

City Council Work Session

5:30 PM
Council Chambers
January 18, 2011

ATTENDANCE:

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

ADJOURN TIME: 6:58 pm

Agenda

TOPIC #1	<i>Legislative Report</i>
PRESENTER	Ed Bartlett, Alec Hansen, Bruce McCandless
NOTES/OUTCOME	

- **Bartlett: Entitlement Program (HB 56) was heard last week. There were a number of opponents, including Billings, because of the potential impact on Billings and other cities. This week HB 26 was discussed and mostly supported.**
- **SB 152 (increasing misdemeanor sexual assault penalties) was heard and passed out on executive action. Brent testified.**
- **DUI now is the subject of 16 bills, with hearings over next two days to reduce those into fewer bills to be supported by local government and the people.**
- **HB 68 on medical marijuana is to be heard Friday. No repeal is expected, but significant regulatory legislation is likely.**
- **McCandless: Met Tuesday pm with State Rep. Elsie Arntzen, who is likely to introduce 5 bills on Tax Increment Financing Districts (TIFDs). Hearings are likely to be held the first week of February. Issues will include notice to public and to other jurisdictions. Others would alter financing methods, to which other cities and counties are likely to object. Then up to Council to decide whether to support.**
- **Council questions:**
 - Ulledalen: Hints on consensus on medical marijuana? Bartlett: Legislature not afraid to act but a repealer not likely. Will be other steps, not certain if enough to help cities. Hansen: Insisted on keeping City control in bill; green card will not likely be easy to get. May require more physical inspection for a patient card. Will likely limit use of drug to people who have legitimate need. Get back to what they think people voted on in 2006.**
 - Ruegamer: On entitlement bill, talking about governor's budget, or legislators' proposals? Hansen: Republicans announced last week their plan to cut \$350 million, 5% of all budgets, unless revenues improve. Not a lot of support for what Governor proposed on Entitlement Program because mathematics didn't work.**

Appropriations likely to start over, and may be a good place for cities to start. Ruegamer: Clarify governor to cut from 4% to .76%? Hansen: Right.

Ruegamer: Elsie says not going to impact existing TIFDs, what should the Council believe? McCandless: She emphasized today it is not her intention to damage local government. Two or three bills have potential to make use of TIFDs more difficult for city. She has asked Sen. Brown to submit a bill draft request to remove 95 mills for schools from TIFDs, which would make it difficult.

Ruegamer offers to come up to testify. Hansen: SB 150 to be heard Friday afternoon at 3 p.m.; the bill makes public employees liable to personal damages. MMIA will hit it hard; have to send message to Legislature can't attack public employees. Clark: Councils included? Hansen: Exempts legislative bodies. Gaghen: Sponsor? Hansen: Sen. Wittich from Gallatin Valley. Mayor: Bill introduced on paying for medical expenses for those in custody? Bartlett: Not yet.

Public Comment: None.

TOPIC #2	<i>Our Gallery Under the Big Sky</i>
PRESENTER	Shawn Abel & Scott Beach, Solo Graphics
NOTES/OUTCOME	

- City Administrator Tina Volek said the project to be presented had been shown to the Parking Advisory Committee, which recommended that Park I be used as a facade.
- Able: Wrapping facades on 16 downtown buildings to create 29 places where Montana artists can display on 180K square feet of art, bigger than 3 football fields.
- Wraps have been around about 10 years for commercial applications. Also cover up buildings during renovation. Billings would be first use specifically for artwork. Material is an open-weave mesh banner that allows high degree of reproduction, no flapping in wind. A person can see through perforations. Similar to vehicle wraps.
- Material designed to last couple of years. Gallery includes information about artwork, tour, things you can buy.
- Last 4 pages of the handout includes information on touch screen kiosks that provide background on artists, routes to view artwork, how to order prints.
- Merchandize could include prints, shirts, hats, etc., to go into proliferation fund to pay for another 29 artists' pieces to be placed in 2 years.
- Kiosk is advertising tool for merchants.
- \$685k cost – source is commercial & donations
- Scaled back initial project to one building. Meeting next week with YMCA director to work on grant and using three sides of her building.
- Looking at City's Park I and couple of kiosks.
- Council comments:

Ruegamer: So far out really like it. Cost City any money? Shawn: Plan at this point is for it to cost the City nothing. Solo Graphics has approached Microsoft for campaign. Several million dollars also available in grant funds from DOT, Montana Arts Council, etc. There is a pretty good shot at getting support.

Astle: What will Fire Department say about restricting access? What will they do about trees? Abel: All 20-30 ft above ground floor, don't know access issue.

Pitman: Zone changes? Volek: No.

Gaghen: Unique. Really likes it doesn't cost the City money. Abel: Good idea in light of loss of Metra and loss of Outlaws. Named artists are willing to submit.

Mayor: Company designs wrap? Abel: Production and installation subbed out to other companies. Each one engineered to building and signed off on. Mayor: Life cycle? Abel: Manufacturer guarantees six months without fading, two years before failure, that's why they are recommending 18 month replacement cycle. Same printing process used here in town and can be used 3-4 years without deterioration. Beach: Done lot of work before.

McFadden: How far along on funding? Abel: Phase I through corporate sponsorship and then write grants, which can take up to two years. T-shirt is first effort. Our Gallery Under Big Sky picked to get community involved.

Ulledalen: Great idea. Look at visitors coming through. US Bank and other have multiple tenants that might be willing to contribute. How to stick to various external facades? Able: Starts with aircraft carrier cable, bolts, pulleys, wire. Each unique. Ulledalen: Who will do physical application? Abel: Billings Sign Service and others if have too many for one firm to install.

Pitman: Talking to people who own buildings? Able: Solo Graphics small and spend 60-80 hours week getting work done. Don't have connections. Get Chamber to call? Requires community support to actually happen. Pitman: If covering up the building, at night, would all lights have to be on? Abel: not designed to be lighted at night, but interesting to have parts lighted.

Gaghen: Building owners get to choose artwork? Abel: Opened up dialogue with Billings's art museum and Road Gallery. We would like to work with a committee of building owners. Would be standard artwork, nothing too crazy or risqué.

McFadden: New artists or recognized like Russell? Abel: New.

Pitman: On web? Abel: Gallery web site @ Our Gallery Under Big Sky.org or www.sg406.com also on U-tube or Solo Graphics web site.

Gaghen: Next step? Mayor: Solicit funding and support and get on Council agenda when ready with other information or approval.

Public comment: None.

TOPIC #3	<i>Sale of Parkland</i>
PRESENTER	Mark Jarvis
NOTES/OUTCOME	Proceed

- Volek: Result of Council initiative.
- Jarvis: Met twice before with Council. Produced flow chart. Selected one small group of parkland to go through process. Seeking Council direction. After tonight, go to public meeting format and make citizens aware of intent. Citizens who desire to retain park land could go through SID and PMD creation, or the land could go to Parks, Recreation & Public Lands Board for recommendation to be forwarded to Council, which can hold public hearing and then take Council final action.
- References Article 22-900 from City Code.
- No formal outline in City Code of way to approach. Could include sealed bids, direct negotiations, and others on list. Need to determine value through appraisal or market analysis.
- Looked at 11 properties, whittled down to 7 because of need for other study. First is Southgate subdivision. Land along King not included but other strips, some 15 to 20 foot wide, could be considered for sale. One strip is occupied by a business which may not be aware it is on parkland. Astle: Is area where business may not be aware it is on parkland, where tractor and fence are located. What is business? Jarvis: On Grant, heavy equipment business. Hard to tell where other strips are.
- Jarvis: Next is Wilson Park, 15-acre tract in County behind Sugar factory. Currently being leased by nursery and get 25 trees a year in exchange.
- Heritage Walk Park in Heights: Townhome development with private street near Kiwanis and Heritage Trail. Couple of acres given by developer to meet required donation, and also gave cash in lieu.
- Beartooth School: .77 landlocked acres adjacent to County and accessible only from school property.
- Career Center Property: City owns 100-foot wide strip just north of parking lot. Near school and state land. Just outside fence.
- Council comments:
Ulledalen: What happened to Racquet piece? Jarvis: Trying to get hold of someone so pulled off. Mayor: May have more to present? Jarvis: What have at this time and see if there are bugs in process.

Astle: What are 25 trees worth? Jarvis: 2-inch caliper, 12-15 feet tall worth about \$250 each.

Ruegamer: Talking about this for 7 years. Moving full steam ahead. Let's see if get done. Put up 7 for sale. Give the Career Center site to schools.

McFadden: Some so small no marketable value. If gave to adjacent owners would at least mow and pay taxes.

Pitman: Suggested asking Council members what hearing or being asked about. Give heads-up so not surprised. Can give Beartooth to SD #2? Jarvis: Could be donation or equitable trade.

Ulledalen: Project is something tried to nurse along for 5 years. Have so many parcels responsible for, need to sell. Good idea to go forward. How market? Suggest Billings Association of Realtors market and give suggestions on what to do. If, in some cases neighboring owners concerned, they will buy. With Career Center, make swap. What to do with money? Don't want to disappear into General Fund—perhaps it should go into foundation, so if sold in one area, used there. Get buy-in from neighbors.

Mayor: Shows diligence on Council's part to filter some property out. Premature to determine value, need determine sale or donation value.

Gaghen: When first appointed in August of 2002, first meeting at Community Center was on sale of City parkland. Not an eager crowd. Don Kearney facilitated. Jarvis' presentation seems thorough, practical to donate, trade or use realtors to earn money and acquaint those using land not theirs.

Clark: Tried once before sell property and people came out of the wood work...

Pitman: How zone? Candi Beaudry, Planning Director: Marketability of a parcel would improve if rezoned before sale, since has to come to City Council for approval. Staff could recommend most appropriate zoning.

Ulledalen: Some of land almost worthless. After last week's Parks Board meeting, he was warned by property owner in former Racquet Club site, kind of stuff don't know about until dig into it. Keeps hearing City has no money but have stuff liability because have to maintain. Yellowstone Country Club looking at building park after 50 years. Could at least put a park maintenance district in place to stretch general fund. Not big money makers, stretch flexibility.

Ronquillo: Field of Dreams (Wilson Park) site have to be annexed? Jarvis: City owned in County, like Riverfront and Colson parks. Have to discuss with the Planning Department how to handle.

Ruegamer: If do this, will get people living nearby complain? Not slam dunk. Sell or be a PMD. Council has to be prepared to stand firm.

Mayor: City property such as parkland can't turn back on; needs to bring to their attention.

Brooks: Would work with Parks, no prescriptive use in Montana.

- Public comment: None.

TOPIC #4	<i>Complete Street Presentation-RiverStone Health-Healthy Places Initiative</i>
PRESENTER	Hillary Harris, Riverstone Health, and Luke Kobold, Billings Clinic
NOTES/OUTCOME	

- Alliance formed in 2004 by two hospitals and Riverstone Health.
- Completed health assessment in 2006. No major areas emerged but some concerns, primarily weight and obesity related.
- Healthy by Design created. Advisory committee created. Worked on specific initiatives, including complete streets. Complete streets uses safe, accessible roads for all users, with signage, lighting, bike lane, sidewalks and street crossings.
- No single look. Look at users and potential users.
- Benefits are health, economic, safety; connect to transportation options and to trail system.
- Can be created gradually through new or extensively renovated roads.
- Billings once had completed streets.
- Citizen survey did not show high results for walking, riding, etc.
- Much to celebrate.
- Next: Looking at complete streets policy. Formed ad-hoc committee to create policy by August. Public meeting April 7, July Council work session and August adoption.

Ruegamer: Appreciate not being read to. Bike paths not easy to put in. You can ride from home at Central and Terry to Metra. People have to think outside box. Hillary: not asking bike lanes on every street. Consider when upgrade.

Ronquillo: Bike path on S. 28th being used by many. Easier if complete uptown. If State Ave is done this summer would like to allow bike lanes. Bike lanes can take plowed snow so people can use sidewalks.

Kobold: Since striped lanes on Poly and Rehberg, also seen use. If you will build people will come if build. Gradually educate population on what is healthy.

Ulledalen: Since bike paths installed on Rimrock, kids using bikes to go to school. There are volunteers from Mission Ridge coming down to Arrowhead. See things popping up in neighborhood.

Public Comment:

- Curt Thompson, 204 Ave. B, said he is full time cyclist & it is an excellent idea to give other people opportunities. Most livable cities in country have complete streets.

TOPIC #5	<i>Public Comment</i>
PRESENTER	None
NOTES/OUTCOME	

- The Public Comment was open, there were no speakers and the Public Comment period was closed.
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Additional Information:

None