

City Council Work Session

5:30 PM
Virtual Meeting
May 4, 2020

ATTENDANCE:

Mayor/Council (please check) Cole, Shaw, Yakawich, Neese,
 Ewalt, Joy, Choriki, Purinton, Ronning, Boyett, Brown
CM excused: ALL COUNCIL MEMBERS PRESENT

ADJOURN TIME: 10:11 PM

Agenda

TOPIC #1	COVID-19 Update
PRESENTERS	John Felton, Yellowstone County Health Officer David Nordel, SCL Health
NOTES/OUTCOME	

- **Meeting called to order at 5:30 PM**
- **Mayor:** noted that Montana Air National Guard will be flying a C130 Transport over many cities in the State to honor First Responders, and will be visible over Billings on May 6th at 12:50 PM.
- **Felton:** Providing a situational overview noting that it has been a month and a half since the first case in the state, which was also the first case in Yellowstone. As of today there have been 457 lab confirmed cases in the State, 83 in Yellowstone (approximately 18%) which is proportionate to our part of the population. Of those 83 cases, 76 have recovered, 5 are active and still under isolation (2 of which are in the hospital but none in the ICU) and 2 deaths. To date 2,500 tests done in Yellowstone; 15,000 in the State. With the start of Phase 1 reopening last week, it will still be another 3 to 7 days (14 days after reopening) before we see if that will impact the number of cases. Starting today, dine-in restaurants are being allowed to reopen at 50% capacity along with the completion of a reopening plan, to include physical distancing, employee health screenings and disinfecting and sanitation procedures. 40 dine-in restaurants have not submitted plans. Testing numbers are up this week, and increased testing has not seen a lot of increase in cases and no trouble with contact tracing. Yellowstone is averaging 1 new case per day. Continuing forward, baseball activities have been approved to proceed. Gyms, yoga and pilates studios have not been approved to open in Phase 1. It has been a challenge for health officials to determine which businesses should be classified for which phase, but recommendations from the Governor's Office have helped. Regarding Governor Bullock's Montana Relief Fund Advisory Council's plan for CARES Act funds has been released, and although it is not entirely detailed yet,

it does provide an outline of where these funds will go.

<https://covid.riverstonehealth.org/>

- **Nordel:** The community care branch is made up of the Unified Health Command, the Donation Center, Community Health and there is going to be a Long Term Care Facilities Branch added to help us better align with the Governor's recommendations. The Unified Health Command runs the isolation and quarantine site at the Metra. No one has been in there since one week ago Sunday. There is a goal to move away from the Metra to a facility that can be managed more efficiently. The Unified Health Command will be reviewing a couple of proposals and working on implementation at their next meeting. The Mobile Testing Center continues to run on a daily basis, but staffing will have to change a little bit. Right now the Hospitals have been staffing the center, but as the Hospitals move back into "new normal" operations they will need some of this staffing back, therefore more volunteers will be needed. As testing criteria change, especially with long term care facilities, this testing center may get even busier. It is a daily operation that is mobilized as needed. The Donations Center is run by Pam Sanderson and the United Way and to date, gloves, masks and gowns have been given to 19 organizations. They are prepared to refocus what is needed at the Donations Center as community needs change. Public information is available on the Rivestone Health website under help outreach.
- **Shaw:** Spoke a few weeks ago about the Council being a reliable source of information. Have been receiving messages about food workers not wearing masks. Are retail and food workers required to wear masks? And what is the best response when people voice this concern?
- **Felton:** It is not a requirement. It is recommended and a good idea, but not a requirement.
- **Ronning:** Has there been any communication from Unified Health Command to physicians about following Governor Bullock's recommendations for testing? From personal experience, tried to get test as showing multiple symptoms, and without an order from a Primary Care Provider, it was extremely difficult. Was able to be tested at the Billings Clinic Viral Testing Site.
- **Felton:** Testing recommendations from the Unified Health Command are distributed by HNSAS (sp?). The Unified Health Command does not have the authority to tell a physician when they must issue a test. Montana is an independent practice state, so we can provide recommendations, but cannot tell physicians how to practice medicine. The testing sites are set up differently. Billings Clinic established a Viral Testing area, with Providers available to triage and order testing as deemed appropriate. St. V's offers testing only, with no Providers on site, and requires a primary care order to test. RiverStone does not have the capacity, and following good practices, will not offer testing unless you are one of their patients.
- **Mayor:** Is it possible that some primary care providers are not offering tests due to a concern of us not having adequate testing capabilities? Should the Council be doing something to communicate that there are?

- **Felton:** The Unified Health Command sends out regular updates which make our testing protocols and levels clear. Cannot say why an individual physician would approve testing or not.
- **Purinton:** We know that most parks are open, but is the playground equipment open?
- **Felton:** Billings has chosen to keep the playground equipment closed as they cannot guarantee sanitation of the equipment.
- **Kukulski:** Confirmed this as correct.
- **Brown:** When we say closed, there are signs, but no physical barricades?
- **Kukulski:** Confirmed this is correct. Also noted that the nets and courts for tennis and pickleball were also open, as these are games you can play and socially distance. Basketball courts and playground equipment remain closed.
- **Kukulski:** Reminder curbside Library services started around Noon today. Parking Enforcement has started back up today. Andy put out a memo with updates on expenditures to date by the City with regards to Covid. Billings Mustangs contract is in negotiation and could potentially be at risk due to Covid.
- **Public Comment:** None

TOPIC #2	Budget Overview
PRESENTERS	Chris Kukulski, City Administrator and Andy Zoeller, Finance Director
NOTES/OUTCOME	

- **Kukulski:** Gave an overview of the FY21 proposed City and Administration budgets. Noting changes to the format from previous years. Budget message from the City Administrator and the Finance Director is being presented the proposed budget, where previously it has not come out until after budget adoption. It is our hope that citizens will be able to get a clear general overview from the Budget message. Also at the beginning of each section, each department has also written a synopsis that we hope makes it easier for the public to digest. Highlights of accomplishments in FY20 include under Public Safety, preparing the Mill Levy to go before voters in September as well as completion of construction on the new Police Evidence Building. Airport Expansion is under way, although we would prefer to have passengers and visitors, we will see if the airport's terminal expansion can be ramped up as crews aren't having to work around people, due to COVID. Project Recode is slated to be wrapped up in the first quarter of FY21. \$34 million in water and wastewater infrastructure as well as the design of the new water plant reservoirs. \$14 million went into streets and transportation and the irrigation at North Park was completed. Proposed revenue in FY21 estimated as \$312 million with proposed expenditures estimated around \$319 million. \$7 million difference between expenses and revenues. Adjusting for the structural imbalance by moving Parks from the General Fund to Park District 1 would remove \$3 million,

leaving a \$4 million difference. \$80 million in capital projects, which we save up for and is done deliberately. \$150 million in capital expenditures in FY20, likely from the Airport. Review of city wide revenues and expenditures. Additional explanation of the structural imbalance in the general fund with regards to Public Safety, Parks, and Park District 1. The goals we are trying to accomplish with this proposed budget do reflect the Council's goals. Those goals include the implementation of Lean Six Sigma, completion of Project Recode, start of the Airport terminal expansion and the west end reservoir (both projects are expected to last approximately 3 years), and finally, improving communications to include a Public Information Officer, a redesign of the City website and City branding.

- **Zoeller:** With all of this in mind, we tried to determine what this will look like for the average homeowner. Average home was calculated using \$211,000 median residential property value. You will see a slight decline in property taxes, which is attributed to the final payment on some Park Bonds from 20 years ago. The tax doesn't need to be collected as final payout will be in FY21. Assuming a zero taxable value increase for the City in FY21 so this decline is solely due to the payoff of debt. The shift from general fund to PD1 causes the need for this assessment to increase by almost \$60 a year for a typical home.
- **Kukulski:** Had we not had Covid you would see arterial construction, storm water, street maintenance and solid waste would all have seen increases for inflation or construction inflation amounts. We have tried to hold the line on spending, understanding that businesses and families in our community are hurting financially due to Covid. Perhaps we will see some better construction prices and not have construction inflation like we have the last several years. Rather than wait to see if this happens, we did want to try and supply some relieve this fiscal year budget. Council set service fees for water and wastewater a year ago, and while Council can absolutely decide to reverse those decisions, we made the proposed budget leaving current rates in place. Total for a typical residence is about \$90 or \$7.50 a month.
- **Zoeller:** FY20 Mill Levy percentage of the tax bill breaks down as 22.8% going to the City. Billings Taxable Value means that 1 Mill generates \$204,000 in the 2019 tax year (FY20). Using FY19 data, because it is complete, we calculated the per capita amount and comparing Billings with our peer cities across Montana who are using a similar tax structure, Billings is just slightly above Great Falls as one of the lowest cost cities in Montana.
- **Neese:** Going back to the "Property Tax and Assessment per Capita", these calculations show the present, can we add the proposed to see where that would set us?
- **Zoeller:** We chose to use FY19 data because it is complete, but will work that up and get it out to Council in the next week.
- **Ewalt:** Where did we get the population figure? Does this figure take into consideration the number of adults, and therefore taxpayers, and number of children?
- **Zoeller:** We used the figure from the 2018 Census predictions that are published and available.

- **Choriki:** The number of households is perhaps a better number to use in this calculation, since these figures are normally determined by number of households rather than number of people.
- **Fleet Services-Larry Deschene, Fleet Services Manager:** Explained the internal services Fleet Services provides for the City; maintenance, diagnostic and repair services for the 1100 pieces of equipment, from 86 different classes, on the City inventory; inventory control for parts and fuel; accounting and data processing. Gave an overview of Fleet Services proposed budget and outlined goals for the department in FY21.
- **Zoeller:** Explained the responsibilities of the Finance Department including Accounts Payable and Receivable; Business Licensing; Purchasing; Tax Assessments; Auditing; Debt Services and Financial Reporting. Gave an overview of the Finance Department’s proposed budget and outlined departmental goals.
- **Library-Gavin Woltjer, Library Director:** Advised that curbside service started today. Library is currently closed to facilitate a deep clean of the facility and the collection. Explained the services provided by the Library, including programs, use of meeting rooms and enhancement of wifi and community room technologies. Gave an overview of the Library’s proposed budget and departmental goals.

Recess: 7:41 PM

Reconvened: 7:50 PM

- **Municipal Court-Sheila Kolar, Municipal Court Judge:** Explained the role of the Municipal Court and provided an overview of the Court’s proposed budget. Answered Council’s questions about grants, treatment courts, fees and fines.
- **Public Comment:** None

TOPIC #3	Miscellaneous Sidewalk Program Policy
PRESENTER	Dave Mumford, Public Works Director and Debi Meling, City Engineer
NOTES/OUTCOME	

- **Mayor:** Explained the sequence of events concerning the current sidewalk policy and program discussion and the reasoning behind the decision to add this to the Council Agenda on May 11th.
- **Mumford:** Clarified that none of the sidewalk projects could go forward until there is a re-vote. In 2004 Billings was sued for not being ADA (American’s with Disabilities Act) compliant, which led to the start of the miscellaneous sidewalk program. Every year, as part of the CIP program, the City sets aside funds and approves projects for ADA improvement, and to make City roadways safe for all manner of transportation, including pedestrians, bicycles and vehicles. Gave an overview on project selection, planning and completion. Answered Council’s questions about the process and ADA compliance.
- **Legal-Brent Brooks, City Attorney:** Answered Council’s questions in regards to following recommended standards, ADA compliance and legal liability.

- **Meling:** Answered Council's questions regarding differing policies between SID and Miscellaneous Sidewalk Programs. Answered Council's questions about missing sidewalks in TIF Districts.
- **Public Comment:**
- **Anna O'Donnell, 131 Avenue B, Billings, Montana:** Expressed her appreciation on how this isn't just a discussion with the property owners, but also considers the concerns and the needs of the community. Stated that she appreciates the beautification of these areas and that people feel safe and comfortable using them. Feels it is a good discussion and opportunity for the community.
- **Charles "Chuck" Barthuly, 300 Eastlake Circle, Billings Montana:** Expressed his appreciation for the thoughtfulness that has gone into the sidewalk infill. Appreciates all things being taken into account on each project to try and keep the integrity of the neighborhood. Does believe from a safety standpoint that sidewalk with the boulevards is our best option and should be used whenever possible.
- **Kathleen "Kathy" Aragon, 605 O'Malley Drive, Billings, Montana:** Has sent several messages to Mayor and Council regarding best practice including recommendations from Safe Cross to Schools, Federal Highway Administration and NACTO (sp?). Spoke about the crosswalk at 11th St W/Poly Dr. and how at the time there had been some neighborhood discussion to move it to 11th St W/Poly Dr., but now that people can see it being utilized they begin to realize that it is added safety to the community. Does believe that there should be boulevards whenever possible to maximize safety and continue to try and achieve best practice.
- **Ron Komensky, 1205 Barrett Road, Billings, Montana:** Appreciates all of the comments and all that goes on for this type of project. Does support the boulevard style sidewalk as it is just much safer for students, people on bicycles, wheelchairs etc. Advises it just makes much more sense to provide a buffer between the curb, vehicles and pedestrians. If someone were to miss a turn and go up on the curb, or open a door without looking, they are not going out onto the sidewalk where they could potentially hurt someone.
- **Kristi Drake, 2416 Avalon Rd, Billings, Montana:** Requests that Council just move forward with this type of programs and not authorize reconsideration. Believes City Staff have plenty of procedures and policies in order to move forward appropriately. Please don't delay these projects any further, obviously they need to be done, if we have a woman falling out of wheelchair and into the street.
- **Closed to Public Comment at 9:40 PM.**

TOPIC #4	Council Discussion
PRESENTER	

NOTES/OUTCOME	
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- Additional discussion by Council on whether or not to move Parks from the General Fund to Park District 1, as well as discussion on public safety mill levy.
- **Neese:** Moved to direct staff to not move Parks funding from the General Fund into Park District 1, seconded by Purinton. Neese, Purinton and Ewalt in favor; Shaw, Yakawich, Joy, Choriki, Ronning, Boyett, Brown, and Mayor Cole opposed. Motion failed 8-3.
- **Public Comment:** None

TOPIC #5	Public Comment on Items Not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- **Public Comment:** None