

## Billings City Administrator Weekly Report

December 9, 2021

- 1. Aviation & Transit Board Annual Report** – The major challenges and achievements center around COVID, the airport terminal project, and transit bus upgrades. The airport terminal project is proceeding very well with some delays due to worker and material restrictions, but financially additional FAA funding, COVID funding, the availability of refurbished instead of new jet bridges, and line of credit instead of bond financing have kept costs under control. Transit received additional federal funds to replace nearly all of our buses with more fuel-efficient models that incorporate many new desirable features. Overall, our board has been pleased with the accomplishments and improvements of these city functions. We commend the efforts and support of staff and the council. Submitted by Dan Farmer, Chair (See attached)
- 2. PLEASE MARK YOUR CALENDARS:** December 15, 3PM to 5PM, MSUB, Glacier Room. This meeting is a follow-up to our May 2021 joint planning session between the Chamber, Big Sky EDC, Downtown Billings, and the City of Billings. We will review progress being made in each of the four Essential Areas of Focus for Community and Economic Development Success that we identified at the May meeting. You will have the opportunity to participate in tabletop discussion with our peer organizations and help to frame the next steps and imperatives in each Essential Area of Focus—as noted below.

### Areas of Focus that are Essential for our Economic and Community Development Success

- 1. Public Safety**—make a positive, measurable impact on crime, transient population concerns and needs, and the treatment of mental health and addiction
- 2. Quality of Place**—invest in and improve our built environment to support an active lifestyle, a thriving retail and housing market, and the retention and attraction of families and workforce
- 3. Infrastructure**—provide for the infrastructure needs of expanding and new businesses, creating utility and transportation systems that support highspeed connection, air travel, and the attraction of new private investment
- 4. Workforce**—retain and attract a qualified workforce to move our economy forward, meeting current and future needs

A holiday reception will follow the two-hour planning session (at MSUB). Please plan to join this important discussion (and a bit of celebration) as we consider the progress we've made together and the work ahead for 2022. RSVP [maddoxw@billingsmt.gov](mailto:maddoxw@billingsmt.gov) BY NOON December 13

- 3. Municipal Officials Training/Billings City Council** – This afternoon, Dan Clark, Director, Montana State University Extension Local Government Center and Renee Lemon, Community Development Division Administrator, Montana Department of Commerce conducted a training for the City Councilmembers and a few other community boards. Topics of discussion were:
  - 1.** Open meetings, citizen participation, right to privacy
  - 2.** Effective public meeting management
  - 3.** Land use planning and subdivision review
  - 4.** Council's quasi-judicial role and the Montana Code of Ethics

4. **Dinner with Department of Commerce Director** – On Wednesday evening Mayor Cole, Commissioner Jones, Commissioner Ostlund, BSEDA members and I had dinner with Scott Osterman, Department of Commerce Director to discuss economic development needs of our committee.
5. **Stillwater Update** – The City is in contract negotiations with an architect/design/engineering firm for the Stillwater Building Phase 1. Phase 1 may include existing building documentation, system recommendation, pre-design, masterplan, programming, and schematic design. Timelines will have Phase 1 ending around May 2022. We are working on getting this contract to the City Council for approval on 12/20/2021. We are continuing talks on leasing space in the building. A lease proposal was drafted to an interested party and further discussions are occurring on the space.
6. **Questions and Answers Section** – This new section of the Weekly is to compile the questions our staff receives from council members. City staff is including responses to emails received this week, so other city council members have the information.

Question 1 (CM Ronning):

Why are police officers are allowed to take patrol cars home after shift even when they live in Laurel?

Question 1 Responses:

We do this for a wide variety of reasons to include timely responses by our specialized units, increased presence in neighborhoods helps with crime prevention, and a decentralized deployment of assets. The impetus for that was the Father's Day tornado. The Heights was cut off from the rest of the city and it took a long time and much detouring to get there. Additionally, BMCC gives enforcement authority 5 miles outside of the city limits. (Attached are guidelines which permit PD vehicles outside the city limits.)

Question 2 (CM Elect Rupsis):

The recent high winds caused significant damage to the right field fence at Musberger Field in Centennial Park. The District Little League had repairs priced out to be \$5100. I'm wondering what the city policy is here. How do we as a city determine who should be paying for these type of damages to city facilities that are generally used by partner organizations? Is there a standard policy or is it up to the partner organizations to negotiate with the Parks Department?

Question 2 Responses:

The Parks and Rec department has a long-term relationship with the Billings Little League. My understanding is the agreement with LL is they are responsible for the maintenance of the field and related infrastructure (I do not believe these have been memorialized in a written document). The City currently has a \$250k deductible per occurrence. I have checked with other departments to verify that no other damage was reported from the latest windstorm, on other City properties. A wind event would be considered an "occurrence" throughout the City (similar to a hailstorm). No other departments have reported any damage. Insurance would not be a viable option for the \$5100 in damage. Please let me know if there are any other questions.

**Board & Commission Annual Report to City Council**

Name of Board or Commission: AVIATION & TRANSIT

Name of Presiding Officer: DAN FARMER

Name of Person or Persons filling out report: DAN FARMER

Meeting schedule: 1<sup>ST</sup> TUESDAY OF MONTH 5:30 PM

Major accomplishments of the preceding year: PROGRESS ON TERMINAL PROJECT IN A COST CONSCIOUS MANNER IN SPITE OF COVID CHALLENGES. MAINTAINING OPERATIONS DURING COVID. TRANSIT COVID FUNDS.

Major challenges of the preceding year: COVID. SEEKING DOT FUNDS AND COVID IMPACT FUNDS FOR OPERATIONS, TERMINAL project, AND bus Replacements.

Major goals for the upcoming year: CONTINUE TERMINAL project

Requests for staff or city council: NONE

Changes to city ordinance or state law affecting the board that should be considered: NONE

Anything else that board or presiding officer want to comment on: WE ARE PLEASED WITH STAFF AND BOARD WORK ON TERMINAL AND New buses.

Addendum to Shift Guidelines: Take Home Car Program

**NOTE: TAKE HOME CARS ARE NOT INTENDED TO TAKE THE PLACE OF THE OFFICER'S PERSONAL TRANSPORTATION AND ARE TO BE USED FOR OFFICIAL PURPOSES ONLY. THIS PROGRAM IS DESIGNED TO SUPPORT THE DEPARTMENT'S CRIME PREVENTION EFFORTS THROUGH INCREASED VISABILITY AND DEPLOYMENT. IT IS ALSO A BENEFIT FOR OFFICERS. FAILURE TO FOLLOW THE REQUIREMENTS AND GUIDELINES LISTED BELOW MAY RESULT IN DISCIPLINE AND/OR THE IMMEDIATE TERMINATION OF THE PROGRAM.**

**I. Program Eligibility. To qualify for participation in the take home car program, the officer will:**

- A. Reside within the city limits for the City of Billings.
- B. Exception to the residency requirement.
  - i. Various circumstances may result in department members being permitted to take vehicles home, even when the department members do not live within the Billings city limits. These circumstances are usually related to the assignment and responsibility of the department member. Examples are:
  - ii. Commanders
  - iii. Investigative personnel
  - iv. Narcotics personnel
  - v. K-9
  - vi. SWAT
  - vii. Bomb Squad
- C. Have completed initial probationary period.
- D. Agree to adhere to the rules and guidelines governing the program.
- E. Unattended take home cars must be locked at all times. The portable radio, firearms, etc., will be removed from the car when parked overnight at the officer's residence. Such items should be locked in the trunk or stored in the officer's residence. This requirement does not apply when the officer is temporary away from the car during the course of business.

**II. Rules/Restrictions**

- A. Only authorized personnel are permitted to operate department vehicles.
- B. Accidents will be covered under the department's insurance, whether they occur on or off duty.
- C. Officers, while off-duty, and operating a department vehicle, will be appropriately equipped to effectively perform a police function

- and present a favorable image. The officer will have his/her badge, ID card, weapon, ammunition, and handcuffs readily available.
- D. Unattended vehicles will be locked and all equipment will be stored in the trunk or in the officer's residence when the officer is off duty.
  - E. Officers will return the vehicle on their last day of work.
  - F. Officers will not keep the vehicle on extended sick or vacation days.

## **II. Response Procedures**

- A. Officers who are off duty and driving to work or home from work will generally take appropriate action in the following situations:
  - i. Crimes in progress
  - ii. On view complaints
  - iii. Traffic accidents
  - iv. Flagrant traffic violations
  - v. Assistance to stranded motorists
  - vi. Proximity to an emergency call for service
- B. When responding, the off duty officer will notify the Communications Center of the situation and location. The off duty officer may handle the assignment and complete the appropriate reporting unless the shift commander assigns an on duty officer to the call.
- C. Traffic stops made by off-duty officers not in uniform will be limited to serious traffic infractions which may result in property damage or injury.
- D. An officer's response will be considered an extension of his/her shift and will be compensated pursuant to the bargaining agreement.
- E. All overtime must be approved and officer's must, when safe and appropriate to do so, contact a supervisor. This is especially important if the off duty action leads to the officer being late for briefing.

## **III. Maintenance**

- A. Officers will conform to routine maintenance schedules for oil changes and other required maintenance.
- B. If an assigned vehicle breaks down or is required to be left out of service, the officer will be assigned a spare vehicle. However, the spare vehicle will be returned after the officer's tour of duty.