

City Council Work Session

5:30 PM

Hybrid, Billings Public Library Community Room and Zoom

May 17, 2021

ATTENDANCE:

Mayor/Council (please check) ✓ Cole, ✓ Shaw, ✓ Yakawich, ✓ Neese,
 ✓ Ewalt, ✓ Joy, ✓ Choriki, ✓ Purinton, ✓ Ronning, ✓ Boyett, ✓ Brown

CM excused: ALL COUNCILMEMBERS PRESENT

ADJOURN TIME: 9:44 PM

Agenda

TOPIC #1	FY2022 Department Budget Presentations: <ul style="list-style-type: none"> • Municipal Court • Legal • Fire • Police • Planning / Code Enforcement / Community Development • Fleet
PRESENTER	Sheila Kolar, Municipal Court Judge; Gina Dahl, City Attorney; Bill Rash, Fire Chief; Rich ST; John, Police Chief; Wyeth Friday, Planning Director; Mark Balter, Fleet manager
NOTES/OUTCOME	

- **Municipal Court**
- **Kolar:** gave a PowerPoint presentation of budget. Overview of jurisdiction, Federally funded treatment courts: drug, DUI and Co-Occurring treatment courts. Fiscal Year 2021 recap: Over 12,000 Court filings adjudicated, over 27,000 Hearings held, Video Court hearings, MAAP Program, restructure of Court schedule. Upcoming challenges: Federal grant funds expiring in September 2021, applicant shortage, storage space needs, advancements in technology. Court is projected to come in under budget for FY21. FY22: 8.75% increase in personal services due to STEP increases, 11.45% decrease in O&M due to budget cuts, 14.27% decrease in projected revenue. Overview of FY22 Municipal Court operating budget. Citations down 16%, arrest warrants 42% increase, vaping 23% increase.
- **Shaw:** new grants require match? Kolar: yes, and must be used exactly as planned.
- **Purinton:** increase traffic fines? Kolar: court is not revenue generating. Up to Council how to proceed.
- **Neese:** won't be able to hire judges in the future? Kolar: correct, but budget may be used for pro-tempore judge. Election would need to be held for full time judge,

but current space and money issues would not allow for a full time judge currently.

- **Ronning:** telemedicine an option? Kolar: not to send a person to Hot Springs for mental evaluation.
- **Legal Department**
- **Dahl:** gave a PowerPoint presentation of budget. Overview of Legal Department budget, proposed increase in staffing, paralegal position inadvertently left out of overview, but critical request needed to address the issues for Police Department bodycam program implemented June 1. Overview of criminal and traffic cases, caseload per prosecutor, public records requests, proposed budgeted expenditures FY22-personal services and O&M. Immediate needs: Paralegal, Domestic Violence Prosecutor and Victim/Witness Specialist. Successes: addition of prosecutor, Civil successes, Covid-19 / no major illnesses and Court remained open through remote appearances. Primary concerns: SPACE, need for additional staff and turnover issues.
- **Fire Department**
- **Rash:** gave a PowerPoint presentation of budget. Overview of personnel, operating budget, proposed capital. Overview of technical and Rim rescues.
- Proposed Capital: \$1,500,000 as part of the CIP to procure two properties for future Fire Stations 8 & 9 [shown in the PS Operating Budget table]
- \$1,088,430 as part of the ERP to replace Unit 4060, Engine 4, Mini-Tower/Quint (reflected separately in the Operating Budget table for All Funds)
- Goals:
- Enhanced Training for Fire & 911 Personnel with an emphasis on technology, hands-on, and virtual simulators.
- Develop comprehensive 3-5-10 year facilities maintenance plan.
- Next-Gen 9-1-1 Ready Plan for the Joint City-County 9-1-1 Center.
- Maintain Training for Billings Regional HazMat Team Technicians & Tox-Medics.
- Augment Fire Prevention / Investigation efficiency using technology to improve accessibility of routine information to fire personnel & the public.
- Standardize Police & Fire interrogation solutions to streamline the method of obtaining information from 9-1-1 callers.
- Shaw: use funding for radio system instead of fire stations? Rash: working on potential sources for radio system, but do not currently have funding sources. Stand by prioritizing fire stations.
- Kukulski: should purchase land for fire stations and begin design. Could find grant opportunities for radio systems and looking at various options such as partnership opportunities.
- **Mayor:** radios talk to each other? Derek Yeager, Communications Center manager: radios are not currently compatible with each other, but options are being reviewed.
- **Police Department**
- **St. John:** gave a PowerPoint presentation of budget. Overview of 2022 budget (Public Safety fund), personal services and O&M, 3% increase from FY21, increase due to 2 additional detective vehicles.

- Successes:
- CPSM analysis, Citizen Satisfaction survey, no operational disruption due to COVID, maintained excellent community relations during National Police Reform debate, CARES Investments. Trends: 70% increase in violent crime, increasing population, complex problems throughout the Criminal Justice system.
- Challenges: Sustainable Funding, Increasing Demand for Services, Increased Staffing, Recruiting/Retention While Maintaining Hiring Standards, Technology, Police Reform - Attitude/Morale/Discipline/Transparency, Prepare for the Unpredictable
- **Yakawich:** congratulate Police Department on the drug task force and Code Enforcement partnerships. Seen a huge difference in Ward I.
- **Ewalt:** Patrol officer number? St. John: 7-9 in training. 3 new officers ready to start.
- **Ewalt:** underlying issue with staffing problems? St. John: retirements, personal issues, or transfers.
- **Neese:** shortage of space in jail issue? St. John: difficult situation. Working hard to make up for shortage of space. Have an amnesty program with Court to help people appear for warrants. Still have solid, proactive enforcement.
- **Neese:** transport to other County jails? St. John: not a Police Department function. County transports to County jail, Warm Springs, etc.
- **Ronning:** reduction of K-9 units? St. John: K-9 units (already trained for marijuana) may not be able to be used due to the passage of recreational marijuana. Could be used in other areas or retired.
- **Mayor:** County received ARPA funds-support building another pod for jail with County funding? St. John: yes and apply pressure to Department of Corrections to get inmates out.
- **Mayor:** would like to see report with those numbers.
- **Ronning:** asked for a follow up on the number of parolees sent to Billings.
- **Planning, Code Enforcement and Community Services (PCSD)**
- **Friday:** gave a PowerPoint presentation of budget. Overview of various departments, within Planning, 13 adopted Council priorities (PCSD actively involved in 8). FY22 total department revenue, revenue sources breakdown by division, department revenues and expenditures for the last 10 years, FY22 reserve status.
- PCSD Challenges: Service capacity, revenue diversity – levy, MPO and fees.
- successes: continued to provide all PCSD services to customers, minimized customer and employee health risks, moved to online project and public meetings, launched e-plan submittal and review, digitized 100s of paper files for electronic archiving/access.
- **Joy:** revenue diversity question. Will department be able to meet the needs of Inner Belt Loop, Skyline Trail etc. with Planner I position? Friday: salary paid for with 60% local funds and 40% transportation planning program. Will help free up other senior positions.
- **Yakawich:** Nicole Cromwell is doing both positions as Code Enforcement (CE) and Planner. New position will help. Friday: Code Enforcement manager will help with troublesome properties and create additional time for various departments.

- **Ronning:** asking for enough resources to allow public nuisance abatement / consuming Police. Friday: CE manager is critical for moving forward. Long Term PS discussion would add 2 more CE I officer and an additional CE II. Do not have enough staff to deal with recreational marijuana, sober living, and massage ordinance.
- **Fleet Department**
- **Balter:** gave a PowerPoint presentation of budget. Overview of Fleet services, operations and staffing. Overview of revenue by department, expenditures for FY22. Goals: employee training and development, Fleet software implementation, technology development, and equipment replacement.
- **Purinton:** City College mechanic program? Balter: yes and MSU-B. Currently training an MSU-B student and he is working part time.
- **Purinton:** City apprenticeship program? Balter: no but could look into it.
- **Neese:** manage fleet for other departments? Balter: MET, Airport handle their own fleet. PD does oil changes, but Fleet handles all other servicing.
- **Neese:** does Fleet handle Parks Department equipment? Balter: yes, Fleet services handle Parks fleet.
- **Ewalt:** Fleet handles warranty work on vehicles? Balter: typically send to dealership. Can handle within Fleet if needed.
- **Ewalt:** Solid Waste do own servicing? Balter: warranty work done by dealership, like John Deere. Fleet does most servicing.
- **Ronning:** recruitment options? Balter: send information to all known options. Difficult to find vehicle service technicians, may be pay issue.

RECESS: 7:34 PM

RECONVENE: 7:40 PM

- **Public Comment:**
- **Gary Buchanan, Buchanan Capital, Billings, MT,** stated severe crime in Billings, worst he has seen. Public Safety must improve and to improve the perception of safety and increase economic development. Supported a PSML. Critical need.
- **Mike Nelson, Owner of Northern Hotel and Chairman of Chamber of Commerce, Billings, MT,** gave statistics of number of incidents of crime. Encouraged Council to find more money for police. Stated the Chamber was here to support the City in their efforts of getting a PSML passed, whether it be marketing, fundraising, whatever.
- **Catherine Card, Ward I, Billings, MT,** not confident that a PSML is the answer if no public trust. Her experience with the police department has been unsatisfactory. The police department needs to grow their trust within the community.
- **Ming Cabrera, 1734 Poly Drive, Billings, MT,** Chair of Billings Heights Business Association, stated officer that gives reports to Heights Task Force is exhausted. It is evident that more police officers are needed to prevent burnout. Supports PSML.
- **Chris Friedel, Senator, Billings, MT,** stated there was a need for trust of community, not just add police officers, judges and prosecutors. Urged Council to forage relations with the County Commissioners so everyone is working toward

public safety, not just a City problem. County jail is an issue for City, Sheriffs, HIDTA, Marshals, etc. Look at HB 701, Recreational Marijuana, has local tax options, heart funds that could be helpful.

- **Elisha Donovan, Businessowner, Billings, MT**, stated there was a potential 49% increase in domestic violence cases and likely in all crimes. Numbers are horrific. Supported a PSML.
- **Ann Kosempa, 712 N. 23rd St., Billings, MT**, co-owner of the Pub Station, Big Sky Economic Development Vice Chair, spoke about 5 investments to be made in Billings. PS discussions would affect the community economically. BSED supported a PSML.

TOPIC #2	Public Safety Mill Levy Discussion and Needs
PRESENTER	Chris Kukulski, City Administrator
NOTES/OUTCOME	

- **Kukulski:** PowerPoint presentation of Public Safety mill levy and additional budget needs. During pandemic: Moved \$1M parks cost from GF to PD1. This added \$1M for public safety. Passed repeal and replace levy to fill most of the remaining budget deficit. Conducted National Police Services Survey (3,000 randomly selected citizens with statistically valid results). Completed CPSM PD Study (102 recommendations). CPSM FD study will be presented June 7 (~45 recommendations). Additional resources of \$4,300,000. Existing imbalance of \$1,300,000. Increases in salaries and staffing, insurance, fuel and fleet maintenance. Total estimated additional PS costs-\$6,400,000. Mill levy timeline for a Primary Election, General Election.
- **Mayor:** what would a hybrid levy look like? Kukulski: need to invest in both, but complex mill levies can be confusing.
- **Purinton:** shift from General Fund to PD1? Kukulski: not what staff recommends.
- **Boyett:** how long will this amount carry the City forward? Kukulski: recommends additional funding every 3-4 years. Talk about 8th or 9th fire station options in a few years.
- **Neese:** move Parks into own mill levy. Would like to see hybrid to separate Parks.
- **Joy:** extensive discussions over the years, what does the City get for the money? Want to see a safe Billings vision and measurable goals.
- **Ronning:** raising taxes difficult. Need reports about violence against children.
- **Shaw:** nervous about hybrid levy. Parks has 2024 deadline, so time to solve that problem. Keep PS separate and simple. Support mill levy this year.
- **Choriki:** mental health Kukulski: City does not want to employ mental health providers, provide funding and partnership. Education should be component.
- **Mayor:** allow fire stations to be funded through this ask. Voters could approve 2nd mill levy don't know about 3rd. Jail problem needs to be fixed, extension of jail. City needs to be prepared to assist in expansion of jail.
- **Brown:** Support mill levy, continue working with County.
- Council discussion regarding mill levy amounts and proposed spending plan.
- Public Comment:

- **Martin Connell, owner of the Kairos building, Billings, MT**, stated crime is up in the EBURD and it is affecting businesses, some of which have moved out.
- **John Brewer, Executive Director, Chamber of Commerce, Billings, MT**, encouraged Council to put PSML on the ballot this year. Stated of the businesses the Chamber surveyed, 92% supported a PSML.
- **Katy Easton, Executive Director, Downtown Billings Partnership, Billings, MT**, stated there were 93 unique individuals that caused 15 to 300 contacts per individual with the BPD in 2020. These individuals cost the community \$10 million in City funds.
- **Mike Nelson, Chamber Chair, Billings, MT**, supports a clearly stated PSML, stating it costs taxpayers \$1.6 million to house inmates. Urged Council to start something – no excuses.
- **Mike Omsby, 2930 Walden Place, Billings, MT**, stated he is a realtor in town. Stated crime is affecting whether people want to move to Billings and whether they want to stay. Stated a PSML that gets out ahead of the problem would be beneficial and he supported a simply stated PSML. He stated not to complicate with a hybrid with PD1, etc. Keep it simple.
- **Kari Boiter, 946 Yorkshire Court West, Billings, MT**, stated Billings can't arrest out of this situation. She supports a PSML but asked that Council look for additional causes of crime. Crime prevention and diversion methods using community-based solutions, mental health and homeless issues. 64% of inmates have mental illnesses.
- **Yakawich**: Made a motion directing staff to bring an ordinance for public hearing and first reading to the June 14th Regular Business meeting concerning placing a Public Safety Mill Levy on the ballot this fall, seconded by Boyett.
- **Brown**: meeting regarding Fire Department before next meeting? Kukulski: correct, meeting on June 7th.
- **Ronning**: thanked community members that contacted Council about crime.
- **Boyett**: be specific on what community is going to get with mill levy money.
- **Purinton**: would support going to public to see investment.
- **Ewalt**: jail is not the answer, where was the Chamber of Commerce last year during mill levy. Increase in BUFGA not in reports. Hasn't been 12 months since last ask.
- **Neese**: agree with Ewalt. Need to lessen impact by finding other resources. Disagree with taking over County functions. Have questions about Code Enforcement.
- **Shaw**: last ask was not adding any resources. Very clear it was "putting a finger in the gap". What are other revenue resources.? Ready to vote.
- **Purinton**: need to have some Councilmembers to work with staff on recommendation of how to move forward.
- Passed 9-2, Ewalt and Neese opposed.

TOPIC #6	Public Comment on Items Not on the Agenda
PRESENTER	
NOTES/OUTCOME	

- **Neese:** when will state of emergency be removed? Would like to see City list mask mandate. Kukulski: will research.
- **Ronning:** Stated she would make an initiative at the May 24th meeting concerning creating a Citizens Police Advisory Board.
- **Catherine Card, 4th Ave. S., Billings, MT,** stated not to just focus on dollars, but integrity is important and has to be there.
- **Steve Arveshoug, BSED, Billings, MT,** stated that Rocky Vista University had received accreditation and was moving forward with building their facility for Montana College of Osteopathic Medicine. Anticipated opening in July 2023.
- **Mayor:** congratulations for all the hard work.