

****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.)* Channel 7 or Channel 978 - TDS Fiber.
 - . Online at www.comm7tv.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.

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

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8210, with any questions.



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

WORK SESSION AGENDA

COUNCIL CHAMBERS
316 N. 26th St., 5th Floor

JULY 7, 2025

5:30 P.M.

CALL TO ORDER: Mayor Cole

PUBLIC COMMENT ON ALL ITEMS. This is the time to comment on any matter (Agenda or Non-Agenda) falling within the scope of the Billings City Council. There will also be time in conjunction with each agenda item for public comment relating to that item. You may only speak once for each item during the meeting.

Please note, the City Council cannot take action on any item of significant interest to the public that does not appear on the agenda. Comments are limited to three (3) minutes during each public comment period or as set by the Mayor. **Speaker sign-in required.** Please sign the roster at the cart located at the back of the Council chambers or at the podium.

1. **Billings PCE Superfund Site Update.**
- Public Comment
2. **Transportation Alternatives Applications.**
- Public Comment
3. **Draft Public Art Policy.**
- Public Comment
4. **Litter in Billings Discussion.**
- Public Comment
5. **City Charter Amendment Discussion Concerning Possible Reduction of City Councilmembers and Redistricting.**
- Public Comment

HIGHLIGHT UPCOMING AGENDA ITEMS OF COUNCIL INTEREST:

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 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.
In the event there is a closed executive session to discuss a matter related to an individual's privacy, the presiding officer must determine the demands of individual privacy exceed the merits of public disclosure and the individual has not waived their right to privacy.

City Council Work Session

Date: 07/07/2025
Title: Billings PCE Superfund Site Update
Presented by: Cheri Armstrong, Environmental Affairs Manager
Department: Public Works
Presentation: Yes
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

This is a discussion item and does not require council action.

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

Roger Hoogerheide, EPA Project Manager, will provide an update on the Billings PCE Superfund Site Proposed Plan. The attached plan shows the purpose of the update, key points, and the timeline.

ALTERNATIVES

This is a discussion item so no alternatives are presented for council action.

FISCAL EFFECTS

There are no fiscal effects as this is a discussion item only.

Attachments

PCE Update

July 7 Billings PCE Superfund Site Update

Purpose of Briefing

- The EPA plans to release a Proposed Plan soon. The Proposed Plan addresses vapors that have been detected in indoor air and below a structure foundation (known as vapor intrusion) above levels that are harmful to public health.
- Vapors are a result from historic dry-cleaning operations releases to underlying soil and groundwater. EPA will address the soil and groundwater contamination separately.
- EPA is required to issue the Proposed Plan for public comment and host a community meeting. A fact sheet for public meeting information will be mailed shortly.
- The Proposed Plan summarizes the cleanup alternatives that EPA considered, identifies EPA's preferred alternative, summarizes the factors that led EPA to identifying the Preferred Alternative, and requests public comment.

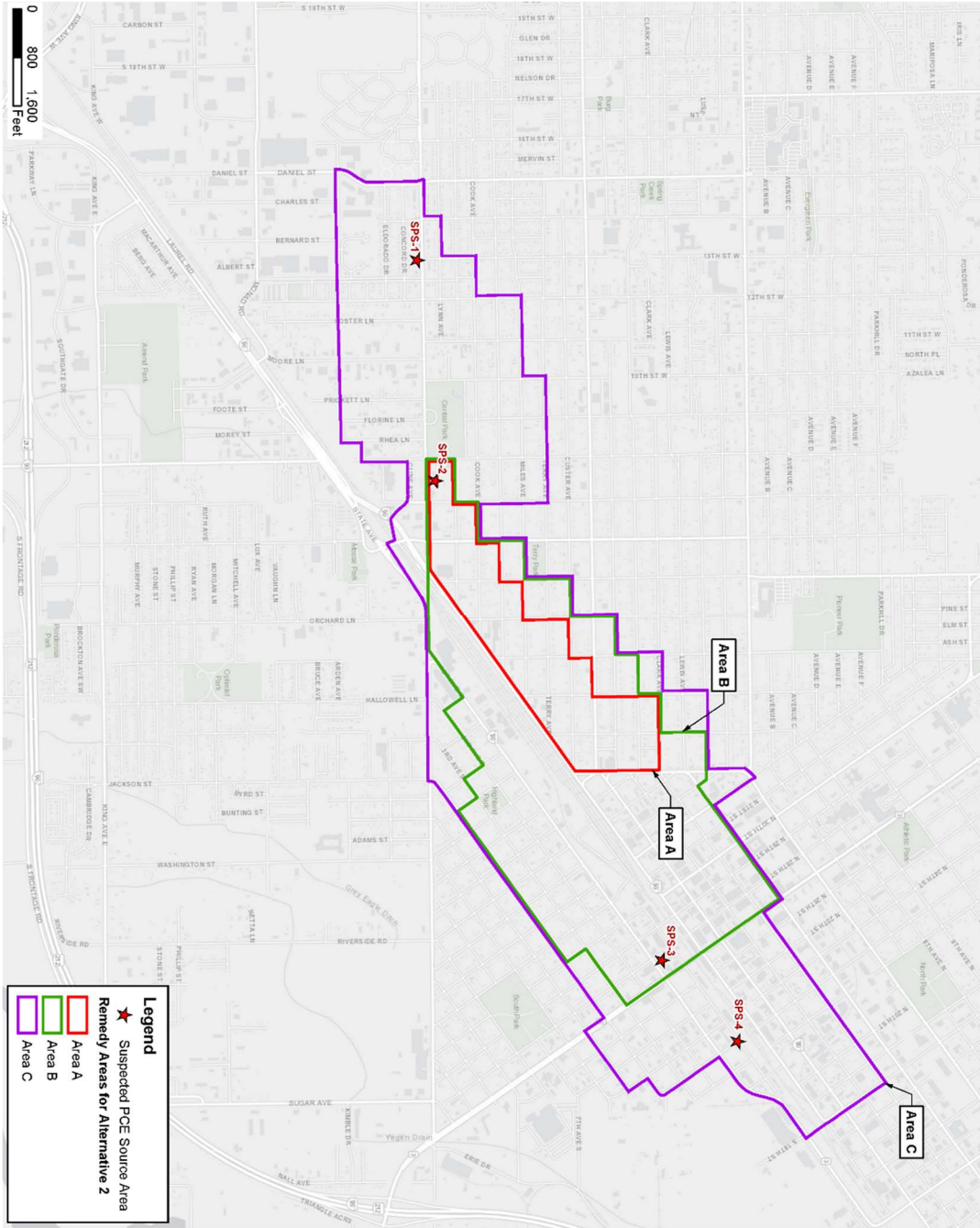
Key Points

- Preferred Alternative:
 - 1) Monitor air inside and beneath structure to identify where vapor mitigation is needed and to determine if vapor mitigation efforts are effective
 - 2) Installation of vapor intrusion (radon) mitigation systems to prevent vapors from entering and accumulating underneath a structure and in indoor air; and
 - 3) Non-engineered instruments that help minimize the potential for human exposure to contamination, inform the public, and protect the integrity of the remedy (e.g., City ordinances)
- EPA estimates that the Preferred Alternative will cost approximately \$33 M over 35 years.
- Remedy is highly dependent on the tenant and owner's willingness to allow EPA access.
- EPA and DEQ will be responsible for monitoring, installing and maintaining the vapor mitigation systems.
- Property owner will be responsible for paying for the electricity to run the system.
 - The electricity required is about the same as running a 75-watt lightbulb constantly.

Upcoming Timeline

- July/August 2025 – Proposed Plan public comment period
- Winter 2025 – Indoor air investigations. **Need a facility to store equipment and supplies.**
- Winter 2025 – Sign and release the Vapor Intrusion Record of Decision.
- Summer 2026 – Remedy implementation and **work with City of Billings on ordinances.**
- Fall 2026 – Issue 2nd Proposed Plan to address main source area on 7th and Central Avenue.

July 7 Billings PCE Superfund Site Update



City Council Work Session

Date: 07/07/2025
Title: Transportation Alternatives Applications Review
Presented by: Elyse Monat
Department: Planning & Community Services
Presentation: Yes
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

Staff recommends the City Council receive a presentation on the Transportation Alternatives (TA) Program and the two submitted applications. At the City Council's July 14 regular business meeting, staff will request the City Council recommend funding for both TA grant applications.

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

The Transportation Alternatives Program (TA) is a set-aside program from the Surface Transportation Block Grant (STBG) program. Eligible uses of the funds include projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21). This includes a variety of pedestrian and bicycle facilities, recreational trails, Safe Routes to School projects, and other community improvement projects. See the Billings Metropolitan Planning Organization (MPO) TA Instructions for eligible projects. The Billings MPO has been allocated \$1,784,111 in Transportation Alternative Funds in 2025.

The Bipartisan Infrastructure Law (BIL) allows for MPOs in Montana to administer their own competitive application process with approval and oversight from the Montana Department of Transportation (MDT).

Projects submitted must meet Federal and State guidelines for eligibility and must identify a local, Federal or State sponsoring agency. Private individuals and organizations may recommend a project if the project is sponsored by the government agency in which the project is located. Examples of a sponsoring agency may include, but are not limited to, City, County, Tribal, etc.

The MPO received two eligible applications for the Transportation Alternatives funds. The applications included:

- City of Billings Safe Routes to School 2025 TA sponsored by the City of Billings
 - Total Project Cost: \$1,492,297.23
 - Federal TA Request: \$1,292,030.94
 - Local Matching Funds: \$200,266.29

- Johnson Lane Sidewalk Connector Project, sponsored by Yellowstone County via the Lockwood Pedestrian Safety District (LPSD)
 - Total Project Cost: \$250,660.00
 - Federal TA Request: \$217,021.43
 - Local Matching Funds: \$33,638.57

Together, these two projects request a total of \$1,509,051.37 in federal TA funds, which is less than the \$1,784,111 in funds the MPO has available. As a result, both projects could be funded with the available funding.

The Technical Advisory Committee (TAC) is responsible for evaluating and scoring Transportation Alternatives (TA) applications through the Billings MPO process. The scores from TAC were translated into a list of recommended projects. TAC recommended full funding for both TA grant applications at its meeting on June 12, 2025. The MPO is presenting the list of recommended projects to the local governing bodies that make up the Policy Coordinating Committee (PCC). The PCC is made up of representatives of the Billings City Council, Yellowstone County Commissioners, Billings-Yellowstone County Planning Board, and MDT. Each entity (besides MDT) will review the projects recommended by TAC and can either make a recommendation of approval and forward it to PCC, or take a different action and forward that to PCC. PCC will take into consideration each recommendation, with MDT providing

its recommendation at the PCC meeting, and make the final decision on which applications to fund. After the PCC takes action, the MPO TA Coordinator will then share the list of the PCC-approved TA projects from the MPO to the MDT TA Program Manager for MDT approval and, subsequently, Transportation Commission approval.

STAKEHOLDERS

Ultimately, the traveling public within the MPO Urban Area are stakeholders of the TA project and will benefit from the TA projects as they will add safety and access for many pedestrians, school students and others to safely navigate the transportation corridors in the MPO area.

- At its meeting on June 12, 2025, TAC members voted to recommend to the PCC both project applications for funding.
- At its meeting on June 24, 2025, the Planning Board voted to recommend to PCC both project applications for funding.

ALTERNATIVES

This is a presentation only. No formal action is needed at this meeting.

At the Council's regular meeting on July 14, 2025, the City Council may:

- Forward a recommendation for approval of the Transportation Alternatives grant applications to the PCC
- Not forward a recommendation for approval of the Transportation Alternatives grant applications to the PCC
- Forward an alternate funding option for the applications to PCC

FISCAL EFFECTS

If both applications are approved, \$1,509,052.37 in TA funds will be allocated. TA funds are generally for non-motorized transportation projects, so this would be an appropriate use of these funds.

- A \$200,266.29 in match for the City of Billings Safe Routes to School 2025 TA project will come from the City's annual Safe Routes to School allocation in the Public Works Department.
- A \$33,638.57 in matching funds for the Johnson Lane Sidewalk Connector Project will come from the Lockwood Pedestrian Safety District's funds.

A total of \$275,058 would be left after allocation to these projects, which could be used for future projects or to address existing project overages.

Attachments

Lockwood Pedestrian Safety District Application
City of Billings TA application
TA Council presentation



Billings Metropolitan Planning Organization (MPO)
 Transportation Alternatives (TA) Program
 2025 Project Application

Review the **instructions** prior to filling out this application for a Capital Improvement Project. Fill in all the sections and do not leave any blank.

1. Project Name: JOHNSON LANE SIDEWALK CONNECTOR PROJECT

2. Project Sponsor: YELLOWSTONE COUNTY

3. Project Contact:
 ERIN CLAUNCH
 SANBELL
 1300 N. TRANSTECH WAY
 BILLINGS, MT 59102
 406-869-3320; eclaunch@sanbell.com

4. Project Cost Estimate

	Total Cost of Phase	Federal/State Funds Share (TA) 86.58%	Local Matching Funds 13.42%	Additional Contribution
Preliminary Engineering (PE)	\$50,000.00	\$43,290.00	\$6,710.00	--
PE MDT (10%)	\$5,000.00	\$4,329.00	\$671.00	--
PE Local (90%)	\$45,000.00	\$38,961.00	\$6,039.00	--
Construction (CN)	\$165,000.00	\$142,857.00	\$22,143.00	--
Construction Engineering (CE)	\$30,000.00	\$25,974.00	\$4,026.00	--
CE MDT (5%)	\$1,500.00	\$1,298.70	\$201.30	--
CE Local (95%)	\$28,500.00	\$24,675.30	\$3,824.70	--
Right-of-Way (RW)	--	--	--	--
RW MDT	--	--	--	--
RW Local	--	--	--	--

	Total Cost of Phase	Federal/State Funds Share (TA) 86.58%	Local Matching Funds 13.42%	Additional Contribution
Incidental Construction (Utility involvement) (IC)	--	--	--	--
Total	--	--	--	--
Total MDT	--	--	--	--
	\$250,660.00	\$217,021.43	\$33,638.57	--

As a reminder, the cost split between Federal Share TA and Matching funds is 86.58% Federal Share TA and 13.42% Match

5. Project Administration: Please provide information regarding which entity is proposed to administer the project. Is this project going to be administered as a local (LAG) project or are you requesting MDT to administer the project. If requesting MDT administration, please explain.

The intent of this project is to be administered by Yellowstone County Public Works through the Local Agency Guidelines. Yellowstone County is currently administering the Old Hardin Road Connector TA Project and is familiar with the processes and requirements. MDT will not be expected to administer this project. Letters of support from both the Yellowstone County Board of County Commissioners and the Lockwood Pedestrian Safety District Board are included in the Appendix.

6. Description of Project (10 points):

Lockwood is a large, unincorporated area under the governance of Yellowstone County with a population of 7,200 people. Johnson Lane is the major north-south principal arterial that splits runs through the heart of Lockwood and connects the communities two major transportation corridors (Old Hardin Road and Old US Highway 87). As a result, residents have access to Lockwood's main street (Old Hardin Road) and Lockwood High School that resides along Old US Highway 87. Johnson Lane is used as major connecting street for Old Hardin Road and US Highway 87 residents of Lockwood and the surrounding area. Currently, Johnson Lane is a two-lane road with two sections existing sidewalk on the west side of the roadway. It is approximately 2,000 feet from Silverton Street to Old Hardin Road to the north. Currently, the existing sidewalk sections (from Silverton Street to 275 feet north of Rockwood Street and 350 feet of sidewalk in front of Ace Hardware and Treasure State Storage) account for approximately 1,000 feet. Of the remaining 1,000 feet of road without sidewalk, The Montana Department of Transportation has plans to construct sidewalk along the northern section, through their Johnson Lane Interchange project. This leaves approximately 500 feet of sidewalk of Johnson Lane from Silverton Street to Old Hardin Road that will be left without sidewalk. This Johnson Lane Sidewalk Connector Project will address two separate gaps in sidewalk facilities between to complete the connection. This TA application will provide the vital portion of sidewalk to be completed and provide safety and connectivity for pedestrians in Lockwood.

The conceptual design of the project is included in the appendix and shows the 6-foot-wide boulevard sidewalk to be constructed in concrete. The intent of the design will maintain all existing driveways and street approaches.

This project was first identified the LPSD's 2023 Non-Motorized Transportation Plan list of Engineering Projects. With completion of this grant project, Johnson Lane will have continuous sidewalk that will connect residents along Johnson Lane to the heart of Lockwood community!

7. Project Eligibility:

The Johnson Lane Sidewalk Connector Project is pivotal to the Lockwood Community as it satisfies multiple categories within the TA guidelines -- specifically Categories A & B (Off-road sidewalk facility and Safe Routes for Non-drivers). The importance of the Johnson Lane Sidewalk Connector Project was determined due to the project being prioritized in the 2023 Lockwood Pedestrian Safety District's Non-Motorized Transportation Plan. Johnson Lane is Lockwood's second busiest road for both vehicular and pedestrian traffic, so this project is critical to separating the two modes of traffic and providing a safe route for pedestrians that are currently being forced to walk in the road's driving paths and unpaved shoulders.

This sidewalk project will provide a facility for pedestrians to travel to and from the intersection of Old Hardin Road and Johnson Lane to the Emerald View Park Subdivision. The intersection offers commercial and convenience store amenities and is a connection to Old Hardin Road pedestrian facilities that serves as a main street for the community and connection to a residences, businesses, and parks.

In addition, the Lockwood Pedestrian Safety District's Non-Motorized Plan has identified a future project as the continuation of this project further to the south to tie into Sunrise Street alignment. This would provide a future Safe Routes to School connection to the Lockwood Elementary, Middle, and High Schools.

8. Project Benefits (45 points):

a. Safety

Johnson Lane exists as a two-lane roadway classified within the Metropolitan Planning Organization's (MPO's) Long Range Transportation Plan (LRTP) as a major collector. An average AADT for Johnson Lane is approximately 3,600 vehicles per day and the posted speed limit is 35 mph. The lack of pedestrian facilities, high traffic volumes, and relatively high speeds creates a safety hazard for pedestrians.

Currently, Johnson Lane has no reported accidents within the project limits. However, the Federal Highway Administration (FHWA) notes that providing sidewalks results in up to an 89% reduction in pedestrian crashes with motor vehicles and suggests that walkways should be part of every new and renovated roadway facility, and every effort should be made to retrofit streets that currently do not have sidewalks. Both FHWA and the Institute of Transportation Engineers (ITE) recommend a minimum width of 5-feet for a sidewalk or walkway, should be continuous along the street, and should be fully accessible to all pedestrians including those in wheelchairs.

b. Accessibility

As detailed in previous sections, there are sidewalk facility's available along Johnson Lane within the project limits. However, these facilities are noncontinuous and do not serve to connect any pedestrian generating land uses. The Johnson Lane Sidewalk Connector project will connect the gaps in the sidewalk and provide a facility that is compliant with both ADA and PROWAG guidelines. This will allow for a continuous, hard-surfaced route that is ADA accessible by all adjacent land uses.

c. Connectivity

One of the primary benefits of the Johnson Lane Sidewalk project is connectivity. As described in the previous sections of this application, there is/will be continuous sidewalk from Emerald View Park Subdivision to the intersection of Old Hardin Road and Johnson Lane. Old Hardin Road is the busiest road in Lockwood and contains a two mile stretch of continuous multi-use path. The Old Hardin Road corridor connects residents, commercial businesses (including multiple gas/convenience stores and the grocery store), Lockwood's popular baseball/softball field complex, and future school safe routes along Piccolo Lane.

The Lockwood Pedestrian Safety District's Non-Motorized Plan also details the extension of the Johnson Lane Sidewalk project further to the south to the Sunrise Street alignment. A future project along Sunrise Street will be able to connect these two projects to the Lockwood Elementary, Middle, and High Schools. This will create a Safe Routes to School connection for a large contingent of Lockwood School's attendance base.

9. Project Risk Analysis (45 points):

a. Budget

The construction budget for this grant project was developed based on a preliminary/conceptual design of the sidewalk connector project, as commissioned by the Lockwood Pedestrian Safety District. Quantities were estimated for sidewalk area, base gravel, geotextile fabric, excavation areas, and hydroseeding. With the quantities estimated, unit costs for these items were applied based on recent similar projects developed in MDT's database. These numbers were then extrapolated to determine the final construction number. As with standard engineering practice for planning level cost estimates, a contingency was applied to account for unforeseen construction items. The cost estimate was then utilized in Item 4 of this application to determine the overall TA application project cost. A detailed breakdown of this cost estimate is included in the Appendix.

b. Matching Funds

The Lockwood Pedestrian Safety District is a Special Improvement District (SID) that was created by Yellowstone County as allowed under MCA 7-11-1001 through 7-11-1029. A 2014 referendum was presented to voters living within the Lockwood School District, in which they voted 61% to 39% in favor to create the district. Its purpose is to enhance pedestrian safety and provide for alternative means of transportation in the (unincorporated) Lockwood area. Accordingly, the LPSD has an estimated annual revenue of \$260,000 per year for use on projects like this one. With Yellowstone County as the sponsor of this project, they are committed to ensuring that the local match is fully secured and in-hand.

c. Project Ownership and Maintenance

As sponsor of this application, Yellowstone County is fully committed, through the LPSD, for operation and maintenance of this project. The LPSD board currently holds contracts with local businesses to remove snow off existing sidewalks within the LPSD boundaries. This grant application project would be included in the snow removal contract. In addition, the LPSD annual budget includes \$13,000 for annual maintenance of sidewalks. Through these annual budget items, the LPSD (and thus Yellowstone County) are committed to the ongoing operation and maintenance items for this grant application project.

d. Project Right-of-Way and Railroad

The intent of the design for the Johnson Lane Sidewalk Connector project is to be fully constructed within the public right-of-way along Johnson Lane. As shown in the Right-of-Way Exhibits in the Appendix, there is currently 120 feet of public right-of-way along the project limits that is all free of conflicts. This will allow for adequate construction of the 6-foot sidewalk and boulevard throughout the project.

This project is free of railroad conflicts and no further action is required from a railroad coordination perspective.

e. Project Utility Impacts

For the Johnson Lane Sidewalk Connector project, the only utilities that could potentially be in conflict are overhead power lines within the vicinity of the proposed sidewalk. However, these power poles are located at the back of right-of-way, and the intent of the design is to place the sidewalk where power pole relocation will not be required. Yellowstone Valley Electric Cooperative has been informed about this potential project.

Also in proximity is a water line along the proposed sidewalk alignment. However, water lines are required to be buried greater than 6.5-feet beneath existing ground, and this will not cause conflicts. The water line is owned and operated by the Lockwood Water & Sewer District.

10. Appendix (add attachments): See enclosed attachments.

Yellowstone County



COMMISSIONERS
(406) 256-2701
(406) 256-2777 (FAX)

P.O. Box 35000
Billings, MT 59107-5000
bocc@yellowstonecountymt.gov

April 1, 2025

Lora Mattox
TA Coordinator/Transportation Planner
City of Billings Planning Division
2825 3rd Avenue North, Suite 400
Billings, MT 59101

Re: Transportation Alternatives Program Application
Johnson Lane Sidewalk Project


Dear Ms. Mattox:

The Yellowstone County Board of County Commissioners is in support of the Transportation Alternatives Program grant application for the Johnson Lane Sidewalk project. The project was identified within the Non-Motorized Transportation Plan produced by the Lockwood Pedestrian Safety District (LPSD).

The vision of the LPSD is to build a vibrant community with thriving industrial, commercial, and residential neighborhoods where people of all ages and physical abilities can travel safely and efficiently without the use of an automobile. The project will help accomplish this vision while also aiding in the mission to effectively eliminate fatalities and serious injuries caused by vehicular and pedestrian conflicts throughout the Lockwood area.

For questions regarding this letter of support please contact the Board of County Commissioners, Yellowstone County.


Sincerely,
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



Mark Morse, Chair



Michael J. Waters, Member



John Ostlund, Member



LOCKWOOD PEDESTRIAN SAFETY DISTRICT



Lockwood Pedestrian Safety District
Advisory Board to Yellowstone County
PO Box 35000
Billings, MT 59107-5000

April 2, 2025

Lora Mattox
TA Coordinator/Transportation Planner
City of Billings Planning Division
2825 3rd Avenue North, Suite 400
Billings, MT 59101

Re: Transportation Alternatives Program Application
Johnson Lane Sidewalk Project

Dear Ms. Mattox:

The Lockwood Pedestrian Safety District Advisory Board is in support of the Transportation Alternatives Program grant application for the Johnson Lane Sidewalk project. The project is on a segment of roadway deemed a high priority by the district's Non-Motorized Transportation Plan. The project completes segments of existing sidewalk to a commercial center of the community for shopping and dining and connects to a residential subdivision.

The mission of the Lockwood Pedestrian Safety District is to effectively eliminate fatalities and serious injuries caused by vehicular and pedestrian conflicts throughout the Lockwood area. Completing the Johnson Lane Sidewalk at the project's location will offer pedestrians a safe way out of the road where steady residential and commercial vehicle traffic on one of Lockwood's busiest roads. As the Lockwood community continues to develop, the safety of neighbors of all ages and abilities is priority to assure an active, healthy lifestyle is responsibly encouraged and experienced.

For more information, please contact Brandy Dangerfield, Lockwood Pedestrian Safety District Advisory Board Chair.

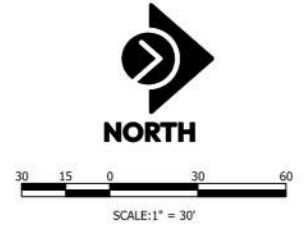
Respectfully,

Brandy Dangerfield
LPSD Advisory Board Secretary
dangerfield.brandy@gmail.com

Travis Smith
LPSD Advisory Board Chair
travis@cd-mt.com

JOHNSON LANE SIDEWALK CONCEPTUAL DESIGN (SHEET 1 OF 2)

ROCKWOOD ST TO OLD HARDIN RD
WITHIN
YELLOWSTONE COUNTY



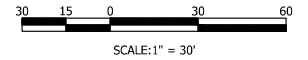
PREPARED FOR : YELLOWSTONE COUNTY, MONTANA
PREPARED BY : **sanbell**

APRIL 2025
BILLINGS, MONTANA



JOHNSON LANE SIDEWALK CONCEPTUAL DESIGN (SHEET 2 OF 2)

ROCKWOOD ST TO OLD HARDIN RD
WITHIN
YELLOWSTONE COUNTY

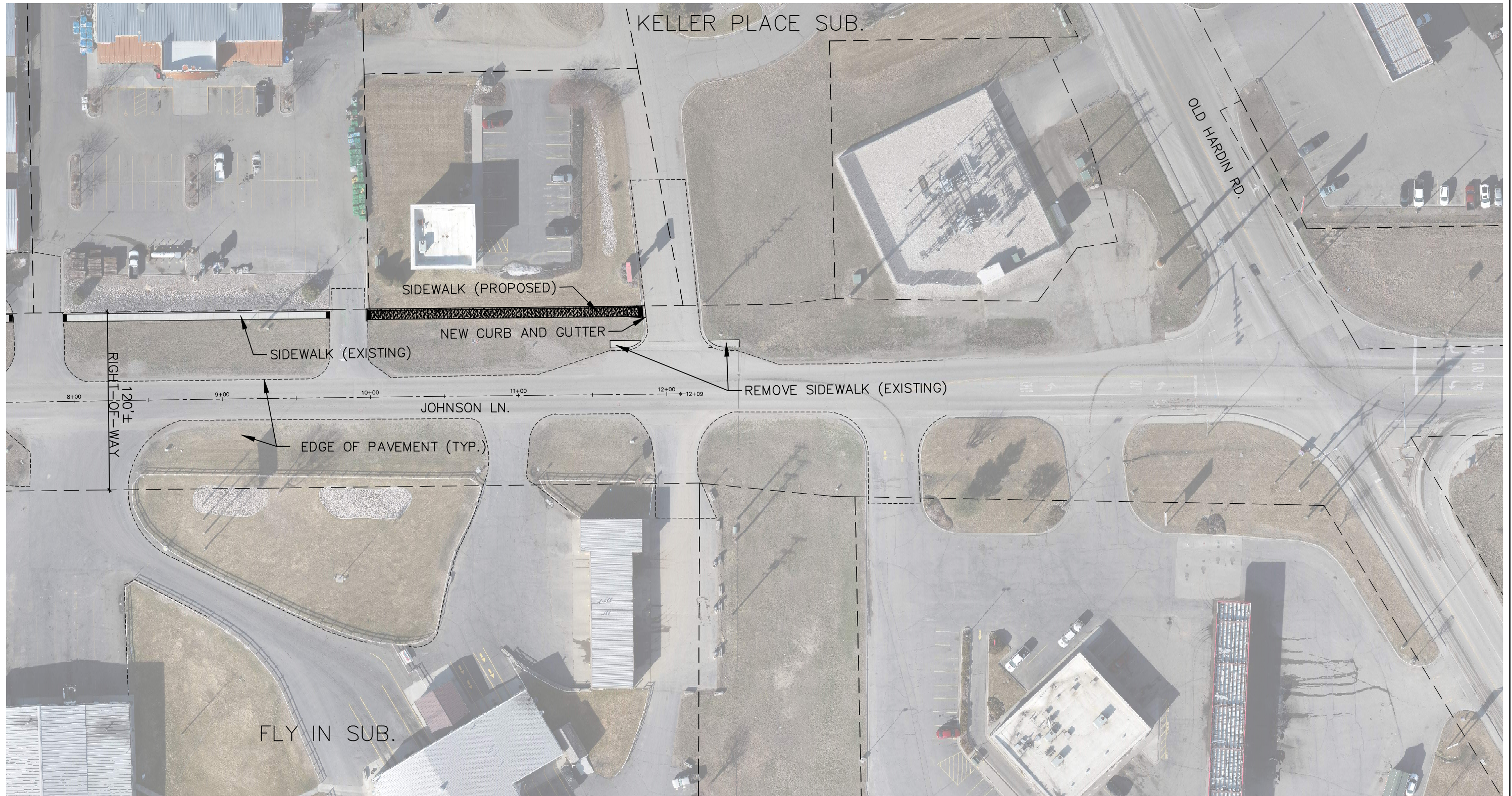


PREPARED FOR : YELLOWSTONE COUNTY, MONTANA

PREPARED BY : **sanbell**

APRIL 2025

BILLINGS, MONTANA

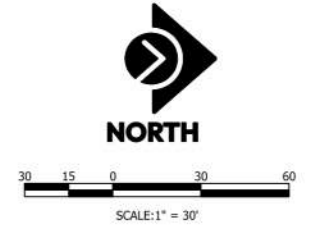


JOHNSON LANE SIDEWALK CONNECTOR COST ESTIMATE

QUANTITY	DESCRIPTION	UNIT	UNIT PRICE	AMOUNT
2,500	Miscellaneous Work	UNIT	\$ 1.00	\$ 2,500.00
1	Contractor Survey & Layout	LS	\$ 5,000.00	\$ 5,000.00
1	Mobilization/Demobilization - 10%	LS	\$ 11,000.00	\$ 11,000.00
1	Traffic Control	LS	\$ 5,000.00	\$ 5,000.00
1	Temporary Erosion Control	LS	\$ 1,500.00	\$ 1,500.00
2,610	Geotextile Fabric	SF	\$ 0.50	\$ 1,305.00
48	1-1/2" Minus Crushed Base Course	CY	\$ 75.00	\$ 3,625.00
2,610	6" Sidewalk (6 ft. wide)	SF	\$ 20.00	\$ 52,200.00
12	Unclassified Excavation	CY	\$ 35.00	\$ 420.00
30	Truncated Dome Detectable Warning Panel	SF	\$ 65.00	\$ 1,950.00
1	Clearing & Grubbing	LS	\$ 5,000.00	\$ 5,000.00
1,305	Hydroseeding	SF	\$ 0.50	\$ 652.50
145	Over-excavation & Backfill	CY	\$ 75.00	\$ 10,875.00
3	Removal and Disposal of Small Tree	EA	\$ 200.00	\$ 600.00
2	Removal and Disposal of Large Tree	EA	\$ 2,500.00	\$ 5,000.00
50	ADA Ramp-6 foot wide	SF	\$ 20.00	\$ 1,000.00
5	Street Sign w/ Post	EA	\$ 591.33	\$ 2,956.65
25	Sawcut Asphalt	LF	\$ 8.00	\$ 200.00
10	Curb & Gutter Removal	LF	\$ 25.00	\$ 250.00
15	Concrete Demo and Removal	SY	\$ 12.00	\$ 180.00
			SUBTOTAL	\$ 111,214.15
			30% CONTINGENCY	\$ 33,364.25
			SUBTOTAL	\$ 144,578.40
			INFLATION 4%/YEAR x 3 YEARS	\$ 18,052.64
			SUBTOTAL	\$ 162,631.03
			TOTAL	\$ 162,631.03

JOHNSON LANE SIDEWALK R/W EXHIBITS (SHEET 1 OF 2)

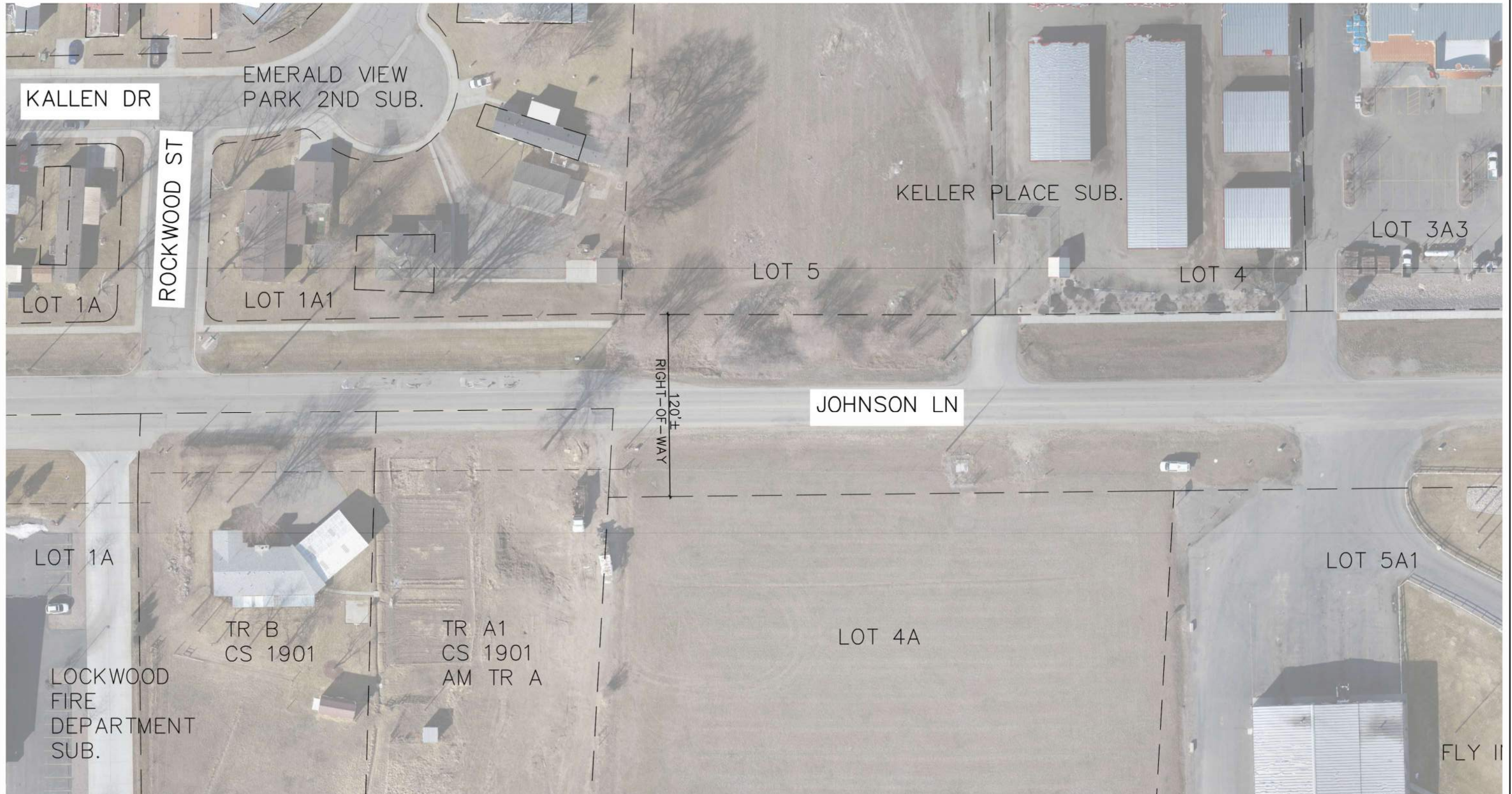
ROCKWOOD ST TO OLD HARDIN RD
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PREPARED FOR : YELLOWSTONE COUNTY, MONTANA

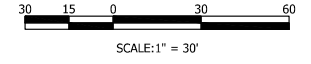
APRIL 2025

PREPARED BY : **sanbell**



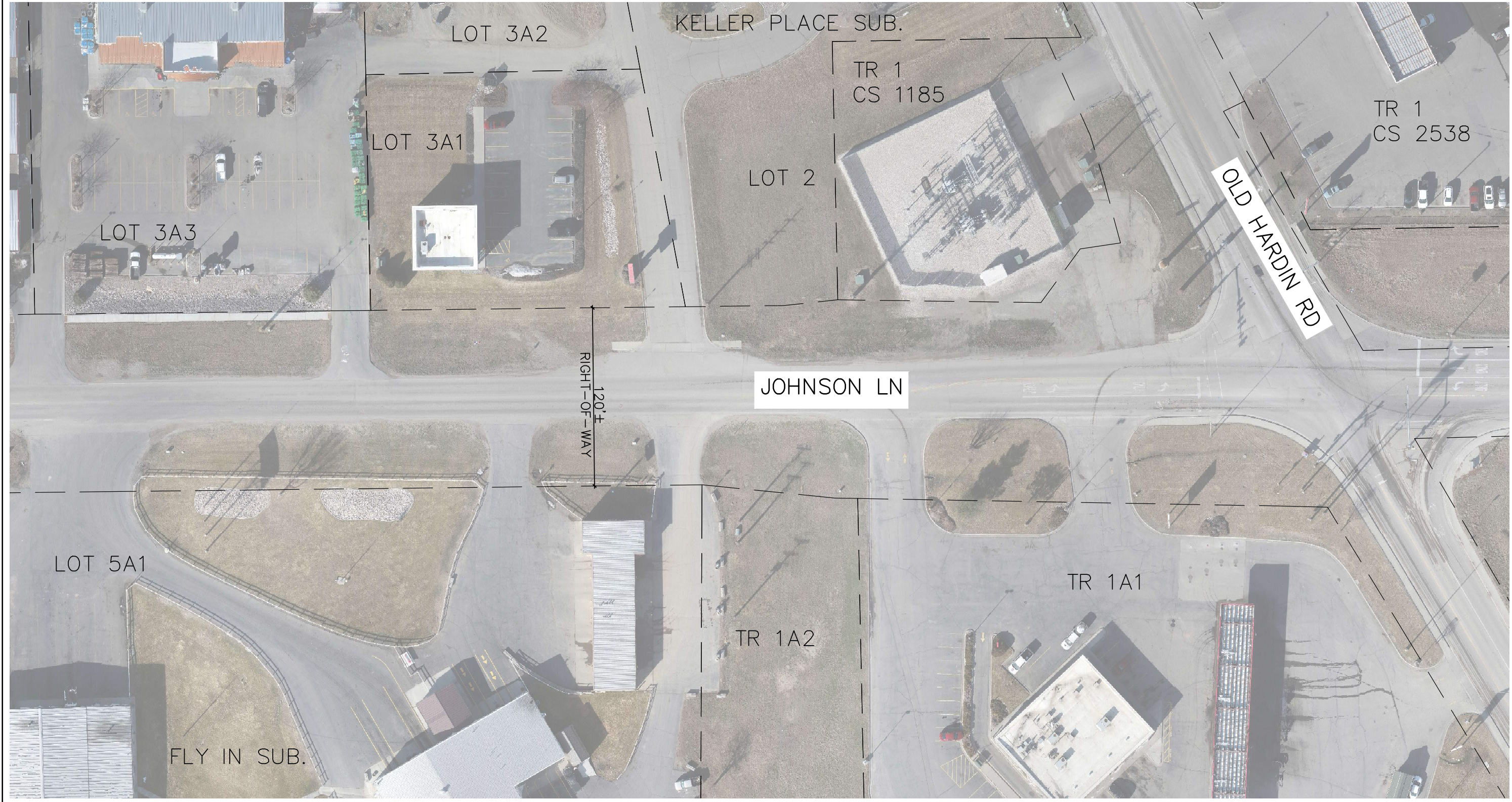
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ROCKWOOD ST TO OLD HARDIN RD
WITHIN
YELLOWSTONE COUNTY



PREPARED FOR : YELLOWSTONE COUNTY, MONTANA
PREPARED BY : **sanbell**

APRIL 2025
BILLINGS, MONTANA





Billings Metropolitan Planning Organization (MPO)
 Transportation Alternatives (TA) Program
 2025 Project Application

Review the **instructions** prior to filling out this application for a Capital Improvement Project. Fill in all the sections and do not leave any blank.

1. Project Name:

2. Project Sponsor:

3. Project Contact:

Mac Fogelsong, PE

City Engineer, City of Billings, 316 North 26th, 5th Floor, Billings MT 59101

fogelsongm@billingsmt.gov; 406-657-8232

4. Project Cost Estimate

	Total Cost of Phase	Federal/State Funds Share (TA) 86.58%	Local Matching Funds 13.42%	Additional Contribution
Preliminary Engineering (PE)	\$163,046.39	\$141,165.56	\$21,880.82	
PE Local (100%)	\$163,046.39	\$141,165.56	\$21,880.82	
Construction (CN)	\$1,220,553.25	\$1,056,755.00	\$163,798.25	
Construction Engineering (CE)	\$108,697.59	\$94,110.37	\$14,587.22	
CE Local (100%)	\$108,697.59	\$94,110.37	\$14,587.22	
Right-of-Way (RW)	\$0.00	\$0.00	\$0.00	
RW Local	\$0.00	\$0.00	\$0.00	

	Total Cost of Phase	Federal/State Funds Share (TA) 86.58%	Local Matching Funds 13.42%	Additional Contribution
Incidental Construction (Utility involvement) (IC)	\$0.00	\$0.00	\$0.00	
Total	\$1,492,297.23	\$1,292,030.94	\$200,266.29	

As a reminder, the cost split between Federal Share TA and Matching funds is 86.58% Federal Share TA and 13.42% Match

5. Project Administration: Please provide information regarding which entity is proposed to administer the project. Is this project going to be administered as a local (LAG) project or are you requesting MDT to administer the project. If requesting MDT administration, please explain.

The City of Billings will administer the project as a local (LAG) project, through the Engineering Division.

6. Description of Project (10 points):

The 2025 Safe Routes to School TA application will complete high priority projects from a large list of remaining Safe Routes to school projects totaling about \$25,000,000. This funding would accelerate the completion of the projects that are first and foremost safety-based for school children and pedestrians.

Seven project focus areas are proposed that are recommended in the Safe Routes to School Plans, Phase I and Phase II:

- Jackson Street Pedestrian Crossings and Curb Extensions (Bulb-outs)
- Riverside School Zone Improvements
- South Billings Boulevard School Crossing and Pedestrian Refuge Island
- Governors Boulevard Intersection Improvements for Castlerock School
- Central Avenue and 24th Street West--High Visibility Crossing and Leading Pedestrian Interval
- Parkhill Drive and 17th Street--High Visibility Crossing
- Poly Drive and Hoover Avenue Pedestrian Crossing--RRFB and Curb Extensions

These projects are in close proximity and benefit Newman Elementary School, Riverside Middle School, Castlerock Middle School, Mount Olive Lutheran School/Billings West High School, and Rose Park Elementary School.

The project locations were identified in the Safe Routes to School Plans, Phase I and Phase II and are shown in the appendix. A letter of support is provided from School District #2 in the appendix.

The project improvements are substantially surface type improvements, requiring minimal underground excavation and do not require additional right-of-way. These projects will not impact driveways or parking lots or negatively impact existing storm drainage systems.

7. Project Eligibility:

The proposed project is eligible for Transportation Alternatives and strongly meets several categories:

- 1) Category b. Construction, planning, and design of infrastructure-related projects and systems that provide safe routes for non-drivers, including children, older adults, and individuals with disabilities to access daily needs.
- 2) Category f. Safe Routes to School Projects. Projects must be identified in a locally, adopted Safe Routes to School Plan.
- 3) The safe routes to school program under section 1404 of the SAFETEA-LU. A. Infrastructure-related projects.-planning, design, and construction of infrastructure-related projects on any public road or any bicycle or pedestrian pathway or trail in the vicinity of schools that will substantially improve the ability of students to walk and bicycle to school, including sidewalk improvements, traffic calming and speed reduction improvements, pedestrian and bicycle crossing improvements, on-street bicycle facilities, off-street bicycle and pedestrian facilities, secure bicycle parking facilities, and traffic diversion improvements in the vicinity of schools.

The project areas discussed in this application are all recommended projects from the 2021 and 2022 Safe Routes to School Plans, Phase I and II that were locally adopted by the MPO and the Billings City Council.

8. Project Benefits (45 points):

a. Safety

The project addresses safety concerns raised in the Safe Routes to School Plans, Phase I and Phase II by implementing the recommended projects therein. The project locations utilize tools and design elements that promote safety by improving the physical and visual environment.

The techniques and design elements used to improve safety are the following:

- Creation of a school zone with reduced speed and additional awareness through flashing school zone. The reduced speed and associated signage alerts drivers that there will be students walking and biking in the area.
- Leading Pedestrian Intervals (LPI)—allows pedestrians time to cross the street ahead of traffic, especially turning vehicles, by allowing increased visibility
- Pedestrian Refuge—reduces crossing lengths and allows more visibility of pedestrians. Allows pedestrians to use gaps in traffic by crossing only one direction of traffic. Also creates a visual notice of the crossing and slows traffic speeds by narrowing the traveled way
- Increased level of Striping—High visibility striping at crossings creates improved awareness of crossings
- Curb Extensions (bulb-outs)—Curb extensions shorten pedestrian crossing distances and allow pedestrians to more easily be seen prior to crossing the street
- Rectangular Rapid Flashing Beacons—Makes presence of pedestrian know to drivers

b. Accessibility

The project improves accessibility from an ADA standpoint, but also from accessibility and comfort level of pedestrians and bicyclists, particularly school children going to and from school. Many of the street crossing improvements improve accessibility by adding ADA ramps where none exist today (e.g. Morgan Avenue, Orell Drive, Vaughn Lane, Poly Drive/Hoover Avenue). The benefits of the safety elements discussed in section b. apply to all persons with disabilities as well. All the improvements will be constructed to ADA and PROWAG guidelines.

c. Connectivity

One of the primary benefits of the project is connectivity through better connecting routes to school. A primary goal of the SRTS is to promote safety within a certain radius of the school –these projects promote connectivity within those spheres used by school-aged children walking and biking to those elementary and middle schools. The proposed project elements clearly make the connections from the student’s place of residence to school more direct, safe and noticeable. Inherently, the project elements also improve connections across existing streets for other pedestrians and bicyclists as well.

9. Project Risk Analysis (45 points):

a. Budget

The project budget was developed for each project element and location using recent construction costs at a conceptual planning level through staff experience with costs of Safe Routes to School type improvements. Further, these costs were compared with cost estimates proposed in the Safe Routes to School plans. Contingencies were applied for design and construction unknowns, and inflation of construction costs were added.

A detailed construction cost estimate is provided in the appendix.

b. Matching Funds

Local matching funds in the amount of 13.42% are proposed by the City Public Works Department and are included in the FY 2026 capital budget that requires approval by City Council in June 2025. Historically, these funds are allocated under a specific budget line for Safe Routes to School and have been approved by the City Council.

c. Project Ownership and Maintenance

The City of Billings is responsible for operation and maintenance of the project facilities through annual O&M funds, including sweeping and re-striping faded striping. The City has staff to maintain electrical components of the Leading Pedestrian Interval and Rectangular Rapid Flashing Beacons (RRFBs). The City has the necessary personnel, equipment and budget to maintain these facilities.

d. Project Right-of-Way and Railroad

The project elements will be constructed within existing right-of-way and there are no anticipated right-of-way needs. There are no significant challenging elements within the right-of-way. None of the project elements are involved with the railroad.

e. Project Utility Impacts

City staff has reviewed the project locations and there are minimal impacts to existing utilities with the proposed improvements. Most of the infrastructure are surface improvements and should not require any utility relocations. Any pedestrian push button poles, RRFB poles, or signs will be placed out of the way of existing utilities. During preliminary design and after surveying of existing utilities, the City will coordinate with various utility companies. At this conceptual stage, there are no apparent, critical utility impacts.

10. Appendix (add attachments): Letter of Support, Project Map, Construction Cost Estimate



March 31, 2025

Mac Fogelsong
City of Billings
316 North 26th Street
Billings, MT 59101

Reference: Letter of Support for 2025 Transportation Alternatives Grant Application.

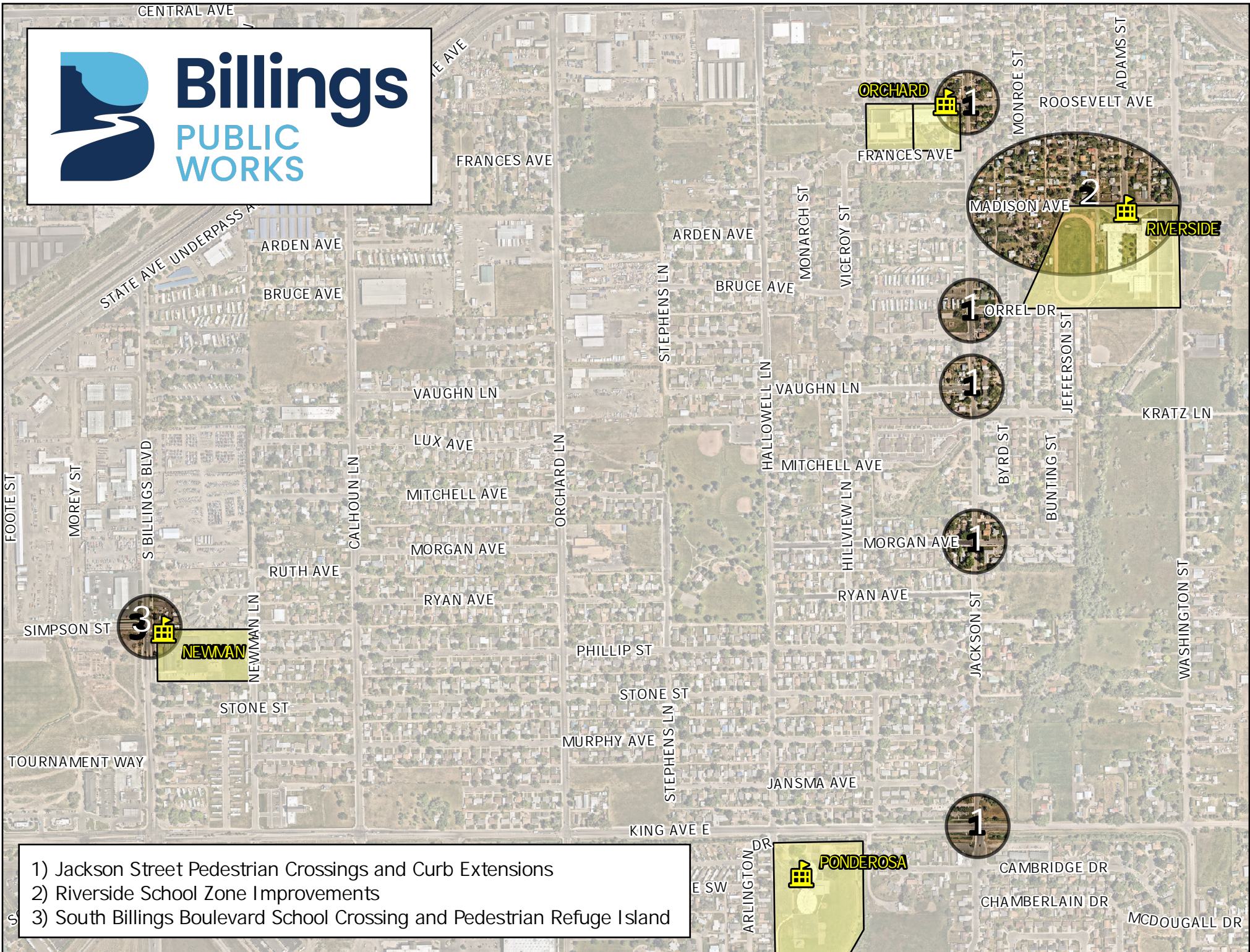
Dear Mac:

School District 2 is pleased to support the City of Billings in its Transportation Alternatives 2025 grant application. The grant application is exclusively focused on Safe Routes to School projects identified and prioritized from the Safe Routes to School Phase I and II plans.

We understand there are about seven main project areas serving elementary and middle schools based on priorities identified in the plans. As you know, we were a partner in developing those Safe Routes to School plans and look forward to seeing these projects implemented to improve the safety of school children getting to and from school.

Sincerely,

Scott Reiter
Executive Director of Facilities
Billings Public Schools
101 10th Street West
Billings, MT 59102



- 1) Jackson Street Pedestrian Crossings and Curb Extensions
- 2) Riverside School Zone Improvements
- 3) South Billings Boulevard School Crossing and Pedestrian Refuge Island

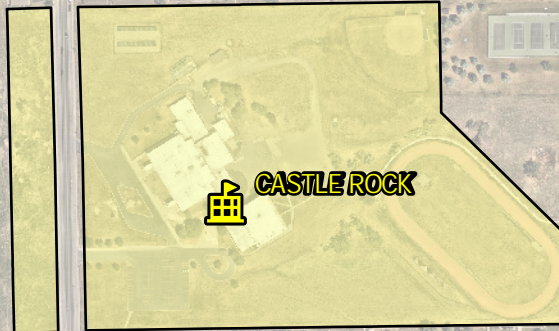


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CASTLE ROCK

GOVERNORS BLVD

PAUL REVERE ST

REVOLUTION AVE

REPUBLIC AVE

CENTENNIAL ST

TRENTON ST

FREEDOM AVE

VALLEY FORGE ST

KOOTENAI AVE

CONSTITUTION AVE

CALICO AVE

GINGER AVE

SENORA AVE

CAPRICORN PL

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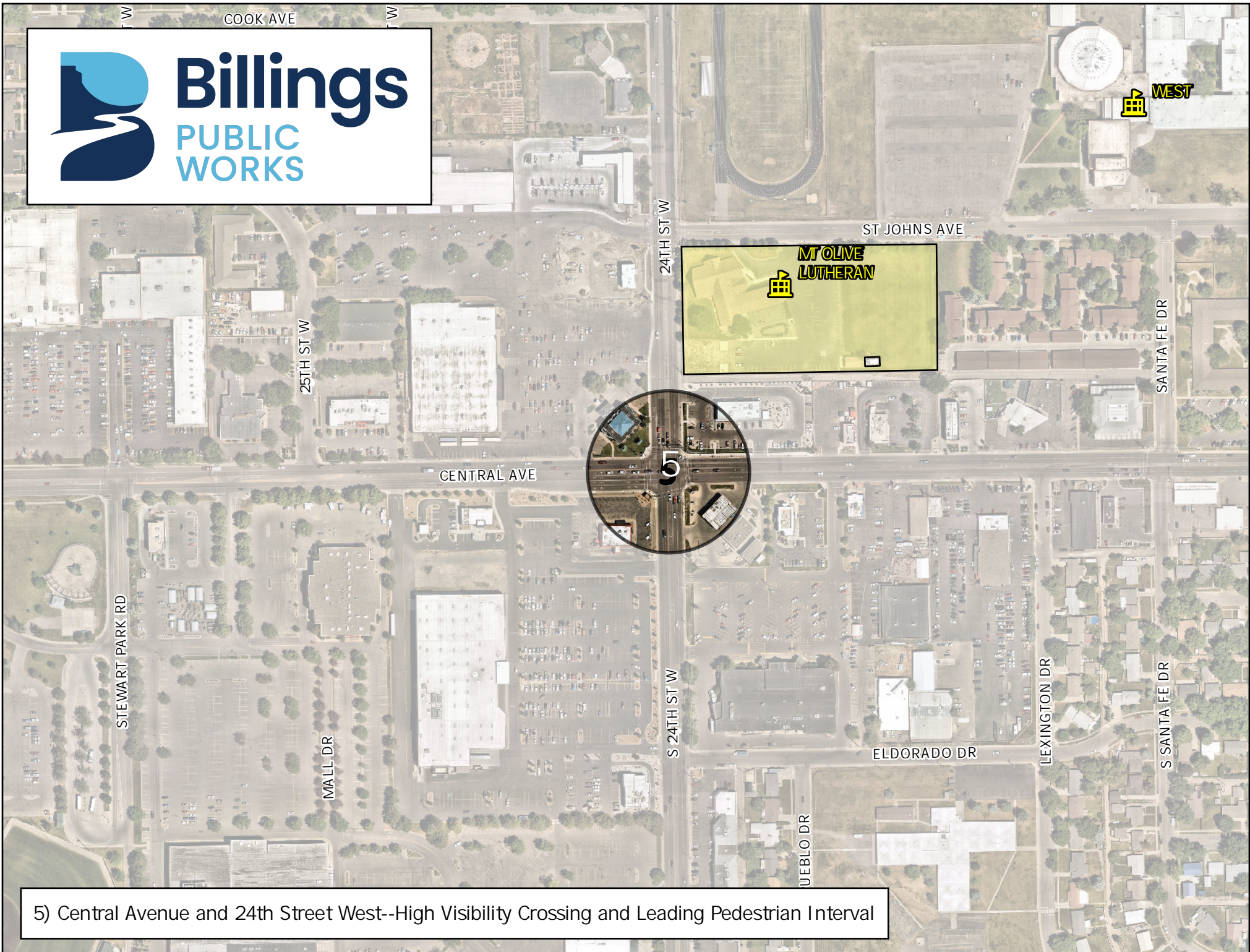


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4) Governors Boulevard Intersection Improvements for Castle Rock School



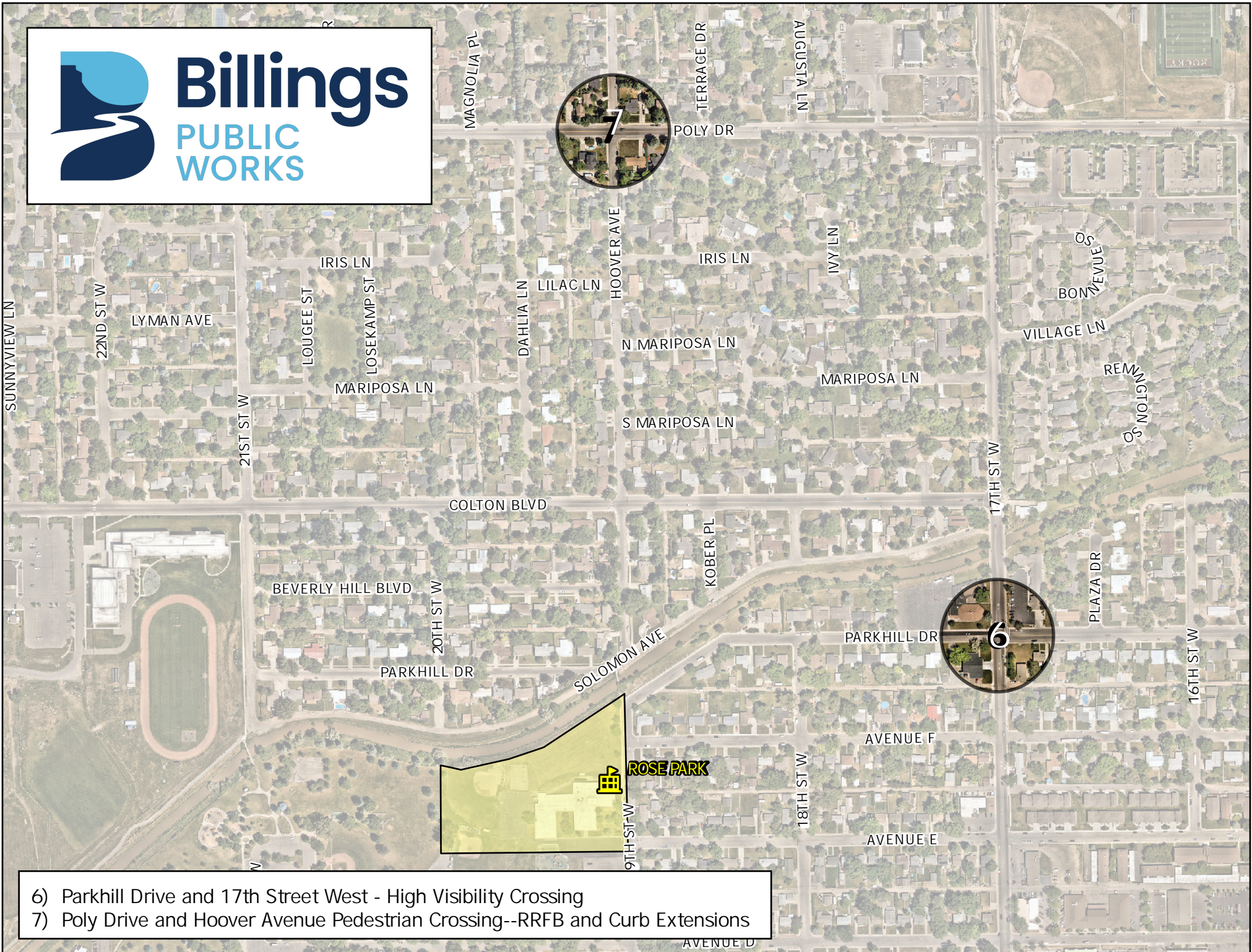
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5) Central Avenue and 24th Street West--High Visibility Crossing and Leading Pedestrian Interval



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- 6) Parkhill Drive and 17th Street West - High Visibility Crossing
- 7) Poly Drive and Hoover Avenue Pedestrian Crossing--RRFB and Curb Extensions

TA Grant Application Projects Summary Of Costs

1. Jackson Street	\$317,625.00
2. Riverside School Zone	\$283,250.00
3. South Billings Boulevard	\$67,100.00
4. Governors Boulevard	\$182,050.00
5. Central Ave & 24th Street West	\$34,100.00
6. Parkhill Drive and 17th Street West	\$23,100.00
7. Poly Drive and Hoover Avenue	\$118,450.00
Total Construction Estimate	\$1,025,675.00
15% Construction Contingency	\$153,851.25
Inflation Contingency (4%)	\$41,027.00
Total Construction Estimate, with Contingency	\$1,220,553.25

Engineering Design, Construction Observation, Staking, and Administration (20%)	\$244,110.65
MDT Indirect Cost (11.32% of Engineering & Construction Administration)	\$27,633.33
Total, Engineering Cost	\$271,743.98

Total Project Cost	\$1,492,297.23
Local Match (13.42%)	\$200,266.29
Federal Share (86.58%)	\$1,292,030.94

	Total Cost of Phase	Federal Share (86.58%)	Local match (13.42%)	Additional Contribution
Preliminary Engineering (PE)	\$163,046.39	\$141,165.56	\$21,880.82	\$0.00
PE Local (100%)	\$163,046.39	\$141,165.56	\$21,880.82	\$0.00
Construction (CN)	\$1,220,553.25	\$1,056,755.00	\$163,798.25	\$0.00
Construction Engineering (CE)	\$108,697.59	\$94,110.37	\$14,587.22	\$0.00
CE Local (100%)	\$108,697.59	\$94,110.37	\$14,587.22	\$0.00
Right of Way (RW)	\$0.00	\$0.00	\$0.00	\$0.00
Incidental Construction (Utility Involvement) (IC)	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$1,492,297.23	\$1,292,030.94	\$200,266.29	\$0.00

1. Jackson Street

Pedestrian Crossings, High Visibility Crosswalks, Curb Extensions

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$28,875.00	\$28,875.00
Construction Traffic Control	LS	1	\$15,000.00	\$15,000.00
Remove Existing Surface and Utility Features (Per Intersection)	EA	5	\$4,000.00	\$20,000.00
Curb Extension Including ADA Ramp, Per Corner (Assumes 50 LF New Curb, 200 SF New Concrete, 2 ADA Ramps, and 4 Truncated Dome Panels)	EA	24	\$6,500.00	\$156,000.00
Storm Drain or Drainage Improvements (Per Intersection)	EA	5	\$8,000.00	\$40,000.00
Pre-Formed Thermo (White) (Per Crosswalk)	EA	11	\$4,000.00	\$44,000.00
New Sign(s), Post, and Foundation	EA	22	\$625.00	\$13,750.00

Construction Estimate - Jackson Street Curb Extensions

\$317,625.00

2. Riverside School Zone
 Streets Surrounding Riverside Middle School

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$25,750.00	\$25,750.00
Construction Traffic Control	LS	1	\$15,000.00	\$15,000.00
Madison Ave Traffic Calming	LS	1	\$50,000.00	\$50,000.00
Washington Street Traffic Calming	LS	1	\$150,000.00	\$150,000.00
School Zone Flasher	EA	4	\$7,500.00	\$30,000.00
New Sign(s), Post, Foundation	EA	20	\$625.00	\$12,500.00
Construction Estimate - Riverside Middle School - School Zone				\$283,250.00

3. South Billings Boulevard
 School Crossing and Pedestrian Refuge Island

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$6,100.00	\$6,100.00
Construction Traffic Control	LS	1	\$15,000.00	\$15,000.00
Remove / Sawcut Existing Surface and Utility Features	LS	1	\$5,000.00	\$5,000.00
Concrete Median (Pedestrian Refuge Island) (Includes Type A Median Curb, 3-in Median Cap, ADA Ramps, Delineators, Concrete Patching)	LS	1	\$30,000.00	\$30,000.00
Relocate Existing RRFB Assembly	EA	2	\$1,500.00	\$3,000.00
Pre-Formed Thermo (White) (Per Crosswalk)	EA	2	\$4,000.00	\$8,000.00
Construction Estimate - South Billings Boulevard				\$67,100.00

4. Governors Boulevard
 Intersection Improvements for Castlerock Middle School

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$16,550.00	\$16,550.00
Construction Traffic Control	LS	1	\$20,000.00	\$20,000.00
Remove / Sawcut Existing Surface and Utility Features (Per Intersection)	EA	3	\$5,000.00	\$15,000.00
Curb and Gutter	LF	900	\$30.00	\$27,000.00
Asphalt Restoration	SY	800	\$50.00	\$40,000.00
6-inch Concrete	SF	1,500	\$15.00	\$22,500.00
4-inch Concrete	SF	1,000	\$12.00	\$12,000.00
Landscape Restoration	LS	1	\$5,000.00	\$5,000.00
Pre-Formed Thermo (White) (Per Crosswalk)	EA	4	\$6,000.00	\$24,000.00
Construction Estimate - Governors Boulevard				\$182,050.00

5. Central Ave & 24th Street West
High Visibility Crossing and Leading Pedestrian Interval

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$3,100.00	\$3,100.00
Construction Traffic Control	LS	1	\$2,000.00	\$2,000.00
Obliterate Existing Striping	LS	1	\$5,000.00	\$5,000.00
Pre-Formed Thermo (White) (Per Crosswalk)	EA	4	\$6,000.00	\$24,000.00
Construction Estimate - Central Ave & 24th Street West				\$34,100.00

6. Parkhill Drive and 17th Street West
 Pedestrian Crossing Enhancements

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$2,100.00	\$2,100.00
Construction Traffic Control	LS	1	\$1,000.00	\$1,000.00
Obliterate Existing Striping	LS	1	\$4,000.00	\$4,000.00
Pre-Formed Thermo (White) (Per Crosswalk)	EA	4	\$4,000.00	\$16,000.00
Construction Estimate - Parkhill Drive and 17th Street West				\$23,100.00

7. Poly Drive and Hoover Avenue
 Pedestrian Crossing Enhancements

	Unit	Qty	Unit Cost	Total Cost
General Requirements (Taxes, Bonds, Mob, etc.)	LS	1	\$8,950.00	\$8,950.00
Construction Traffic Control	LS	1	\$5,000.00	\$5,000.00
Remove / Sawcut Existing Surface and Utility Features	LS	1	\$10,000.00	\$10,000.00
Curb and Gutter	LF	300	\$30.00	\$9,000.00
Asphalt Restoration	SY	200	\$50.00	\$10,000.00
6-inch Concrete	SF	700	\$15.00	\$10,500.00
4-inch Concrete	SF	2,000	\$12.00	\$24,000.00
Landscape Restoration	LS	1	\$5,000.00	\$5,000.00
Pre-Formed Thermo (White) (Per Crosswalk)	EA	4	\$4,000.00	\$16,000.00
Intersection Lighting	LS	1	\$20,000.00	\$20,000.00
Construction Estimate - Poly Drive and Hoover Avenue				\$118,450.00

2025 Billings Metropolitan Planning Organization Transportation Alternatives Program Scoring/Recommendation

City Council
Work Session
July 7, 2025



Background

- Funding available for this round: \$1,784,111
- Eligible Applicants: City, County, Tribal. Non-profits may not apply as primary, must have local government sponsor
- TAC voted to delay action on the applications. Public hearing was already scheduled, so staff is requesting that the Planning Board:
 - receive the presentation
 - open the public hearing
 - receive any public comment
 - close the hearing.



TAP Process

- Grant process – Local review with project recommendation to MDT for programming
- Default is for the local entity to administer the project under the MDT LAG (Local Agency Guidelines) program
- All projects must include a local match of 13.42%. Instructions on developing the budget were included in the TA Instructions



TAP Application/Evaluation Scoring

100 Total Points:

Category	Points Available
TA Eligible	Yes/No
Local Sponsor	Yes/No
Project Description	0-10
Project Benefits	0-45
Project Risk Analysis	0-45

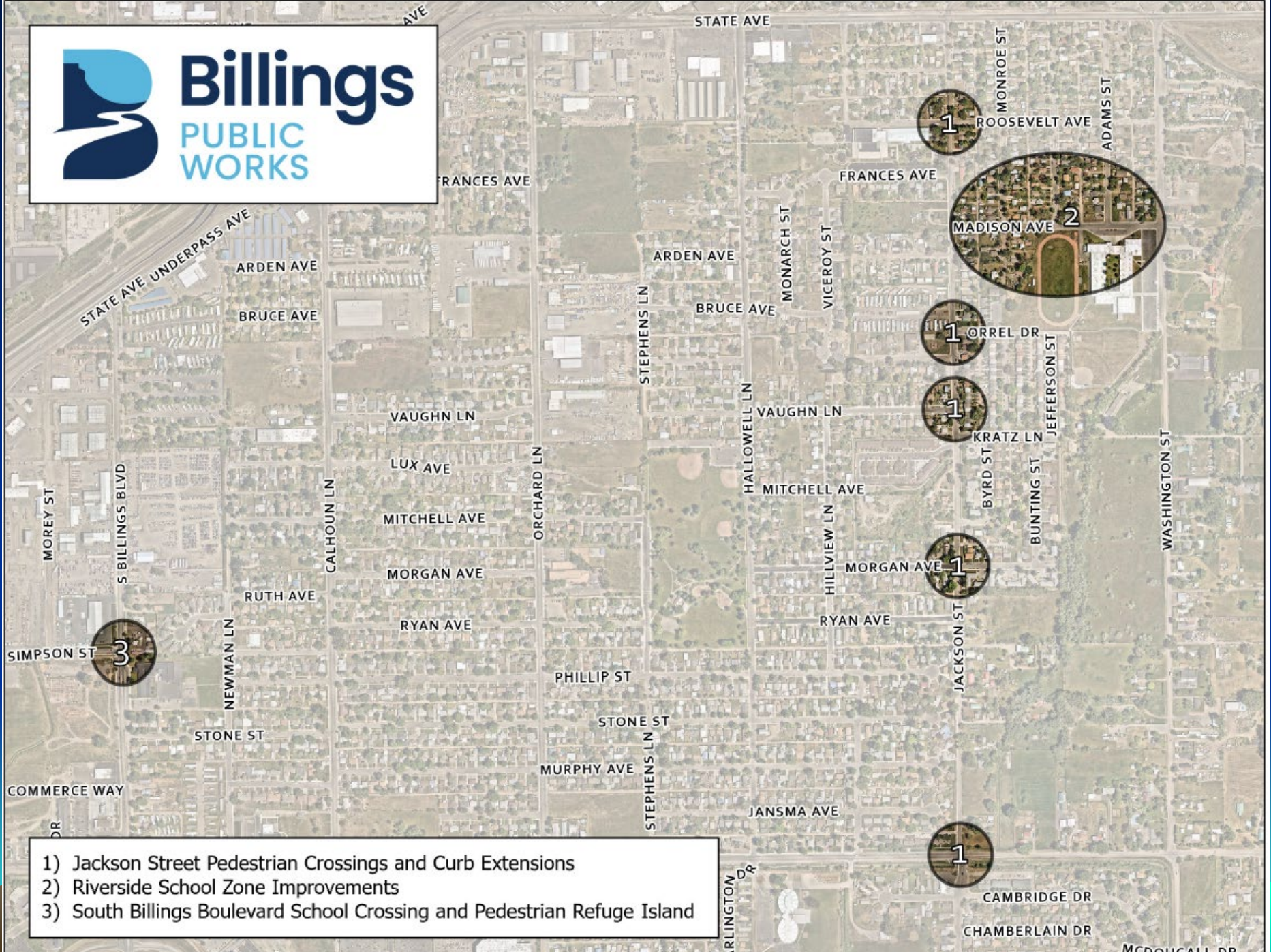
2025 Projects Submitted

- City of Billings: City of Billings Safe Routes to School 2025 TA
- Project description: Seven project focus areas that are recommended in the Safe Routes to School Plans, Phase I and Phase II:
 - Jackson Street Pedestrian Crossings and Curb Extensions (Bulb-outs)
 - Riverside School Zone Improvements
 - South Billings Boulevard School Crossing and Pedestrian Refuge Island
 - Governors Boulevard Intersection Improvements for Castlerock School
 - Central Avenue and 24th Street West--High Visibility Crossing and Leading Pedestrian Interval
 - Parkhill Drive and 17th Street--High Visibility Crossing
 - Poly Drive and Hoover Avenue Pedestrian Crossing--RRFB and Curb Extensions
- Total Project Cost: \$1,492,297.23
 - Federal TA Request: \$1,292,030.94
 - Local Matching Funds: \$200,266.29





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- 1) Jackson Street Pedestrian Crossings and Curb Extensions
- 2) Riverside School Zone Improvements
- 3) South Billings Boulevard School Crossing and Pedestrian Refuge Island



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LAKEHILLS DR

NUTTER BLVD

GOVERNORS BLVD

PAUL REVERE ST

REVOLUTION AVE

VALLEY FORGE ST

REPUBLIC AVE

CENTENNIAL ST

TRENTON ST

FREEDOM AVE

DECLARATION AVE

KOOTENAI AVE

CONSTITUTION AVE

CALICO AVE

GINGER AVE

SENORA AVE

CARRICORN PL

PATRIOT ST

MINUTEMAN ST

YORKTOWN ST

BABCOCK BLVD

TOOLE CT



AQUARIUS PL

STARS BLVD

NEPTUNE BLVD



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4) Governors Boulevard Intersection Improvements for Castlerock School



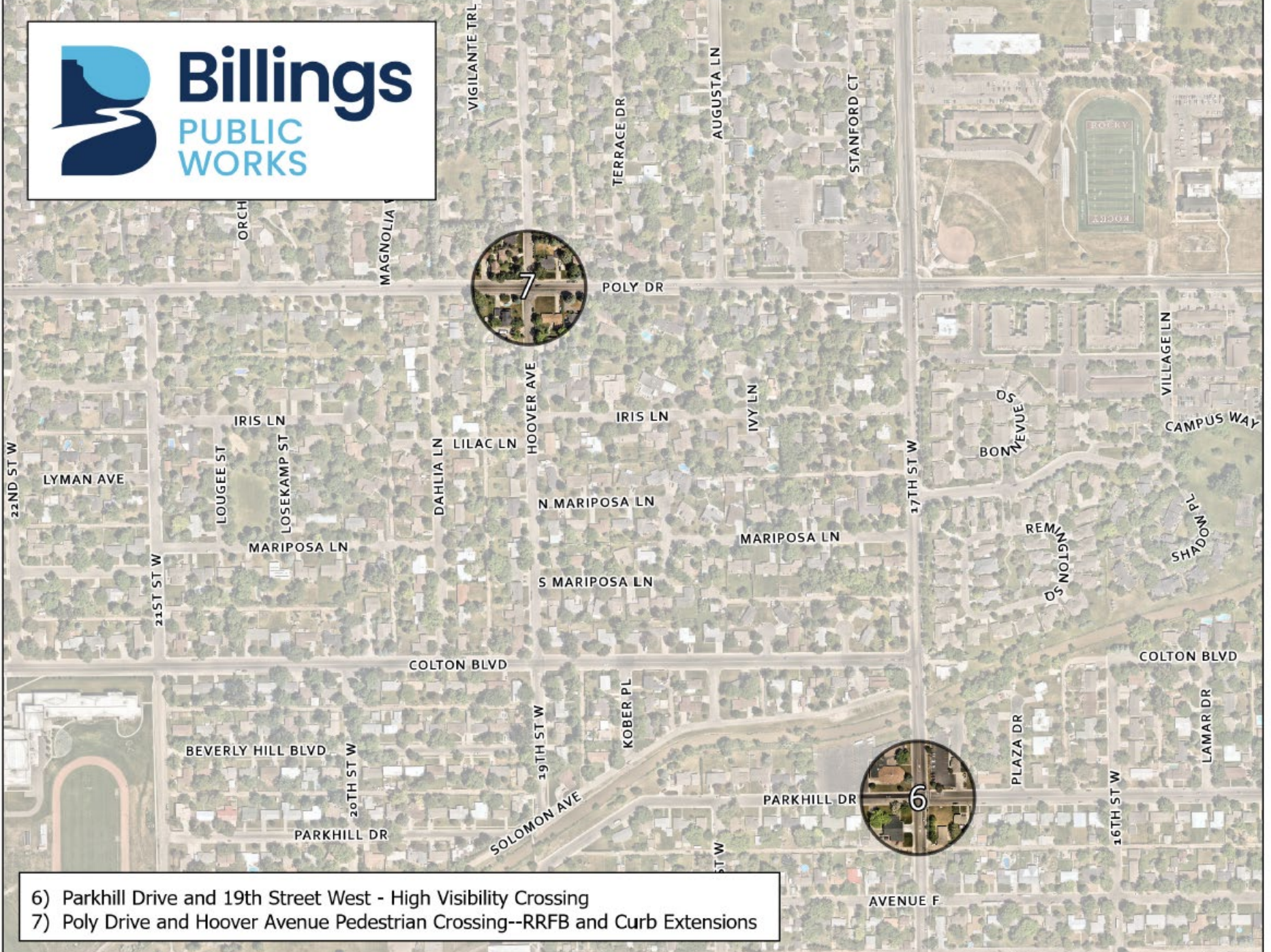
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5) Central Avenue and 24th Street West--High Visibility Crossing and Leading Pedestrian Interval



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- 6) Parkhill Drive and 19th Street West - High Visibility Crossing
- 7) Poly Drive and Hoover Avenue Pedestrian Crossing--RRFB and Curb Extensions

2025 Projects Submitted

- Yellowstone County (Lockwood Pedestrian Safety District): Johnson Lane Sidewalk Connector Project
- Project description: Two sidewalk gaps of approximately 500 feet of sidewalk on Johnson Lane from Silverton Street to Old Hardin Road
- Total Project Cost: \$250,660.00
 - Federal TA Request: \$217,021.43
 - Local Matching Funds: \$33,63857



JOHNSON LANE SIDEWALK CONCEPTUAL DESIGN (SHEET 1 OF 2)

ROCKWOOD ST TO OLD HARDIN RD
WITHIN
YELLOWSTONE COUNTY



PREPARED FOR : YELLOWSTONE COUNTY, MONTANA
PREPARED BY : **sanbell**

APRIL 2025
BILLINGS, MONTANA

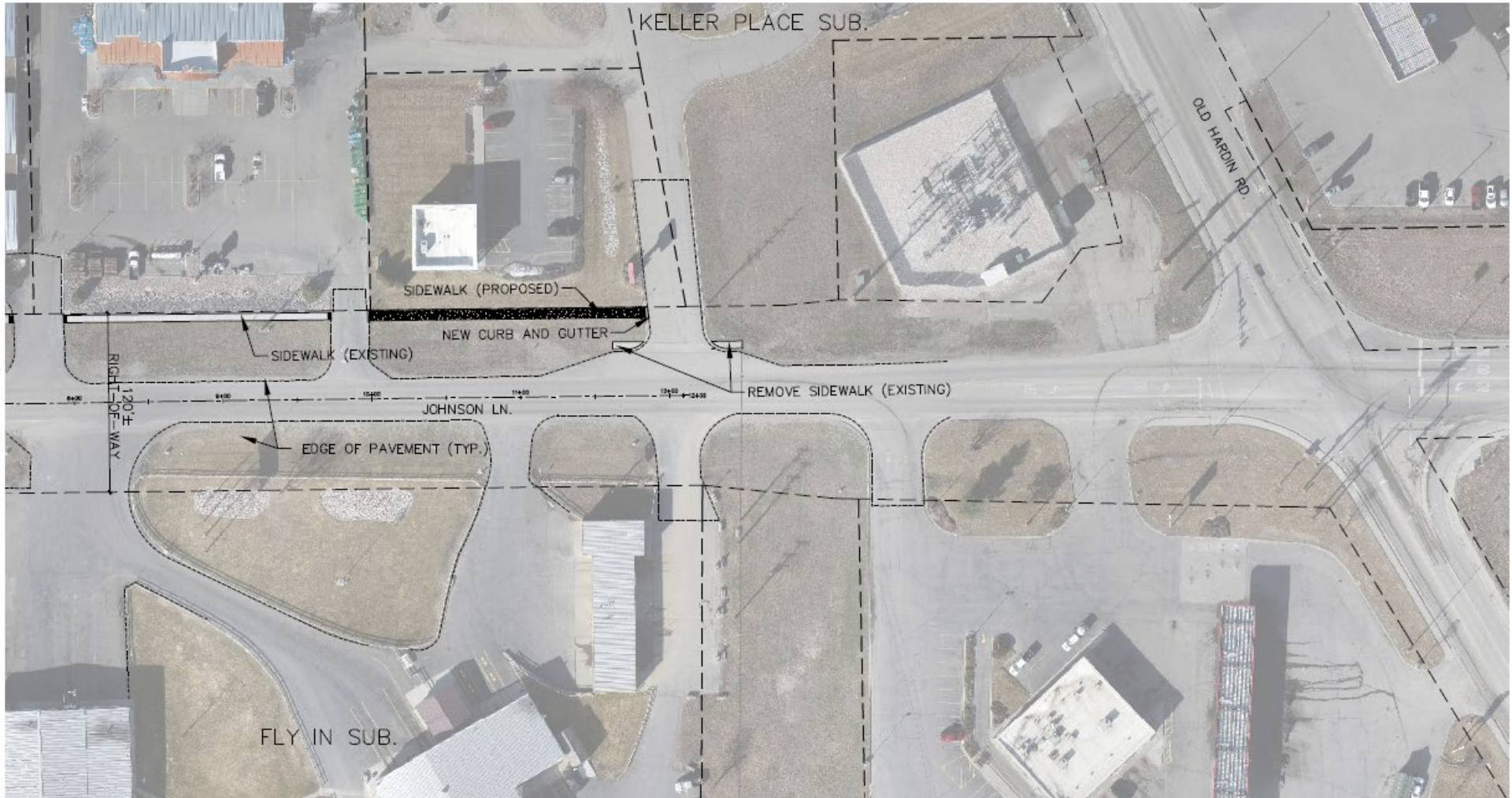


JOHNSON LANE SIDEWALK CONCEPTUAL DESIGN (SHEET 2 OF 2)

ROCKWOOD ST TO OLD HARDIN RD
WITHIN
YELLOWSTONE COUNTY

PREPARED FOR : YELLOWSTONE COUNTY, MONTANA
PREPARED BY : **sanbell**

APRIL 2025
BILLINGS, MONTANA



Recommendations

- Both the Technical Advisory Committee (TAC) and Planning Board have recommended full funding for these projects
- At the 7/14/25 meeting, staff will ask the City Council to forward a recommendation on the applications to the Policy Coordinating Committee (PCC)



City Council Work Session

Date: 07/07/2025
Title: City Public Art Policy Review
Presented by: Elyse Monat
Department: Planning & Community Services
Presentation: Yes
Legal Review: Yes
Project Number: N/A

RECOMMENDATION

Staff recommends the Council receive the presentation on the proposed City Public Art Policy and provide feedback on the policy. Staff plans to bring the policy back for approval at a regular business meeting following this Work Session review.

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

Public art is growing in popularity in Billings. In 2023-2024, the Mobilize the MAGIC City project implemented three public art installations in Billings, with the goal of using the knowledge gained during the process to evaluate the feasibility of a public art policy/committee for the City of Billings. During the process, staff discovered there was a public art policy for the City of Billings that was not being implemented. Further, there was documentation that those involved in implementing the policy, the only time it was utilized, recommended repealing the policy due to its lack of clarity and the excessive burden of implementation. In 2023, City Council repealed the policy but directed staff to develop a replacement policy. This experience, combined with the experience during the Mobilize the MAGIC City process, showed a clear need for a public art policy for the City.

While the Planning Division led the effort along with community partners, many staff members from across the City participated in developing this policy. Planning staff engaged department heads and other relevant staff members with a survey early in the process and then sent out drafts of the policy for review. As needed, Planning staff and community partners also held discussions with individual departments to understand their specific needs and concerns. The Parks Board, the Library, Public Works, MET Transit, the Airport, and Facilities engaged in direct conversations about the policy. Gina Dahl, City Attorney, also did an extensive review of several drafts of the policy. Staff also met with City Administrator Chris Kukulski to discuss the draft policy. After extensive internal discussions, Planning and its community partners brought the policy to the City Council's Legislative and Local Affairs Committee on January 8, 2025. The Legislative and Local Affairs Committee was comfortable enough with the draft policy that it directed staff to bring it to the larger Council for a discussion. With the 2025 Legislature in session and the work on the FY26 Budget, the policy was not able to be scheduled until tonight. In addition to these City stakeholders and national experts from the National Endowment for the Arts reviewed the policy and gave feedback. Local experts, including artists, staff from Big Sky Economic Development (BSED), the Billings Community Foundation, and more participated in discussions about the draft policy. The 30+ member Mobilize the MAGIC City advisory committee also participated in early discussions about the development of the policy.

The clear need for a public art policy was recently demonstrated when the Billings Industrial Revitalization District (BIRD) approached City staff about placing a mural on the 21st St. underpass. There was no clear place to take this request, and staff had to attempt to come up with a process on the fly which was time-consuming for both the Public Works and Planning directors (this mural project has yet to be approved as BNSF owns the underpass structure which further adds to the complexity of the process). Additionally, the Parks Board, which is currently reviewing public art in Parks, has expressed the need for a body with experience in evaluating art to help with the art review process.

The goal of the public art policy is to make the process straightforward for applicants while providing guidelines to protect the City. The policy will only apply to art installed on City-owned property outside. The Draft Policy only applies to physical art installations and not events.

Process of Review

Under the proposed policy, applicants will submit an application to the Planning Division who will process the application.

- Similar to a land use application, Planning staff will invite relevant City staff to a departmental review meeting with the applicant.

- During this review meeting, staff will give feedback on the application and help the applicant make any needed adjustments.
- Art pieces will be reviewed for compliance with the public art policy as well as all other City codes, resolutions, and ordinances. While staff should document attempts to work with the applicant to bring the art piece into compliance, it may not be possible to advance all proposed art projects if they violate city, state, or federal codes, regulations, resolutions, or ordinances, or result in a safety issue that cannot be resolved.
- At this point, staff would also choose not to advance any art that takes away potential revenue sources for the City, such as advertising space on a bus.

If the piece advances from the staff review, it will proceed to a Public Art Committee for review. The policy proposes that the Public Art Committee be composed of the following members:

1. One artist at large.
2. One representative from the economic or community development field.
3. One representative referred by the Billings Arts Association.
4. One representative referred by the Native American Development Corporation.
5. One representative from the engineering, architecture, landscape architect, or three-dimensional art field.
6. Two members of the public that have an interest in public art.

The Public Art Committee will review art pieces based on how well they adhere to the following principles:

1. The project will have a positive impact in the Billings community.
2. The project is accessible to the community and connected to its surroundings.
3. The project enhances the beauty and/or comfort of its location.
4. The project activates a place to make it more engaging.
5. The project brings people together or encourages people to gather and linger.
6. The project has artistic merit.

Additionally, the policy prohibits art that does any of the following, for which the Public Art Committee will also review:

1. Defames, denigrates, or invades the rights of any person living or dead.
 2. Could be construed as harmful to a third party, including but not limited to illegal activity or pornographic images or images depicting alcohol, tobacco or drug use or unnecessary violence.
 3. Depicts living political figures
 4. Depicts false, misleading, or deceptive material
 5. Contains speech that is objectional under contemporary community standards as to be reasonably foreseeable that it will result in harm to, disruption of, or interference with the primary purpose of the Public Property.
 6. Contains art that is demeaning, derogatory, or has an exclusionary reference to any group based on race, religion, sex, gender identity, ethnicity, ability level, national origin, or other category.
 7. Promotes messages appearing to advertise or promote a product or private entity (corporation, neighborhood business, or other community organization). This is considered a sign and will be reviewed under the City of Billings sign code.
 8. Images that create a driver distraction or could be confused with traffic signs.
 9. Desecrates significant cultural symbols
- Additionally, if the proposed artwork includes religious subject matter, the artwork must be able to be displayed in such a manner that the work is not revered and is solely for the purpose of exhibiting cultural or historical traditions.
 - If the Public Art Committee approves the art, the applicant will be able to proceed with installation at their own expense. If the art is not approved, the applicant may appeal to the City Council if desired.
 - The Public Art Committee will give a presentation at least once a year to the City Council on the art pieces approved. Their presentation will include feedback on the policy and suggest relevant updates to the policy as needed.
 - City Legal has determined that to the extent that any art is placed and displayed on Public Property, it is not intended to communicate a message to the public on behalf of any artist, individual, or entity. Therefore, any message conveyed intentionally or unintentionally by the City of Billings or inferred by the public constitutes governmental speech to which the strictures of the First Amendment do not apply.
 - The policy also states that applicants must provide 10% of the implementation cost of the art piece to the city to be saved in a fund for minor repair to the art piece or removal of the art piece. If the piece is significantly damaged or becomes a threat to public safety, City staff may remove the art piece.

Exclusions

- The airport property in its entirety is excluded from this policy due to security and federal regulations.
- Any art within the right-of-way that involves painting, marking, or writing will comply with Resolution 21-11015.

STAKEHOLDERS

Adoption of a Public Art Policy for the City of Billings benefits the entire community. It provides a consistent, fair and thorough process for the City to evaluate and approve art in its outdoor public spaces. Adding art to City spaces makes the community more attractive, demonstrates an openness and interest in educating and sharing opportunities for local, state, regional and national artwork with residents and visitors.

ALTERNATIVES

Staff requests that the City Council provide feedback on the proposed public art policy and either:

- Recommend staff bring the policy for approval as a consent agenda item, with or without changes
- Recommend staff bring the policy for approval as a regular agenda item, with or without changes
- Recommend staff not advance the draft public art policy

FISCAL EFFECTS

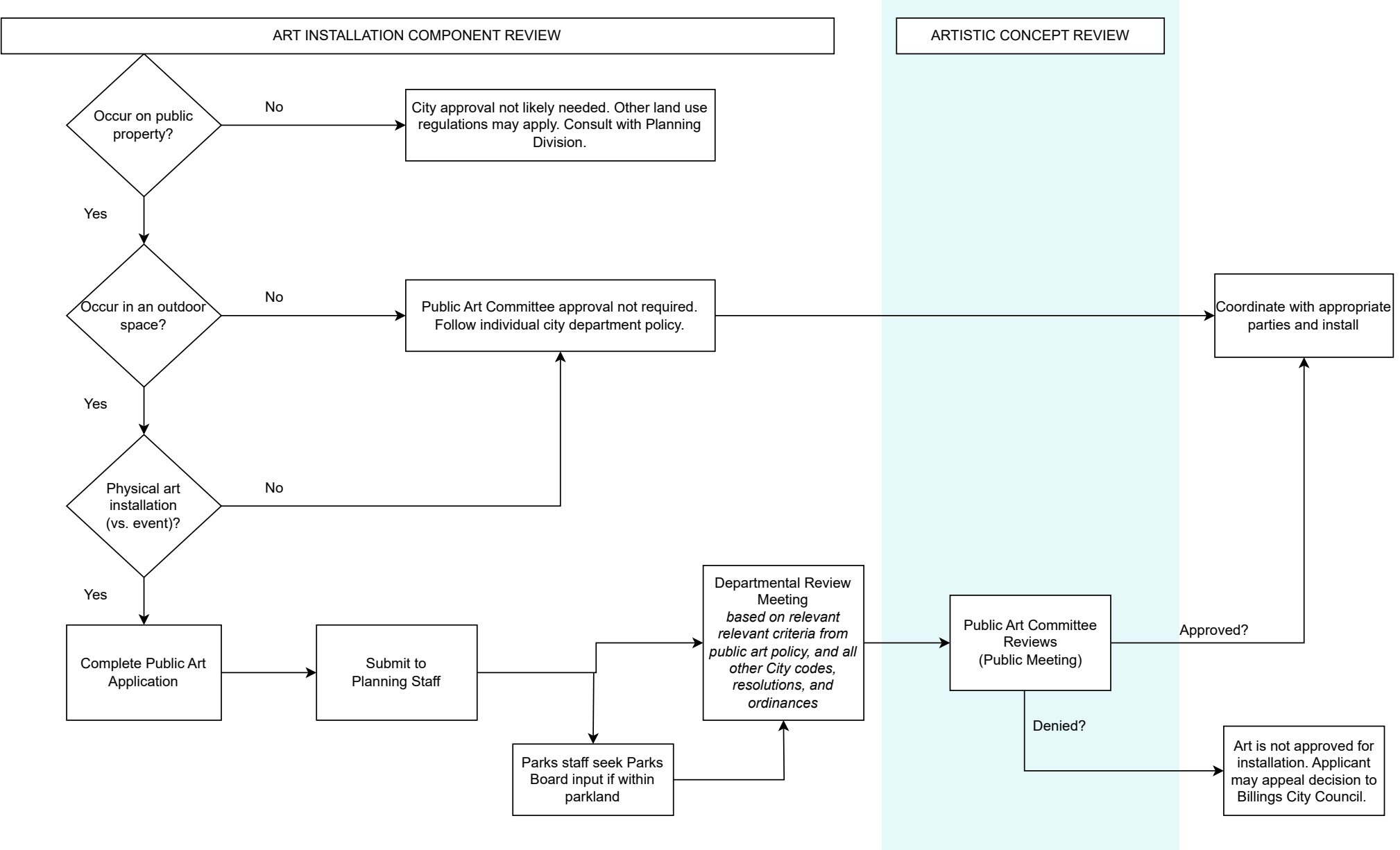
The policy's implementation and the Public Art Committee will be managed by the Neighborhood Planner. This position is already funded. While it may take staff some additional time to review public art proposals, it will be more streamlined than trying to individually figure out a process for each individual proposal.

The requirement for the applicant to donate 10% of the art piece's budget to a fund held by the City to provide needed funds for minor maintenance and removal of art when the piece reaches the end of its useful life.

Attachments

Draft Public Art Policy Process
Draft Public Art Policy
Draft Application
Draft Application Guide
Draft Appeal Form

DRAFT



RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF BILLINGS ESTABLISHING A PUBLIC ART POLICY
AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Billings is supportive of public art and the many benefits it provides to the community including neighborhood beautification, economic development, crime prevention, increased safety, community health, community pride, and inclusion.

WHEREAS, it is in the best interest of the citizens of the City of Billings that the City have a policy on the placement of public art on city property outdoors that is clear, concise, equitable, and as easy as possible to navigate.

WHEREAS, it is not the intention of this Resolution to create any public forum for the expression of speech and any placement of art pursuant to this Resolution shall be within the sole discretion of City Council.

WHEREAS, this policy will allow the public art committee to select and approve art according to City Council's wishes.

WHEREAS, this policy shall apply to any art commissioned by the City or donated, to the City.

WHEREAS, Section 22-101, BMCC, provides that is unlawful for any person, without the permission of the City Council, to paint, mark, or write any sign, letters or words with crayon, paint, or other material upon any sidewalk, curb, or pavement within the City of Billings. This Resolution is intended to provide Council's consent in situations that comply with all City regulations, resolutions, ordinances, the policy established by this Resolution and approved by the Public Art Committee.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Billings, that a public art policy is hereby adopted as follows:

SCOPE

This policy applies to all public art projects located, or proposed, on property owned or controlled by the City of Billings; this property will be referred to as "Public Property." These may be projects commissioned by the City, or art donated to the City. Public art may be created through a communal process, or in collaboration with the community to reflect the ideas and values of those for whom public art is created and to engage in creative problem solving.

PURPOSE

This policy establishes the basis on which public art projects are commissioned or approved. It seeks to establish the key criteria for informed, transparent and high-quality decision-making when approving or declining proposed public art projects which will

form a long-term aspect of the City's citizens' and visitors' experience and cultural enhancement.

POLICY

1. Any review of public art proposals will generally follow the process described in Attachment A. It is understood that the public art needs of the City of Billings may change resulting in an update to the process, which shall be approved by the City Council. However, minor changes, such as in staff or software used to process reviews, will not require a vote by City Council.
2. Public Art is defined as an original artwork which is visually or physically accessible to the public and which does not require a fee or other prerequisite to observe.
3. Public Art is inclusive of a variety of media, however, for the purpose of this policy, performance, music, and dance are not included.
4. This policy regulates Public Art placed on Public Property. This policy also regulates any Public Art placed on City owned property located on private property, for example City owned commercial garbage containers.
5. Public Art can be privately or publicly funded.
6. Public Art should:
 - i. connect to the community or community identity;
 - ii. create vibrant places for people to gather;
 - iii. be an intentional use of art or place making; and embody community aspirations, both past and present.
7. Public Art comes in many forms and may include, but is not limited to, the following:
 - i. Sculpture in the round, bas relief, mobiles, fountains, kinetic and electronic work.
 - ii. Paintings in all media, including oils and acrylics, that are portable or permanently affixed, such as murals.
 - iii. Graphic arts, such as printmaking, drawing and banners.
 - iv. Mosaics, including works executed in tile, glass, stone or other materials.
 - v. Works using clay, fiber and textiles, wood, metal, plastics, stained glass and other materials, both functional and ornamental.
 - vi. Photography, including digital and traditional photographic print media.
 - vii. Mixed media, which may include any combination of two- and three-dimensional forms of media, including collage.
 - viii. Earth works, environmental installations and environmental art.
 - ix. Ornamental or functional decorative elements designed by practicing artists or other persons submitting as artists, including design professionals who are not members of the City design team for the project.

- x. Portable art that may be displayed at locations other than a substantially permanent location or adjacent to the project site.
8. A seven-person Public Art Committee, consisting of the following representatives, is established. The members will be appointed by the Mayor with the consent of the City Council in accordance with BMCC Article 2-500.

The committee shall consist of the following representatives:

- a. One artist at large.
- b. One representative from the economic or community development field.
- c. One representative referred by the Billings Arts Association.
- d. One representative referred by the Native American Development Corporation.
- e. One representative from the engineering, architecture, landscape architect, or three-dimensional art field.
- f. Two members of the public that have an interest in public art.

Members of historically underrepresented groups are encouraged to apply.

Three of the founding members of this committee will be assigned three-year terms; the other four will be assigned four-year terms. All subsequent members will be assigned four-year terms as required by BMCC Article 2-500.

Members of the Public Arts Committee shall be residents of the City of Billings and meet the minimum qualifications set forth in BMCC Article 2-501.1.

Public Art Committee members serve at the pleasure of the City of Billings City Council and may be removed as set forth in BMCC Article 2-500.

The public art committee will be formed and operational within 6 months of the signing of this resolution.

9. The Public Art Committee, with input from staff, is responsible for making final decisions on approval or denial of Public Art pieces in outdoor spaces of Public Property consistent with this policy. Staff may not advance a project to the Public Art Committee if it violates applicable city, state or federal codes, regulations, resolutions or ordinances or results in a safety issue that cannot be resolved. Artwork placed on property that has been paid for with federal funds may be subject to additional review criteria prior to approval. Staff must document efforts to work with the artist(s)/community members to find mutually acceptable modifications to any project which does not meet minimum criteria, but it may not be possible to move all projects forward. Staff will determine the most appropriate location for the proposed artwork, should it be approved, before it goes to the public art committee.

10. The Public Art Committee will report to the City Council a minimum of once per year on projects approved in the past year. The Public Art Committee will also provide feedback on the implementation of this policy and shall suggest relevant updates to City Council.
11. The Public Art Committee will meet monthly but may cancel meetings due to a lack of applications to review.
12. Any proposed Public Art project requiring review under this policy must be submitted by the applicant to the City of Billings Planning Department. An example of the application is available in Attachment B. This application may be updated from time to time by city staff and will be available at the Planning Department.
13. Public Art will be reviewed on how well it adheres to the principles below.
 - a. The project will have a positive impact in the Billings community.
 - b. The project is accessible to the community and connected to its surroundings.
 - c. The project enhances the beauty and/or comfort of its location.
 - d. The project activates a place to make it more engaging.
 - e. The project brings people together or encourages people to gather and linger.
 - f. The project has artistic merit.
14. While free artistic expression must be encouraged, consideration must also be given to the appropriateness of artwork in the context of local community standards and values. For that reason, art that does the following is prohibited:
 - a. Defames, denigrates, or invades the rights of any person living or dead
 - b. Could be construed as harmful to a third party, including but not limited to illegal activity or pornographic images or images depicting alcohol, tobacco or drug use or unnecessary violence
 - c. Depicts living political figures
 - d. Depicts false, misleading, or deceptive material
 - e. Contains speech that is objectionable under contemporary community standards as to be reasonably foreseeable that it will result in harm to, disruption of, or interference with the primary purpose of the Public Property
 - f. Contains art that is demeaning, derogatory, or has an exclusionary reference to any group based on race, religion, sex, gender identity, ethnicity, ability level, national origin, or other category
 - g. Promotes messages appearing to advertise or promote a product or private entity (corporation, neighborhood business, or other community organization). This is considered a sign and will be reviewed under the City of Billings sign code.
 - h. Images that create a driver distraction or could be confused with traffic signs

- i. Desecrates significant cultural symbols

Additionally, if the proposed artwork includes religious subject matter, the artwork must be able to be displayed in such a manner that the work is not revered and is solely for the purpose of exhibiting cultural or historical traditions.

15. Whether to allow an artist to display their work lies solely within the discretion of the Public Art Committee in accordance with this Resolution. If the Public Art Committee is unable to make a decision, the application will be forwarded to City Council to determine whether the art will be displayed on Public Property.
16. Should an applicant disagree with the public art committee's determination, the applicant may appeal this decision by filing a written notice of appeal to Billings City Council within 30 days of the notice.
17. To the extent that any art is placed and displayed on Public Property, it is not intended to communicate a message to the public on behalf of any artist, individual, or entity. Therefore, any message conveyed intentionally or unintentionally by the City of Billings or inferred by the public constitutes governmental speech to which the strictures of the First Amendment do not apply. By adopting this policy, the City does not intend to open a forum for expression by the public.
18. Artwork fails to meet professional standards for acceptable public art practice and shall not be approved by the Public Art Committee if any of the following applies:
 - a. Faults of design or workmanship pose a public health or life safety hazard or diminish the value of the work.
 - b. The artwork is fraudulent, inauthentic, or appears to be of inferior quality relative to the quality of other works in the City's collection
 - c. The artwork is not an original work of art. If the artwork is one of a multiple, it will be accepted only as an authorized limited edition. In the case of fine art prints and photographs, a limited edition is 200 or fewer.
19. Deaccessioning of artwork.
 - a. Art may be deaccessioned by the Public Art Committee for criteria including, but not limited to:
 - i. Irrelevance to the permanent collection
 - ii. Duplication
 - iii. Inferior Quality or poor condition – items found to be fragile or those that are potential targets for vandalism and may not be appropriate for display in public places
 - iv. Public safety concerns

- v. Inability for the City of Billings to meet a standard of care or storage
- vi. Issues with authenticity, attribution, or provenance
- vii. Ethical, political or legal concerns
- viii. Financial burden associated with maintenance and preservation

- b. Artwork posing a threat to public safety may be removed immediately by the City department responsible for the property. All other cases of deaccessioning, except for murals, should be approved by the Public Arts Committee.
- c. Murals in poor condition may be painted over by the City department if they have exceeded their expected lifespan of 1-5 years.

20. Art donated to the City will include a maintenance budget donated to a fund at the City. The maintenance budget shall be 10% of the project cost. Funds will be available to perform minor maintenance on any of the City's outdoor public art collection and will be available for the removal of public art.

21. The Airport property in its entirety is excluded from this policy due to the security and federal regulations it must follow. The Airport should be contacted directly for any questions relating to Public Art on Airport property.

22. Any selection or placement of art within the City's rights-of-way that involves painting, marking, or writing any sign, letters or words with crayon, paint, or other material upon any sidewalk, curb, or pavement, shall comply with all criteria set forth in Resolution 21-11015 and require the approval of the Public Works Director and, if applicable, MET Transit before it is considered by the Public Art Committee.

23. The City Council delegates acceptance of donations of public art to the Public Art Committee and approval of public art will imply an acceptance of the donation. The donor will be issued an appropriate receipt of the donation.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the _____ day of _____, 2025.

CITY OF BILLINGS

By: _____
William A. Cole, Mayor

ATTEST:

By: _____
Denise R. Bohlman, City Clerk

City of Billings Public Art Proposal – Application

This application is intended for use by individuals or groups who are interested in applying for their artwork to be displayed on public property (i.e. park land, right of way, bulb outs, street boulevards or traffic circles, etc.).

For guidance on application criteria, regulations, and tips, please consult the attached Application Guide.

Artist/Applicant Information

Name: _____

Address: _____

Phone: _____

Email: _____

Group associated with project (write "None" if not associated with any group): _____

Artwork

Title: _____

Artist Name(s): _____

Artist Involvement: _____

Type of Project:

Event or Performance – Please describe: _____

Visual Art Installation – Please describe: _____

Location/Address: _____

Placement at Address: _____

Planned Duration of Display: _____

Structural Considerations and Safety:

Estimated weight: _____ lbs.

Estimated height: _____ ft.

Estimated width: _____ ft.

Materials: _____

Other structural details or needs (please describe): _____

Artwork Description (Hint: see project criteria section of Application Guide): _____

Maintenance Plan/Considerations: _____

Funding

Funding source(s): _____

Have all funds been acquired? If not, where in the funding process are you? _____

Project Cost:

Material: (including the value of donated materials & supplies) _____

Paid Labor: (do **not** include volunteer labor) _____

Contracted Services: (e.g., electrician, concrete, etc.) _____

Fees/Stipends: (e.g., artist or design) _____

Artwork Transportation/Installation Costs: _____

Other Expenses: (explain in remarks) _____

TOTAL EXPECTED PROJECT COST: _____

Total Volunteer Hours: _____

Process

Please describe how your project came to be: _____

How did you or will you engage community in your artwork? Please describe method, target audience, and estimated reach. A minimum of 3 distinct activities are recommended. _____

Is there any other information you would like to share regarding your proposal? _____

Artist Agreement

By submitting this application, I confirm the following:

- The design submitted is my own work and does not violate another’s copyright. I understand that if the artwork includes photography of partially or entirely recognizable people, I must provide the City release statements from all parties.
- I have read and reviewed the Application Guide and understand my project will be subject to approval by all relevant City departments.
- I understand any decision regarding the placement of my donated artwork is at the sole discretion of the City.

Signature: _____

Date: _____

City of Billings Approvals –City of Billings Staff approvals will be provided via an electronic system. City of Billings Staff will comment on the location, if any permits are required, and provide any necessary feedback to bring the project into compliance with City codes and adopted safety regulations. These topics will be reviewed with the artist/residents/community group during the departmental review meeting.

Please submit a copy of your design concept. Please include a sketch or example of your proposed design. Please note that these images are just an example of your work and style that you would like to incorporate into a public art installation. It does not need to be the exact design that will be used.

- Submit through email, a thumb drive, CD/DVD labeled with the artist’s name and date of submission.
- 3 - 10 digital images may be submitted, such as the site and artwork design.
- Files should be in JPEG or PNG format (.jpg or .png) saved in “high” or “fine” quality.
- Image files should include last name of the artist followed by a designated number (e.g. “Smith 01”).

DRAFT

CITY OF BILLINGS PUBLIC ART PROPOSAL – APPLICATION GUIDE

The public art process is an effective way of engaging the public and artists in telling our community's story. The City of Billings values the public art process as a means to achieve our vision of being a vibrant, welcoming place where people flourish, and business thrives. Public art has the potential to improve individuals' sense of belonging, place, and safety and we appreciate community groups and artists who seek to positively contribute to these goals.

SUBMISSION INSTRUCTIONS

The City of Billings Public Art Committee meets monthly on the 4th Wednesday of each month (this is a placeholder and can be changed). Meetings may be cancelled due to a lack of applications to review.

Applications are due on the 4th Wednesday of the month before the meeting when the applicant wants the application to be considered.

Applications can be submitted by emailing a copy of this application and images of the design concept to Tate Johnson, johnsont@billingsmt.gov.

Applicants are invited to attend and present their proposed artwork during the Public Art Committee meeting. Additionally, there will be time set aside for public comment for each proposal (3 minute maximum per member of the public).

A staff member from the City of Billings will review your application to ensure everything is complete and ready to present to the Public Art Committee. The staff member will provide guidance on ways to strengthen your application if needed and how to organize your presentation to the Committee.

The Public Art Committee is most interested in proposals that address the following criteria. Preference will be given to submissions that address all or most of the criteria.

1. The project will have a positive impact in the Billings community.
2. The project is accessible to the community and connected to its surroundings.
3. The project enhances the beauty and/or comfort of its location.
4. The project activates a place to make it more engaging.
5. The project brings people together or encourages people to gather and linger.

Regulations and Permit Requirements – Departmental Review Meeting

When an application is received, City staff will schedule a departmental review meeting within 30 days of application submittal. The intent of this meeting is to review the application with the applicant and relevant city departments to coordinate necessary sign offs. City staff will also schedule a presentation to the Billings Parks, Recreation, and Cemetery Board for any artwork that is proposed for City of Billings parkland.

City staff will consider elements such as, but not limited to the following:

Location and Placement – Permission is needed from the department that oversees the location where your artwork will be installed.

Planned Duration – Public art varies from short term, seasonal, or rotational installations to year long, multiyear, or indefinite installations. Please let us know your estimated timeline for installation based on durability of the work or intended purpose.

Structural Consideration and Safety – The weight, height, width, materials, and structural design of your artwork are important considerations for public artwork. Work should be sturdy enough to withstand the elements but must also meet certain safety and building requirements that may vary by location. Structures that are 7 feet or larger require more detailed review by a structural engineer at the artist’s expense prior to approval and a building permit from the Building Division. Structures less than 30 inches provide more flexibility in clear vision zones such as near driveways, intersections, etc.

Installation

The artist or donor will be responsible for installation costs of the piece. The artist or donor is also expected to coordinate all aspects of installation. If a structural analysis has been conducted, installation must comply with the engineer’s instructions. Installation may be subject to inspection by the City of Billings Building, Public Works, or other departments.

Maintenance Plan

Regarding artwork that is donated or commissioned by the City: In the event of damage or vandalism, staff agree to contact the artists to discuss the extent of damage, if necessary and whenever possible, provide an opportunity for the artist to repair damages within a timely manner, utilizing the maintenance fund previously donated for the piece if the funding has not been exhausted. City staff reserve the right to decommission the public art installation if damages due to graffiti, vandalism, weather, or other associated causes, are beyond minor repair by the artist. City staff must maintain their property as necessary to preserve its appearance and integrity, which may warrant decommissioning the public art installation in some circumstances. Staff will provide the artist with a reasonable opportunity to demobilize the art installation as appropriate if/when necessary.

Art donated to the City may include a maintenance budget donated to a fund at the City. The maintenance budget shall not be more than 10% of the project cost will be determined by the Public Art Committee. If provided, funds will be available to perform minor maintenance on any of the City’s outdoor public art collection.

Regarding murals: If the public art is a mural, the City will cover the cost of painting over the mural in the event of irreparable damage as part of routine maintenance. Please note – the average life span of a mural is 1 – 5 years, depending on natural degradation through weather and other conditions. In most cases, the new blank space would serve as a new opportunity for public art and the original mural will not be repainted.

Funding

This section helps us get a better understanding of your project and the economic impact of public art in our community. Each cost can be a general estimate. For volunteer hours donated, please just include the total number of hours across the entire project. For example, if 4 people help on your project for 10 hours each, you would write “40 hours”.

Process

Project Origin – Describe how your project came to be. What led you to propose this project? What inspired your decision to design a public art proposal for Billings?

Community Engagement – Community engagement is an important component of public art. Engagement can occur during the ideation, design, location selection, or implementation of this public art piece. Community is

defined as a group of stakeholders who the artwork represents or who will interact with the artwork. We ask that you complete at least 3 community engagement activities prior to submitting your application for review. If artwork represents a particular group or culture, applicant must demonstrate that content experts from that community have been consulted and approve of the proposal.

Here are some ideas for you to consider in engaging stakeholders in your process:

- Host a public meeting or focus group to collect ideas for your artwork design
- Invite community members to select the artist or meet the artist once selected
- Work with the artist to determine how community members can be involved with the artwork
- Present your idea to the relevant Neighborhood Task Force for input
- Organize a sneak preview of your design for members of the community
- Knock on doors around the proposed location to let residents know what is coming
- Mail postcards advertising an online survey or other public input opportunities to residents/businesses within at least 300 feet of the installation
- Invite people to co-create your artwork
- Post your design on social media for several days and ask people for their feedback

For more guidance or coaching, contact Elyse Monat, monate@billingsmt.gov, or visit the Placemaking Playbook.

- **Please submit a copy of your design concept.** Please include a sketch or example of your proposed design. Submit through email, a thumb drive, CD/DVD labeled with the artist's name and date of submission.
- 3 - 10 digital images may be submitted, such as the site and artwork design.
- Files should be in JPEG or PNG format (.jpg or .png) saved in "high" or "fine" quality.
- Image files should include last name of the artist followed by a designated number (e.g. "Smith 01").

Once you submit your application, staff will help prepare for the committee meeting.

Appeals

If your application is denied and you disagree with the determination, you may appeal the decision by filing a written notice of appeal to Billings City Council within 30 days of the notice of denial.

Public Art Policy Appeal Form

If your application for public artwork is denied and you disagree with the determination, you may appeal the decision by filing a written notice of appeal to Billings City Council within 30 days of the notice of denial. Please send this form to johnsont@billingsmt.gov. The City Council will vote on your appeal within 60 days of submittal of this form.

Name: _____

Email: _____

Phone number: _____

Artwork title: _____

Public Art Committee Decision: _____

Additional feedback on artwork from Public Art Committee (if supplied):

Why do you disagree with the determination? Please tie your reasoning back to the City of Billings' Public Art Policy.

Date submitted: _____

City Council Work Session

Date: 07/07/2025
Title: Litter in Billings Discussion
Presented by: Debi Meling
Department: Public Works
Presentation: Yes
Legal Review: Not Applicable
Project Number: N/A

RECOMMENDATION

This is a discussion item and does not require council action.

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

Councilmember Kennedy proposed an initiative that was approved by the City Council asking staff to present information on litter in Billings, specifically along S. Billings Blvd. The discussion will revolve around both prevention and reactive maintenance. We will address S. Billings Blvd in depth and then discuss litter in the City in general.

ALTERNATIVES

This is a discussion item so no alternatives are presented for council action.

FISCAL EFFECTS

There are no fiscal effects as this is a discussion item only.

Attachments

Presentation

Litter in the City

July 7, 2025





Where


- S. Billings Boulevard to landfill
- Interstate Corridor
- The rest of the City



Cause

- Commercial haulers
 - McKenzie
 - Republic
 - City
- Individuals
 - Unsecured loads
- Collecting overfilled containers
- The Wind

Proactive

- City SOPs
 - Do not overfill trucks
 - Do not collect overfilled containers ( [video](#))
- Hauler notifications
- Educate and enforce secured loads
- Grass roots effort to reduce littering



Reactive

- Pick up litter on S. Billings Blvd
 - Contract labor
 - Sheriff's Dept Detail
- Adopt a Highway
 - Focus areas?
- Sweepers – MDT and City
 - S. Billings Blvd
 - Remainder of City
- Code Enforcement (private property)
- Law Enforcement (highway)





Landfill Discussion

- **Sec. 21213.(a):** “Use of the landfill by persons other than the city shall be in accordance with the use agreements... subject to fees set forth in an annual resolution.”
- Explicitly limits landfill use as follows:
 - Only those having formal **use agreements with the City**, and
 - **Yellowstone County residents** hauling nonbusiness waste (in a standard oneton pickup or equivalent trailer), may bring solid waste to the landfill without charge. All other individuals or commercial haulers must hold valid agreements with the City and pay applicable fees per our annual disposal resolution.

Options for landfill – out of county

- Deny loads from other counties
 - Notify via local news media
 - Notify county
 - Notify at scalehouse for “grace” period
- Enter into agreements with counties
- Modify ordinance to allow

**City of Billings &
Yellowstone County
Loads Only ?**

Discussion & Questions



City Council Work Session

Date: 07/07/2025
Title: Charter amendment discussion
Presented by: Gina Dahl
Department: Legal
Presentation: No
Legal Review: Yes
Project Number: N/A

RECOMMENDATION

Staff recommends Council consider the information below and provide direction to staff related to these and any other relevant issues.

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

On June 23, 2025, Council directed staff to investigate and move forward with the process to call for an election to amend the City's Charter reducing Council's number to six. This amendment would not be considered a change in the form of government, but it would be considered a change in the plan of government. The "plan of government" is a certificate filed with the Montana Secretary of State. This plan must establish the terms of all officers and the number of Councilmembers to be elected. [MCA 7-3-105](#) and [MCA 7-1-4121](#).

In order to be placed on the November 4, 2025 ballot, Council must adopt an ordinance to amend the Charter and a resolution calling for an election no later than August 11, 2025. [MCA 13-1-405](#). Therefore, a public hearing and first reading must be held no later than July 28, 2025, so that a second and final reading can be held on August 11, 2025. The Yellowstone County Election Administrator has been notified of this possible ballot question and has requested as much advance notice as possible. If Council would like to act sooner than the next regular business meeting on July 28, it would need to call special meetings for first and second readings of the proposed ordinance.

The effective date of the amendment, if approved by the voters, is the first day of fiscal year 2028, (July 1, 2027) [MCA 7-3-103](#), and the change of plan of government takes effect when the new officers take office (January 1, 2028). [MCA 7-3-156](#). Council may provide for different effective dates to be specified on the ballot if that is Council's intention.

Issues for consideration

There are some additional issues to be determined to draft an appropriate resolution to call for an election including ballot language.

- 1. Holdover Councilmembers.** The election may be conducted for all six Councilmembers or Council may provide for a plan that would retain Councilmembers whose terms have not expired until their terms end.
- 2. Determination of staggered terms.** [Section 7-3-161, MCA](#), which applies to study commission recommendations, provides guidance on establishing the staggered terms. At the first meeting of a new governing body for a different form of government, the newly elected officers "shall draw lots to establish their respective terms of office." This provides a fair and random method for establishing the overlapping terms, but Council may consider other options. If Council decides on a plan to retain holdover Councilmembers, all terms would end at the same time (in 2029) and staggered terms would need to be established by some method, like drawing lots, when new Council members are elected.
- 3. Charter Sec. 309. Vacancies, Forfeiture of the Office, Filling of Vacancies.** This section of the charter includes a requirement that vacancies of less than five shall be filled by the Mayor with consent of Council. In the event there are five or more vacancies at once, the terms are not filled by appointment and a special election shall be held within 90 days. Because the intent of the Charter amendment is to reduce the total number of Councilmembers, Council may determine it is appropriate to amend this section, but it is not necessary. This issue is simply brought to Council's attention for consideration. However, if Council decides it would like to propose an amendment to this section of the Charter, careful consideration will need to be made to the ballot language to avoid confusion while voters consider this additional information.

Depending on the Council's decisions on the above issues, additional ordinances or resolutions may need to be adopted to put the transition plan into place. For example, if there will be six Councilmembers elected from wards, with no at-large member, the City's wards will need to be redrawn to create a sixth ward. The ordinance amendment would be a relatively simple process, but the process for redistricting is more complex and involves coordination of internal staff, including

Planning, GIS, Legal, and Administration. City staff must also coordinate with Yellowstone County to establish the ward boundaries. Montana law requires ward boundaries to be as equal as possible. The City redistricted ward boundaries in 2023 following the most recent decennial census in 2020. The process began in mid-2022 and the process was complete in early 2023. The process to create a sixth ward would require the same analysis and balancing of ward populations and is expected to take a similar amount of time.

Use of Public Resources for Political Purposes

Finally, staff would like to take this opportunity to provide a reminder about conduct required by Montana law for public employees and officers related to political activity. In anticipation of Council's approval of the proposed ordinance and resolution calling for an election, Council should note the requirements of [MCA 2-2-122](#), which provides that a public officer may not use or permit the use of public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue. For example, a Councilmember may not advocate for the passage of this ballot issue during a public meeting or by using a public email account. Attached is a primer prepared by Montana League of Cities and Towns that you may find helpful. However, the City Attorney's office is always available to answer any questions you may have on this topic.

ALTERNATIVES

City Council may provide direction to staff on the above or related issues.

FISCAL EFFECTS

Fiscal effects are undetermined at this time until more specific direction is provided to staff.

Attachments

draft - proposed ordinance with language for 6 wards

draft - proposed ordinance with language for 5 wards and 1 at large

draft - proposed resolution with alternative language for 6 wards or with 5 wards & 1 at large
Political Activity for Public Officials

ORDINANCE NO. 25-____

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE CHARTER OF THE CITY OF BILLINGS BE AMENDED TO REDUCE CITY COUNCIL’S NUMBER AND SUBMITTING THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That Article III of the Charter of the City of Billings be amended so that Section 3.02. shall read as follows:

Section 3.02. - City Council: Composition and Powers.

- A. There shall be a City Council of the City of Billings composed of ~~ten (10)~~six (6) Councilmembers.
- B. Reserved.

Section 2. That Article III of the Charter of the City of Billings be amended so that Section 3.03. shall read as follows:

Section 3.03. – City Council: Election, Terms and Qualifications.

- A. ~~Councilmembers shall be elected from wards. Two (2)~~One (1) Councilmember shall be elected from each ward. ~~One (1)~~Three (3) Councilmembers ~~from each ward~~ shall be elected every two (2) years.
- B. Councilmembers shall serve for terms of four (4) years and shall be limited to two (2) consecutive terms.
- C. Councilmembers shall reside within the ward from which they are elected and shall be qualified voters of the city of Billings.

Section 3. REFERRAL TO ELECTORS. This ordinance shall be referred to the electors of the City of Billings at an election to be held on November 4, 2025.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after Second Reading and final adoption as provided by law, but the amendment to the City Charter shall be effective upon approval by the electors as provided by law.

PASSED by the City Council on First Reading this _____ day of _____, 2025.

PASSED, ADOPTED and APPROVED on Second Reading this ____ day of _____, 2025.

CITY OF BILLINGS

By _____
William A. Cole, Mayor

ATTEST:

Denise Bohlman, City Clerk

DRAFT

ORDINANCE NO. 25-____

AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE CHARTER OF THE CITY OF BILLINGS BE AMENDED TO REDUCE CITY COUNCIL'S NUMBER, PROVIDING FOR ONE COUNCILMEMBER TO BE ELECTED AT LARGE, AND SUBMITTING THE PROPOSED AMENDMENTS TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. Article III of the Charter of the City of Billings be amended so that Section 3.02. shall read as follows:

Section 3.02. - City Council: Composition and Powers.

- A. There shall be a City Council of the City of Billings composed of ~~ten (10)~~six (6) Councilmembers.
- B. Reserved.

Section 2. Article III of the Charter of the City of Billings be amended so that Section 3.03. shall read as follows:

Section 3.03. – City Council: Election, Terms and Qualifications.

- A. ~~Councilmembers shall be elected from wards. Two (2)~~One (1) Councilmembers shall be elected from each ward and one (1) Councilmember shall be elected at large. ~~One (1)~~Three (3) Councilmembers ~~from each ward~~ shall be elected every two (2) years.
- B. Councilmembers shall serve for terms of four (4) years and shall be limited to two (2) consecutive terms.
- C. Except for the Councilmember to be elected at large, Councilmembers shall reside within the ward from which they are elected, and all Councilmembers shall be qualified voters of the City of Billings.

Section 3. REFERRAL TO ELECTORS. This ordinance shall be referred to the electors of the City of Billings at an election to be held on November 4, 2025.

Section 4. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after Second Reading and final adoption as provided by law, but the amendment to the City Charter shall be effective upon approval by the electors as provided by law.

PASSED by the City Council on First Reading this _____ day of _____, 2025.

PASSED, ADOPTED and APPROVED on Second Reading this _____ day of _____, 2025.

CITY OF BILLINGS

By _____
William A. Cole, Mayor

ATTEST:

Denise Bohlman, City Clerk

DRAFT

RESOLUTION NO. 25-__

A RESOLUTION REFERRING ORDINANCE NO. 25-____, AN ORDINANCE OF THE CITY OF BILLINGS PROVIDING THAT THE CHARTER OF THE CITY OF BILLINGS BE AMENDED TO REDUCE CITY COUNCIL'S NUMBER, **PROVIDING FOR FIVE COUNCILMEMBERS TO BE ELECTED FROM WARDS AND ONE COUNCILMEMBER TO BE ELECTED AT LARGE**, AND SUBMITTING THE PROPOSED AMENDMENT TO THE ELECTORS OF THE CITY AS PROVIDED BY LAW.

WHEREAS, on _____, 2025, the Billings City Council adopted Ordinance 25-____ amending the Charter of the City of Billings reducing the number of City Councilmembers from ten (10) to six (6); and,

WHEREAS, **[add reasons/policy statement]**; and

WHEREAS, by law the ordinance must be submitted to a vote of the people; and,

WHEREAS, a majority of the electors voting on this question must approve the ordinance to amend the Charter of the City of Billings; and,

WHEREAS, the ordinance should be referred to a vote of the people at an election to be held on November 4, 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. **REFERENCE:** Ordinance Number 25-____, being an Ordinance amending the Charter of the City of Billings to reduce the number of City Councilmembers from ten (10) to six (6) **with five (5) of the six (6) Councilmembers to be elected from each ward and one (1) Councilmember to be elected at large**. A full copy of Ordinance Number 25-____ is attached hereto, marked Exhibit "A", and by this reference is made a part hereof.

2. **FORM OF BALLOT:** The form of the ballot shall be as provided by law and as follows:

Summary: Billings City Charter, originally adopted September 14, 1976, and made effective on May 2, 1977, currently provides for ten (10) Councilmembers to be elected from five (5) wards. Two (2) Councilmembers are elected from each ward. This ballot measure asks voters to approve or disapprove the reduction of the number of Councilmembers from ten (10) to six (6), **resulting in five (5) Councilmembers to be elected from wards and one (1) Councilmember to be elected at large**. An election of new Councilmembers will be conducted during the next Municipal election cycle in 2027. This ballot measure does not change the term of office or any other qualification of City Councilmembers.

Proposal: On ____, 2025, the Billings City Council adopted Ordinance 25-____ referring this ballot to the voters. If approved, this ballot measure would amend City Charter Sections 3.02 and 3.03 to read:

Section 3.02. - City Council: Composition and Powers.

- A. There shall be a City Council of the City of Billings composed of six (6) Councilmembers.
- B. Reserved.

Section 3.03. – City Council: Election, Terms and Qualifications.

- A. One (1) Councilmember shall be elected from each ward **and one (1) Councilmember shall be elected at large.** Three (3) Councilmembers shall be elected every two (2) years.
- B. Councilmembers shall serve for terms of four (4) years and shall be limited to two (2) consecutive terms.
- C. **Except for the Councilmember to be elected at large,** Councilmembers shall reside within the ward from which they are elected and all Councilmembers shall be qualified voters of the City of Billings.

Shall the City be authorized to amend the City Charter Sections 3.02 and 3.03 to reduce the total number of City Councilmembers from ten (10) to six (6)?

- FOR** amending Sections 3.02 and 3.03 to reduce the total number of City Councilmembers from ten (10) to six (6) as provided in Ordinance 25-____.
- AGAINST** amending Sections 3.02 and 3.03 to reduce the total number of City Councilmembers from ten (10) to six (6) as provided in Ordinance 25-____.

3. **CERTIFICATION:** The City Clerk shall certify this resolution and Ordinance Number 25-____ to the Yellowstone County Election Official as provided by law.

4. **EFFECTIVE DATE:** This resolution shall be effective upon adoption.

APPROVED AND PASSED by the Billings City Council this ____ day of _____, 2025.

CITY OF BILLINGS

By _____
William A. Cole, Mayor

ATTEST:

Denise Bohlman, City Clerk

DRAFT



POLITICAL ACTIVITY FOR PUBLIC OFFICIALS – A PRIMER

Introduction

Local elected officials discuss and vote on a myriad of controversial issues, adopt local policies and procedures to best serve local residents, and work to identify solutions to a host of community dilemmas. Local residents expect mayors and councilmembers to speak to these issues, and elected officials take their responsibility to advocate on public policy proposals very seriously. Public employees, likewise, implement adopted policies and strive to meet local government goals. Public employees are knowledgeable and experienced in providing public services and have both professional and personal views about the best way to serve their communities.

In general, state and local law reflects these realities and recognizes that all Montanans – elected officials and public employees included – have a right to express their personal views. Public employees and elected public officers may and do engage publicly in support of or opposition to policies that might impact their communities. Likewise, local public officers and employees may and do lobby for or against the enactment of legislation or policy by state legislators or other public agencies or officials. This is the essence of a representative democracy.

Prohibitions on Advocacy

State statute does place limits on what, where, and when an elected public officer¹ or a public employee² may advocate. Public employees may not solicit support for or opposition to the nomination or election of any person to public office or the passage of a ballot issue while on the job or at the place of employment. (Section 13-35-226(4), MCA.) “Support or oppose” means using express words that call for the nomination, election, passage, or defeat of a candidate or a ballot issue, or otherwise referring to or depicting a candidate or ballot issue in a manner that “can *only* be reasonably interpreted as a call for” its nomination, election, passage, or defeat. (Section 13-35-101(52); *Monforton v. Motl*, 2020 MT 202, at ¶18.) Statements about a candidate or ballot measure subject to any alternate reasonable interpretation do not meet this definition. (*Monforton*, at ¶18.)

Specifically, a public employee may not use or permit the use of public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any candidate or ballot issue unless the use is: (i) authorized by law; or (ii) properly incidental to another activity required or authorized by law, such as the function of an elected public officer or the officer's staff in the normal course of duties. (Sections 2-2-121(3); 13-35-226(4), MCA.) Police officers and members of the police department are also prohibiting from participating in political activity “while on duty or in uniform or if the activity [interferes] with the performance of duties.” (Section 7-32-4114(4), MCA.) With respect to ballot issues, “properly incidental activities” are those related to determining the impact of the ballot issue on local government operations. (Section 2-1-121(3)(b).)

These statutory restrictions mean public employees may not conduct any activities in support or opposition of a candidate or ballot issue during those hours for which the employee receives compensation from his or her public employer (*Molnar v Fox*, 2013 MT 132, ¶38); using public email or computers (*Molnar*, at ¶45); or using the employee’s work address, email, letterhead, or any other public supplies. (*Molnar*, at ¶44.)

¹ A public officer is defined in the ethics code as any elected officer of a local government. This includes the mayor, a city councilmember, city judge, and any other elected officers. (Section 2-2-102(9)(a), MCA.)

² A public employee is defined in the ethics code as any temporary or permanent employee of a local government. (Sections 2-2-102(7)(b).)

The rules are essentially the same for elected officials. However, the Montana Supreme Court recognizes that elected officials, as opposed to public employees, do not necessarily have restricted hours within which they are considered on public time. Accordingly, the Court has held that “...as long as public facilities, equipment, supplies, or funds are not involved, elected officials are not restricted in the exercise of political speech by the provisions of Montana law.” (*Molnar*, at ¶139.) Further, the Montana Attorney General has held that a public employee or official may use their title in expressing their personal political beliefs “so long as public resources were not used.” (51 Mont. AG Op No. 1 (2005).)

Both the statutes and the opinions emphasize that these laws do not restrict the right of a public employee or official to express personal political views. (Sections 2-2-121(3)(c) and 13-35-226(4); 51 Mont. AG Op. No. 1 at 3.) In short, “a public officer or public employee may engage in political speech so long as his or her speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds.” (51 MT A.G. Op. No. 1, at 3.) The Attorney General has also opined that “[a] title or a uniform is simply an accouterment of a public employee’s or officer’s position,” holding that a sheriff would not be required to shed his uniform in order to exercise his personal political beliefs. (*Id.*; see also Advisory Opinion COPP-2014-AO-007 (2014).)

Enforcement

If a local government has established an ethics panel, a complaint must be filed with the panel before making a complaint to the county attorney. (Section 2-2-144(5), MCA.) Otherwise, any person may file a complaint directly with the county attorney, who must decline to bring an action before the person may file a civil action in court. (*Id.*, subsection (3).) A violation may result in a fine of not less than \$50 or more than \$1,000. (*Ibid.*)

Rules to Remember – DO:

- Question, resist, or advocate for local or state policies or regulations that will impact your community. Discuss proposed policies with your constituents and other local elected officials.
- Obtain and distribute information regarding the impacts of policies or proposals, including local or state ballot issues, on local government operations and your community.
- Express support for or opposition to a proposed ballot issue with respect to the impact it will have on state or local government operations.
- Ensure your municipality creates an incidental committee with the COPP office and track and reports all electioneering communication expenditures to the COPP.
- Speak to your legislators, other elected officials, and agencies about how and why proposed legislation or policies will impact your community.
- Advocate for or oppose candidates or ballot issues on your own time, using your personal email, phone, computer, office supplies, vehicle, or funds. Individual contributions to a candidate, political committee, or ballot issue committee do not require individual campaign reporting.

DON'T:

- Express support for or opposition to any candidate while in a local government building or using your local government’s email, email system, computer, phone, vehicle, letterhead, office supplies, funds, or any other public resources. Public employees are further restricted from such advocacy while on duty or at one’s local government job, and police officers are further restricted from such advocacy while in uniform or if it would interfere with their duties.
- Fail to create an incidental committee and track and report all expenditures related to distributing information to your constituents regarding the impacts of local or state ballot issues on your local government operations.