

City Council Work Session

5:30 PM
Council Chambers
July 20, 2015

ATTENDANCE:

Mayor/Council (please check) x Hanel, x Cromley, x Yakawich, x Cimmino, x Pitman, x McFadden, x Bird, x Swanson, x McCall, x Crouch, x Brown.

ADJOURN TIME: 8:05 p.m.

Agenda

TOPIC #1	Parking Strategic Plan
PRESENTER	Bruce McCandless, Assistant City Administrator
NOTES/OUTCOME	

- McCandless: plan update and Parking Board activities. Primary Action Items: vision and mission statements and guiding principles; staff training; parking technology; refocus and re-energize Parking Advisory Board/vertically integrated parking program- name change, number of board members, stakeholder categories, responsibilities and authority, policy governance (Carver Model). Next steps: adopt vision and mission statements and guiding principles; propose specific Board changes to Council; propose parking code changes to Council; policy development; technology planning, rate setting strategy.
- Yakawich: what does “reinvigorate the PAB” mean? Potential rename of the PAB; explore policy governance as a way to extend responsibilities, influence, and authority - outside of daily operations/management.
- **Public comments:** none

TOPIC #2	Construction Contracts and Amendments
PRESENTER	Debi Meling, City Engineer
NOTES/OUTCOME	

- Meling: Dave Mumford promised some more info on how PW and Airport contract for work and when changes occur. Often difficult to write a complete scope of work until project has begun. Project scopes are changed/added to as projects progress. Professional services contract amendments explained and distinct from change orders. Change orders deal with construction contracts only. Reasons for change orders- construction activity changes, changed conditions (especially for underground construction), designs often based off of historical data (not always accurate), quantity change, errors and omissions, unforeseen conditions. Change orders are not always the result of mistakes. They are often anticipated and even budgeted. Examples of when change orders are warranted. Change order process of staff review and sometimes goes to Council.
- Swanson: good job preparing council for change orders.

- Yakawich: change orders are easy money? Future COs, clarify who requested or benefits from the change? Would like to see additional information on COs in staff reports – who requests, reasons why. COs are sometimes mistakes and Council should keep eyes open for that? No- staff reviews all changes and additional costs have to be justified to get to Council. City mistakes have to be covered but if mistake is contractor’s, Council will never see them.
- Hanel: good explanation, tough to anticipate everything especially when work is underground.
- Brown: why do COs come to Council even if project is in budget? Council sometimes sees them after work is done – why? Volek: work will only be complete prior to bringing to Council if there is an emergency. Discussion about the smaller of 10% or \$500k and that could be changed by Council. Can system be reworked? Seems unnecessary to bring planned and budgeted change orders before Council. Volek: yes, this can be examined for potential change. Would prefer to wait until this construction season has ended.
- Pitman: how do we control work quality? Meling: any time there is a large discrepancy, Engineering staff will contact contractor to discuss. Many times, the contractor missed something or made a mistake. Monitor work quality by hiring experienced engineers. Volek: Engineers are on-site monitoring progress. Issues sometimes arise with subcontractors.
- Crouch: City team effort to review projects and costs? Yes.
- McCall: how often is design/consulting engineer on site during construction? Depends on the project. Sometimes consultant will provide on-site engineers, sometimes City provides on-site engineers. Depends on staffing and availability.
- Yakawich: occasions when Council had to pass CO or there would be legal complications. Think large change orders should come to Council.
- Brown: where does the requirement of awarding the bid to the lowest bidder come from? City Attorney Brent Brooks: mandated by the state. Must award to “lowest and most responsible bidder.” Sometimes lowest isn’t always the most responsible, but City has a safeguard: performance bonds (insurance bond that contractor purchases for the project; insures that project will be completed in a satisfactory manner).
- Cromley: if Administrator responsibilities are changed, what should new limits be? Depends on the project.
- Hanel: is it possible to make sure that manhole covers are not left in the roadway? When all is said and done, can the street be made smooth again?
- **Public comments:** none

TOPIC #3	Airport Storm Water Projects
PRESENTER	Kevin Ploehn, Assistant Director of Aviation
NOTES/OUTCOME	

- Ploehn: Some improvements a result of storm damage. Overview of present storm system and future projects.

- Pitman: does phase 1 bore make drainage worse? No, the pipes are capped until pond phase is complete. Can do phase 1 without permits, but FAA must approve before grant is available.
- Yakawich: pipe will go to Valley Heights? Any consideration of putting in pedestrian or road improvements with project? Research on impact on Alkali Creek? One possibility, the other is to follow Sun Valley Drive. Some private improvements may be possible with Valley Heights. Federal funding has to be for airport use. Permitting process centered on Alkali Creek impact. Area surrounding Alkali Creek will receive secondary benefits.
- Pitman: secondary benefits need to be promoted.
- Public comments:**
- Sandra Rietz, 1308 Sun Valley Road, received letter from Ploehn about easement on her property. Many neighborhood meetings about problems. Sidewalks would be installed where drains are, so would make situation worse. Willing to grant an easement but project won't solve all the problems.

TOPIC #4	Growth Policy Update
PRESENTER	Candi Millar, Planning and Community Services Department Director
NOTES/OUTCOME	

- Millar: started meeting and planning the Growth Policy in October 2014. Public comments received, trying to synthesize comments. Re-visiting groups and confirm what they said. Update is about that process. 1200 comment cards, complex responses. Word clouds indicate how often terms were used by respondents.

HOW WE WANT TO GROW:



WHERE WE WANT TO GROW:



- Crouch: interesting to see the large response of “infill.” Trying to market infill development incentives? Some success with private developers by providing information to them.
- Cromley: size of text represents number of responses, but there are some repeated terms. Millar: size of text generally represents number of responses. Some words are repeated in the graphic. Interesting what we didn’t hear in this survey, such as job growth or growing south of the river.
- McCall: stated that Millar came to Rimrock neighborhood task force meeting and did great job. Clear challenge is to keep everything in balance. Visual capabilities are good for getting feedback.
- Cimmino: interesting comments about what staff didn’t hear. No term “annexation” in word clouds. Millar: the word “annexation” itself was not mentioned explicitly, but growth encompasses annexation by default.
- Pitman: Billings Beyond is a good term and generates good conversations; talking about a bigger picture.
- Brown: is the need for bicycle paths recreational purposes or commuting purposes? Both.
- Hanel: convenience and affordability are key elements. Billings is continuing to grow.
- Bird: how are we doing in terms of balance for housing across the economic spectrum? Very low vacancy rate in housing. Certain segments of the population are underserved, such as the elderly. Planning has several tools and ideas for improvement.
- McCall: possible to pull out specific zoning requirements for certain types of establishments i.e. cafes in neighborhoods? New zoning amendment for Neighborhood Services was previously discussed, but ultimately not adopted by the City.
- Yakawich: concerned with annexation especially in terms of safety; can annexation and safety be balanced and dealt with as one? Aware that there are consequences of growth. A tool may be to find ways to increase revenues to fund public safety (public safety levy, certain types of development bring in more tax revenue).

- Swanson: astounded by the number of higher rise apartment buildings on the west end. How do you decide which zoning designations to use on which properties? High density and commercial growth.
- Cromley: would like to explore idea of Neighborhood Zoning; is it overall zoning or is it responsive to demand? Would either be a distinct zone, or could look at areas that could be appropriately zoned with an overlay. Could also examine on a case by case basis.
- Cimmino: Harper Madison was previously 10th Street Market, so why would Harper Madison coffee shop be a conforming use? 10th Street Market was a retail grocery store as well as a deli; Harper Madison offers a café and retail as well.
- Bird: where does the growth of gambling and sexually-oriented businesses fit into growth plan? Any community comments about these types of businesses? No comments on these in the survey cards. Outside of this study, often asked why there are so many casinos? Cannot control number of casinos, only the locations of casinos.
- **Public comments:**
- Tom Zurbuchen, 1747 Wicks Lane, Billings, MT: need something in growth policy about public safety and what the City is capable of providing. Need practicality for taxpayer.
- Dennis Ulvestad, 3040 Central Avenue: anyway to stop leap-frogging development?
- Millar: Council has conscientiously managed growth since decisions made on Briarwood, Ironwood, Rehberg Ranch etc. Can't control County, so pay attention to what City can do.
- Bill Brown, 3025 Ryniker Drive, Billings, MT: Council candidate in upcoming election. West end of Ward IV is a ragged line – relationship with growth policy and annexation policy? How to smooth out the line?
- Millar: annexation policy red area already has some services in them or nearby. Growth policy will help us decide whether to continue growing same way as in past or promote infill.

TOPIC #5	Council Discussion
PRESENTER	
NOTES/OUTCOME	

- McFadden: area around 5th and Lewis, little on-street parking, alleys need gravel and grading.
- Yakawich: transient population and Parks. Applaud Mr. Witaker and staff for park improvements. Transient issues seem to be spreading, including camping in parks. Encourage us to continue talking about it because it concerns nearby residents.
- Crouch: Facilities Master Plan says we need a new City Hall. Need an initiative to appoint a citizens panel? Volek: staff is focusing on two tasks with most immediate concerns: municipal courtroom remodel and the BOC. McCandless: suggests to at least wait until the final facilities plan is presented. The final plan will provide additional information that may be beneficial to making these types of decisions. Will report back to Council to announce when final plan will be presented.

- Brown: can Council to work with code enforcement and/or planning board to fund property corrections? Volek: previous CDBG funding was available for these types of projects, but is no longer available. Planning a neighborhood cleanup in August in Terry Park area. Habitat for Humanity helps with construction. United Way cleanup day; will inquire as to a neighborhood cleanup day. Various community involvement; churches help paint shelters in parks. Problem isn't volunteer contribution, but with material acquisition (i.e. paint, etc). Can look into additional assistance options.
- Bird: Council should explore assistance, maybe VISTA create a program for the community.

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

- Tom Zurbuchen, 1747 Wicks Lane, Billings, MT: last week's report on police responses. 177 blocks in the City that Police patrol. 15% of blocks had 43% of incidents. Several pockets of problems. What can we do about those areas to help residents and reduce calls/public safety costs?
- Yakawich: asks Mr. Zurbuchen for ideas. Zurbuchen: determine what is causing incidents in certain areas. Code violations that can be enforced? Determine what Council can do to protect citizens.
- Volek: lengthy conversation with Mr. Zurbuchen regarding his statements. Will work with Police Chief St. John to analyze crime and potential issues. Will report back to Council.