

City Council Work Session

November 15, 2010
5:30 PM
Council Chambers

ATTENDANCE:

Mayor/Council (please check) x Hanel, x Ronquillo, x Gaghen, Cimmino, x Pitman, x McFadden, x Ruegamer, x Ulledalen, McCall, Astle, x Clark.

ADJOURN TIME: 7:45 p.m.

Agenda

TOPIC #1	<i>Energy & Conservation Commission – New Energy Cities Program</i>
PRESENTER	
NOTES/OUTCOME	

Dr. Robert Merchant, Chair of the Energy and Conservation Commission, reported that the Commission's recommendation was to direct staff to establish a group to investigate the feasibility of participation for businesses and residents. He explained that the purpose of the program was to improve energy efficiency and conservation for the entire community. He spoke about the City's participation in both the Energy Performance Contracting and the Energy Star Program. He advised that New Energy Cities Program was a combined collaboration between public and private groups that wanted to work with communities to identify key stakeholders, and then hold a two-day workshop to develop a leadership structure to move forward with a strategy and action plan. He noted that most of the program was development of financial tools to implement things similar to energy performance contracting, but on a smaller scale. He stated that Commission members visited with people from cities that participated in the program and received positive feedback. He spoke about a community in Washington that developed financial resources of \$10-15 million available from various sources primarily as loan programs to facilitate energy conservation.

Dr. Merchant stated that he thought that if a group was established as recommended by the Commission, their first task should be to talk with community stakeholders to assess the level of interest, and if there was enough interest, present a recommendation to the City Council. Mayor Hanel asked Dr. Merchant about a timeframe and costs involved. Dr. Merchant advised that he did not know what timeframe would be involved in that process. He reviewed the costs of the process and follow-up for the New Energy Cities Program.

Councilmember Ulledalen commented that there were lots of businesses and private individuals already doing this, so he wondered why a new bureaucracy was needed. Dr. Merchant explained small businesses might not be able to do it on their own and it was possible that resources were not available without that process.

Mary McNally of the Energy and Conservation Commission advised that it was a large scale effort intended to bring people together to participate. She spoke about an initial meeting held that attracted about 30 people. She mentioned that a logical place for those efforts was something like the East End TIF District.

Councilmember McFadden asked if that program would set up a local contact person. Dr. Merchant advised that the whole purpose was to set up a local structure.

Councilmember Pitman asked about the cost to the City other than the \$15,000 for the two-day session. Ms. Volek advised that there was no staff person with that expertise, but a committee of interested staff could be developed. She said there would be staff costs along with the \$15,000. Councilmember Ruegamer asked if it could be handled by the Energy Commission. Dr. Merchant responded that the Commission did not believe it had that charge or authority. Councilmember Ulledalen asked why City government had to be involved. He said it meant staff time and money that was not necessarily available. Dr. Merchant stated it depended on philosophy and whether the City wanted to help drive the community toward conservation.

Councilmember Pitman asked if the \$15,000 was a one-time fee. Dr. Merchant said as far as he knew that was it. Ms. Volek advised that the \$15,000 would have to come from the General Fund because there was no budget for it. Dr. Merchant explained that their thought was to get \$15,000 from the City with the hope that other contributions would be added to it. Ms. McNally advised that the real cost was \$35,000 for the program, but all but \$15,000 was subsidized. She said from that, an action plan was developed and there would be costs to implement it.

Councilmember Clark said it sounded like it could be a substantial cost if grants were not obtained. Dr. Merchant said he thought continuing costs occurred after grants were secured, meaning that staff and activities were added as a result of the grants.

Mayor Hanel provided background on the Energy and Conservation Commission and noted that it was scheduled to sunset at the end of the year. Ms. Volek explained how it could be extended by resolution. It was consensus agreement that staff proceed with presenting a resolution to extend the Commission at the December 13 Council meeting. Ms. Volek explained that Mark Evangeline had served as the staff representative and due to other duties, had asked to be relieved of that task. She asked if she should ask for staff volunteers to serve on a group as recommended by the Energy Commission. Mayor Hanel suggested waiting until Council acted on a proposed extension.

Councilmember Ulledalen stated he was skeptical with limited staff and resources. He said he wondered if it would be supported in the community. Ms. Volek advised she had names of two communities and could contact them for further information about how it worked in their community. Councilmember Pitman suggested not directing staff until direction was given by the Council.

The public comment period for that item was opened.

- **Bill Walker, 3332 Aqui Esta**, stated he represented Yellowstone Chapter of Montana Conservation Voters. He said he had attended the commission meetings the past few months, and it seemed that the City's conservation efforts would save taxpayers money. He said he understood the New Energy Cities program could do the same for businesses and individuals, and it could stimulate the economy. He suggested the Energy and Conservation Commission be continued beyond its expiration and that it be amended to fit the new mission if the New Energy Cities Program went forward.

Councilmember Ulledalen stated that he felt the Energy and Conservation Commission had drifted into other things than what was originally intended, and he felt there were conservation groups that could take on those endeavors. Mr. Walker expressed his concern that the New Energy Cities Program would evaporate if the Commission was not continued.

Councilmember McFadden stated he agreed the Commission should be extended whether or not the New Energy Cities Program was adopted.

- **Cara Chamberlain, 933 Yale**, stated that energy conservation was a good investment. She urged the City to investigate a partnership with New Energy Cities Program to empower the community. She said energy and water were going to be the big urban issues.
- **Randy Hafer, 631 N. 26th**, stated he attended the New Energy Cities Program presentation last spring and had discussed it with people since that time. He said the question was how the program could get started. He commented that he saw that as an opportunity to create connectivity to allow something bigger to develop. He compared the program to the Downtown Billings Partnership where people had a place to go for direction. He stated they were not asking City to be the lead, but to be at the table.

Councilmember Ulledalen asked if there was a group within the architectural community that was looking at that type of program. Mr. Hafer said there was not, but it was possible.

- **Kevin Nelson, 4235 Bruce Avenue**, said to look at the last election – people indicated they were done with environmentalists and government programs. He said there was not strong support for energy and environmental programs across the state, and it was reflected in the recent elections.
- **Trent Curry, 528 Catherine Ann Drive**, said the program was about competitiveness with other cities and states. He said it would provide the opportunity for Billings to be competitive in that industry into the future and the City should taken advantage of it.

There were no other speakers, and the public comment period for that item was closed.

TOPIC #2	<i>Beartooth RC&D Report</i>
PRESENTER	
NOTES/OUTCOME	

Carla Lawrence provided an overview of the Beartooth RC&D, the staff, and Board. She said it served five Montana counties. She introduced Chris Mehus, Economic Development Director and Office Manager, to talk about projects of the Beartooth RC&D.

Mr. Mehus reviewed the economic development activities among the five counties served. He reviewed the newly organized brochure and provided detailed information about the Yellowstone County projects highlighted in the brochure.

Councilmember Ulledalen commented that that was one of the most fun assignments while on the Council. He said the RC&D could conduct feasibility studies, and could offer training for displaced workers, which was important with the current state of the economy. Mr. Mehus provided a more detailed overview of those activities.

Councilmember Ruegamer referred to the cattle processing plant that was reported in the newspaper and asked if it was going to open. Mr. Mehus explained that the facility south of the river near Laurel was processing wild game, and the building near the East Laurel interchange was being renovated and should be in use soon. He noted that the two businesses had the same owner.

Councilmember Gaghen asked if the first time homebuyer program worked with the other groups in the community that had similar services. Mr. Mehus explained the partnerships in that area.

Councilmember Ulledalen commented that it was a good way to show that the City was willing to work with smaller communities around Billings and to support them.

The public comment period for that item was opened.

- **Steve Arveschoug, Big Sky Economic Development Authority**, stated that working together made the community stronger. He said it was a good partnership and the City got good value for its money. He announced that the RC&D would meet at Briarwood Country Club Thursday evening of that week.

There were no other speakers, and the public comment period for that item was closed.

TOPIC #3	<i>Art Donation Policy</i>
PRESENTER	
NOTES/OUTCOME	

Ms. Volek referred to two documents provided to Council - a public art policy adopted March 22, 2004, and a comparison with other cities. She reviewed how art was accepted in a small number of cities that were of comparable size, although she felt Billings was in a different category than many of those cities. She suggested reviewing the current policy.

Ms. Volek explained that when the policy was enacted, there had been several proposals to install artwork at various park locations, and then there was a two-year lapse before anything was brought up again. She noted that due to change in administration in the Parks Department and the City Administration, the policy was just forgotten. She pointed out that the policy required creation of an ad-hoc committee to make a recommendation regarding appropriateness and placement of the art.

Ms. Volek explained steps being taken to avoid any confusion in the future, with one being a compilation of policies adopted by the Council, and the policies that were adopted by administrative order.

Councilmember Ruegamer stated that he thought someone on the Dehler committee approached the Council about proposed donations of art and the Council had indicated it did not want any part of the fundraising or control. He said he felt that the agreement would have to be signed for anything in the future.

Councilmember Ulledalen spoke about the policies of other cities. He said he felt the issue was how the City protected itself from someone that thought they had a great idea for the City. He mentioned potential copyright issues.

Councilmember Clark stated that there were three statues at Dehler Park and there were no agreements with any of the artists or donors. Ms. Volek advised that the only thing the Council acted on was acceptance of donations for the bases for the statues.

Councilmember Pitman advised that he was on the Parks Board when the statues were proposed. He mentioned lots of offers for various types of artwork, but that most had to be rejected due to cost to display or preserve, etc. He added that the ballpark statue artists made it clear that their donations were separate from any other business dealings.

Councilmember Ruegamer commented that a policy was needed but it should not be so hard that people could not do it. Councilmember McFadden agreed with Councilmember Ruegamer and said asking too much might be insulting, and questions should be asked regarding how much it would cost to maintain and whether there were strings attached.

Councilmember Pitman suggested referring the policy back to the Parks Board for any refinements.

Councilmember Ulledalen mentioned that there could be liability to the City if the item was appraised.

Councilmember Gaghen commented that disputes over the ballpark statues negatively impacted the City. She suggested some sort of check to determine the credibility of the artist.

Ms. Volek advised that she would refer the policy to the Parks Board for refinements. Councilmember Pitman stated that the Library would be a test of that with the large donation that required a building with architectural significance. Councilmember Ulledalen stated that the idea was whether a gift was financially constrained.

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

TOPIC #4	<i>Boards and Commissions</i>
PRESENTER	
NOTES/OUTCOME	

Ms. Volek advised that there had been several past discussions about boards and commissions, their functions and whether they should continue. She stated that City Attorney Brooks had information about a 2008 self-evaluation, discussion and vote.

Mr. Brooks advised he would email the three pages of minutes relative to that discussion. He said there were changes made to the Code at that time when changes were made to the boards and commissions. He noted that then-Councilmember Veis had presented a motion to eliminate several advisory boards, but the motion failed.

Councilmember Ulledalen stated there were some boards that could be eliminated and others could be combined. He mentioned the difficulty to fill vacancies on the boards.

Councilmember Pitman suggested a quick flowchart of boards to help with the decision whether it was valuable. Ms. Volek said the self-evaluation was an attempt to accomplish that and the boards could be surveyed again if Council wished.

Mayor Hanel explained that he asked for this item because many of the boards were ineffective and the expense to advertise vacancies became alarming, in addition to the fact that many boards met during lunch hours and had meal expenses. He said he agreed with Councilmember Pitman's suggestion of a flowchart.

Councilmember Ulledalen commented that committee service was one of the ways to recruit people for City Council. He stated it was the Mayor’s responsibility to fill the seats, but Councilmembers could recruit from people they knew. He suggested starting with what could be eliminated, and then attempting to fill the vacancies.

Councilmember Ronquillo stated that many boards did not ever contact the Council.

Councilmember McFadden suggested assigning additional tasks to standing boards rather than creating ad-hoc committees for special purposes.

Councilmember Ulledalen mentioned the fact that some boards were intended to advise Council while others were intended to advise staff.

Ms. Volek proposed sending the survey out again, with a report back to the Council in January. She said questions could be added about whether the committee was statutory and whether it advised Council, whether it could be combined with another board, or if the board was a springboard for further City involvement.

Councilmember Ulledalen suggested Ms. Volek provide a list of boards that the City had to maintain, and then focus could be directed to the others.

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

TOPIC #5	<i>Public Comment</i>
PRESENTER	
NOTES/OUTCOME	

- **Kevin Nelson, 4235 Bruce Avenue**, stated that the work sessions should be turned into regular meetings so action could be taken, which Council got close to anyway. He distributed a handout he referred to as “Foxes watching the hen house.” He mentioned transparency related to the people supporting a TIF District study that were members of the Urban Institute Advisory Board. He stated that the TIF study was a waste of tax dollars and would not be well received in Helena because beneficiaries were on the Urban Institute advisory board. He said that would cloud the issue.

Mayor Hanel commented that Legislators could also view the study as being done by and for people that understood TIF Districts.

There were no other speakers, and the public comment period for that item was closed.

Additional Information:

Ms. Volek announced that the ribbon cutting for Shiloh Road was Friday, November 19, at 2:00 p.m.