

**MINUTES  
OF THE BILLINGS CITY COUNCIL  
REGULAR BUSINESS MEETING  
November 13, 2023**

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27th Street, Billings, Montana, at 5:30 P.M.

**CALL TO ORDER:** Mayor Cole

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Boyett

**ROLL CALL:**

Present: Councilmember Kendra Shaw, Ward I  
Councilmember Ed Gulick, Ward I  
Councilmember Roy Neese, Ward II  
Councilmember Jennifer Owen, Ward II  
Councilmember Denise Joy, Ward III  
Councilmember Danny Choriki, Ward III  
Councilmember Daniel Tidswell, Ward IV  
Councilmember Pam Purinton, Ward IV  
Councilmember Mike Boyett, Ward V  
Councilmember Tom Rupsis, Ward V  
Mayor William Cole

**Staff**

Present: Chris Kukulski, City Administrator  
Kevin Iffland, Assistant City Administrator  
Gina Dahl, City Attorney  
Toni Keehner, Deputy City Clerk  
Rich St. John, Police Chief  
Debi Meling, Public Works Director  
Wyeth Friday, Planning Director  
Tina Hoeger, Code Enforcement Manager

**MINUTES:**

- October 9, 2023

Moved by Councilmember Joy  
Seconded by Councilmember Boyett

**APPROVED 11-0**

- October 23, 2023

Moved by Councilmember Joy  
Seconded by Councilmember Boyett

**APPROVED 11-0**

## **COURTESIES:**

Mayor Cole thanked the Parks and Recreation staff for their work on the Parks and Recreation mill levy.

Councilmember Rupsis spoke of a recent trip to Boise, paid for by a grant from the Montana Healthcare Foundation to develop permanent supportive housing.

Chris Kukulski, City Administrator, spoke the book "Homelessness is a Housing Problem" by Gregg Colburn, which had been suggested by the Foundation.

Councilmember Purinton spoke of an email from Steve Barber regarding monument placement at the airport.

Mayor Cole spoke of proposed improvements at the Coulson Boothill Cemetery.

## **PROCLAMATIONS:**

Mayor Cole proclaimed November 13-17, 2023, as Crash Responder Safety Week. A few crash responders thanked the City for the proclamation and support.

Mayor Cole proclaimed November 17, 2023, as Salvation Army Red Kettle Campaign Kickoff Day.

## **COUNCIL REPORTS:**

Councilmember Purinton spoke of the Alternatives program and a recent visit to Passages. She discussed the Victim Impact Panel and its role.

Councilmember Joy spoke of a Community Development Board meeting and ways they were considering utilizing money for affordable housing.

Councilmember Owen spoke of a meeting with the Criminal Justice Coordinating Committee regarding jail population concerns and a possible jail expansion.

## **ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

Mr. Kukulski indicated Consent Agenda Item 1L, Resolution to allow Yellowstone County to create a Rural Special Improvement District for the Timbers Bridge, needed to be removed from the agenda for further discussion between the parties involved.

He informed Council there would be a Strategy Partners lunch on December 19, 2023, from 11 am to 1 pm and all were invited, including new Councilmembers.

He mentioned there would be Public Safety conversations during the last two Work Sessions on November 20 and December 4, 2023.

He mentioned Council orientation would be on December 8 and 19, 2023.

Mr. Kukulski advised there were No ex-parte communications were sent to Mayor and Council after 3 P.M. concerning items on the agenda.

Rich St. John, Police Chief, gave an update on the recent homicides. He indicated they had all been targeted incidents involving gang members. He spoke of violent/property crime numbers and how the Police Department was addressing the issues.

Council discussed ways to address the issues and how the City was handling the increase in crime. They spoke of gun theft, gang activity, coordination from the State, curfew options and available resources. Council discussed issues of young people causing trouble in parks late at night and the logistics and strategies of hotspot policing. They emphasized the need for a collaborative approach with local, state, and federal partners. They also discussed challenges faced by law enforcement in dealing with recurrent offenders and the need for a more effective approach beyond arrests. They acknowledged budget challenges, particularly concerning overtime expenses, and expressed the need to balance the budget with the ongoing Law and Justice Center City Hall project.

Kevin Iffland, Assistant City Administrator, gave an overview of the current budget for the Police Department.

Chief St. John addressed youth curfews and the lack of alternatives for those that broke the curfew. He discussed community education, public awareness, the potential of a gun buyback program and mental health programs.

Council suggested having a special work session at the library following the leadership retreat for more collaborative planning.

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 and 4 ONLY. Speaker sign-in required.** (Comments are limited to three (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. Comments on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For items not on this agenda, public comment will be taken at the end of the agenda.)

The following individual provided public comment:

- **Max Griffin, 1655 Valley Heights Road, Billings, Montana**, regarding Consent Agenda Item 1L, spoke of issues with communication with the County. He indicated the Subdivision Improvements Agreement should have included information regarding bridge maintenance, but it had not been included.

There were no further speakers.

1. **CONSENT AGENDA** – Separations: 1A1

Councilmember Rupsis separated Consent Agenda Item 1A1 to abstained due to a work relationship with the recommended appointee.

**Motion:** I move to approve the items of the Consent Agenda as submitted, with the exception of Item 1A1.

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

**A. Mayor Cole recommends that Council confirm the following appointments:**

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Michael Bruschwein	Board of Adjustments*	11/13/23	12/31/25

\*1 Unexpired term of Jeff Bollman

**Motion:** I move to approve Consent Agenda 1A1, as recommended by staff.

Moved by Councilmember Choriki  
Seconded by Councilmember Gulick  
**APPROVED 10-0**, Councilmember Rupsis abstained

**B. Bid Awards:**

- W.O. 23-46: Compost Facility Waterline.** (Opened 9/19/23) Recommend rejecting all bids.

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

**C. Contract with Tyler Technologies, Inc. for Public Safety software systems.**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

**D. Agreement with Birely Drainage District and Buffalo Crossing, LLC for encroachments.**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

**E. Annexation Agreement with G2 Investments, LLC.**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

F. **Amendment to Metropolitan Planning Organization (MPO) Boundary Map.**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

G. **Memorandum of Understanding** with Yellowstone County for Public Safety software licenses.

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

H. **Limited Commercial Aviation Building and Ground Lease** with Aero Interiors.

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

I. **Small Community Air Service Development Program Grant.**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

J. **FY2023 Homeland Security Grant** for Billings Regional Hazmat Team.

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

K. **Council Holiday Schedule.**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

L. ~~**Resolution to allow Yellowstone County to create a Rural Special Improvement District (RSID) for the Timbers bridge.**~~

Councilmember Neese asked for clarification on the right to protest. Gina Dahl, City Attorney, indicated Consent Agenda 1L would not be subject to the protest provisions. She explained the process between the City and County to create an RSID and indicated the City was not approving the creation with this resolution, but only that City properties could be included in the County's upcoming process.

**Motion:** I move to remove Consent Agenda Item 1L from the agenda, as recommended by staff.

Moved by Councilmember Neese  
Seconded by Councilmember Shaw  
**APPROVED 11-0**

M. **Second/Final Reading Ordinance 23-5862** for Zone Change 1037: 3146 Monad Road.  
**\*Quasi-Judicial**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

N. **Second/Final Reading Ordinance 23-5863** for Zone Change 1038: Zimmerman Home  
Place Subdivision. **\*Quasi- Judicial**

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

0. **Bills for the Weeks of:**

1. October 2, 2023

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

2. October 9, 2023

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

3. October 16, 2023

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell  
**APPROVED 11-0**

**REGULAR AGENDA:**

2. **PUBLIC HEARING AND RESOLUTION 23-11173** assessing nuisance property abatement.  
Staff recommends approval.

Tina Hoeger, Code Enforcement Manager, gave a brief overview of the assessments proposed for property located at 1423 Wicks Lane.

There was no public testimony given.

**Motion:** Having conducted a public hearing, considered written and spoken public testimony, I move to approve a Resolution assessing the nuisance property abatement, as recommended by staff.

Moved by Councilmember Neese  
Seconded by Councilmember Owen  
**APPROVED 11-0**

**3. PUBLIC HEARING AND FIRST READING ORDINANCE** amending Article 22-900, Sale, Exchange, or Donation of City Real Property. Staff recommends approval.

Gina Dahl, City Attorney, gave an overview of the changes proposed in Section 22-902(e) to add language stating: "In addition, notice of the public hearing must be placed on the subject property for no less than seven (7) days prior to the public hearing to consider the resolution of intent to sell, exchange, or donate city owned property"; and clarifying language added to Section 22-902(f) stating: Prior to the public hearing, the city must provide notice "of the proposed sale, donation, or other transfer and" publish the resolution of intent as provided in MCA 7-1-4127. She requested the language for Section 22-902(f) be included as an amended motion since it had not been included in the staff memo.

There was no public testimony given.

**Motion:** Having conducted a public hearing, considered written and spoken public testimony, I move to approve First Reading Ordinance amending Article 22-900, Sale, Exchange, or Donation of City Real Property, with clarifying language "of the proposed sale, donation, or other transfer and", as recommended by staff.

Moved by Councilmember Joy  
Seconded by Councilmember Shaw  
**APPROVED 11-0**

**4. NOMINATION AND ELECTION OF DEPUTY MAYOR.** Staff recommends City Council nominate and elect a Deputy Mayor.

**Motion:** I move to nominate and elect Councilmember Boyett as Deputy Mayor.

Moved by Councilmember Rupsis  
Seconded by Councilmember Shaw

**Substitute Motion:** I move to nominate and elect Councilmember Owen as Deputy Mayor.

Moved by Councilmember Neese  
Seconded by Councilmember Purinton

Council discussed the attributes of both candidates.

**Substitute Motion FAILED 4-7**, Councilmembers Shaw, Gulick, Joy, Choriki, Boyett, Rupsis and Mayor Cole opposed.

**Original Motion APPROVED 10-1**, Councilmember Purinton opposed.

**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.*)

The following individuals provided public comment:

- **Jennifer Coburn, 4505 Box Canyon Springs Road, Billings, Montana**, spoke about concerns with the increase in violence and issues with public safety.

- **Sean Callahan, 836 Dorothy Lane, Billings, Montana,** questioned the weapons policy for City Hall.
- **Jaqueline Garcia, 836 Dorothy Lane, Billings, Montana,** spoke of public safety concerns.

There were no further speakers.

**COUNCIL INITIATIVES:**

Councilmember Choriki discussed his upcoming initiative regarding funding for the Big Sky Passenger Rail Authority.

Council discussed the process of initiatives and how it was decided if something would be placed on an agenda. Chris Kukulski, City Administrator, explained how initiatives affected staff time and spoke in favor of Council voting on whether staff moved forward with a proposed initiative.

Councilmember Purinton spoke about public nuisance abatement on houses involved in criminal activity. Mr. Kukulski indicated the issue could be handled with an initiative or through the Code Enforcement Department and the committee working on the issue.

**ADJOURN: 7:55 P.M.**



CITY OF BILLINGS

BY: *William A. Cole*  
William A. Cole, Mayor

ATTEST:

BY: *Denise R. Bohlman*  
Denise R. Bohlman, City Clerk