

# City Council Work Session

5:30 PM  
Council Chambers  
Date: April 7, 2014

## ATTENDANCE:

Mayor/Council (please check) X Hanel, X Cromley, X Yakawich, X Cimmino,  
X Pitman, X McFadden, X Bird, X Swanson, X McCall, X Crouch, X Brown

## Agenda

### TOPIC #1: State Legislation

- Ed Bartlett (Lobbyist): Started lobbying in 1981. Around middle of November - Tina, Bruce, and I will bring to you a written set of stated policies for Council's review, edit, and approval that is used as a guide during the Legislative Session. During the Legislative Session, I talk to you every other Monday at Work Session. During the session, my primary contact will be Bruce McCandless. There are 80 draft bill requests to date. Look what bills are coming up. Tax Issue: Have recommended to previous Council, it would be best if the City of Billings did not take a lead in local option. Expected to come up, the Reappraisal for Property Tax. 6 year cycle too long. Expect to happen in 2015 is the 3% bed tax. Does go to GF. Local Government would like to have a share of that. Look forward to working with Council.
- Brown: Why wouldn't we want to be first ones to come up with the local option tax?
- Ed Bartlett: Took lead two sessions ago for a local option, thinking that it should be a major city. Reaction from small local governments (not just small cities but counties as well) was "What would that do for us?" Can see it is a great benefit to City of Billings and larger cities in state but what would that do for us? Others looked at it as a sales tax that wasn't sitting too well. Are better served if we support it, but not the lead.
- McCall: Would not be a wise choice for Billings to take lead at this point.
- Yakawich: Example of dynamics of being in Helena and promoting an issue.
- Ed Bartlett: We can be there every hour of every day.
- Cromley: Experience Billings's area Legislators are not known to being united. Some groups meet with the Legislators beforehand to present ideas. Do we have anything similar?
- Ed Bartlett: Have tried both. Inviting all Legislators and Council present, and have done more one on one. Welcomes either idea. Amazing to Ed that can't get the Billings delegation more united. When you have 10-15% of the legislative body and you don't act as one delegation, you lose a lot.
- McCall: In past, had a group called the Yellowstone Coalition. Monday following Thanksgiving, and after election, every Monday morning, Legislators meet

together at MSU-Billings. They have a schedule that different groups and individuals come and present. Board will meet in May this year, and will be putting together a Legislative Committee to look at Resolutions for the entire league.

- Tina Volek: Helpful to have Ed in Helena representing us.
- Public Comments: None

## **TOPIC #2: Beartooth RC&D MOU**

- Earl Atwood: Office Manager. Introduced Luke Walawander. Presented background of company. Maybe provide some foundation for asking you to consider renewing the Memorandum of Understanding that we have had in place on a continuous basis for a long period of time.
- Luke Walawander: If the City of Billings has identified projects that would possibly be eligible for Federal Funding, we can put in the document to submit to the EDA. Spoke on Big Sky Trust Fund Grants.
- Earl Atwood: Main purpose of being here tonight is to discuss this Memorandum of Understanding the entity through the creation of that economic development district is we are looking for a match on the Grant on an annual basis. City of Billings, Yellowstone County, and other entities play a large part in making sure that we continue to have that billed to us.
- Yakawich: Basically asking for \$10,000?
- Public Comments: None

## **TOPIC #3: High Sierra Disc Golf Course**

- Mark Jarvis: Gave a status report on the High Sierra Disc Golf Course. In June 2011 was an update on the Master Plan to include Disc Golf. Last year Council directed staff to follow-up. Master Plan update was done by a Government class at Skyview High School. Was presented to Council and attended the public hearings and gave their input. Council adopted it. Proposal we are looking at is North of Wicks Lane extension. Across the street from High Sierra Park. Took a look at minimal and maximum development. Minimal development would be 12-20 acres depending on the layout of the disc golf course. 18 holes with a minimal development would be using the existing topography and vegetation. Water is currently not available. Looking at basic development, \$3,500 per hole with a small parking lot. Would be looking at \$68,000 to \$75,000 for developing the course. A full park type development on average runs around \$85,000 per acre. That would include contouring the land. Did not include trees. Cost would be \$1M to \$1.7M. All depends on size, length, and the amenities. Development concerns: Vandalism (off roading). Currently we have \$3,000.
- Mayor Hanel: Maybe some form of a fund raiser? Maybe businesses could purchase a hole and be named after that business.
- Mark Jarvis: Great possibility.
- McFadden: Is one of the expenses putting the irrigation system in where there currently is no water.
- Mark Jarvis: Understanding is we don't have any water at this point.

- McFadden: With technology today could we put out cameras and find out who is vandalizing?
- McCall: If went with option of disc golf, is it your concern that the vandalism is going to continue?
- Mark Jarvis: Over time as this gets used, and more exposure there, people who have cell phones could call. Think off-roading will dissipate. Could be a considerable amount for fencing which is not included in cost.
- Mayor Hanel: Is there a ranger program?
- Mike Whitaker: Currently we have around 24 volunteers. No volunteers in that area yet.
- Tina Volek: Another possibility: Fence off and charge to use it. Make it a pay to play. Use revenue to do other work in that section of the park.
- Mayor Hanel: Question is liability.
- Mark Jarvis: Own approximately 77 acres.
- Mayor Hanel: Maybe we begin with some feasibility to fence it.
- Swanson: Would like to see analysis as to development potential of this property. And is this the best use for this property.
- Mark Jarvis: There have been a lot of different ideas for use with this land. This idea got significant traction with the school, and the students desiring to have this disc golf course.
- Cimmino: Support Option 1. Did hire a volunteer coordinator for Pioneer Park. Maybe this individual could help recruit volunteers. City Council can authorize seed money. Over 25,000 residents and a lot of active churches, service organizations. There are businesses that would back us up. Amazing opportunity to work together.
- Mike Whitaker: Definitely put on the volunteer list. Still costs that we would have to find a revenue source for. Part of our budget presentation is for asking people to donate items that we list. On our website, we have a list of projects or groups can go on and sign up for. A lot friendlier for people to volunteer.
- McFadden: Might look at larger parking spot.
- Bird: Support Option 1 or maybe have a 5 year development plan to get started.
- Brown: Concerned about vandalism and replacing items. Would like to move forward and seeing what is involved. Take a small portion and make it accessible to off-road vehicles. What is liability?
- Brent Brooks: Would have to take an inventory.
- Tina Volek: There is not a supplemental request in the budget this year for this item. Not in the CIP either. Would need to go in future year. We have heard some discussion of the need to investigate whether or not there is another use for this property. If we are to proceed, sounds like we have direction to go with the lower priced option. Will look at fencing but probably out of this year's budget cycle.
- Public Comment: Tom Zurbuchen – 1747 Wicks Lane: Always have money to do Park Master Plan. When the Master Plan is done, there is not money to do project. What expense has this Council spent in the last 10 years?

#### **TOPIC #4: Cemetery Fee Adjustment**

- Lee Stadtmiller: Have managed cemetery for 15 years. Presented a presentation power point. Recommends that the City Council approves a 5% fee adjustment for the Mountview Cemetery. Will generate about \$5,000, and will cover decrease in costs of doing business. In FY13, operating expenses were \$272,000. Are heavily subsidized by the GF.
- Brown: What are we looking at for percentage gain every year to keep it up?
- Lee Stadtmiller: Highly subsidized by the City.
- Tina Volek: Can calculate costs to operate and income in order keep the plots at a reasonable price. There is a small staff. Difference is what is the GF contribution. Also have a Memorial Fund (Perpetual Care Fund) that will be used once the cemetery is completely full for maintenance. We put some money into that. Have Par 3 if ever needed. Have approximately 60-70 years left to sell plots.
- Pitman: What are the actual costs that get us to \$272,000? Are you able to access any money with the Perpetual Fund?
- Lee Stadtmiller: Largest cost is 4 full-time employees. The Perpetual Fund, the City takes the interest and puts it into the GF each year. This proposed interest this year is \$1,400 with interest rate being low.
- Pitman: Any major expenses we should know about?
- Lee Stadtmiller: This fiscal year roads were on the list. Not sure it will actually be done. If not, will be put in a future budget. About \$123,000.
- Mike Whitaker: Part of Public Works project.
- Lee Stadtmiller: Funded through cemetery reserves GF.
- Bird: What type of irrigation?
- Lee Stadtmiller: Not above ground and very old. 770 stand pipes. Put out 60 spray heads at a time. Master Plan to upgrade to automatic system.
- Mayor Hanel: Proposal is extremely reasonable. Future sells or pre-sells could be a different price that might stimulate more revenue and interest people in buying some plots in advance.
- Public Comments: None

#### **TOPIC #5: Priority Based Budgeting / Strategic Planning**

- Tina Volek: Presented Council with:  
**2014 Status of Actions/Revisions City Council Strategic Plan**  
 Strategy 1: Honest Responsive Government  
 Strategy 2: Comprehensive, Orderly Growth  
 Strategy 3: Transportation  
 Strategy 4: Sustainable Economic Development  
 Strategy 5: Involved, United Community  
 Strategy 6: Public Safety

Strategy 7: Quality of Life

Strategy 8: City Infrastructure

Assigned departments to work on various tasks listed in the plan. Listed years in which we anticipate this will be complete. Look at this as being a 5 year plan.

- McCall: Page 18 – Strategy 7: Goal 3: Objective 1 – Make the Library a comfortable place where patrons can conveniently pursue individual, group, or community interests or interact socially at the main Library ... Think it needs to go under Goal 1 on page 14 – Provide Library patrons with tools to become happy, informed, participating community.
- Tina Volek: Will move the whole section.
- Public Comments: None

### **Council Discussion:**

- Mayor Hanel: Concern with Broadwater Ave. Digging up again.
- Tina Volek: This is the travel roadway? Have a year's warranty on any project we complete.
- Mayor Hanel: Very poor job on road.
- Brown: More tear up to fix lights on Broadwater?
- Tina Volek: Believe it is Northwestern Energy's project. Will check on this.
- Crouch: Tomorrow is equal pay day. Is the City committed to this?
- Tina Volek: Will investigate with the HR Dept. Have done job studies over the years.
- McCall: Last Tuesday was the first Montana Equal Pay Summit. Great event. In Montana, women are paid 74¢ on average for every \$1.00 that a man makes.
- Mayor Hanel: Nationally we rank 10<sup>th</sup> from the bottom.
- Yakawich: A lot of people working on transient issue. There is a big concern. As Council Member I would be happy to be in the forefront.
- Hanel: Do you think this problem has increased since the opening of the facility on Montana Avenue (St. Vincent DePaul via Riverstone Health)? Seems to be a lot more gatherings certain times of day when they are receiving their funds.
- Bird: Have there been any problems or issues since the new library opened?
- Tina Volek: Have security in facility. Seriously enforced. Is a Prohibition in Montana State Law against penalizing somebody for being a transient? There is a national move to attempt to prevent cities from prohibiting people from sleeping on the sidewalk, holding a sign and standing in a median, etc. Laws were struck down by courts in Portland, Maine and Boise, Idaho. City of Billings worked to make sure ours is an aggressive panhandling ordinance. Does not make it illegal to stand on the corner and hold a sign. Do have businesses believing not to be a thorough as they should be in screening people who are already intoxicated before providing them with additional liquor. Looking into this. Looking into other

options for people who may wish to get off the street but don't have the means to do so. Working with the downtown on related issues. Not an easy solution.

- McCall: Riverstone Health is trying to provide public health services. Constant challenge.
- Bird: Situation with homeless people living in the Rims.
- Tina Volek: Ongoing issue.
- Pitman: Update on Zimmerman Trail?
- Tina Volek: Public Works, State, and the Federal Government have made an effort to try and identify what needs to be done, primarily rock removal of a hanging face which is in danger of coming down. Will need to repair the road and the guardrail. Early June is the target date.
- McCall: There are actually 6 sections of rock and some of the rocks are as large as 600 ton. Will be between \$1M to \$2M. Plan is to do rock remediation and scaling.
- Mayor Hanel: Invite Dave Mumford to a Work Session for an update on Zimmerman Trail.

**Public Comment on Items not on the Agenda:**

- Tom Zurbuchen – 1747 Wicks Lane: March 17 brought up that Public Safety Levy presentation, there was \$3,000 difference between a new policeman and new fireman. Why do we need Public Safety Levy to raise more money to hire new people?
- Kevin Nelson – 4235 Bruce Ave: Would respectfully ask that CM Bird resign from the Council, from the matter of NIOT. Believe you have breached trust.

**ADDITIONAL INFORMATION:**

**ADJOURN TIME: 7:52**