

****ATTENTION****

The City Council meeting will be held in a hybrid format that may include both in-person AND virtual attendance via Zoom. Unless they have cause to appear virtually, Councilmembers will attend the meeting in person in Council Chambers, second floor of City Hall, 220 N. 27th Street. In order to honor the Right of Participation and the Right to Know in Article II, Sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: www.billingsmt.gov and click on "Your Government," "City Council," and "Agendas & Minutes".
- View the meeting:
 - On Community 7 TV - Channel 7 or Channel 507 -- Spectrum Cable. *(On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.)*
 - Online at www.com7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel.
 - On the City's website at www.billingsmt.gov and click on "Watch Meetings Online" on the homepage.
 - In-Person.
 - Virtually via Zoom (see the link below).

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P.O. Box 1178, Billings, MT 59103
- Email: Council@billingsmt.gov.
 - Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- Attend the meeting in person.
- Attend the meeting virtually through Zoom by entering the Webinar ID and Passcode indicated below. Click on *Zoom Meeting Instructions* and *Zoom Hybrid Meeting Details* below for more information. The link will allow you to attend, view and participate in the meeting on your computer, laptop or smart phone. (You must have the Zoom App on your device [Click Here to Download Zoom App](#)) To provide public comment at the appropriate time, click on the "raise hand" icon located at the bottom of the screen and the moderator will unmute your device.
 - **Don't have a smart phone, computer or laptop?** That's okay -- you can attend a Zoom meeting using your **landline phone**. Call the Zoom phone number, **1.253.215.8782** to join the meeting and follow the operator's instructions. Want to give public comment? Simply "*raise your hand*" by pressing *9 and the moderator will give you permission to speak when it is your turn. **Note this is a long distance toll number and charges may apply depending on your plan.*
- Click Here for [City Council Zoom Hybrid Meeting Details and Schedule](#)
- Click Here for [Zoom Meeting Instructions for Attendees \(as guests\)](#)

Webinar ID: 852 2352 1053

Passcode: 520839

Or join by phone: US: +1-253-215-8782

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8205, with any questions.



VISION STATEMENT:
"The Magic City: A diverse,
welcoming community
where people prosper and
business succeeds."

WORK SESSION AGENDA

COUNCIL CHAMBERS

APRIL 4, 2022

5:30 P.M.

CALL TO ORDER: Mayor Cole

1. **Solid Waste Rate Structure Discussion.**
(Presented by: Debi Meling, Public Works Director)
-Public Comment
2. **Council Priorities and Quad Discussion.**
(Presented by: Chris Kukulski, City Administrator)
-Public Comment
3. **Highlight Upcoming Agenda Items of Council Interest.**
(Presented by: Chris Kukulski, City Administrator)
-Public Comment

COUNCIL DISCUSSION:

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 or as set by the Mayor. Please sign the roster at the cart located at the back of the Council chambers or at the podium.)

ADJOURN:

Note:

- This meeting is an "informal" meeting of the City Council. The content of the Agenda is subject to change at the meeting.
- In the event there is a Closed Executive Session at the end of a Work Session, the sole purpose is to discuss litigation strategy. The other parties to the case(s) discussed are not public bodies or associations as described in Section 2-3-203(1) and (2), MCA. The meeting is closed, as allowed by Section 2-3-203(4)(a), MCA, "to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position" of the City of Billings.

City Council Work Session

Date: 04/04/2022
Title: Solid Waste Rate Structure (Pay-T) Discussion
Presented by: Debi Meling
Department: Public Works
Presentation: Yes
Legal Review Not Applicable

RECOMMENDATION

The presentation is for information and discussion only and does not include any council action.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

City Council requested that staff review the rate structure and fees for residential solid waste service. At the time, many of the residential customers were using a 300 gallon container and that made any change to the rate structure difficult. Due to operational challenges with the 300s, it was determined that those would be replaced with 96 gallon containers and then a new rate structure would be evaluated. The 300 to 96 gallon conversion has been completed and city staff is developing a new rate structure to present to City Council for approval. Before staff calculates rates based on a new structure, it is important that City Council is in agreement with the basis of the rates. The presentation will present options for how different services can be assessed and pros and cons with each. The services that make up the overall solid waste residential service are black barrel collection (garbage), green barrel collection (yard waste), extras, bulky items, carry out service, and landfill. The attached presentation shows options and recommendations for each service that will be discussed with City Council. Staff has not developed any rates at this time, so the discussion will focus on the framework only.

ALTERNATIVES

This presentation is for information and discussion only. Options for the rate structure will be presented and staff is looking for guidance. No formal action will be taken, so alternatives were not included here.

FISCAL EFFECTS

The rates have not been calculated at this time. Staff needs to garner feedback on the framework before the rates are developed. Every program decision affects the rates, so it is important to develop the framework first.

Attachments

Presentation



Solid Waste Pay-T

To Pay-T or not to Pay-T



Contextualization

Basis of Program

- Why Pay-T
 - City Council request
 - Sustainable
 - Responsible
 - Cost of Services
 - Equity
 - Ability of property owners to control costs
 - Residential only
 - 300s - commercial and will follow same rules
 - Industry standard
-



Services

- Garbage Container (black barrel)
- Yard Waste (green barrel)
- Extras
- Bulky Items
- Carry Out Service
- Landfill



Garbage Container

- Two sizes (64s and 96s)
- No container fee (up front charge or repair)
- 2 containers max
 - congestion
 - 3 is 300 which is commercial
- Charge by size – not weight
- Monthly charge
 - Doesn't matter if it is out or not
- Lid up not extra charge
 - Continue not picking up if not possible
- Tagged to address (just painted now)





Yard Waste

- 96 gallon only
- Residential only
- First one is included in rate
- 2 containers allowed
 - Second one will be charged
- Abuse will be stopped by requiring additional black containers





Extras

- Options
 - Service?
 - Charge basis
 - Frequency (monthly, by call)
- Reasons to charge fee
 - Inefficient
 - Unsafe
 - Inequitable
 - Not a sustainable service
 - Increased base fee
 - Want to encourage container efficiency
 - Minimize extras
 - Encourage conservation





Extras

- Extras or No?
 - Require container purchase
- Tags and bags that can be purchased
 - Best operational option (easy to bill, easy to track, easy for collection crew)
- Unlimited pile for flat rate
- Subjective assessment for rate
 - Small, medium and large
- Monthly collection – if use decreases, frequency may increase after a period of time
- On-call collection
- May become bulky item
- City wide extra collection days
- We have “people dumped it off” issue now – investigate the pile



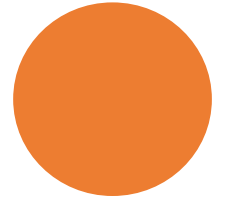


Bulky Items

- Scheduled
- Flat rate now
- Rates will be proposed with different levels

Carry Out Service

- Medical necessity only
- No charge – need verification
- Snow buddy program - similar



Landfill

- Charge or no charge for City
- Will need city/county verification
- Long lines
 - car wash type lane for passenger vehicles
 - two scales (one for commercial)
- County agreement
- Subsidizing
 - Collection with Landfill
 - What rate?
 - Landfill costs are rising (methane)



Program Framework

- **Garbage Container (black barrel)**
 - Based on container size and number
 - Limit 2
- **Yard Waste (green barrel)**
 - Included in black barrel charge (1)
 - Additional extra charge for additional barrel (limit 2)
- **Extras**
 - Bags and Tags
 - Defined frequency
- **Bulky Items**
 - Extra charge
 - Scheduled
- **Carry Out Service**
 - Medical need
 - No charge
- **Landfill**
 - Subsidize
 - No additional city charge – County charge under agreement





questions

Date: 04/04/2022
Title: Council Priorities and Quad Discussion Update
Presented by: Chris Kukulski, City Administrator
Department: City Hall Administration
Presentation: No
Legal Review Not Applicable

RECOMMENDATION

Leave this meeting with final drafts of the Council's strategies and priorities for 2022 and 2023, and also complete a final draft of the Expectations and Obligations Quad from the Council and Leadership Retreat.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

Please review the attached three documents. During our work session I want to refine the strategies & priorities and the expectations & obligation quad documents into the final draft so that they can be adopted during the April 25 Council Meeting. I also request that the initiatives list be rolled into the priorities discussion and document.

STAKEHOLDERS

NA

ALTERNATIVES

City Council may:

- Approve; or,
- Not Approve

FISCAL EFFECTS

NA

Attachments

Draft 2022/2023 Strategies & Priorities

DRAFT 2022 City Council & Leadership Team

Expectations & Obligations Quad

<p>Council expectations of Staff</p> <ul style="list-style-type: none">• Come to meetings prepared• As much as possible, present alternative ideas/positions/options• Contextualize the position and process of projects/decisions• Be clear and concise• Present information in an objective manner• Keep information the same as what was sent and studied to what is presented.• Maintain public trust	<p>Staff expectations of Council</p> <ul style="list-style-type: none">• Be respectful of staff and their recommendations• Come to meetings prepared, whenever possible share your questions/ideas to help staff prepare• Once a decision is made and in the appropriate time and place, support that decision• Set a vision for the city. If desired by the council define the objective/s for significant projects• Make decisions based on the over-all city benefit• Focus questions on the issue being discussed• Have realistic expectations that are connected to our capacity• Recognize, we are on the same team
<p>Council obligations to Staff</p> <ul style="list-style-type: none">• Respect the expertise and knowledge of staff• Focus on policy and trust staff to handle the action and details• Come prepared and ask questions• Provide clear, consistent direction• Celebrate and recognize successes• Encourage responsible risk-taking• Provide resources required to get the job done• Understand and appreciate staff limitations based on their workload and expertise• Be good stewards of city resources• Become knowledgeable in relevant fields• Bring opportunities and potential solutions to problems.• Get council meeting questions to staff prior to weekend if possible	<p>Staff obligations to Council</p> <ul style="list-style-type: none">• Respect each council member and the council as a body• Provide accurate and thorough information• Provide clear candid advice• Anticipate problems and opportunities• Be good stewards of city resources• Listen and implement council's decisions to the best of our ability• Be collaborative

3-18-22

Vision: The Magic City - A diverse welcoming community where people prosper, and business succeeds.
Core Values:

- ❖ Collaboration: We commit to provide opportunities to achieve common goals through positive communications and interaction with individuals, and with public and private organizations.
- ❖ Integrity: Through accessibility and transparency, we earn the trust of the community to which we are responsible.
- ❖ Service: We deliver services with courtesy and respect while meeting our customers' needs.
- ❖ Stewardship: We plan and manage resources effectively, responsibly, and efficiently.

Mission: To deliver cost effective public services that enhance our community's quality of life.

Improve the safety of Billings

- Continue implementing Center for Public Safety Management (CPSM) police and fire operations analysis recommendations.
- Implement code enforcement, legal and municipal court strategies as described during the 2021 public safety levy.
- Report data measuring the effectiveness of the 2021 public safety mill levy and the criminal justice system at the city, county, and state levels. (CC, SS)
- Pursue legislation and local regulations to limit the number, and improve the effectiveness of, sober living housing and their impacts on neighborhoods. (Green goals are council approved initiatives)
- Pursue legislation and work with the Department of Corrections (DOC) to limit the number of probationers, parolees released into Billings and the number of inmates held in the jail.

Invest in core infrastructure

- Complete airport terminal reconstruction project, building Montana's greatest airport.
- Complete City Hall/Law and Justice Center project to include a COVID 19 memorial.
- Break ground on the inner-belt loop and Skyline trail projects.
- Break ground on west side water treatment plant and visionary reservoir project.
- Complete land use and infrastructure planning projects to serve the inner beltloop and new interchange.
- Charge 20% premium to out-of-city limits solid waste customers for future capital improvements to the landfill. The 20% charge would start in FY23 and continue until changed by future councils.

Improve the built environment through quality design

- Stimulate infill and redevelopment throughout the city's business and residential districts. (CCCC, SS, CC, SSS)
- Develop a housing strategy (this project is being led by HomeFront).
- Complete review of the 2016 growth policy.
- Update all 8 neighborhood plans within the next 5 to 8 years. (S)
- Update subdivision regulations.

- ✚ Increase parks, trails, recreation, and cultural investments
 - Determine level of capital investment to be proposed to voters in 2023 for the multi-generational recreation center.
 - Determine level of capital investment to be proposed to voters in 2023 for additional park and trail development.
 - Determine level of maintenance and operation expenses for parks, trails, and recreation facilities to be proposed to voters in 2023 to meet the needs of our community through 2035. (CC, SSSSSS, CCC)

- ✚ Build a high-performance organization (HPO) principled in our core values
 - Complete organizational review of the city's vision, mission, and core values.
 - Complete cost of services studies to better understand cost of delivering police, fire, parks, recreation, trails, storm water, water, wastewater and transportation services and infrastructure to make informed decisions on how best to finance city services. (C, CC, SSSSS)
 - Adopt legislative priorities for the 2023 session focused on improving the safety and economic stability of Billings. (C, S, CCC, SS)
 - Improve the effectiveness of council work sessions, policy implementation and communications.
 - Digitize all essential records for proper storage and access by citizens and staff. (C, S)
 - Improve public engagement.
 - review all ordinances over four years (2016)
 - Establish a City Charter Review Committee.

Priorities as grouped by COB retreat on 3.12.22 (Karen Created)

C-council member's top priority

S-staff member's top priority

C-council member's lowest priority

S-staff member's lowest priority

- ✚ Improve the safety of Billings
 - Implement Center for Public Safety Management (CPSM) law enforcement analysis recommendations.
 - Collaborate with inter-government partners to improve timeliness and detail of crime data, including weekly reporting on Rule of 60 and jail capacity/utilization to implement public safety plans (CC, SS)
 - Resolve criminal justice facility space deficiencies.
 - Implement CPSM fire department analysis recommendations.
 - Implement Code Enforcement, Legal and Municipal Court strategies as described during the 2020 and 2021 public safety levy.
 - Analyze funding options and determine the best methods to improve the safety of Billings.
 - Adopt massage and spa facilities business license ordinance.
 - Support critical partnerships w/Substance Abuse Connect, Yellowstone County, and Continuum of Care partnerships and determine options for addressing substance abuse and mental health needs.
 - Continue improving sidewalk and trails network improving safe routes to schools.

- Buy Land for Fire Station 8 (CCCC, S)

Continue investing in core infrastructure

- Break ground on west side water treatment plant and visionary reservoir project.
- Continue airport terminal reconstruction project, building Montana's greatest airport.
- Continue progress to break ground on the inner-belt loop and Skyline trail projects.
- Resolve conflicts with Heights Water District to improve development and redevelopment opportunities within the Billings Heights area.
- BBWA: Focus on and address potential danger posed (C, S)
- Continue to monitor and revisit building code and processes, including project Re-code, and revamp Board of Appeals ordinance (SS)

Improve the built environment through quality design

- Complete cost of services studies to help fund police, fire, parks and trails, storm water and transportation infrastructure in partnership with Yellowstone County. (C, CC, SSSSS)
- Stimulate redevelopment and promote infill within downtown and other business districts including policies, regulations and strategies for housing growth, recode implementation and cost of services. (CCCC, SS, CC, SSS)
- Update growth policy 2023
- Update all neighborhood plans within the next 5 years (S)
- Update subdivision regulations within the next 5 years
- Determine direction and next steps on Billings Bypass corridor and IBL corridor studies in preparation for utility extensions (CC, SS)
- Update public transportation policy to increase ridership, improve image and shift more transportation funds into Active Transportation infrastructure by focusing on use of CMCO dollars for non-arterial trails (CC, SSS)

Increase parks, trails, recreation, and cultural investments

- Create a park and trail development, maintenance, funding and planning program and analyze all park and trail funding options to build excellent parks and trails throughout the City. (CC, SSSSS, C) ...with a recreation center (CC, S)
- Focus on environmentally sensitive areas rims and river cm processes improvements (C, SSSS)

Build a high-performance organization (HPO) principled in our core values

- Participate in the 2023 legislative process to support adopted legislative priorities and pass legislation to improve the safety of Billings. Increase council and department engagement with legislative process leveraging our relationships and strengths. (C, S, CCC, SS)

- Create more effective Council process, work sessions, communication, etc.
- Review Council Initiatives/Projects/Priorities
- Review policies for Project Re-Code, Marijuana, Spa, etc.
- Improve community relationships including a completed vision update with city in general and particular with BPD and Yellowstone Courts (C)
- Document imaging for critical data (C, S)
- Establish a City Charter Review Committee (CC)
- Increase the city's capacity to apply for grants by considering potential new hire and/or alternative revenue to property taxes. (CC)
- Improve public engagement (CC, S)
- Council Initiative: Update City Manager Annual Review and process form (CC, S)
- Review problem ordinances as they occur (2016) (CCC, SSSSSS)

Robust Public Education and Outreach (see HPO Strategy above)

- Improve public engagement (CC, S)

**COUNCIL INITIATIVES
APPROVED SINCE JULY 2021**

Date	Sponsor/Initiative	Action	Resolved	Assigned To
02/08/16	COUNCILMEMBER SULLIVAN: Made a motion to review all ordinances over four years with the opportunity to fast track any ordinances to match citizen/council needs, seconded by Councilmember McFadden. APPROVED.	Departments are reviewing Municode comments, questions and recommendations and adding those of their own. Zoning Code was amended on 1/25/2021 by Ord. 21-5748. More work to be done on other sections of the Code.	In Progress	Gina Dahl Denise Bohlman
12/21/20	COUNCILMEMBER CHORIKI: Moved to direct staff to put the flowing issues on future work sessions. Staff will inform the council of any existing work on the issue and for the council to “brainstorm” possible solutions to these issues: 1) Staff and the Parks Board provide an informational presentation to council at their earliest convenience on their work identifying possible funding for the operations and maintenance of parks, including new capital projects, seconded by Councilmember Neese. APPROVED 2) Discussion of a policy and a funding source for completing the sidewalks and trails, including safe routes to schools; and 3) Staff provide a detailed cost of services report by March 15 th , seconded by Councilmember Neese. APPROVED.	1) City Administration and Parks presented funding options at the 3/15/21 City Council Work Session. 2) Presentation on Trail Funding was presented at the 4/19/21 Work Session. 3) This item has been pulled out and had separate discussion to determine next steps by the FY23 budget cycle.	1) Completed 2) Completed	
02/22/21	COUNCILMEMBER SHAW: Moved that the City Administrator direct staff to develop best-practice regulations and ordinance language to regulate (not prohibit) medical marijuana dispensaries and/or storefronts in Billings City limits; present proposed regulations to council at a works session to facilitate feedback and give notice of a public hearing and first reading for ordinance adoption, seconded by Choriki. APPROVED.	Since this initiative was launched a new law addressing regulation of recreational marijuana was made law by the MT Legislature and Governor. Multiple Council Work Sessions, a staff and Council Marijuana Working Group and hours of work and meetings resulted in Council passing new zoning regulations and business license regulations for marijuana businesses as well as taking a vote to	Completed Implementation in Progress	Gina Dahl Wyeth Friday

Date	Sponsor/Initiative	Action	Resolved	Assigned To
		Billings residents on recreational marijuana sales, prohibiting in the City.		
05/24/21	COUNCILMEMBER RONNING: Moved to direct CA Kukulski to form a committee made up of Citizen Police Advisory Board (CPAB) steering committee members, city councilmembers and appropriate City staff to develop resolution language that would be re-establish a CPAB for the four key objectives: 1) Recruitment, retention and workplace diversity; 2) Crime prevention and diversion; 3) Community support and engagement; and 4) Data collection and analysis. Committee to present proposed resolution to City Council at a work session to facilitate feedback and set a public hearing for resolution adoption, seconded by Councilmember Joy. APPROVED	Chris Kukulski is in the process of forming the committee and working on the resolution language. Resolution 21-11013 established 9/27/2021.	Complete	Chris Kukulski
09/13/21	COUNCILMEMBER NEESE: Moved to initiate an amendment to the Zoning Code to regulate Marijuana businesses, seconded by Councilmember Yakawich. APPROVED.	Multiple Council Work Sessions, a staff and Council Marijuana Working Group and hours of work and meetings resulted in Council passing new zoning regulations and business license regulations for marijuana businesses as well as taking a vote to Billings residents on recreational marijuana sales, prohibiting it in the city.	Completed Implementation in Progress	Wyeth Friday Gina Dahl
10/11/21	COUNCILMEMBER RONNING: Moved to direct staff to put establishing a City Charter Review Committee on a work session and invite Dan Clark, Local Government Center, to advise council of the process of reviewing the City Charter, seconded by Councilmember Neese. APPROVED.	Work session held in March 2022.	In Progress	Chris Kukulski
11/22/21	COUNCILMEMBER YAKAWICH: Moved to direct staff and the future council to design, implement and install a standalone COVID19 memorial within the first year the new law and justice center/city hall is used in honor of those whose lives were lost due to COVID in Yellowstone, seconded by Councilmember Choriki. APPROVED.	Mike Yakawich and Mayor Bill Cole have convened a committee to explore ideas.	In Progress	Kevin Iffland
11/22/21	COUNCILMEMBER YAKAWICH: Moved to direct staff to implement regulations for recovery residences also known as sober living housing to reduce the amount of disturbances and building and code enforcement issues, seconded by Councilmember Choriki. APPROVED.	To begin researching the issue in 2022.	In Progress	Chris Kukulski Rich St. John Wyeth Friday Gina Dahl

Date	Sponsor/Initiative	Action	Resolved	Assigned To
11/22/21	COUNCILMEMBER EWALT: Moved to direct staff to work with the Department of Corrections (DOC) and legislators to limit the number of probationers, parolees, and inmate releasees with a cap of how many can be released to Billings, seconded by Councilmember Purinton. APPROVED.	Merged with the 12-20-21 council initiative by Purinton.	Complete	
12/20/21	COUNCILMEMBER PURINTON: Directed the City Administrator to print on Council letterhead the drafted letter to Governor Gianforte concerning limiting the number of DOC releasees to Billings, to be signed by all councilmembers wishing to sign it, seconded by Councilmember Shaw. APPROVED.	Letter was mailed on December 27, 2021.	Complete	
12/20/21	COUNCILMEMBER EWALT: Directed the City Administrator to work with Public Works staff for a resolution that would charge 20% out-of-city limits customers to be set aside in a landfill fund to pay for future capital improvements at the landfill. The 20% charge would start in FY23 and continue until changed by future councils, seconded by Councilmember Yakawich. APPROVED.	Will include in annual rate setting resolution in June.	In Progress	Debi Meling