

City Council Work Session

5:30 PM
Council Chambers
June 15, 2020

ATTENDANCE:

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

ADJOURN TIME: 11:47 PM

Agenda

TOPIC #1	COVID-19 Update by Unified Incident Command (UIC)
PRESENTER	John Felton, County Health Officer
NOTES/OUTCOME	

- This item was removed from the Agenda to allow more time for the rest of the agenda, however Mr. Kukulski gave a brief update. He stated tax collections were at 91-94% and they had not seen a drop in tax payments due to Covid. The CARES Act (\$1.25 billion) for MT had offered full reimbursement for salary costs for Police and Fire Departments and the City had qualified.
- **Public Comment: None**

TOPIC #2	Inner Belt Loop Corridor Study
PRESENTER	DJ Clark, Sanderson Stewart
NOTES/OUTCOME	

- Mr. Clark: Inner Belt Loop Study overview of project oversight committee, Corridor Study road map, vision development, recommendation is to develop an IGA between the City and County that established unified development standards and defines the roles of the two jurisdictions for the review process. Limits of Annexation Map updates, Neighborhood Plans to help guide landowners with planning and facilitation of development.
- Joy: second way to exit the Rims? Mr. Clark: Yes, Billings bypass is a part of program.
- Council asked various questions about the study, timing and costs. Landowners expectations, costs requested versus donating land. Lot sizes, water availability, septic's, etc. Mr. Clark: Very difficult to have water wells or septic systems. Lesser density and growth due to DEQ regulations if septic systems used. Public sewer and water would support better growth.

- Debi Meling, City Engineer: \$200,000 estimate for right of way about 10 years ago.
- Chris Kukulski, City Administrator: private development most likely driving factor for the area.
- Wyeth Friday, Planning Director: Intergovernmental discussion important for future development. Could be used in many areas. BUILD Grant City/County discussions should start.
- Kukulski: model agreement based on analysis and form a subcommittee of Council to work with County Commissioners.
- Mr. Clark: Colorado office has experience. Their examples may be good starting point.
- **Public Comment:**
- **Ming Cabrera, 1734 Poly Drive, Billings, MT:** Billings Heights Task Force addressing traffic patterns on Main Street. Great opportunity for City/County. Will help the Heights.
- **Jennifer Owen, 906 Royal Avenue, Billings, MT:** Billings Heights Task Force member. Agree with recommendations with exception of Option 3 concerns. Landowners concerned with City hesitation on development. Water and sewer can be paid by development, need to move forward.

TOPIC #3	W.O. 20-12: S. 32nd St. W. (King Ave. W. to BBWA) 30% Design Update
PRESENTER	Debi Meling, City Engineer
NOTES/OUTCOME	

- Debi Meling: PowerPoint presentation Phase 1 of two phase project, Phase II not in current CIP. DOWL is consultant. Previous Intersection at King Avenue W/South 32nd. Project limits, travel lanes, safety, multimodal users, parking and intersections. Travel projections-19,335 vpd 20-year projection. S. 32nd Street W./King Avenue W. - long queue, plans to help. Trail connection BBWA to Transtech Way. Property assessments in late 2020. SLMD same time, bid award planned for spring 2021.
- Council discussed traffic issues in the area and traffic backing up.
- Erin Claunch, Traffic Engineer: stated proposed improvements should make queues shorter to allow for extra turns and handle the backed up traffic.
- **Public Comment: None**

TOPIC #4	FY21 Proposed Budget Discussion
PRESENTER	Chris Kukulski, City Administrator and Andy Zoeller, Finance Director
NOTES/OUTCOME	

- Chris Kukulski took responsibility for the budget cut information not getting to Council in a timely fashion after his discussion with Parks employees. He gave an overview of proposed budget cuts.
- Boyett: the information about park reduction, etc. should have come before the Council before being released and discussed with the public. Neese agreed with Boyett's statements.

Mayor Cole called a recess at 7:25 pm. Meeting reconvened at 7:32 pm.

- Yakawich stated he appreciated Boyett's comments.
- Ewalt: agreed with Boyett's comments.
- Purinton: clarification on fuel reduction and attrition savings.
- Chris: gas is costing less currently which creates a savings. All vacancies must get approval before being filled. Looking into incentive for retirement options. Postponed hiring seasonal workers, not a hiring freeze. Tied to work load and revenue.
- Yakawich moved to remove Lean Six Sigma and Public Information Officer (PIO) from budget; Purinton seconded.
- Shaw: Stated the PIO was a very much needed position. COVID and budget talks made it clear it's even more important. Will not support the motion.
- Ronning: supports PIO position now and always will be. Public access is important, and we are not communicating well enough. Will not support the motion.
- Neese: likes the PIO concept, but that position would not have helped with the emails.
- Chris: could hire PIO for half the year in order to cut budget.
- Choriki: Substitute motion to separate the two items for separate votes and discuss PIO first, seconded by Yakawich.
- Brent Brooks, City Attorney: sperate items would help for concise decisions.
- CM Yakawich made a motion to remove the PIO position from the proposed FY21 budget, seconded by CM Purinton.
- Council discussed PIO pros and cons, website, costs and employees that could take the role.
- Approved 7-4, Boyette, Yakawich, Ewalt, Neese, Purinton, Brown and Mayor Cole approved; Choriki, Shaw, Joy and Ronning opposed.

- Yakawich moved to remove Lean Six Sigma (LSS) from the FY21 budget, seconded by Boyett.
- Chris: data analysis shows LSS will save more money than it will spend. CA has authority to implement but would like Council support.
- Purinton: spoke against LSS.
- Joy: stated she would support the motion to eliminate from budget.
- Neese: also supported the motion.
- Brown: hoping LSS does not end up like Priority Based Budgeting. Maybe need to revisit PBB.
- Shaw: support LSS for the future, but stated the budget is in such a dire situation, LSS cannot be invested in now.
- Ronning: supports LSS for the future, but also realizes now is not the time due to the budget.
- Choriki: supports LSS, and spoke to the culture of the business that welcomes change and not a bureaucracy. Will vote against the motion.
- Approved: 10-1, Ewalt, Boyett, Yakawich, Purinton, Brown, Shaw, Ronning, Joy, Neese, Mayor Cole in favor. Choriki opposed.
- Ronning: receiving calls regarding defunding Police. Police is trying to create a preventative method. Center for Public Safety
- Kukulski: Deep dive research– team of police chiefs, fire chiefs and city managers look at data meet to deal with deployment. Different avenues to handle situations will be critical. Looking to partner with Yellowstone County for court side.
- Joy: moved to direct staff to include the Center for Public Safety analysis expenditure of \$150K, seconded by Shaw.
- Ewalt: legal concerns with sending someone other than Police officer.
- Neese: supports the study, possible various response departments. Need ways to reduce the calls.
- Approved: 8-3, Boyett, Choriki, Mayor Cole, Ronning, Shaw, Joy, Neese, Brown in favor. Yakawich, Ewalt and Purinton opposed.
- Kukulski: Explained the suspension of Cost of Living Increase (COLA) increases for directors.
- Neese: This is not a pay reduction, it is waiving the COLA increase, what about STEPs and longevity.
- Kukulski: no does not include STEPs, many directors are past the STEP system. Does not include longevity.
- Yakawich: moved Council give up the July wage for one month, seconded by Boyett.
- Shaw: Stated she would not support, because it was not a good message to send to the public.
- Ronning: Would not support motion – she values what she brings to the table.

- Brown: does not support the motion unless the Council and Directors were treated the same and both had their wages held.
- Neese: Substitute motion for a 50% reduction in Council's wages for current fiscal year, Ewalt seconded.
- Brooks: would need an ordinance amendment concerning Council compensation.
- Joy, Choriki and Ronning: offended by the suggestion.
- Brown: Would not support the motion. There is not enough savings by cutting \$35K.
- Failed substitute motion: 2-8, Ewalt, Neese, voted for, Purinton, Mayor Cole, Yakawich, Shaw, Brown, Joy, Choriki, Boyett and Ronning opposed.
- Yakawich stated he wished to remove his motion, and Boyett removed his second.
- Boyett: stated he would donate his July wages of \$600 to the Animal Shelter.
- Ewalt: Moved to direct staff to keep the new prosecution position, Neese seconded.
- Approved: Unanimous to keep the prosecution position in the budget.
- Ewalt: Moved to direct staff to eliminate other 5 positions, Neese seconded.
- Kukulski: These are added positions, do not come to Council for retirements or to fill vacancies. Plumbing Building Inspector position would be paid for through building permit fees. Business has not seen any reduction due to COVID or any other reason. Encouraged Council to add this position. Solid Waste positions are needed/the positions are not paid with taxes.
- Ewalt: 2 positions at Solid Waste, change garbage pick up to monthly and/or biweekly. Don't need a new Plumbing Inspector position.
- Joy: Will not support motion because now we are cutting into the revenue side. Doesn't make sense.
- Choriki: doesn't seem to be in order – we are looking at General Fund cuts.
- Mayor: looking at the entire budget.
- Ronning: Can't support because she agrees with Joy, cutting into revenue.
- Brown: amend motion to remove the plumbing inspector from the motion, seconded by Purinton.
- Brown: stated he has been contacted about the building department being behind – need to collect the fees for this service.
- Mayor: what are the 4 remaining positions?
- Purinton: Plumbing Inspector, 2 Solid Waste maintenance workers and an asset manager.
- Ewalt: and the project manager for Facilities department.
- Ronning: Are the 2 solid waste maintenance workers already paid for in the rate and fee structure? Chris: correct, adopted rate structure that covers costs.
- Amendment to remove plumbing inspector from budget cuts: Approved: 10-1 Ewalt opposed.

- Ronning: moved to amend the motion to leave 2 solid waste workers in the budget and remove the 2 positions from proposed budget cuts, seconded by Boyett.
- Neese: asked that PW director to take another look at their budget and ways to become efficient. Chris:
- Brown: will support the amended motion.
- Approved: 7-4, Boyett, Mayor Cole, Choriki, Ronning, Joy and Brown were in favor; opposed Purinton, Ewalt, Yakawich, Neese.
- Mayor Cole: Remaining positions - Asset manager and project manager for facilities are in the general fund.
- Purinton: supports not hiring either of these positions.
- Not hiring asset manager and project manager: Approved 10-1, Brown, Ewalt, Yakawich, Shaw, Neese, Mayor Cole, Boyett, Purinton, Ronning, Joy; Choriki opposed.
- Chorki: Moved to direct staff to move all eligible expenses from Parks operations and maintenance (O&M) from General Fund into PD1, Shaw seconded.
- Choriki: cutting parks is a non-starter – have to move Parks from General Fund to PD1.
- Shaw: Supports the motion, public made it very clear.
- Neese: recommended cuts included aquatics. But Rose Park makes money, why close?
- Kukulski: Rose Park brings in 90% of revenue between them and South Park. Covers direct costs. Explains the closure of aquatics facilities and money savings.
- Neese: discuss possibility of increasing rates.
- Andy Zoeller, Finance Director: \$959K in net amount of expenses.
- Brown: seasonal employees?
- Whitaker: 75 employees needed to run the aquatics department. Link between aquatics and parks for maintenance and operation of the pools.
- Purinton: Does not support the motion. Need to look at increasing Parks fees for services.
- Neese: so Parks Departments recommends closing pools and laying off workers but they keep 2.9% COLA and raises?
- Chris: incorrect, bringing options to the table-not recommendations.
- Discussion continued about the fee structure and differences between fees at South Park and Rose Park.
- PD1 is generating \$2 mill, would generate additional \$1.

- Andy: moving all eligible expenses to PD1 would mean an assessment of \$71 per year - currently \$27 on the median home. Would be almost \$3.5 million annually.
- Neese: this motion could impact Public Safety (PS) mill levy, will not support.
- Shaw: using reserves to continue Parks is not smart financially. City must pay for services.
- Brown: not convinced PS mill levy voters will be swayed.
- Chris: professional opinion – Public wants to see full solutions and revenues cover expenses good start.
- Call the question.
- Shift from General Fund to PD1: Failed 5-6, Boyett, Yakawich, Ewalt, Neese, Purinton and Brown opposed.

Mayor Cole called a recess at 10:17 pm. Meeting reconvened at 10:22 pm.

- Mayor Cole: present option to take deficit of \$2.5 million and divide by 1/3 to PD1, 1/3 cuts from Parks, Police Fire and 1/3 from reserves to distribute evenly.
- Purinton: Doesn't see how the budget can be approved on June 22nd. A lot has not been talked about – intent on looking at it very closely.
- Kukulski: No mandate to adopt the budget by July. Could make many amendments.
- Choriki: Motion to divide the deficit by 1/3 to PD1, 1/3 cuts from Parks, Police Fire and 1/3 from reserves to distribute evenly.
- Joy: tries to understand the other councilmembers, need to compromise. Would like to support the motion because everyone gets a little something.
- Shaw: Incredibly frustrated with past council's decisions have used our reserves and those monies will never come back. It's not fiscally responsible.
- Mayor: \$833K to increase PD1 and use of reserves.
- Brown: won't support because those cuts can't be done in police and fire and parks. Amend motion to include PD1 increase of 1 million.
- Choriki and Joy accept amendment. Motion to increase PD1 to \$1 million; and then the remaining \$1.5 million cuts would be ½ and remaining budget gap and divide evenly between cuts in the parks, police and fire depts.
- Yakawich: will compromise and support it.
- Ewalt: All we are hearing about is cuts. We need to get some money from BUFSA. They are living off us. County doesn't give us a break for the jail.
- Mayor Cole: to clarify motion: Remaining budget gap (assuming PS mill levy approval) divided evenly between Parks, Police and Fire and other 50% in reserves.
- Approved: 6-5 Purinton, Boyett, Shaw, Neese and Ewalt opposed.

- **Public Comment:**
- **Teresa Thormahlen, 2725 Cornell Circle, Billings, MT:** cutting safety is not acceptable.
- **Tom Zurbuchen, 1747 Wicks Lane, Billings, MT:** cutting Police and Fire but asking public to vote for a Public Safety mill levy doesn't make sense. Budget looks better than previously presented without Police and Fire cut. Can use reserves to maintain.
- **Tonya Oberg, 234 Alderson, Billings, MT:** franchise fee suit affected budget, disagree with hiring another lawyer. Look at cutting golf course.
- **Pam Ellis, 2000 Outlook Drive, Billings, MT:** Parks is 10% of General Fund but 40% of cuts. City is being dishonest with public. 2014 levy failed because reserves were too high.
- **Lindsey Wagner, 5900 Elysian Road, Billings, MT:** works at Rose Park pool and is a very positive experience for kids and employees.
- **Debra Kimmet (Spa Business License Fee), Missoula, MT: Executive Director of BLMT Massage Therapy advocate group:** strip funding for enacting spa business license fee. Current plan will not impact human trafficking. Have petition opposing ordinance.
- **Susan Carlson (Spa Business License Fee), 1509 13th Street, Billings, MT:** oppose fees, massage therapists are health care professionals not adult entertainment industry. Should be addressed by law enforcement.
- **Courtney Wagner, 5900 Elysian Rd., Billings, MT:** working at pools has been amazing experience. Helps kids create positive experiences.
- **Tim Warburton, 3444 Lucky Penny Lane, Billings, MT:** PIO job can be done by current staff. Council is underpaid, cutting their salary is ridiculous.

- Council would like to see more information on numbers and proposed cuts. Discussion of various options for PS.

TOPIC #5	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- Ronning: Encourages point of order when something is not on the agenda and put opening statements on the agenda, if they are going to be allowed. Need consistency.

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

- **John Biddle, 4 Lariat Circle, Billings, MT:** community does not want to see cuts to Parks or Public Safety. Council needs to be honest and people will support PS mill levy. Billings needs more funding.
- **Teresa Thormahlen, 2725 Cornell Circle, Billings, MT:** massage therapists should not be associated with brothels. Need more police to enforce prostitution issues.
- **Tim Warburton, 3444 Lucky Penny Lane, Billings, MT:** people are paying attention to cuts and it is bringing out support for Parks. Council meetings take too long and reduce public participation. Let staff do their jobs and stop micromanaging.
- **Allison Smith, 3010 Rugby Drive, Billings, MT:** cuts to Parks and Senior Center would devastate children and elderly. Council meetings are so long, it is very hard to get through.
- **Alex Jokela, 8705 Long Meadow Drive, Billings, MT:** massage therapist ordinance very offensive. Human trafficking needs to be addressed on a law enforcement level.