belt Loop design. Councilmember Brewster stated that utilities would also need to be installed as the road is developed. Councilmember Brewster stated that conducting the research and analysis is worth the money and could be a vehicle for further development in the area. Councilmember Cimmino noted that she met with Councilmembers Cromley and Yakawich, Ms. Volek, and Public Works Director Dave Mumford to discuss the Inner Belt Loop. Councilmember Cimmino stated that possible alternative routes had been previously considered, but the original design was completed. Councilmember Brewster stated that if the Inner Belt Loop area develops over time, the original engineering design and work will not be wasted.

Councilmember Yakawich thanked Mr. Whitaker for the tennis courts in Pioneer Park and North Park. Councilmember Yakawich noted that tennis courts for South Park were included in the draft CIP, and asked for an overview of the project. Mr. Whitaker stated that \$109,000 was allocated in FY16 for athletic courts, and the Parks Department hopes to meet with neighborhood task forces to discuss the development.

Councilmember Clark asked if the new City Hall was included in the CIP. Ms. Volek stated that \$3 million is included in the CIP in FY19 to construct a 67,000 square foot facility in the downtown area. Phase two of the new City Hall includes a \$23.9 million allocation in the FY21 CIP. Ms. Volek stated that the amounts included are projections at this point.

Councilmember Brown asked if repairs from the recent fire at Rose Park would be included in the CIP as a future budget amendment. Ms. Volek stated that the City is insured for all but \$100,000 of the replacement cost. Mr. Whitaker stated that CTA Architects is evaluating the damaged structure, and the Parks Department will bring back information to Council. Councilmember Clark stated that the building in Rose Park was scheduled for remodeling in FY17 and asked whether the remodel would still be occurring. Mr. Whitaker stated that CTA will be providing a recommendation for utilizing the building on an interim basis, and then the Parks Department will solicit requests for proposals for the remodel. Councilmember Clark asked how much of the building will be usable this year. Mr. Whitaker stated that the concession area was completely destroyed and half of the building's trusses were destroyed. Mr. Whitaker stated that a temporary roof would be needed to utilize remaining portions of the building. Mr. Whitaker stated that Pepsi will be providing a temporary concession trailer to be used until the permanent concession area is reconstructed.

In reference to the ERP, Councilmember Yakawich noted that the City's total trade in value amount was \$762,889. Councilmember Yakawich requested that trade-in values be included in Council's report in the future. Ms. Volek stated that staff will include that information in future reports.

Councilmember Cimmino asked whether the Joint Community Libraries were still included in the CIP. Ms. Volek stated that those projects are no longer part of the short term plans. Mr. Heisler stated that the projects were removed from the draft CIP.

The public hearing was opened.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT** stated that \$50,000 is a ridiculous expenditure to learn more information on the Inner Belt Loop. Mr. Zurbuchen stated that the Inner Belt Loop was discussed in 2008, and was to be completed over three years. Mr. Zurbuchen stated that money should be set aside each year to construct the Inner Belt Loop. Ms. Volek stated that the City was unable to bond the arterial street fee for the Inner Belt Loop, and thus the construction costs would utilize the entire arterial street budget for five years. Ms. Volek stated that staff is examining options for construction funding and for design of the Inner Belt Loop.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT** stated that he believed a property owner was exempt from paying a share of development costs on Central Avenue, and therefore that portion was not developed. Mr. Nelson stated that the portion of Central Avenue does not include curb, gutter, or a sidewalk. Mr. Nelson stated that millions of dollars were wasted in the landscaping around Shiloh Road. Mr. Nelson stated that the City wastes money by including trees in landscaping along sidewalks. Mr. Nelson stated that there are several sidewalk areas around the City that need improvements.

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

Councilmember Brewster moved for approval of Item 2, including the CIP as amended, seconded by Councilmember Yakawich. Councilmember Clark asked where the new City Hall falls into the budget. Ms. Volek stated that the projected costs are included in FY19 and FY21 CIP. Councilmember Brown asked whether the \$50,000 for the Inner Belt Loop includes development planning. Mr. Heisler stated that the realignment analysis would include an analysis of development potential and utility installation. Mr. Heisler clarified that the intent of the realignment analysis is to review the original design and to determine costs of completing the Inner Belt Loop; funding will not be addressed in the realignment analysis, but staff could address funding in next year's CIP. Councilmember Cimmino asked, if the City Hall expansion remained in the downtown area, would the expansion qualify for the North 27<sup>th</sup> TIF District funding. Ms. Volek stated that the project would qualify for the funding if the funding were available at that time. Councilmember Cimmino asked whether the motion to approve the CIP would need to be amended to remove the previously mentioned library projects. Ms. Volek stated that the library projects had already been removed from the CIP. Councilmember Sullivan asked Mr. Heisler why the City is paying for the Poly Drive and Virginia Lane landscaping. Mr. Heisler stated that the landscaping area is within a City-owned right of way. Councilmember McFadden asked if the landscaping in the boulevard on Shiloh Road is required by any regulation. Mr. Heisler stated that the landscaping was a Montana Department of Transportation project, and the City was a cooperating agency for the project. Mr. Heisler stated that the street and traffic crews work hard and take pride in their work on Shiloh Road. Councilmember Yakawich clarified that the realignment analysis would include a review of a potential alternate route for the Inner



Belt Loop. Councilmember Cimmino clarified that the funding for the Shiloh Road overlay district was approved by Council after receiving a recommendation from the Zoning Commission. The Zoning Commission recommended the overlay district and encouraged businesses to make the front of their properties aesthetically pleasing. Councilmember Brown stated that he does not have a problem with the \$50,000 realignment analysis as long as work continues on the Inner Belt Loop. Mayor Hanel stated that he supported the realignment analysis, and agreed with Councilmember Brewster that the investment would be beneficial and promote growth in the future. On a voice vote, the motion was unanimously approved.

**3. PUBLIC HEARING AND RESOLUTION creating SILMD 322, Orchard Lane street lights. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)**

Mr. Heisler noted that staff did not receive any formal written protests regarding SILMD 322. Mayor Hanel asked if the updated fee structure made the SILMD more affordable for properties affected by the creation. Mr. Heisler quoted a phrase from the staff report: "due to public comments, this district replaces the district originally proposed in January, and will be assessed on a frontage basis instead of an area basis as was originally planned." Councilmember Cimmino asked if the proposed project qualifies for SBURD funding. Candi Millar, Planning and Community Services Department Director, stated that the installation and fixtures will be paid by the SBURD, and the energy and maintenance will be assessed to each property owner. Councilmember McFadden asked if the street lamps would be LED or halogen. Mr. Heisler stated that the lamps will be LED.

The public hearing was opened.

- **Steve Zeier, South Billings Urban Renewal Association, 5000 Southgate Drive**, stated that creation of SILMD 322 is an important component of a larger project. Mr. Zeier stated that the equipment and installation is being funded by tax increment dollars, and the maintenance and energy costs will be assessed to property owners. Mr. Zeier asked for Council's support for the SILMD. Councilmember McFadden asked who will own the street light poles. Mr. Zeier stated that the poles will be owned by the City. Ms. Volek stated that this district is owned by the City, and the City will retain ownership of the poles. Mr. Heisler stated that the poles will be owned by the City. Councilmember Clark asked whether the proposed resolution includes the ongoing maintenance and original installation fees. Mr. Zeier stated that the resolution includes language stating that the ongoing maintenance costs will be assessed to property owners.

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

Councilmember McFadden moved for approval of Item 3, seconded by Councilmember Friedel. Councilmember Yakawich stated that no complaints were received and that SBURA did a good job with outreach to the community. Mayor Hanel

stated that the Public Works Department also did a good job. 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.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT** stated that the City should hold the Amend Park Development Council (APDC) in breach of contract for not presenting its revised annual operations budget. Mr. Zurbuchen stated that the City should enforce the contract. Ms. Volek stated that she was not certain of the budget presentation status, but that she would continue to work with Mr. Whitaker and with the APDC to ensure the presentation occurs. Ms. Volek stated that she would provide an updated report to Council. Councilmember Sullivan asked whether the APDC is negotiating in good faith. Ms. Volek stated that the APDC is negotiating in good faith. Councilmember McFadden stated that it may be better for the APDC to provide an update that they are working on their information rather than providing no information. Ms. Volek stated that the APDC typically presents its budget to the Parks Board.
- **Ken Crouch, 1642 Wembly Place, Billings, MT** stated that pow wows have been occurring for many years. Mr. Crouch stated that cities across the country have begun celebrating Indigenous People's Day instead of Columbus Day. Mr. Crouch shared a resolution adopting Indigenous People's Day in Bozeman. Mr. Crouch urged Council to replace Columbus Day with Indigenous People's Day. Mayor Hanel asked how many communities celebrate both Columbus Day and Indigenous People's Day. Mr. Crouch stated that he did not know if any communities celebrate both days. Councilmember Cimmino stated that when she was a student at Eastern Montana College (now MSU Billings), she majored in business with a minor in Native American Studies. Councilmember Cimmino stated that she enjoyed attending pow wows in the past. Councilmember Cimmino suggested the possibility of designating the day after Thanksgiving as Indigenous People's Day. Councilmember Sullivan stated that he recognized the importance of celebrating Native American ancestry, but asked Mr. Crouch for his opinion on replacing a holiday that is fairly significant Italian Catholics. Councilmember Sullivan asked if a separate Indigenous People's day would be acceptable. Mr. Crouch stated that some communities recognize a day for those with Italian heritage.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, MT** stated that police officers should enforce laws that prohibit loud motor exhaust systems. Mr. Nelson stated that drivers modify exhaust systems and vehicles create loud noises throughout the community. Councilmember McFadden asked Mr. Nelson to clarify that modifying exhaust systems removes fire safety materials within the system. Mr. Nelson stated that he believed the vehicles could be fire hazards. Mayor Hanel asked for Ms. Volek to forward the concern to Chief St. John and to ask officers

to take enforcement action when possible. Councilmember Yakawich asked whether citizens are able to report vehicle noise concerns to the police department. Mayor Hanel stated that the complaint would need to include the following information: description of the vehicle and driver, the date, the time, and the location.

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

## **COUNCIL INITIATIVES**

- Councilmember Brown moved to schedule a work session discussion on the current tax abatement programs in the City, seconded by Councilmember Friedel. On a roll call vote, the motion was approved 8-2, with Councilmembers Cromley and McFadden voting in opposition. Mayor Hanel did not vote in the roll call vote, but stated that he would have voted in opposition.
- Councilmember Friedel moved to direct staff to, by April 18, provide a list of costs and expenditures associated with the Complete Streets program since its inception. Ms. Volek stated that compiling the requested information would likely take longer than one week. The motion was seconded by Councilmember McFadden. Ms. Volek stated that Public Works is scheduled to present its proposed budget at the May 24 work session, and that would likely be a more attainable date for presenting the information. Councilmember Friedel amended his motion by setting a date of May 24 instead of April 18, and Councilmember McFadden seconded the amendment. Councilmember Cimmino stated that the Complete Streets policy was adopted in 2011. Councilmember Brewster asked Councilmember Friedel what he would like to do with the requested information. Councilmember Friedel stated that he is concerned with the high costs of street construction, and that adding sidewalks adds more costs. Councilmember Clark stated that he was concerned with the ongoing maintenance costs of the streets as well as initial construction costs. Councilmember Sullivan stated that sidewalks are a necessary component to street construction. Councilmember Sullivan stated that Council needs to use discretion when making requests of staff, and that compiling the costs of the Complete Streets program would be a lengthy process. Councilmember Sullivan noted that ongoing maintenance costs are important to consider. Mayor Hanel noted that City staff members are extremely busy, and that budget presentations are in the works along with IAFF negotiations. Mayor Hanel also noted that ongoing maintenance costs are important to consider. Councilmember Yakawich asked for a frank answer from staff on the timeframe of compiling the requested information. Ms. Volek stated that if she finds that staff is unable to compile the information by May 24, she will inform Council and request additional time. Councilmember Friedel asked if there was a difference in the construction of a Complete Streets street and a non-Complete Streets street. Mr. Heisler stated the major difference would be including bicycle lanes on Complete Streets, and that there were other differences as well. Councilmember Cimmino stated that construction and ongoing maintenance costs should be considered. Councilmember McFadden

stated that he understood the motion to be requesting an estimated cost, rather than an exact cost. Councilmember Brewster stated that he believed the Council was inquiring into the costs per mile of different street types. Councilmember Friedel stated that Councilmember Brewster was correct. Councilmember Swanson stated that the request would be a large task for staff. Councilmember Brown stated that he would support receiving information on the difference in cost of a Complete Streets street and a non-Complete Streets street. Councilmember Clark asked whether the motion would impact the Complete Streets discussion on April 18. Councilmember Friedel stated that it would not. Councilmember Cimmino reminded Council that the Complete Streets policy is a guideline rather than a requirement. Councilmember Brown stated that he felt the policy was adopted and followed. On a roll call vote, the amended motion was approved 8-3, with Councilmembers Cromley, Swanson, and Mayor Hanel voting in opposition.

Ms. Volek stated that the Inner Belt Loop was scheduled for discussion on April 18. Ms. Volek asked, given the earlier amended CIP, if the Inner Belt Loop discussion could be removed from the April 18 work session agenda. Mayor Hanel stated that it would be wise to remove the item from the agenda, and Council agreed. Councilmember Cimmino stated that the Inner Belt Loop has been in talks for many years. Councilmember Cimmino noted that most of the projects in the CIP were not located in the Heights, and requested that the Inner Belt Loop discussion remain on the radar.

There was no further business, and the meeting adjourned at 8:51 pm.

CITY OF BILLINGS

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

ATTEST:

BY: Billie Guenther  
Billie Guenther, City Clerk

