

REGULAR MEETING OF THE BILLINGS CITY COUNCIL

November 13, 2018

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27th Street, Billings, Montana. Mayor Cole called the meeting to order at 5:30 p.m. and served as the meeting's presiding officer. Mayor Cole gave the invocation.

ROLL CALL: Councilmembers present on roll call were: Cromley, Yakawich, Brewster, Ewalt, Joy, Friedel, Gibbs, Ronning, Clark and Brown.

MINUTES: October 22, 2018 – Councilmember Brewster moved for approval, seconded by Councilmember Ewalt. On a voice vote, the motion was unanimously approved.

COURTESIES:

- Mayor Cole voiced deep concern regarding the recent disaster in Paradise, California. He stated it was the deadliest fire in California history. He encouraged people to keep the city and its citizens in their thoughts and prayers.
- Mayor Cole stated that Bruce McCandless, City Administrator, would be retiring on November 16, 2018. He thanked Mr. McCandless for his dedication and service over the 22 years he had been with the City. Council commented on Mr. McCandless's accomplishments and wished him the best in the future. Mr. McCandless thanked Council for the smooth transition and the opportunities he had been given. He recognized his family and thanked them for their support. The Council took a photo with Mr. McCandless.
- Mayor Cole recognized Councilmember Brewster for his 17 years of service. Councilmember Yakawich presented Councilmember Brewster the Family Handyman Helpful Hints book that had been signed by Council. Councilmember Brewster thanked Council for their support and wished them luck.
- Police Chief, Rich St. John, stated the Police Department had recently recorded a video for the nationwide lip sync battle challenge. Chief St. John thanked Justin Pierce with Do Cool Stuff Video Productions for volunteering his time to create the video. Mr. Pierce stated the community had been very supportive of the project and added it had been a lot of fun. Sergeant Winden stated Justin had been the motivation behind the video and had done an amazing job.
- Councilmember Ronning stated that 14 different dentists and hygienists would be offering free dental services on November 16, 2018, and thanked them for their community service.
- Councilmember Yakawich stated 35 people had attended a kick-off meeting for the USS Billings. He thanked everyone for their support. Mayor Cole stated Retired Master Chief Petty Officer Michael Stevens spoke during the event and was a great addition to the project.

PROCLAMATIONS:

- Mayor Cole pronounced November 24, 2018 as Small Business Saturday and encouraged residents to shop local and at small businesses.
- Mayor Cole pronounced November 16, 2018 as the annual Salvation Army Red Kettle Kickoff. He encouraged citizens to give to the campaign.

ADMINISTRATOR REPORTS - BRUCE MCCANDLESS

- Mr. McCandless stated there were no items for a report.

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: 1 and 2 ONLY. Speaker sign-in required. (Comments are limited to one (1) minute for one item, or three (3) minutes for multiple items. Please sign the roster located on the cart at the back of Council chambers or at the podium. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

The public comment period was opened.

- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT:** in reference to Item 2, stated that temporary employees should not have to join the Union. He stated the City needed more temporary employees to provide relief to regular employees, especially during the winter months.

There were no further speakers, and the public comment period was closed.

1. CONSENT AGENDA

- A. Professional Services Contract** for City's Third Party Administrator for medical and dental claims processing; Employee Benefit Management Services, LLC (EBMS).
- B. Professional Engineering Services Contract** for W.O. 19-01: Schedule 1, 1st Avenue North Water Main Replacement for design and construction administration, Sanderson Stewart; not to exceed \$776,650.
- C. Professional Engineering Services Contract** for W.O. 19-01: Schedule 2, Montana Avenue Sewer Main Replacement for design and construction administration, Morrison-Maierle, Inc.; not to exceed \$369,050.
- D. Umbrella Agreement** with State of Montana, Department of Justice, Natural Resource Damage Program and the City of Billings, for grant funding.

- E. Limited Commercial Aviation Building and Ground Lease 5-Year Renewal** with Aero Interiors (11/1/2018-10/31/2023); first year revenue - \$24,276; subsequent years adjusted annually using the Consumer Price Index for All Urban Consumers (CPI-U).
- F. U.S. Department of Homeland Security Grant** for the bomb squad for training and equipment; \$89,982.44.
- G. Amended SIA Phasing Plan** of Lots 1A, 1B and 1C, Block 6 of Parkland West Subdivision, 1st Filing.
- H. Bills:**
 - 1. October 1 and 2, 2018
 - 2. October 4 and 9, 2018
 - 3. October 15, 2018

Councilmember Brown separated Items 1C, 1H1 and 1H3 in order to abstain.

Councilmember Brewster moved for approval of the Consent Agenda with the exception of Items 1C, 1H1 and 1H3, seconded by Councilmember Friedel.

Councilmember Joy asked for clarification on an email she had sent to staff in reference to Item 1G. Monica Plecker, Planning Division Manager, stated that the public parking lot for the location would require a special review and would be brought to Council for approval. Councilmember Ronning stated this was a religious organization with housing associated and wondered about non-profit organizations being exempt from paying for public safety. Ms. Plecker stated the Department of Revenue determined exemption status. She added the parcel for the meeting house was subject to fees and assessments. She added the other two lots were paying property taxes and special assessments. Ms. Plecker stated the developer had not expressed any interest in developing the property.

On a voice vote, the motion to approve the Consent Agenda, with the exception of Items 1C, 1H1 and 1H3, was unanimously approved.

Councilmember Clark moved for approval of Item 1C, seconded by Councilmember Brewster. On a voice vote, the motion was approved 10-0, Councilmember Brown abstained.

Councilmember Clark moved for approval of Item 1H1, seconded by Councilmember Joy. On a voice vote, the motion was approved 10-0, Councilmember Brown abstained.

Councilmember Clark moved for approval of Item 1H3, seconded by Councilmember Friedel. On a voice vote, the motion was approved 10-0, Councilmember Brown abstained.

REGULAR AGENDA:

2. TEAMSTERS LOCAL 190 UNION CONTRACT (7/1/2018-6/30/2021). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Karla Stanton, Human Resources Director, gave a PowerPoint presentation naming the staff that had been involved in the bargaining process. She stated negotiations had been going well until June, when Teamsters requested mediation over a few items. Ms. Stanton stated they implemented a new procedure of doing most of the mediation over the phone and email. She added that it had gone very well. She briefly discussed the proposed changes.

In response to Mr. Zurbuchen's comment about temporary employees, Ms. Stanton stated that currently, temporary employees could only be hired for 1056 hours, and after that, a temporary employee would have to be hired permanently, which resulted in losses due to training. She stated they were grateful that the union had been flexible with that policy for a few groups and added that it would help provide coverage for regular employees.

Ms. Stanton continued to briefly review the proposed contract revisions.

Councilmember Brown stated staff had done a great job of keeping Council informed along the way. Mayor Cole thanked staff for their work in the contract negotiation process.

Councilmember Brewster moved for approval of Item 2, seconded by Councilmember Friedel. On a voice vote, the motion was unanimously approved.

Councilmember Cromley left the meeting at 6:33 pm.

PUBLIC COMMENT on "NON-AGENDA ITEMS". Speaker Sign-in required.
(Restricted to ONLY items not on this printed agenda. Comments are limited to 3 minutes. Please sign the roster located on the cart at the back of Council chambers or at the podium.)

The public comment period was opened.

- **Ken Crouch, 1642 Wembly Place, Billings, Montana:** stated Billings needed to provide a non-discrimination ordinance. He gave Mr. McCandless a copy of the recent Municipal Equality Index. He stated that Billings had been given a score of 20 out of 100 on the 2018 Municipal Equality Index Scorecard.

There were no further speakers, and the public comment period was closed.

COUNCIL INITIATIVES:

There were no Council initiatives.

There was no further business, and the meeting adjourned at 6:43 p.m.



CITY OF BILLINGS

BY: William A. Cole
William A. Cole, Mayor

ATTEST:

BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk