

# City Council Work Session

5:30 PM  
Council Chambers  
October 21, 2019

**ATTENDANCE:**

**Mayor/Council** (please check) ✓ Cole, ✓ Cromley, ✓ Yakawich, ✓ Neese,  
✓ Ewalt, ✓ Joy, ✓ Friedel, ✓ Gibbs, ✓ Ronning, ✓ Clark, □ Brown  
**CM excused: Brown**

**ADJOURN TIME: 7:42 pm**

## Agenda

<b>TOPIC #1</b>	<b>Quarterly Updates</b>
<b>PRESENTER</b>	Bryan Francis, Assistant Training Fire Chief
<b>NOTES/OUTCOME</b>	

- **Meeting called to order at 5:30 p.m.**
- **Mayor:** Greetings and opening comments. Indicated Brent Brooks was by himself as Chris and Kevin were attending a conference in Nashville. Offered condolences to the family of Connie Wardell, long-time resident, on her passing and acknowledged her contributions to Billings.
- **Fire Chief Rash:** Asked by City Administrator to specifically address cardiac saves over last quarter directly impacted by paramedic program and will be turning this over to Assistant Training Chief Bryan Francis and Firefighter/Paramedic Nick Anderson. Community members have shared questions and concerns about how the Fire Department operates. Encouraged present and potential council members to contact him to give him the opportunity to meet with him to address why business is done the way it is done. Would like the public to be well informed regarding the services provided by the Fire Department. Turned it over to Bryan Francis and Nick Anderson.
- **Bryan Francis:** Indicated he was Assistant Training Chief/EMS Coordinator and had been asked to speak about occurrences in the last quarter which had had a big impact for Billings regarding misunderstandings about what EMS and the Fire Department do. Discussed short slide show to include five links proven to influence out-of-hospital cardiac arrest survival per the American Heart Association: 1) Recognition of cardiac arrest and activation of emergency response system; 2) Early cardiopulmonary resuscitation (CPR) with emphasis on chest compressions; 3) Rapid defibrillation; 4) Basic and advanced emergency medical services; 5) Advanced life support and post-cardiac-arrest care. Explained Council approved moving forward approximately a year ago with advanced life services, including putting medicines and defibrillators on fire engines, affecting the public by increasing the success rate for CPR. Expressed Billings is blessed to have two level-two trauma centers, further bettering the success rate. The second slide titled Recent Advanced Life Support Activity

noted 30 total Cardiac Arrests from July-October. Four regained pulse, three walked out of the hospital, and one survivor had ALS interventions 7 minutes prior to ambulance arrival, indicating this as an example of how the BFD-EMS program fills the gap between the private transport partner in the daily operations of the EMS system. Emphasized this as a great example of why they wanted to go ahead with the Paramedic program. Only a quarter through the year and as they compile more data, expects to see more successes. Turned it back over to the Chief.

- **Yakawich:** So during our work session two weeks ago, I do not know if you caught it, I was asking the Chief of Fire, from what I have heard from other firemen is that we often provide items to the ambulance service, and we do not necessarily get compensated back. So like we give them oxygen bottles and they use oxygen bottles, they give us back oxygen bottles, but they charge the customer full price, and Chief Rash has mentioned at some point he will give us a report or maybe investigate this a little bit more, whatever word it would be, like with medicine we give to the ambulance or to the people. My understanding is the ambulance will charge the people for those medications but not necessarily we get any reimbursement at all, so I hope that – could you touch on that?
- **Bryan Francis:** Absolutely. So our private/public partnership we have, we have authorized by the Council to purchase those advanced life support medicines, so once we put those medicines in service on the vehicle, if somebody from the public needs that medicine, we give it to them. With that being said, if the provider (AMR) is charging for that medicine, we receive one in exchange back, so therefore, we are not down a count for that medicine and then having to go purchase more medicine. Does that make sense? So it is a one-for-one exchange on that medicine.
- **Yakawich:** I appreciate that. However, it seems as if our time and our effort is being expended, and we do not charge the citizen for that. I understand the ambulance service does, so I am just concerned how – is there a better compensation other than just we give them medicine. Certainly we get it back, but then they charge the unfortunate victim a lot more than just giving it back. Right?
- **Bryan Francis:** As far as billing goes, there are billing controls in place at the state level, so it is regulated how much they can bill. It is not just they feel like charging this much today. With that being said, from the Fire Department's perspective, we are interested in helping the citizen, or the person from the public, and the billing side of it – we are not at this time interested in pursuing. So when I say that, it is not that we do not want to receive compensation for what we are doing but the fact we can replenish our stock has been the agreed upon method we have moved forward with. As far as billing is concerned, there are always options to look at billing. However, that is a road you are going to go down with a much more integrated partnership with a private partner because now you are talking about exchanging money for services.
- **Yakawich:** My final point is of course we do not want to lose money, and of course you should take care of the person, but we are really in a bind financially

so that is where I would hope the Chief especially would look into this so we could somehow be more fiscally responsible.

- **Bryan Francis:** That would be a great question for Chief Rash, indicating that is something he has not been directed to pursue – any type of billing capability, indicating if a person receives that medicine, they are reimbursed with like medicine coming back to them, so the City is not losing medicine based on providing it to a patient because we are receiving in-kind back.
- **Mayor:** The question I had is on the 30 cardiac arrests, four of which regained pulse. Does that mean that 26 already had a pulse, or 26 died?
- **Bryan Francis:** Indicated data is reported to a cardiac registry that puts out a report each year, indicating that would be a better place with the direction of Chief Rash to dig into that information to get those answers. Typically when a patient does not have a pulse, it means they are deceased so with four regaining a pulse, you are correct in saying 26 did not regain a pulse and probably had a poor outcome, indicating how often this occurs in the community.
- **Friedel:** How many of that 30 were deceased prior to your showing up? And at that point out of the four people who regained a pulse, how many of those were the ones you actually administered CPR to bring them back? If they are already passed when you walk in, it is a given there is not much you can do other than perform CPR. How many were actually in cardiac arrest and you were able to bring back the pulse?
- **Bryan Francis:** All four listed were in cardiac arrest which means they had no pulse, and three of those – the ambulance and fire engine arrived within 2 minutes of each other, and from that statistic, there is not a good way to quantify how many of each had a certain condition. That would be a good thing under the direction of the Fire Chief that we could look into if Council would want that report on specifics. However, absolutely the four who regained pulses and the three walking out of the hospital all had ALS interventions performed.
- **Friedel:** Glad you were able to help four people out but statistically you would not make it to the Super Bowl with a 4 and 30 record, and I am interested in the details about the 30 people. Did you get there and there was nothing you could do? The number seems high for the return rate. You have 30 people you showed up for with only four you were able to resuscitate, so out of the other 26, was there just nothing you could do? Maybe the details would help.
- **Bryan Francis:** Clarified the previous questions: What was the condition prior to arrival, and was it reversible? And the second question was basically addressing the 4 and 30 record for lack of a better term, indicating he cannot quantify that to the Council, that the Council will have to quantify it to them, indicating he could not put any type of cost or value on it.
- **Friedel:** I am not trying to put a cost or value to it, just trying to figure it out. Is there something we can do working with you to enhance or get a better ratio? Is there something we can do as a Council to work with you to get a better return?
- **Bryan Francis:** Other parts of the country have higher success rates and others have lower. Seattle has 52% which is a pretty good return, if that is what you want to call it. Detroit has 3%. From the Fire Department's perspective, our job is to give the patient the best available chance, which is why we asked for the

ALS medications. We cannot judge or base our decisions on what the probable ratio will be. We will always give 100%.

- **Friedel:** I was trying to figure out if there is something we can do to help you guys or if it was out of your hands when you arrived with 26 already past the point of no return. Is there something we can do to help you get a higher percentage of wins?
- **Bryan Francis:** Under the direction of the Chief, I will look into that. There are programs out there, and the CARES Registry is going to help get key performance indicators to move something like that forward. Cautioned it is not just a Fire Department issue, but a social issue, training for CPR, community defibrillators, things that involve more than just the Fire Department, indicating prevention is extremely hard to quantify, especially prevention for cardiac incidents.
- **Friedel:** Expresses agreement.
- **Neese:** Requesting to go over the links again.
- **Bryan Francis:** Reiterated the AMA's links: First is recognition, a community issue as well, but our recognition comes from our 9-1-1 dispatchers. Then activation of the emergency response system (9-1-1 or PD, Fire Department, or EMS). Second is the early CPR with emphasis on chest compressions. We moved away from breaths. Ventilation using mouth to mouth fell out of favor when through studies they found chest compressions were very effective. Third is early defibrillation, indicating again there are defibrillators on all fire engines and AMR units. Defibrillation helps certain conditions the heart may be in, and if you can reset that condition, you will have a better outcome. Fourth is basic and advance emergency medical services, which is arrival of the Fire Department and AMR (our private ambulance partner) and PD, indicating PD has made big differences in the past. The last is advanced life support and post-cardiac-arrest care. The post-cardiac-arrest care is more focused on the hospital and what happens in the hospital. They do several different procedures now, one of which is cooling people down by actually putting them on ice which helps in the recovery process and something both of our hospitals are very active in.
- **Neese:** Expressed the first three the community can be involved in, especially if we have a lot of defibrillators around town. Indicated he thinks they need an additional link of being active after the hospital so you do not have more incidence of cardiac arrest.
- **Bryan Francis:** Expressed agreement with the last suggestion.
- **Mayor:** Where is the defibrillator in this room, and what are the meds you can now administer because you are paramedics that you could not before?
- **Bryan Francis:** Indicates quite a large list of meds and noting the ones which make the most difference: Epinephrine (another term for adrenaline) given through an IV to help stabilize the heart, atropine which can help speed up the heart if it is slow; amiodarone given when the heart is not pumping effectively; lidocaine is carried although it has fallen out of favor; as well as some advanced medications in the form of a drip. A drip can be mixed together which can have interactions with the heart where it can be sped up or be made to squeeze a little harder.

- **Nick Anderson:** Indicated one of the patients that walked out of the hospital was given one of the drips by the Fire Department paramedics.
- **Mayor:** Where is the closest defibrillator?
- **Bryan Francis:** Probably the Chief's car. It is something the Safety Committee has been working on.
- **Mayor:** Because this is a public place.
- **Ewalt:** You said after you went through the slide this is too costly for private staff to take care of, but somebody has still got to eat the cost, so now we are passing that to the taxpayer. If it goes through private, insurance companies pick up the cost. Now you guys are in it, and the taxpayer has to pick it up, and it is going to keep getting bigger and bigger, so all we are doing is shuffling the cost from possibly the insurance company to the taxpayer, so I am wondering the justification on that.
- **Bryan Francis:** The cases in this slide, you can see one of them arrived seven minutes ahead of time. That is not necessarily the normal. We typically arrive pretty even with our private partnership, so the question then becomes not so much we want to shift the burden tax or financial wise, it is that we become the backup to our private partner because our private partner also goes through periods of high demand. They have the ability to ask for exemptions because occasionally we have a high-demand day. That allows us to actually create more of a safety net for the public by having our fire engines also stocked with the same equipment, voicing understanding to what was said about shifting the burden, but we are not in the business of responding solely to transport patients, indicating that is not really the consideration they look at. They look at it like when our private partners are busy, we are able to step in and help them and vice versa.
- **Mayor:** Did our paramedic have anything to add?
- **Bryan Francis:** Firefighter Anderson is actually our Quality Assurance member on our EMS committee. He is the one who is looking at all these charts, as well as myself, and the average person does not realize we are writing about 500 to 600 EMS charts a month. That shows the volume of EMS calls we respond to, and some of those have outcomes where in this particular case if we do not have proper documentation, that is a place where we could be in trouble legally, and also it helps the patient as their record becomes available to the cardiac surgeon or the cardiac department to be able to look to see what we have done. When we do things like provide a drip, they need to know that. 3252
- **Ronning:** Expressed gratitude they have the ability to provide resources when first on the scene and appreciation the community has evolved to appreciate that.
- **Bryan Francis:** Adding 9-1-1 dispatchers get left out of the appreciation, indicating 9-1-1 dispatchers are a critical part of that chain of survival because they are the ones actually given that initial CPR instruction.
- **Clark:** Do you guys actually administer the drugs? Who makes that decision on what drugs are going to be given? Are you in contact with doctors or are you doing that on your own or who makes that decision?
- **Bryan Francis:** The way our EMS system works is our private partner actually has what is called medical direction which is a doctor who actually advises us.

Our medical control doctor is Dr. Lewis at St. V's, and he is also AMR's medical control doc. What it has done to the EMS system is brought those two pieces together, the Fire Department and our private partner, and we are under one umbrella of one doctor, and that doctor then signs off on protocols. Protocols are a thick book all paramedics are tested on. Those protocols are standing orders on what we would do in a given situation. If we show up to see you and your femur is sticking out where it is not supposed to be, we are going to be able to look at that and say here are the things we need to do and the protocol to give you the standard of care and get you to the hospital. Also having two level two trauma centers, we have the ability for all of the Fire Department to call the medical control doctor. They call the ER and get a physician on duty, and that physician can advise us what to do next. Oftentimes, for those unfortunate 26, those all have to be called in to the medical doctor to be sure that is the course of action they want.

- **Clark:** I know there have been times when I am sitting in the yard and can hear that conversation going on between the hospital and whoever is on the other end, and that is why I asked the question.
- **Bryan Francis:** That is us actually, indicating the whole point of having those standing orders is we have to do things pretty quickly to affect those positive outcomes but once we get into more complicated things like hanging a drip, our firefighter typically will ride in with the ambulance so there is representation of who actually did what to the patient. That is another side the public probably does not see, that we went to make sure we are doing the best thing by the patient and according to protocol. If something happens where there is a deviation in the protocol, then we have Mr. Anderson who looks at our Quality Assurance, and those actually fall out in our computer system, and we address those.
- **Chief Rash:** Indicates Bryan Francis and Nick Anderson are shining examples of the people hired to serve the community. They are the dedicated public servants. Expresses gratitude toward the staff and firefighters for holding human life high. Acknowledges he appreciates the economics of it and notes the funding challenge has been taking a lot of staff time, but they are already headed down the road with their private partners in trying to address models to do some cost recovery and to be able to work more efficiently. Saving lives is the oath we have taken, and we cannot put a price tag on human life.
- **Mayor:** At the end of your very valuable report, you talk about the cutbacks in our hazardous material team funding. We provide the regional HAZMAT team for this area, and it gets supported by various grants, but some of the state funding for that team has been steadily reduced. A) Is that true; and b) In the next legislative session something we should be trying to address more energetically?
- **Chief Rash:** Mayor and Council, that is correct. We had a good funding mechanism and were able to do a lot and pay for training. The legislators cut that down to \$44,000.00 one year, \$44,000.00 the next, and then last year we did not have any funding. We have one of our battalion chiefs and members of our HAZMAT team that have spent numerous hours on and off the jobs in applying

for various grants for equipment for back fill, for overtime, any means to try to keep us going. The State is not supportive. At the most recent legislative session, it was not even brought up. It needs to be readdressed. This again is the dedication of our Billings firefighters. It is important enough for our community, especially with hazards we have located within our community, to be able to have the equipment and expertise to be able to mitigate and protect our citizens. Hazardous materials in this day and age have evolved, biohazards, a lot of nasty stuff out there, intentionally, criminally, criminal intent, powders. We are not exempt, and we have tremendous capabilities, but we would not have anything now if it was not for our folks continuing to come in and your support in giving us the opportunity to apply on behalf of other jurisdictions. They are our team members, as well. If we need someone from Bozeman, we call Bozeman, and they will come help us, and that is how we are trying to get by until this can be properly addressed by our legislature.

- **Clark:** I do not have a problem with billing our citizens. They pay for it on their tax bill, on their property taxes, and they finance your department, but I really have a problem that we cannot bill insurance companies when we have visitors, which we need to take care of them when they have a car wreck or whatever, but we cannot bill it back to their insurance companies for the services we give them. Maybe something needs to be changed so we can do that.
- **Chief Rash:** We can do that. I have been your Fire Chief for less than two years, and we are working on trying to get things streamlined, more efficiency within our department, and we have set goals and set expectations in trying to make it better for the community and make this a better organization. We have considered numerous models on cost recovery from insurance companies, including civil litigation. We can bill them, but we have to be able to set up the policies, protocols, and go through a process in order to get things in place to do it on a fair, consistent, and legal manner, but it can be done, indicating there is not a lot that keeps them from invoicing those folks other than the time to set it up and the bookkeeping piece of it.
- **Neese:** Agreeing with Councilman Clark and asking Chief Rash if he is working towards that goal.
- **Chief Rash:** Affirming that once sustainable funding comes through to keep them going, then they can come back to that issue and begin aggressively working on cost recovery, different programs, finding better ways to do business more efficiently, indicating this is something that was uppermost in his mind when he was appointed to his position. We can do a better service and do a better job and have the people willing to do it who understand the business piece, but unfortunately right now we have to have some time. That has been a process, and it is not going to go away.
- **Neese:** In followup, I would hope you would come to the Council and ask us what we can do to get involved to help you get that moving forward.
- **Chief Rash:** Councilmember Friedel had a question earlier about what could you do to help, and we came before the council with a long-range master plan. In our world, and I know it can be expensive, our job is all about response times for fire-related incidents, for EMS. The quicker we can get there, the quicker we

can have good outcomes, and that is one of the ways that would help us to better serve our citizens.

- **Friedel:** Is it a response time issue with these? That is where I was going with that 30 people. Was it a specific reason? Was it because you were too far out? Is it because you did not show up in time? I wanted some more detail on the 30 people so we can get a grasp on this, not only the Council but the people in general, so we have a firm grip on what we are trying to accomplish here.
- **Chief Rash:** This is why again we are back to the response times. If you have a fire station at a fixed locale so you can respond to the assigned area, you have to have people in that station to drive the trucks, to get there, to help the people. It is expensive, but it is something in our long-range master plan when we had that third-party consultant come in when we talked about that. We have it on our website on the BFD link. If you would like to revisit that, you will also see it in our discussions we will be having in November, broken down, so we can address more specifically the response times from certain stations as Councilmember Clark had requested. Staff has been working very diligently in trying to provide those answers and get them before the Council so we can hopefully get this through our Council and out to our public before we are in dire straits.
- **Gibbs:** Following up on Mr. Yakawich's and Mr. Clark's concerns, asking if the Chief knows what percent of services in terms of EMS care is visitors.
- **Chief Rash:** Answered in the negative. We are talking about 104,000, after census maybe 114,000, plus another 10,000 with the (48:53). I have heard at peak times up to 200,000 to 250,000 folks coming in to work, to do commerce. I have nothing solid but can guarantee if you drive around, you will definitely see a lot of out-of-county and out-of-state plates, so there are thankfully a lot of folks coming to our community to do business, which is important. I do not have a number, but I know it certainly impacts the service.
- **Gibbs:** Is that something you track? That is just a place to start, saying 10% of the calls are for non-residents, for example. To followup on Mr. Clark saying if the average charge was \$200.00 and we could collect 70%, then that could bring in a million dollars a year. Then we start making a dent on our budget problems.
- **Chief Rash:** Acknowledging he will have to do some research to see if they can come up with some numbers. We looked at a local option tax as one possible solution to let our community vote on that, but that went down in legislative flames. We need to go after cost recovery to help our taxpayers, but right now it is challenging.
- **Gibbs:** If we have non-taxpayers we provide service to and like Mr. Yakawich said, the ambulance service charges them \$500.00 for whatever service they provide, and that would be \$350,000.00, and we could collect half of that, that helps impacting our budget, asking Chief Rash if he could look into it himself to get addresses of people he has serviced if you track it. You may not track that data.
- **Chief Rash:** Agrees to look into that.
- **Ronning:** Does the Billings Fire Department when we have a sitting president or a political campaign, does the Billings Fire Department get involved in that sense of security and shutting anything down?



- **Chief Rash:** Based on my past experience and what I have read and heard in talking to my peers, the Billings Fire Department, right or wrong, and always looking for direction from my boss, I keep our involvement at a minimum. I keep our involvement with those political visits at an absolute minimum. The first thing I ask, and I have had some challenges with the Secret Service, is what are you going to pay us for, and can we get prepaid? What is your reimbursement? “Well, we are not paying anything.” I know for a fact we do not have to do it. I do not have to put that burden on the taxpayers so I ask what we have to do at a minimum, and we will try to help you as best we can. We do not assign HAZMAT teams and overtime that they request. We do not assign firefighters to be sitting with these politicians as they request, etc. I have taken a stance if you are not going to pay up front and your history has been that you do not pay us at all, we are not going to provide that through the Fire Department. It is something I try to do to protect the taxpayers.
- **Mayor:** Okay, that is our Fire Department quarterly report.
- **Police Mayor:** Next up is our Police Department, Chief St. John.
- **Chief St. John:** Condolences to Connie Wardell’s family and Billings Police Chaplain Clifford Shaw and Gallatin County Deputy Sheriff Jacob Allmendinger in a line-of-duty death. BPD took part in a procession from Bozeman to Billings today, as did brethren from BFD, and the procession reversed back to Bozeman. Addressing first a third quarter report via slide show stated to be different than information already received regarding safety levy discussions, a three-month look and then a one-month look. Calls of service going back five years from 2015 to 2019 with increased calls of service with a dip in 2018 and then back up in 2019, ebb and flow and spikes they do not have control of, but a consistent increase as years go on. For clarification, you can see something referred to as an incident and something referred to as a case. An incident or a call for service is when an officer is dispatched. It also includes officer-initiated activity, so traffic stop, anything they get out of the car and check on. If that incident turns into something they need to document, such as a criminal offense, something that is required by policy or law, then we create a case. Every incident may not have a case, but every case will have an incident, so you will see a higher incident number and a lower case number. About 5,000 cases are initiated in this three-month period so there is a lot of activity requiring our officers to do paperwork. You can see the arrest, adult and juvenile, and the citations after a little bit of a downturn in 2018 and a little dip in 2019, so a pretty good trend on what we are looking at with a slow increase on what it is we are doing and what we are required to do, and that is pretty consistent to our population growth. You can see citations issued. Of specific note, the fourth row down where it says MAAP (Motivated Addiction Alternative Program), this is the tool in use to try to get a handle on our transient and vagrancy problem. In 2018, we issued 291 citations, and that is down 74% to 75, and the reason is this program is basically in the tank. We do not a rock on staff right now, and we do not have a lot of room at the jail to implement the portion of that program, so our officers do not write those citations because nothing is going to happen. There is an increase in traffic and municipal infractions, so we are hearing the citizens about their concerns, and we

are writing citations, warnings as well. Because of staffing issues in our civilian area, we do not have all data entered, so we are down about 100 warnings, and there might be multiple warnings on one piece of paper, so that number is going to vary. Violent crime is something that comes up a lot in the Uniform Crime Report. You can see no homicides, robberies are stagnant, and rapes are up a little bit, and a lot of that comes to us directly from Child Protective Services. We do not get dispatched on those, so we work with our partners at the State. The aggravated assaults data is again an anomaly we are dealing with. In dealing with and talking with County Attorney Twito, he says they see more and more strangulation cases, and those are classified as aggravated assaults. We are trying to separate those out to get a better number and a better look at exactly those who are using weapons or causing serious injury and separating it out from what is taking place in the sanctity of one's home where most of those are taking place. That does skew those numbers a little bit.

- **Mayor:** Can you just go back to that forcible rape number. Those are actually way up. What explains that?
- **Chief St. John:** Again, without having all the data dive on that, generally we see a lot of cases referred to us from Department of Family Services and Child Protective Services, and the reporting on their side of things has increased significantly. We have mandates now by law to get involved and report, so a lot of times that is the cause of this.
- **Cromley:** The 2019 results are 9 months. What about the 2018 – is that 12 or 9 months?
- **Chief St. John:** What you are looking at here is three months. It is the third quarter. This is a quarterly report which is going to be a little bit lower than others. Moving down to property crimes, I think this is a great indicator of some of our proactive operations. We have reductions across the board, burglary, theft motor vehicles down. Arson gets listed in property crime I think because of potential of a pretty big loss, but for us more times than not, we see vehicles and cars on fire, and we work with the Fire Department on that. Talking about case types, this is where officers are dispatched or self-initiated activities where they are required by law, by policy, and by circumstances to do some sort of report. This is a three-month period, and the top thing we are dealing with is mental health, so the great majority of the time was spent with people out on the street as to mental health issues, then theft, and all the way down on the far end, the second from the right, is assault. Again, this goes to context of what it is that we are dealing with. If you are asking what more of a problem we are dealing with, it is going to be mental health, theft, disturbance, and shoplifting. That is what we are spending our time on and documenting.
- **Friedel:** Are we arresting people for mental health?
- **Chief St. John:** We are not. Once I contact those people, I own them, and to make sure they are safe, they are going to go to the Crisis Center or to the hospital or to Two North for psychological, and that is not an arrest. That is just a call.
- **Friedel:** You see about 20 case types and then you referred back in the beginning to incidents vs. cases, cases being you have a criminal case involved,

- and I am confused on if we have cases, are we writing citations or something like that for mental health? I guess we need to elaborate what the top 20 is.
- **Chief St. John:** A case does not necessarily result in an arrest. It is a documented incident. If I take you to the hospital for psychological assessment, I am required to do some sort of report.
  - **Friedel:** So these are reports?
  - **Chief St. John:** A case is a report. If you go down to the next graph, these are incidents. A report is not necessarily generated. This is an officer being dispatched, or they are self-initiating activity. The #1 type of call is suspicious activity, and I applaud the citizens for this. This is what we want people to do. If you see something, say something. Call so we can come and investigate. Not everything turns into something, but it certainly is an excellent, excellent example of the community being engaged and paying attention and calling us. Traffic stops, the disturbances, the welfare checks, and these go all the way down, but for this third quarter, that is where we were spending our time.
  - **Mayor:** Does a call for service or an incident show up in only one category? Or if it is a suspicious activity that turns into a trespass, for example, there are two?
  - **Chief St. John:** It is going to show up as the best assessment of the call-taker. Based on all the information you say, that will be put in the incident, and that will justify why I am there. It may be a suspicious call, and I find two people that were killed. So you will see the incident of suspicious, and the cases will be homicide.
  - **Mayor:** But the question was each incident only has one category?
  - **Chief St. John:** Correct.
  - **Mayor:** So they are not double counting is my point. These are separate calls.
  - **Chief St. John:** Correct. The next goes to the discussion that we have safety levy wise as far as violent crime, and the highest number of assaults we have is PFMA. Again, that is very hard for me to deter when it is taking place in the sanctity of one's home. The felonious or the serious injury ones, 20 of them, not so much. What is troubling is resisting arrest. More and more people out there have an affinity to not pay attention to the lawful order of a police officer. If we try to make an arrest and they resist us, they get arrested, so in three months, we have 54. This is totally unacceptable. Those are things we are dealing with, but when the discussion gets to how dangerous Billings is because people are getting assaulted. Those aggravated and assault numbers, where are they taking place? It is not downtown Billings. It is in the house. It is in the home, and we are doing more analysis to why is that, what is the history behind it, what is the offender's history with drug or alcohol use, and those are all things we are trying to address. Same scenario with property crimes and shoplifting, theft, and stealing from cars. Those are the high numbers. Shoplifting is problematic because of our non-jailable offense, which will tie directly into another slide shown. Juveniles are not immune, and we have issues with substance abuse. The one on the far left is intoxicants, and then all the way down to burglary on the other side.
  - **Joy:** I wanted to ask about the assaults, #15. Is that a newer trend or something seen for years?

- **Chief St. John:** Not a trend. The juveniles get into fights, they assault people just like adults, but they go to a different avenue as far as adjudication. One more please – this is your adult charges and of special note here, there are 20 categories, and 8 of 20 have to do basically with violations of court orders, arrest warrants, non-appearance warrants, and that totals about 1,944 of a total of 2,875, so 67% of the people we arrest have already been arrested, have already been in the system, and are not showing up to do what they are supposed to do. That first category is municipal misdemeanor warrants, traffic warrants, contempt of court, suspended, so those first four are all violations of whatever court ordered that. That again ties us into the issue of there is no accountability, problems at the jail, operating with impunity, and now they know they are not going to jail so they flaunt stuff, and it becomes problematic.
- **Clark:** On those, are you actively out there looking for those people who have warrants, or do you catch them on a traffic violation or something like that and find out they have warrants?
- **Chief St. John:** Our patrol division more likely than not are just running into them on calls, traffic stops, or what not. On the felony warrants, we actually have people who go out and hunt them down. With these people, it is not uncommon at all for the dispatcher to tell the officer they have a warrant, could be several thousands of dollars, but they know we are full at the jail and just say we know you have warrants, just take care of them. We can arrest, but what that does is generate paperwork for the officer, generates for the secretary, attorney has to touch it, the judge has to touch it, and we now have another warrant out and when they do not show up, the whole thing starts over.
- **Mayor:** There has got to be a solution. As you say, 67% percent have already been arrested for something or cited for something. They say the definition of insanity is doing the same thing over and over again and expecting a different result. This sounds pretty insane.
- **Chief St. John:** Absolutely, and we are not doing it because we are not making the arrests.
- **Mayor:** If we had one magic wand that would be most cost effective, would not solve it all overnight, but you could change jail space, actions of the municipal court, your own officers, what would you do to help solve part of that problem?
- **Chief St. John:** An expansion of the jail for public safety, mental health issues, and maybe substance abuse, one little building fits all, would allow us to take care of all those things and not burden other parts of the system, free up some space so these people can get in front of the judge and get whatever it is they need done. Again, that is an expensive prospect, and the jail is not in our bailiwick and would require some coordination with the county, but that would be most helpful to alleviate some or most of the issues.
- **Yakawich:** Indicated a discussion with someone on the other side of the street about recidivism, and the discussion was a lot of them are under a parole officer, and they come back to the court for another violation. Could we maybe better work with the probation part?
- **Chief St. John:** With sitting with the probation supervisor here, the problem is the reinvestment program, the justice reinvestment. A lot of people are getting

paroled out of prison very quickly and sent places without commensurate support. Probation officers here in Billings see a constant flow of probationers from the state prison, yet they get no resources, so the supervisor today said on average, they are carrying 100 to 120 probationers apiece, and they keep coming. The problem is when they come back and cannot see a probation officer, or if they violate, they get in front of a judge before they can get sent back, they reoffend. That is a new offense and has nothing to do with why you were in prison the first time. It is a revolving cycle. We are very aware of it. I can email the numbers to you. They were staggering on how many they have apiece. How can you keep track of 120 and make sure they are doing what they are supposed to be doing? It is impossible.

- **Yakawich:** What I hear from a lot of the prisons, whether it be Shelby or Deer Lodge, is they are sending a lot of people to Billings, proportionately more than any other city.
- **Chief St. John:** I have heard that but do not have any stats. County Attorney Twito made that statement, that it appears to him we are getting a disproportionate number because we have the services.
- **Yakawich:** Additionally asking can we hold the prisons more accountable as he knows they are supposed to be sent when they leave prison, especially when they are not on probation, some kind of game plan, and I hear when they are dropped off here, they do not have a game plan. When they are sent out of prison, can we ask the prison for any kind of compensation?
- **Chief St. John:** They do have a game plan, and that is why they are released to Billings. There is some sober housing here, which is one thing the supervisor talked about. They make a pitch to probation or the parole board about their plan, and if they approve it, then they go. This is entirely not in our wheelhouse at all. This is corrections, probation, parole, and things have changed on what is a violation with different definitions between being compliant or noncompliant. As far as getting money from them, I do not think so. The reason the new process went in was because they needed money, and they thought getting people out of prison faster and reintegrated into society would work but so far, it is not working really well, especially here.
- **Ronning:** Requesting the numbers be emailed to her, indicating this is one of the challenges where the City needs to become more involved in lobbying state legislators, as well as our own legislators who have been elected out of Billings. I do not remember when the last time a representative from Billings or a senator from Billings was on any appropriations committee out of the state, which really creates a disservice for the City of Billings when we do not get a representative on that particular committee in either house.
- **Chief St. John:** Voice agreement. I was in a meeting with Representative Kelker, and she said when you are at the podium from Billings, it is uncomfortable and unnerving because they do not want to listen to it and figure we are big enough and can handle it, and that was on public incapacitation.
- **Neese:** Requesting clarification of jail space, indicating he thinks he heard a sheriff say there was plenty of jail space, that if we wanted it, he would find space

- for us. Yet we have all these warrants we cannot do. Can you clarify what I thought I heard the sheriff say vs. what we are hearing here?
- **Chief St. John:** At least last week, there were 288 individuals in the Yellowstone County Detention Facility that we put there, and there were 4 there for the MAAP program, and they are over 500 which is over 100% of capacity. The issue becomes do you want to tie up beds because we are turning high warrants away, we are turning some crimes away, and do we want to tie up beds for people with 10 open container/urinating in public citations who have not shown up, but we finally caught them and the judge put them in jail, and that is how the MAAP program works. We offer them counseling every single time. In the meantime, they have a finite number. The sheriff has been very good. If someone is a public safety threat, he will find room, no questions asked. That has never been an issue. We have to make the decision – do I want to tie up for a third-offense partner/family member assault for someone who has 10 open containers? We have a few beds there, but four is not going to do it when you see the population we deal with.
  - **Mayor:** With this data, we hear bits and pieces all the time, and it is a numbers thing. Would there be a way to educate the Council better with a weekly report, a monthly report, something that would allow us to watch those numbers better and understand them better? Is that possible?
  - **Chief St. John:** Absolutely. The sheriff prints out populations daily and upon request.
  - **Mayor:** You would know much better than I what would be helpful for these policymakers to see and not overwhelm us and what would allow us to better understand the numbers and ask better questions.
  - **Chief St. John:** It is important for you to understand the jail is only one part of this puzzle. Not everyone we run into is going to jail. There is a lot of diversion, a lot of peacemaking, a lot of conciliation going on. To put the entire focus on let's build more jails, let's get more room, get people out, that is not fair and not a good way to look at it. There are a lot of other things to do. Would it be helpful to have more beds? Absolutely, and the sheriff agrees with it, but it comes right back to who is going to pay for it and how much?
  - **Mayor:** I would like to see numbers no more frequently than weekly and no less frequently than monthly if possible.
  - **Chief St. John:** The numbers of what we have in there?
  - **Mayor:** I do not know. You said nothing gets turned away that is a public safety threat.
  - **Chief St. John:** That is true.
  - **Mayor:** Do we ever turn away ones who are not a public safety threat? Yes, or maybe we are not asking for more of those MAAP beds. I do not know how you measure that.
  - **Chief St. John:** I can give you numbers.
  - **Ewalt:** What was the number we have in the jail?
  - **Chief St. John:** As of about two weeks ago, it was 288 that had BPD charges.
  - **Ewalt:** That means we are paying \$100.00 a day for 288 people in the jail?

- **Chief St. John:** No. Anytime we have somebody in jail with a Montana code-annotated state charge, the county pays for that. Before they were in jail for the open container, that you are paying for at \$100.00 a day, but the other ones we are not paying for.
- **Ewalt:** They fall underneath the county.
- **Chief St. John:** That is correct.
- **Clark:** Do you do Coffee with the Chief anymore or the Meeting with the Chief or how many people do you get to those? I was on the internet and telling some people that you want to talk to the Chief when he throws a Coffee with the Chief and hardly anybody shows up.
- **Chief St. John:** I am due to have one in a week or two. I had it scheduled last week, but something came up. Our plan is to do it at least quarterly, but it has been one or zero who have showed up. I would hope more were satisfied as opposed to apathy.
- **Clark:** Suggesting he let people know he is having those, hoping the news picks it up.
- **Chief St. John:** We put it out on social media and mainstream media and announce the location and radio stuff, so it is well advertised.
- **Mayor:** Anything more to your report?
- **Chief St. John:** Just a one-month look here, and then I will step away. This particular slide goes back to April. We have some ebb and flow, but for the most part pretty consistent with our calls for service per month, 2018 vs. 2019. On the chart next to it, we have some spikes and some reductions, but if we protract it out over a few months, it might flatten out. Again, I do not have any control over some of those things. We could have a situation where someone drives down the street and shoots out 25 car windows, and 25 incidents can cause a spike. You have to look at it over the long term.
- **Ewalt:** Requesting to go back a slide. That big dip in August, I think that number is probably wrong on the red line because you have more calls for service in August 2019 than 2018. That number should have been 279 instead of 222. You might want to check your math.
- **Chief St. John:** I will do that.
- **Mayor:** Anything else?
- **Chief St. John:** Just a few more comparisons. Go to the very last slide. This is calls per zones indicating hot spots where the incidents are taking place. This is how many calls are generated out of those hot spots, and the disco ball basically indicates days from September 2 to 30 and then clockwise from the top is going to be a 24-hour clock, so 1 a.m., 2 a.m. up to 2400 or to midnight. In general, the darker the color, the more calls, and on the right is the dark blue is 35 or less calls per hour, 22, 16, 11, and 6 all the way down. Starting in the morning around 7:30, 8:00 going up to maybe 7:00 or 8:00, you can see a high level of 16, 22, or 35 calls an hour on various days. If you remember the last time we spoke at the safety levy, at five calls an hour, we are saturated. We cannot take anymore calls because we are sending two officers. In the case of the dark blue, you have 33 people waiting for a police officer to show up. This is part of the workload study. When we get the Y, we are asking for X number of officers.

- **Neese:** Requesting to return to the heat map. In the upper right quadrant, northwest, is that the Wicks and Main Street area? With the Walmart up there?
- **Chief St. John:** That is correct.
- **Neese:** And the lower left, what area is that?
- **Chief St. John:** That is the Walmart.
- **Neese:** The very south area, that is Walmart, as well?
- **Chief St. John:** Yes, that is correct. And the other areas which would be south of the interstate that show up on the other one are the hotels and motels.
- **Mayor:** I assume the concentration of calls at 35 per hour correlates to school getting out. That is at 1500 hours, so 3:00 and 4:00 is your peak time going into about 5:00, so 3:00 to 5:00 p.m.
- **Chief St. John:** Correct. Lots of traffic.
- **Mayor:** And traffic.
- **Chief St. John:** Kids and traffic in summertime, wintertime coming now.
- **Ewalt:** How many of these are auto accidents, and do the police have to go to auto accidents or at what level do you have to respond?
- **Chief St. John:** These would include auto accidents, the exact number unknown. We do go on specifically injury accidents and those involving DUI. If we have the staffing and not running from call to call, and it is not too long of a wait, we will go to property damage if a car is disabled in the intersection. We do not respond to minor fender-benders when the weather gets bad and the roads are slippery, called slick-street policy, so unless someone is intoxicated, there is an injury, or the vehicle is disabled, you will just exchange names and move on, and we do not respond on those cases.
- **Ewalt:** Clarifying that is anytime of the year if it is just a fender-bender, and if nobody was hurt, they can just exchange insurance and move on.
- **Chief St. John:** Correct.
- **Ewalt:** But most especially in the slick street times?
- **Chief St. John:** Correct. The shift commander will make a decision if we are too busy and have a minor fender-bender and people have been waiting. If they are not blocking traffic and no other problems, just exchange names and go. They can get a report number from the police station at their convenience.
- **Code Enforcement**
- **Mayor:** Next up is the quarterly report on code enforcement.
- **Nicole Cromwell:** Highlights for this report are two properties retired off the last quarter's report: 120 S. 29<sup>th</sup>: Property has sold to a new owner who started cleanup and pulled permits, and we hope he gets these properties back in good order and starts renting them soon. There are two houses on this property, so it should turn around pretty quick. 3520 Cook: The Court ordered abatement, and the Trustees finally decided it was time to clean up the property, so they did before we had to. We have 16 active court cases now at various stages of hearing for abatements requested by the citing officer. We have had three abatement orders issued by the Municipal Court. We are in the 30-day appeal period. After that runs is when we start getting people on board to do the cleanup of those properties, whether demolition or cleaning up the open storage. The City working through the City Legal Department and the Attorney General's



office has been appointed the special administrator for estates for properties where there are no heirs, meaning we do not need to go to court to take care of blight on the property, that we can contract and spend the money on the house, clear the lot, and sell it. If we cannot successfully sell it, we can turn it back over to the State of Montana to sell and hopefully get reimbursed through the sale for the cost of the cleanup, but it is not guaranteed. We are working on three and have about six more we could do, but we want to ease into this and not take on the entire universe of property that has no living property owner. Working with the City GIS staff, we are now mapping and publishing all of our cases on an interactive site, map pulled up and demonstrated, including bus map and public safety map, reference maps, election districts. Ours is called Permits and Code Violations, including active cases, closed cases, and cases with an invalid complaint. Public information, so if you are curious if someone has sent in a complaint about a particular property, you can click on this map and find it.

- **Mayor:** Is it a situation where you have to navigate, say you check out a piece of property and confirm no one else has filed a complaint, you then have to navigate back to the place to actually file a complaint? You might lose folks from doing that, and I am wondering if it would be possible to create a link on the map itself, a little button that says file a complaint.
- **Nicole Cromwell:** Interesting thought, indicating she will make a note to ask the City IT people. Explains there is information not published on the map, names of people who complain, notices sent, or pictures taken, none of that, just very basic information about the violation, filing date, when it is expected to be cleaned up. 120 S. 29<sup>th</sup> retired from the list, has a new owner working diligently on bringing the property back into code, and then 3520 Cook Ave., retired from the list. We have a new one on the list, 246 Rhea Lane, abandoned house with open storage with a non-appearance citation issued in August. Probably the next step on this one is an appearance ticket. We generally start with a non-appearance which is like pay the fine, here is your violation, please take care of it because it is not going away, and if we still do not see progress, the officer will cite for an appearance in Municipal Court. The next one is also new, but we have had 31 cases at this address over the last 12 years. It goes in and out of compliance between overgrown lawn and parking on the front lawn and open storage of trash and debris and inoperable vehicles which can be seen from the pictures. Mr. Webb was finally cited, and he will be appearing next month, and we will be requesting an order of abatement from the judge. 206 and 213 S. 30<sup>th</sup>: They are across the street from each other but both owned by the same person, cited to court in July 2019. Judge issued fines and closed the cases. New citations issues, and that hearing was on October 16, unsure of result but believes an order of abatement has been issued for these properties. 206 has some brickwork that is about to fall down, and 213 and 215 are not habitable and have not been habitable for over a decade, and there is grass growing on the roof. #9 is two separate properties. #46 Washington is one of those properties the State appointed Craig Salzman as the special administrator for an abandoned property so we will be forging ahead with the cleanup of that property. #20 Washington: We do have an owner for that, and the case will have status hearing in

November. Mr. Boyer is working on getting another project done before he can come back to Billings and demolish this house which was damaged by a fire 18 years ago and has not been lived in since. Case opened for #8 in 2019, and we have made significant progress in cleaning up the back yard. Central Terry Task Force reached out to this couple, but they refused help from their volunteers, but we are staying in constant contact with the family to ensure they keep moving forward with the cleanup. #7 was heard on October 16. The defendant did not show up, and an abatement order was issued by the court. We are in that 30-day period of appeal but will probably have to clean up this property. It is not a demolition, really just a lot of inoperable vehicles, open storage, etc. Next is in the Heights on McKenney Road, an unfinished duplex still sitting at #6. Having another hearing in November 2019 to go over a structural assessment being prepared by the current owner to see if the structure can be salvaged or if he has to take it back down to the foundation and start over. It has been exposed to the weather since construction abandoned in 2007. All the sheeting has to be replaced, but the roof may be okay because it had shingles on it. It looks like those were replaced with a steel roof at one point, so we will have to see how that is going to go. Then 816 N. 25<sup>th</sup> sitting at #5: We have not yet issued an appearance citation to Ms. Young on this property. Their prospective buyer has approached the department to say they are working with this person and trying to buy the property, but we still have to do what we have to do as far as getting this property into compliance, so we will probably be issuing a citation for appearance in the near future. Next, Mr. Mitzel has submitted a permit, intending to pour a foundation in front of this structure, lift it up, and actually move it to the proper setback which is where the construction got stopped in 2012. He did not meet the required rear setbacks or the side setback for a two-story structure so he is preparing to do that. He is a builder and works with engineers and has submitted the permit, so I think this one will get resolved in the next few months. #3, 23 Rhea Lane: We have not yet received a demolition permit for this, but it has been promised that they will get a demolition permit submitted both for the unfinished garage and for the house. #2, 114 S. 29<sup>th</sup>: The judge found the property was a hazard. 114 S. 29<sup>th</sup> is an inhabited structure both by the owner and several tenants, more like a boarding house situation, but the judge found it was a hazard and did order the building cleared. In other words, everyone has to move out and the building has to be demolished by the end of November 2019. Right next door at 118 S. 29<sup>th</sup>, the City did receive an order of abatement from the judge. We were in a 30-day appeal period. I have not been notified it has been appealed, so we will be gearing up to do the abatement on 118 S. 29<sup>th</sup>. Community Leadership Development, Inc., has had discussions with this property owner to try to purchase this property. Those talks were not successful. However, CLDI has paid back taxes on both properties, but back tax payments to file a tax lien take 3 years and 30 days before you can petition the treasurer to issue the tax title in your name. Mr. Wick has had these properties in tax lien situations many times over the last two decades, so he always comes in to pay at the three-year mark. Hopefully we will get to some resolution of these two properties maybe within the next four to five months. #1, 4115 State Ave.: David

Winfrey is deceased, so this property is without a living property owner. We went to District Court to have the Attorney General's office appoint us as the administrator for the estate. However, a living heir did show up at the District Court hearing and convinced the judge to stay her decision for six months while he gets resources together to put the property into probate so it goes into his name and does what needs to be done as far as the structure is concerned. I do not believe this structure is salvageable at this point. It would have to be demolished and started over. Harry Winfrey is the living heir. He came to court and the judge granted a six-month continuance basically of appointing the City as special administrator. There are a lot of things Mr. Winfrey has to get done in the next six months in order for that order not to be issued. Hopefully Mr. Winfrey will work with us and an attorney to get him through that process.

- **Mayor:** A slow process but progress on every one, even if it is only progress on our end. Thanked Nicole for the map and asked if there was a way to advertise the existence of that.
- **Nicole Cromwell:** Social media.
- **Mayor:** That brings us to the end of the public presentations.
- **Public Comment: None.**
- **Public Comment is closed on item #1.**

<b>TOPIC #2</b>	<b>BUILD Grant Update</b>
<b>PRESENTER</b>	Wyeth Friday, Planning & Community Services Director
<b>NOTES/OUTCOME</b>	

- **Mayor:** Item #2 is really Wyeth, and I can chime in as needed, but Wyeth has it handled. Wyeth, what is item #2?
- **Wyeth:** Running through a brief update on where we are with the grant and the trip last week which the Mayor was an integral part of, presenting handouts, one of which was a multipage brochure they prepared and took to Washington, D.C., as well as a map they also shared with the delegation out there. As a recap, the discussion and the trip to D.C. were specifically geared toward securing this BUILD Grant. The City applied for the grant back in July of this year, and it is a \$26,000,000.00 total application, \$18,900,000.00 requesting federal funds, transportation funds, and \$7,100,000.00 locally committed to build a large project with multiple elements. Two key elements briefly are the Inner Belt Loop, completing that roadway from Billings Heights around Alkali Creek Road to Zimmerman Trail along Highway 3, that entire construction, and then several pieces of our Marathon Loop Trail, including the Skyline Trail that runs along the rims at the top, the connector that would go around Zimmerman trail adjacent to the road existing there, and then two pieces down on the southwest portion of the Marathon Loop Trail that would complete that entire corridor. The Marathon Loop now is about 60% completed, so this would complete that. This was just to give a quick followup and what this was for. A couple weeks before, a conversation was brought up about sending representatives to Washington, D.C., to specifically meet with U.S. Department of Transportation staff involved in the review of these grant applications and that process, as well as meet with all three

of our delegation, Senator Tester's office staff and Senator Tester and Senator Daines and his staff and Representative Gianforte and his staff to specifically get in front of all of them to talk about what our application was and what we are trying to do and garner some support there. Last week, the Mayor and Steve Arveschoug, Executive Director of Big Sky Economic Development, Kristi Drake, Executive Director of TrailNet, Dan Brooks, Business Advocacy Director at the Chamber, and myself went out of Washington, D.C., on Wednesday and then all day Thursday, we conducted meetings with Senator Daines, Representative Gianforte, Senator Tester, and the U.S. Department of Transportation. We took the handout and the leave-behind brochure and provided it to and specifically visited with the delegation, showing other communities in Montana have received funds from this program in the past, and we have not yet, although there were a couple of applications back in 2010-2011 for a Tiger Grant at the time for some projects here in Billings. The Mayor then gave an overview in each of these sessions in terms of more about Billings. To back up, we certainly had to make sure we could set that groundwork for the U.S. Department of Transportation and their staff and explained the whole project and what we were trying to do. I talked a lot about the project elements and the amount of work that has been done over the last 15+ years here. Regarding studies, I brought a whole stack of studies in my suitcase and was able to demonstrate for them this is not brand new, this is not last year, that we are ready to do this project and these elements, and we can get this done. We went through that, talked about economic development, and Steve Arveschoug gave a rough rundown on the benefits from that standpoint. All of these were elements in our application, but we specifically called those out during these presentations. What we learned at these meetings and specifically from U.S. Department of Transportation is for this cycle we are in right now, they received 660 applications totaling \$8,000,000,000.00 in projects. There is \$1,000,000,000.00 available for the projects that will get completed, and last cycle, about 90 projects were awarded out of all the ones that came through in the last process. However, the purpose and focus of this program is that 50% of those funds go to rural projects and 50% to urban, and we are considered rural, good news in terms of our competition. Also, there is a good likelihood that each state would get at least one project, if not maybe two. Also, our project has multiple elements, which is very important. It is not just a road project. It is not just a trail project. It is not just economic development. It is not just safety. It is all of these things together. We have a complete package, and that is important when you are putting together these applications and explaining what your project is. The decision could be made as early as November 12, so very soon, so we were out there at the right time. It could be a bit later, but that is what USDOT is aiming for. We are aware for sure of two other projects submitted in Montana. One was Missoula, an application for a whole development area including road infrastructure and improvements, and we are aware the Montana Department of Transportation put in an application right here in Billings for the bypass, the Billings Bypass. In terms of where we go next, we are expected a decision possibly in the next month. When we met with Senators Daines and Tester and Representative Gianforte with their staffs, all of them were supportive

and agreed to provide some followup with the U.S. Department of Transportation based on our presentation and our meetings with them last week, and several of those were starting to happen even by last Friday. Senator Tester and his staff had already called the Secretary of Transportation, Elaine Chao, to set up a call with her to recap. Representative Gianforte's staff was going to follow up, as well. On our schedule, we were supposed to have the USDOT presentation first and then meet with the delegation after, but Senator Daines had to switch, so we met with him before we went to the Department of Transportation, so he asked us to provide an update to his staff afterwards, so we actually have a call, and the Mayor and Steve Arveschoug are going to visit briefly with his transportation staff tomorrow afternoon to give an update because one of the things the DOT staff told us was we should talk to our delegation and have them understand what you are doing and provide that information so that was something we wanted to be sure we did with all three of the delegation. It was very valuable to be in front of everyone there face to face showing them physically and visually what we are doing, who we are, and that we have done a lot of legwork to get to this point, including having the Inner Belt Loop designed, having the Skyline Trail designed, having the trail segment down Zimmerman Trail, all really big deals when you are saying to them if you provide us these funds, we will complete the project.

- **Mayor:** I really do not have anything to add that is new, except to say Wyeth and the staff did a great job. A lot of work has gone into this presentation the last couple of weeks by the group that he mentioned, and the planning staff did a great job, and the group that went to Washington did a great job. We rehearsed our presentation a lot to make sure it was concise and understandable, and I think that paid off. Everyone was uncertain how much value going to Washington would be, but it was gently communicated to us that if you do not go to Washington, that sends a negative message, so I think the trip was well worth it. On the positive side, our project has a lot going for it. It checks a lot of boxes that are very important to the Department of Transportation, for example improvements in public safety. It is very easy for us to explain how the Inner Belt Loop is important to the safety of people in the Heights to have emergency access there. The tornado is a classic example, but it is just an example. Lots of things could close that corridor. Helping them to understand the importance of the Rimrocks and the cliffs for someone who has never been to Billings was a challenge, but we did that through photographs, so it checks that box. A lot of projects are just conceptual, but this project was supported by 12 or 13 studies in the last 12 years that put flesh on the skeleton of what is being proposed here. They want to know if the money is granted that the project will happen, that it will happen as planned and on schedule, and although there is always uncertainty, we can show this one was as far along as you could ever expect. Also, our large local match is a real positive, which shows again commitment to the project, so those are all positive. On the other side of the balance beam is just the reality that only about 10% of these are ever granted. We are hoping our Congressional delegation will help out, but they are caught between a rock and a hard place a little bit because there are other Montana applicants, as well, so we

have to be realistic about their abilities there, but we were well received. Expressed thanks again and encouraged prayer. This would be a complete game changer and really transformative for our trail system to complete the Marathon Loop, most of which is 60 to 70% already completed, but by filling in those gaps, the utility of the trail system would improve exponentially, and it would be also a game changer for the economic development of the Heights and the safety of the Heights to be able to complete the northwest connector.

- **Public Comment:**
- **Mayor:** We will open up for public comment. If anybody would like to be heard on item #2, the BUILD Grant application process, please come forward, and you will have three minutes. Any public comment on item #2? Seeing none.
- **Public Comment is closed on item #2.**

<b>TOPIC #3</b>	<b>Council Discussion</b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- **Mayor:** We will move then to Council Discussion before Public Comment on non-agenda items. Are there any items of Council Discussion? Councilmember Yakawich, I know you have been actively involved with the National Prescription Drug Take Back Day. I saw that reference in the paper, and it is this Saturday, October 26, 10:00 to 2:00. People can bring in prescription drugs safely and anonymously and drop them off at the Elks Lodge at 934 Lewis and at the Heights Branch of Interstate Bank at 730 Main Street, again 10:00 to 2:00, and there is a place to deposit your prescription drugs.
- **Yakawich:** Remember no needles and no liquids, and they do not have to take it out of their containers. They can leave the pills inside, any kind of pill. The DEA will then crush it and dispose of all of it, and no names will be revealed.
- **Mayor:** Thanks for that clarification. Any other items for Council Discussion?
- **Neese:** Thanked all for the condolences on the passing of his stepfather.
- **Yakawich:** Condolences for Connie Wardell. Expressed gratitude for support for the appreciation dinner with about 80 in attendance.

<b>TOPIC #4</b>	<b>Public Comment on Items Not on the Agenda</b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- **Mayor:** We will move then to our final item which is Public Comment on Non-Agenda Items. Any Non-Agenda Items? If there is something not on the agenda, you have three minutes. Mr. Elbestadt.
- **Dennis Elbestadt, 3040 Central, Billings, Montana:** Discussing recent events that took place at the Billings Gazette, about two warrants he was not aware of, which have been squashed/paid up to date through November 15, 2019. They

were issued February 28, 2019. Judge Kolar, Municipal Court Judge, squashed these warrants October 15, 2019. They were for two DUIs in December 2017, and I have been sober since that date. I have completed treatment and also have been in local government for 12 years, reiterating that all candidates running for City Council have positive feedback except for myself out of all ten candidates. The Billings Gazette insulted my integrity. In closing, I would just like to leave some words to the Billings Gazette Editor Darrell Ehrlick, Billings Gazette Opinion Editor Pat Bellinghausen, and Business Reporter Rob Rogers, and all of these people can quote me word for word. Don't judge me by my past. I don't live there anymore.

- **Mayor:** Any other Public Comment on a Non-Agenda Item? Seeing none.
- **Public Comment on Non-Agenda Items is concluded.**
- **Mayor:** We are going to adjourn to Executive Session for litigation strategy, and we will take a little break briefly on the way to the usual back room.