

**MINUTES  
OF THE BILLINGS CITY COUNCIL  
REGULAR BUSINESS MEETING  
December 11, 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:** Mayor Cole

**ROLL CALL:**

Present: Councilmember Ed Gulick, Ward I  
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

Absent/  
Excused: Councilmember Kendra Shaw, Ward I  
Councilmember Roy Neese, Ward II

Staff  
Present: Chris Kukulski, City Administrator  
Kevin Iffland, Assistant City Administrator  
Gina Dahl, City Attorney  
Toni Keehner, Deputy City Clerk  
Debi Meling, Public Works Director  
Louis Engels, Utility Engineer  
John Caterino, Facilities Manager  
Andy Zoeller, Finance Director  
Jennifer Duray, Assistant Public Works Director  
Wyeth Friday, Planning Director (via Zoom)

**MINUTES:**

- November 13, 2023

Moved by Councilmember Joy

Seconded by Councilmember Boyett

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- November 27, 2023

Moved by Councilmember Joy

Seconded by Councilmember Tidswell

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

**COURTESIES:**

Mayor Cole spoke of the Billings Fire Department taking part in a stairclimbing fundraiser for the Leukemia and Lymphoma Society.

**PROCLAMATIONS:**

There were no proclamations.

**COUNCIL REPORTS:**

Councilmember Joy attended a Community Development Board meeting where they discussed a \$1.2 million application to be used for a new affordable housing development on Jackson Street.

Councilmember Purinton indicated staff was already working on nuisance property abatement concerns she had mentioned previously.

**ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

Mr. Kukulski reminded Council that Monday, December 18<sup>th</sup>, 2023 would be a Regular Business meeting, not a Work Session.

Mr. Kukulski indicated there were no ex-parte communications sent to Mayor and Council after 3 pm concerning the agenda.

Mr. Kukulski mentioned Debi Meling, Public Works Director, would be speaking about a few awards the Public Works Department had received.

Mr. Kukulski spoke of an agreement between YWCA and the City to fund a Family Justice Center coordinator that would be on the agenda at the next Council meeting.

Mr. Kukulski indicated the current VISTA volunteer term was ending and staff would be accepting applications for new VISTAs.

Mr. Kukulski informed Council he would be leaving the meeting early for his daughter's Christmas concert.

Kevin Iffland, Assistant City Administrator, spoke of the recent assault with a vehicle that had occurred and indicated the County Attorney's office was working in consultation with the FBI to bring forward charges.

Debi Meling, Public Works Director, spoke of the nutrient upgrade project at the Water Reclamation Facility. She stated the project had received awards from the following: American Council of Engineering Companies (ACEC), Montana ACEC, International Federation of Consulting Engineers and the Water Environment Federation.

Louis Engels, Utility Engineer, introduced the project managers involved in the project: Craig Haben (HDR Engineering), Jake Ostrander (HDR Engineering) and Randy Straus (City Engineer II).

Ms. Meling indicated the City had been approved for a grant application for Safe Streets for All and had been awarded \$3.56 million. She stated the 20% match would be included in the Capital Improvement Plan (CIP).

**PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 and 2 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 individuals gave public comment:

- **Elyse Monat, Active Transportation Planner**, thanked the following donors who had contributed to the "Mobilize the MAGIC City" project: Visit Billings, Valley Federal Credit Union, Phillips 66, Mayor Bill and Anne Cole, Fisher Industries, Superior Concrete and the Billings Community Foundation which had given an award directly to Riverstone Health.
- **Brian Epley, Superior Concrete**, spoke of their donation in conjunction with Fisher Industries and their support of the project.

There was no further speakers.

## 1. **CONSENT AGENDA**

Mayor Cole separated Consent Agenda Item 1I, in order to abstain, due to a donation he made towards the project.

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

Moved by Councilmember Boyett

Seconded by Councilmember Purinton

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

### A. **Bid Awards:**

1. **W.O. 23-24: Belknap Office Remodel Phase 2.** (Opened 11/21/2023) Recommend TW Ridley.

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

2. **Road Materials.** (Opened 11/21/2023) Recommend Knife River.

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

3. **New City Hall Audio Visual Equipment.** (Opened 11/21/2023) Recommend rejecting all bids.

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- B. **Amendment No. 2**, W.O. 20-37: Stormwater Utility Development, Phase III Scope; FCS Group.

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- C. **Contract** with Cushing Terrell for W.O. 23-45: Street and Traffic Remote Salt Storage Building.

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- D. **Contract** for New City Hall access control and camera procurement and installation with Pine Cove Consulting.

Councilmember Owen asked for clarification.

John Caterino, Facilities Manager, described the security system plans for the New City Hall. He indicated there would be two panic buttons and monitored cameras throughout the building.

Councilmember Owen voice her concerns with the security of the building.

Kevin Iffland, City Administrator, indicated staff would bring various security options for the building to Council.

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- E. **Construction Contract** with Dick Anderson Construction, Inc. for W.O. 19-12: West End Reservoir Project.

Moved by Councilmember Boyett

Seconded by Councilmember Purinton

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- F. **Memorandum of Understanding** with Beartooth Resource Conservation and Development Area, Inc. (Beartooth RC&D).

Moved by Councilmember Boyett

Seconded by Councilmember Purinton

Councilmember Choriki spoke in support of the MOU and described a few of their projects.

Nan Knight, Beartooth RC&D Finance Director, (via Zoom) thanked Councilmember Choriki for his support and indicated she was available for questions.

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- G. **Town Pump Grant Application** in support of "Mobilize the MAGIC City".

Moved by Councilmember Boyett

Seconded by Councilmember Purinton

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- H. **Reimbursement** for Patriot Run expenses and **Donation** for veteran burials to Parks, Recreation and Public Lands (Cemetery) from Partner for Parks Patriot Run Grant Fund.

Moved by Councilmember Boyett

Seconded by Councilmember Purinton

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

- I. **Various Donations** to City Planning Department for "Mobilize the MAGIC City" project.

Deputy Mayor Boyett called for the vote.

Moved by Councilmember Joy

Seconded by Councilmember Gulick

**APPROVED 8-0**, Councilmembers Shaw and Neese absent/excused, Mayor Cole abstained.

- J. **Perpetual Right-of-Way Easements** from Staley Family Trust.

Moved by Councilmember Boyett

Seconded by Councilmember Purinton

**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

K. **Resolution 23-11175** approving FY25 Equipment Replacement Plan (ERP).

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

L. **Resolution 23-11176** approving FY25 Technology Replacement Plan (TRP).

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

M. **Second/Final Reading Ordinance 23-5865** for Zone Change 1036 - 1093 Lincoln Lane.  
\*Quasi-Judicial

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

N. **Second/Final Reading Ordinance 23-5866** expanding Ward I (Annexation 23-09).

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

O. **Second/Final Reading Ordinance 23-5867** for Zone Change 1039 - 713 Avenue D. \*Quasi-Judicial

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

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

1. November 6, 2023

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

2. November 13, 2023

Moved by Councilmember Boyett  
Seconded by Councilmember Purinton  
**APPROVED 9-0**, Councilmembers Shaw and Neese absent/excused.

## REGULAR AGENDA:

2. **RESOLUTION 23-11177** approving the FY2025-FY2029 Capital Improvement Plan (CIP). Staff recommends approval.

Andy Zoeller, Finance Director, gave a PowerPoint presentation and reviewed the previous dates the CIP had been discussed with Council and the Council Budget and Finance Subcommittee. He reviewed the summary of adjustments, listed the projects that had been added, removed and modified. He concluded with the staff recommended adoption of the CIP.

Councilmember Owen questioned staff about ensuring that current engineering costs were accurate.

Debi Meling, Public Works Director, indicated staff reviewed CIP numbers for construction cost changes yearly.

Mayor Cole discussed the South Park Pool amount that did not fall under the planning category. He indicated the amount of money spent on planning the project before construction seemed high.

Councilmember Gulick spoke of various phases of design, and how funding was used at different points of development. He explained how the \$400,000 proposed for South Park Pool planning would help to understand the scope of the project and get a better idea of a cost estimate for construction.

Mike Pigg, Parks and Recreation Director, agreed with Councilmember Gulick and indicated that the money used in the planning phase would help achieve firmer numbers for construction and assist in applying for grants.

Council discussed property tax valuation and how it affected adding Parks' projects.

Mr. Zoeller indicated the General Fund could handle more projects but historically did not grow quickly and Council would not have authority to increase it. He spoke of Legislation decisions and the uncertainty with future property tax valuations.

Councilmember Purinton questioned the ability to transfer money into Public Safety for additional Police hires.

Kevin Iffland, Assistant City Administrator, indicated it was possible to make cuts in other General Fund categories to increase the amount in Public Safety.

Mr. Zoeller indicated the appropriate time to make adjustments would be during budget adoption discussions.

Mr. Pigg spoke of plans for Landon's Legacy playground and funding.

**Motion:** I move to approve a Resolution approving the FY2025-FY2029 Capital Improvement Plan (CIP), as recommended by staff.

Moved by Councilmember Choriki  
Seconded by Councilmember Gulick

**Amended Motion:** I move to amend the motion to include new recreation centers for North Park and Zimmerman Park in FY2026.

Moved by Councilmember Gulick  
Seconded by Councilmember Rupsis

Councilmember Gulick spoke of constituents wanting to see benefits to the City's Parks and Recreation projects but in a scaled down version of the failed mill levy. He addressed the need for improvements at the Zimmerman Recreation Center and North Park Recreation Center. He explained PD1 could be revived for the purpose of bonding projects and then sunset soon after. He offered various bonding options.

Councilmember Boyett, Owen and Purinton voiced their concerns about public safety and indicated they could not support the amended motion.

Mayor Cole asked for clarification on the ability for the Highway 3 Underpass project to use grant funds from the infrastructure bill or gas taxes.

Jennifer Duray, Assistant Public Works Director, expressed her understanding that gas tax money could only be used for "City streets".

Ms. Meling indicated the grant had been written with very specific projects listed and the Highway 3 project was not included.

Mayor Cole indicated he would not support the amended motion and spoke of other City needs.

**Amended Motion FAILED 4-5**, Councilmembers Owen, Tidswell, Purinton, Boyett and Mayor Cole opposed.

**Amended Motion:** I move to amend the motion to add the following projects: \$1 million for Centennial Park Playground in FY2026; \$1 million for Highway 3 Underpass in FY2027; \$1 million for Cottonwood Park in FY2028 and \$1 million for Centennial Park event picnic shelters and athletic courts in FY2029.

Moved by Councilmember Rupsis  
Seconded by Councilmember Gulick

Councilmember Rupsis and Gulick spoke in favor of the motion.

Councilmember Owen asked for clarification on how many Police officers could be hired with the money proposed in the amended motion.

Mr. Zoeller indicated it would be approximately 8-10 officers.

Councilmember Rupsis questioned if both things could happen based on projections.

Mr. Zoeller Council indicated Council would have the capacity to hire additional Police officers and adopt the amended motion.

Council discussed needs and inadequacies in the Parks and Recreation Department and ongoing public safety needs.

**Amended Motion APPROVED 5-4**, Councilmembers Owen, Tidswell, Purinton and Boyett 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.)

There were no speakers.

**COUNCIL INITIATIVES:**

Councilmember Joy requested the Council Legislative Subcommittee explore the use of local hiring and apprentice programs in City contracts. She indicated there were several other cities in Montana that used this in their contracts. No motion was made and no vote was taken.

**ADJOURN: 7:07 PM**



CITY OF BILLINGS

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

ATTEST:

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