

City Council Work Session

5:30 PM
Council Chambers
March 20, 2017

ATTENDANCE:

Mayor/Council (please check) x Hanel, x Cromley, x Yakawich, x Cimmino, x Brewster, x McFadden, x Friedel, x Swanson, x Sullivan, x Clark, x Brown.

CM excused:

ADJOURN TIME: 9:10 pm

Agenda

TOPIC #1	Legislative Update
PRESENTER	Ed Bartlett, City Lobbyist
NOTES/OUTCOME	

- Ed Bartlett: breaking news, House Transportation committee recommended approval of gas bill 473, 10-3 vote. SB 331, local option bill, heard in committee on 3-16. Good hearing. HB 577 hearing on 3-14, also good hearing. HB 151 and HB 61 moving forward. HB 442 (park tax exemption), has been revived, passed House
- Sullivan: gas tax have any chance to pass?
- Mr. Bartlett: may pass by 2-3 votes
- Clark: HB 473 amended? Nothing significant. \$.08 still the amount in the bill.
- Yakawich: in light of state budget, how is everything else going? Surprisingly well, even debate over the budget. \$140M carryover, Gov. wanted \$300M.
- Clark: how are TIF bills doing? Following closely, HB573 only one remaining.
- **Public Comment:**
- NONE

TOPIC #2	Review of 2017-2021 Transportation Improvement Program
PRESENTER	Scott Walker, Transportation Planner
NOTES/OUTCOME	

- Scott Walker: first look at new TIP. \$240M federal highway funding planned over next 5 years. outline major projects and funding.
- Hanel: project list on slide 2 is different than planning/design projects?
- Mr. Walker: all projects in the TIP are receiving some amount of federal gas tax, but some are farther along than others and some of the smaller amounts are because a few large projects are taking most of the money but money will flow to these other projects as big ones are completed.

- Sullivan: Inner Belt Loop const. has to match the Hwy 3/ Zimmerman Trail intersection work. How is that done? IBL is only local \$ and shows up in the CIP. If it ever gains federal highway \$, it will show up in the TIP.
- Yakawich: 22nd street rail underpass improvements in any plans? No.
- Tina Volek, City Administrator: cost of study and const. were prohibitive 7-8 years ago.
- Cimmino: request the PowerPoint email tomorrow
- Friedel: 6th avenue underpass in the plan? Know it's on radar but not within the next 5 years of the plan. May have already been some money spent on it.
- **Public Comment:**
- NONE

TOPIC #3	Animal Control – Pig Ordinance
PRESENTER	Tom Stinchfield, Animal Control Supervisor
NOTES/OUTCOME	

- Tom Stinchfield: PowerPoint presentation
- Hanel: presence in public spaces?
- Mr. Stinchfield: on sidewalks but not in parks. YVAS would need to find kennel space.
- Ms. Volek: many user groups will rescue but none in Billings.
- Sullivan: need to tighten language about keeping and breeding. Better ID what is an allowed pig.
- McFadden: same as dogs and their waste.
- Cromley: animal control board vote? Unanimous. What happens when pig reaches too high weight? Not sure. License required? Yes.
- Cimmino: 4 or more mixed animals? Zoning change required because they're livestock?
- **Public Comment:**
- **Cara Chamberlain, 933 Yale Avenue, Billings, MT:** history of animal control board consideration of issue. Recommend that Council approve the changes.
- Hanel: pigs available in billings? Don't know, probably available from acquaint.
- Yakawich: why did board recommend unanimously? Any concerns from people next to pigs? How would city control/enforce weight limits, etc.
- **Catherine Stecher, 112 Jefferson Street, Billings, MT:** has a pig and thinks they are great pets. Encourages Council to support allowing pigs.
- **Carrisa Walsh, 1036 Burlington Avenue, Billings, MT:** loves her pig and encourages Council to support ordinance.
- **Jeannette Vieg, Animal Control Board member:** residents who visited board convinced board to recommend approval. No complaints – very clean animals. Vet records or other records needed when licensed (annually).

- Sullivan: have a problem with absolute/blanket approval. Any way to limit, such as a special permit? Conflict with covenants.
- McFadden: covenants are addressed in chicken ordinance? Yes.
- Hanel: explains how work session to business session works.
- Cimmino: concerned about covenants
- Brewster: opposed. Covenants prohibit livestock and city should also.
- Cromley: want to look at an ordinance. City should not concern itself with covenants because they are private contracts.
- Sullivan: don't want to put people into conflict situations.
- Brown: understand the issue of covenants, but we haven't even defined an allowed animal. Willing to discuss more but want some refinements.
- Hanel: propose ordinance be refined, zoning issues identified.
- Clark: ordinance isn't where it should be and generally oppose livestock.
- Brent Brooks, City Attorney: if Council wants to talk about it in another work session, can re-poll other cities and try to learn from their ordinances. Can also work with veterinarians to ID qualifications.
- Cimmino: Special review process?
- Ms. Volek: none available now but could consider.
- Friedel: why isn't animal control doing its job since they knew there are pigs in town?
- Ms. Volek & Mr. Stinchfield: decided to not enforce with current animals until board and council could consider change.
- Yakawich: need to trust the boards to do their jobs.
- Sullivan: exception to Yakawich statement; do listen to boards, however, Councilmembers have to represent and consider all other residents in City. Won't support blanket approval. Board willing to consider special review process? Might get to yes.
- Clark: made a decision in the past and it wasn't enforced.
- Brown: asked that staff not act until Council could consider change.
- Hanel: if this is to stay alive, will have to discuss it again at work session.
- Ms. Volek: suggest June 19, as soon as budget is completed.
- Hanel: schedule June 19 for additional discussion.

TOPIC #4	YVAS Renovation
PRESENTER	Chris Anderson, YVAS Director
NOTES/OUTCOME	

- Ms. Volek: introduces Chris Anderson, YVAS director: PowerPoint presentation. request - form a committee to plan expansion.
- Cromley: relationship with other animal organizations? Foster program?
- Ms. Anderson: yes, do have association with them. Have an active foster program.
- Ms. Volek: City pays YVAS, less than our own costs would be. Many more adoptions and fewer euthanization.

- Yakawich: impressed with private fund raising for your own support. Donations from major contributors.
- Cimmino: city has funded a lot of operations. What exactly are you requesting.
- Ms. Anderson: inadequate building. Want to continue working with city and develop a financial plan to get the building we need.
- Ms. Volek: shelter is on remnant land from Sysco purchase of old shops. Vacant land between METROPLEX and shelter needed and no city department needs it. Building improvements stay with the City if YVAS abandons the facility. City animal control needs about \$1.7M of work and expansion on its side. City space is tight.
- Brown: want city involvement to talk about expansion? Threatening to leave?
- Ms. Anderson: yes, but no solutions yet, this is a discussion. No threats to leave the contract or building.
- Sullivan: do cost estimates include land cost?
- Ms. Anderson: no, it's already the City's land.
- Friedel: what is taxable value of land? Should count the excused property tax as part of the dollar amount of payment from city to YVAS.
- Ms. Volek: haven't had that done. Original construction cost was \$1.5 million.
- Cimmino: already own the land needed?
- Ms. Volek: land wasn't needed when building replaced in 2002.
- Ms. Anderson: MT community foundation already contacted YVAS about 3 donors who may want to give to the bldg. const. Billings people really haven't been asked to or had opportunity to give to animal organization.
- Yakawich: license plate program benefits? \$1500 so far.
- Clark: what are you looking for as a committee?
- Ms. Anderson: want someone from planning, from finance, 2 from YVAS Board, Kim Olsen.
- Ms. Volek: recommends councilmembers on board.
- Cimmino: recommends Ward 3 councilmembers
- Clark and Yakawich volunteer to represent the City on the YVAS building committee.
- **Public Comment:**
- Steve Durrett, YVAS Board member: clarify what we're asking for; how much of the project is the City vs. the YVAS responsibility and, YVAS can't raise the adequate money without a longer contract.
- Lisa Harmon, founding YVAS board member: City/YVAS partnership has been good.

TOPIC #5	Yellowstone County Rural Ambulance Special District
PRESENTER	
NOTES/OUTCOME	

- Ms. Volek: memo from Brad Shoemaker about EMS in rural county. Staff recommendation after consultation with AMR, is to not respond to the proposal.
- Hanel: respect County for notice, don't think that County knows what they're getting into, get good service from AMR and wish the County good luck.
- Ms. Volek: volunteer departments can't keep staff or not staff that's available during the workday.
- Mayor Hanel:
- **Public Comment:**
- Brian Hanson, 4843 Cattail Lane, Billings, MT, AMR manager: Pleased with relationship with City and services. If AMR bids for the county service, it won't impact city services.

TOPIC #6	Council Discussion
PRESENTER	
NOTES/OUTCOME	

Hanel: have been contacted by Sylvia Gusick about downtown activities around Burn the Point. Will contact City about dance and evening activities and noise permit.
Ms. Volek: code limits noise to end at 11 or 12 pm? Any variance must go to Council. Will come to Council with comments from organizations who comment on noise ordinance – will come to Council meeting soon.
Friedel: neighborhood complaints are common.
Hanel: streets do great job, but please work with Mr. Mumford on pothole repairs. Mounded repairs (13th between Colton and Poly and Broadwater near 17th).
Cromley: OBSC – report about lease being executed with a firm within 2-3 weeks.
Ms. Volek: lease signed but developer doesn't want name released.
Sullivan: entryways into city – hwy 3 and Shiloh – the roundabouts are full of trash, look bad.
Cimmino: agenda for 3-27, Babcock theater on agenda? No, still in discussions.

TOPIC #7	Public Comment on Items not on the Agenda
PRESENTER	
NOTES/OUTCOME	

None