

City Council Work Session

5:30 PM
Council Chambers
February 5, 2018

ATTENDANCE:

Mayor/Council (please check) x Cole, x Cromley, x Yakawich, x Brewster, x Ewalt, x Joy, x Friedel, x Ronning, x Clark, x Brown.

CM excused: none

ADJOURN TIME: 9:11 pm

- Statement by Mayor Cole regarding vandalism, condemning racists and anti-LGBTQ. Offer to let CMs sign on the statement if they choose. Will post it on personal Facebook page and offers it to City for website posting. Encourage people to call BPD with leads. Encourage donations to Grace Methodist Church for surveillance equipment.
- Chief St. John: working on it, info source out there, hate crime not in MT statute except as enhancement.
- Brown: lots of questions about how to start neighborhood watch. Crime Prevention Center will organize it.
- Yakawich: more tagging, gang activity? No uptick in gang activity but yes more graffiti. Have general idea, suspicion about who is responsible.
- Cole: Grace Methodist asked for extra patrols. Already did with afternoon shift. Encourage neighborhood involvement.
- Ronning: thank BPD, FBI, HSA, second to none in the work they do.
- Brown: how can people get the sprayer? BPD supervises it, need volunteers.
- Cole: thanks HRC for service.

Agenda

TOPIC #1	One Big Sky Update
PRESENTER	
NOTES/OUTCOME	

- Allison Corbin, Big Sky Economic Development: background, starting with MontDevCo. Hammes is now lead company. No longer just a TIF project, now a community economic development strategy, with partners. Describes the district concept – Health and Wellness and Lifestyle Districts. Start with convention center near 29th and 1st Ave. North. Landmark responsibilities and estimated costs = \$1.1M - \$1.3M. Local strategy partner’s responsibilities and estimated costs = \$675k. Timeframe and schedule have slipped. Cooperative agreement is the next step. Exhibit A details the prelim plan, enhances the documents and diagrams, will leave City with studies that other developers can use. Exhibit B is the diagram.
- Cromley: is there a picture of what buildings will be redeveloped or built? No, this is conceptual but the convention center is the catalyst.
- Cole: concept development plan available to all CM’s.

- Brown: how much of the money will stay in Billings? Will answer during presentation.
- Ronning: would like information on impacts on residential neighborhood.
- Cole: make sure that anyone can bail out of project if additional work shows the project shouldn't proceed. City won't condemn land as part of cooperating with developer. Update the convention center study.
- Yakawich: will rely on McCandless to tell Council how much staff time and costs will the City incur beyond the \$675k. can staff handle hours required?
McCandless: yes, can handle. May not be able to meet all deadlines listed. Staff aware of expectations working with Hammes.
- Allison: BSED will manage the BSED and private donations, will reimburse Landmark as they complete work. City may choose to do it differently.
- Ewalt: local money a reimbursement? Yes.
- Allyson: want to be on the 2/20 work session, Council discussion on local partner's allocation at the 2/26 meeting. Formal cooperative agreement adoption on April 9, 2018.
- Katy Easton, Downtown Billings Alliance, DBA: Working diligently to learn about commitments and schedule for disbursement. Still looking at money and timing from the TIFD.
- Maisie Sulser, DBA: thanks Council and encourages questions.
- John Brewer, Chamber of Commerce: encourages Council to take vision and see opportunities for City.
- Brewster: by discussion on 2/20, will DBA have a clear picture of funding in TID?
Brewer: Yes.
- Brown: asked how city can spend TIF money on a study? Brewer: Need to educate community on TIF.
- Brewer: HVS convention center study update (handout)
- Brown: OBSC is still the core but only a small part of total development plan?
Brewer: Yes.
- Cole: HVS predicted loss of conference center business. Happening? Brewer: Yes, at a rate higher than predicted.
- Yakawich: who is leading the project? BSED? Brewer: Yes.
- Brewer: the response to term sheet should include the leadership structure.
- Ewalt: a real visitation loss or a shift? Brewer: Small loss.
- Cromley: eventually majority private developer driven? Local developers?
Sulser: Starting to talk with local developers.
- Cole: local developer told him they support OBSC because it's good for the city and them.
- Brewer: will go to Allentown, includes a couple local developers. Lots of learning opportunities.
- Cole: future clarification on what Landmark will be spending out of pocket vs in-house or in-kind.
- Ronning: will studies show us what kinds of development and building massing, as well as convention center.
- **Public Comment:**

- Kevin Nelson, 4235 Bruce Avenue, Billings, Montana: appears to be “not in my town if it’s not downtown.” Gazette article that BSED said we have declining GDP.
- Teresa Bessette, 606 Calypso Street, Billings, Montana: Allentown about 90 miles from NYC? Rochester MN near MSP. Neither one is like us. Who pays for trip?
- Cole: Council has budget available for travel.
- Brewer: aspirational City visit locations are selected as opportunities to learn from them, not because we’re like them. Council pays out of pocket.

TOPIC #2	Nuisance Code Amendments
PRESENTER	
NOTES/OUTCOME	

- Nicole Cromwell, Planner: based on last discussion, lots of questions and details. Different presentation than last time. See margin notes for explanations. Current code is about 14 years old, combination of criminal and civil procedures has caused some problems instead of clarity.
- Cole: page 2 dangerous structure definition add “dangerous”. Definition of junk seems to exclude inoperable but for resale. No requirement of visibility in “junk”
- Cromwell: try to not regulate by definition.
- Cole: page 4 prohibited acts, page 9 subparagraph (e). In accordance with good faith estimate is too limiting. Page 11, (l) judgement may not exceed \$9,500 so excess can’t be assessed.
- Yakawich: does this ordinance give us more teeth to address abandoned buildings? Sharper teeth, lessen confusion.
- Joy: confused about state law reference limit of assessment 45-8-112 MCA states money deposited in County account. Do not use that code, only a basis.
- Ewalt: vacant houses definition needs to have one or more utilities disconnected? Yes, occupied houses can use CD grants. Drug houses – how do we deal with them? Police deals with drugs, and CE with the property.
- Friedel: don’t like the term blighted. Don’t like only one utility shut off being a trigger for maintenance.
- McCandless: Yakawich made initiative last year. State law prohibits uniform code concerning maintenance of property, therefore, using local maintenance code. Changes would be up to Council.
- Yakawich: would like to see consensus. Ensure property rights while providing well-being for neighborhood.
- Ronning: homes that are dangerous for children concerning.
- Cole: degree of poor maintenance matters. May make it more subjective, but shows degree of non-compliance.
- Brown: hazard or dangerous has to be addressed, don’t want to penalize poor maintenance. Degree matters.
- Ewalt: unnecessary neighborhood disputes? Staff is trained to handle issues.
- **Public Comment:**

- Kevin Nelson, 4235 Bruce Avenue, Billings, Montana: page 2 – inoperable vs junk vehicle and definition of inoperable.

TOPIC #3	Quarterly Updates
PRESENTER	
NOTES/OUTCOME	

- BIRD:** Tim Goodridge – downtown housing study, just ask for it by email. Planting program, collaboration with PRPL, ID trees/shrubs will thrive, reimburse owners to follow the planting guide.
- Downtown Billings Partnership:** Maisie Sulser: Brewster replaces Sullivan as alt. on board.
- Yakawich: counted 22 buildings/spaces that appear abandoned. Does DBP work on that? Yes.
- South Billings Urban Renewal Association:** Steve Ziere: reviews 2-3 projects and planning to coordinate with City CIP. Sports feasibility study in end stage. Radisson convention center – Inner Circle (owner) showed SBURA prelim plan in August 2017. Stepped back from SBURA for now. Will consider minor improvements to conference center.
- Ronning: youth or adult sports facility and what sports? Both and all.
- Yakawich: ask Inner Circle to attend and meet Council.
- Budget:** Andy Zoeller, Interim Finance Director:
- Brewster: a lot of items are under 50% budget. Many reasons, staff, etc.
- Brown: tax receipts at 53%, explain. Set budget in June and estimate tax value. Values change, don't know revenue until December. 2nd half will be smaller than December.
- Cole: % spent or received compared to moment in time. Look back and analyze compared to previous years.
- Health Fund:** no questions. McCandless: calculate adequate reserve around \$3 million. Excess funds, trying to spend down to minimum required.
- Brown: RFP going out? Primary provider is St. Vincent, contract expires 2019.
- Initiatives:** list given to Council. Any discrepancies?
- Brown: police car donation complete? Yes, donated used patrol car to Alternatives to transport clients.
- Cole: High Sierra Dog Park? Brewster: CM Cimmino initiative, not sure it is a priority. Delete for now and look at budget.
- Brewster: tree ordinance research doesn't seem to have a solution. Brent Brooks, City Attorney: researching and should have some info in the next month or so.
- Strategic Plan:** no questions.
- City-wide Park District 1 Projects:** Mike Whitaker, Parks Director: brief overview with photos of progress.
- Clark: send the list of needed repairs at Dehler. Committee met twice. Looking at 2 major items and getting quotes.
- Yakawich: when will South Park splash pad open? Right after school. Damaged area of turf will be repaired.
- Cole: celebrate the opening of the major projects? Yes, invite the Mayor and

- CMs who represent the Ward.
- **Code Enforcement Update:** Nicole Cromwell: 6,498 cases in 2017. Burned house on Zimmerman Trail – City buy it for roundabout?
- Brewster: Burlington Northern has an issue property, should notify them to clean it up. Brooks: could send letter or call them. Wyeth Friday, Planning Director: been in contact with people at Burlington Northern. Don't understand the delay. Hearing issues about evicting. Good response, but no action.
- **Cell Phone Statistics:** no presentation. Cole: Graph the cell phone citations over time.
- **Public Comment:**
- Kevin Nelson, 4235 Bruce Avenue, Billings, Montana: Radisson hotel convention center presented to SBURA board in August, 2017. Drawings and budget handout.
- Ewalt: how would Council get hoteliers to attend meeting? Steve Zurbuchen can put you in contact.
- Steve Zurbuchen, 1747 Wicks Lane, Billings, Montana: Council could invite Radisson hoteliers, don't know if they'll respond. Will report to Council later.

TOPIC #4	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- Joy: noise ordinance work, want update on progress. Brooks: contacted MT Tech and waiting for follow up. Will present to Council some info.
- Ewalt: progress with Senior Center? McCandless: meeting Friday at 9 a.m. to try to work through issues.
- Ronning: Ward 4 Rimrock Task Force thanks PW for 4 a.m. sanding on Zimmerman Trail.

TOPIC #5	Public Comment on Items not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- None
- Recess to executive session at 9:15 p.m.