

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
May 28, 2024**

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 Bill Kennedy, Ward III
Councilmember Scott Aspenlieder, Ward IV
Councilmember Daniel Tidswell, Ward IV
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

Staff

Present: Chris Kukulski, City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Debi Meling, Public Works Director
Jennifer Duray, Deputy Public Works Director
Louis Engels, Water Quality Superintendent
Nicole Cromwell, Zoning Coordinator
Tina Hoeger, Code Enforcement Manager
Lora Mattox, Transportation Planning Coordinator
Tracy Scott, Parking Manager
Gavin Woltjer, Library Director
Jamie Bratlie, Library and Facility Coordinator

MINUTES:

- May 13, 2024
- Moved by Councilmember Boyett
Seconded by Councilmember Neese

APPROVED 11-0

COURTESIES:

Patrick Plantenberg, Chair of the Montana Urban and Community Forestry Association (MUCFA), presented Steve McConnell, Parks Forestry, and Kristine Glen of the Yellowstone Valley Citizens Council, with MUCFA Awards for their contributions to providing the City with a comprehensive forestry management program.

PROCLAMATIONS:

Mayor Cole proclaimed June as Scleroderma Awareness Month. Travis Brewer represented the Rocky Mountain Chapter for the Scleroderma Foundation, spoke about the rare auto-immune disease and the need to spread awareness of it. He thanked the Mayor for the proclamation.

COUNCIL REPORTS:

Councilmember Boyett mentioned he and Councilmember Owen were on the board for the Youth Service Center and a new director had been chosen, Sam Bafto (formerly the undersheriff of Yellowstone County).

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

Mr. Kukulski noted there were numerous exparte communications received after 3 pm to the Mayor and Council concerning items on the agenda. Those were made available for public review in the exparte notebook located on the cart at the back of the chambers.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 4b and 7 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 spoke concerning Regular Agenda Item 5:

- **Kristi Drake, 2950 Walden Place, Billings, Montana**, asked that protected bike paths be included during the 2-way conversion and the importance of bike paths in a welcoming downtown area. She added information about the ribbon cutting event on the Inner Belt Loop inaugural bike ride.
- **Katie Harrison, 2901 6th Avenue South, Billings, Montana**, owner of business on Montana Avenue, stated one-way streets hindered her business as customers voiced their dislike of one-ways; were confusing and she supported consistency through 2-way streets.
- **Kristine Glenn, 209 Yellowstone Avenue, Billings, Montana**, spoke about the presentation given at the Babcock a couple of years ago. In the presentation it spoke about how 2-way streets drove better business and decreased crime. She supported protected bike lanes.
- **Jana Marcette, 3205 Durland Drive, Billings, Montana**, noted that 2-way streets help alleviate congestion when trains stop traffic.
- **Blake Warhlich, Manager of Best Western Clock Tower Inn, Billings, Montana**, spoke about the difficulties of accessing businesses located on a one-way street. The route takes you up to 3 blocks out of the way versus possibly 1 block should the business be located on a 2-way street.
- **Marguerite Jodry, 3017 Second Avenue South, Billings, Montana**, owner of Zest, indicated her business opened before the 2-way conversion of 29th Street, and visibility has increased since the 2-

way conversion occurred. Her customers are confused by the mixture of 2-way and one-way streets and have stated they would visit the downtown area more often if the navigation were easier.

- **Amanda Jungles, 533 Highland Park Drive, Billings, Montana**, spoke in favor of two-way conversion for pedestrian safety.
- **Brad Speery, 13 North 23rd Street, Billings, Montana**, owns a business in the downtown area and supported 2-way conversion of the streets.
- **Stephanie Donovan, 824 Parkhill Drive, Billings, Montana**, spoke on behalf of the BPAC, specifically addressing buffered bike lanes and increasing safety.
- **Mike Schaer, 1109 North 32nd Street, Billings, Montana**, spoke specifically about 25th and 26th Streets as being the only one-way streets and he supported making those 2-way streets as well. He noted that the newest Federal building blocked North 26th Street and there was no way to correct that, but the bus depot had taken away street access for buses and that could be corrected to allow 2-way traffic on North 25th Street.
- **Dan Brooks, Billings Chamber of Commerce, 801 South 27th Street, Billings, Montana**, spoke in favor of the 2-way conversion and Regular Agenda Item 6, the short-term detention facility. He provided a handout indicating research conducted in Louisville, Kentucky on a similar 2-way street conversion there and the benefits noted by it, i.e., decreased traffic collisions and reduced crime.
- **Steve Arveschong, Big Sky Economic Development, Billings, Montana**, acknowledged that changing to 2-way streets was not a new principle and there had been significant data collection and research to support 2-way street conversion. Two-way streets would help develop the core of downtown.
- **Ali Pistora, 1035 Avenue F, Billings, Montana**, provided the names of cities that had converted their streets to 2-way traffic and its impacts. She spoke about the conversion to bikes over cars may be in the future. She referred to Jeff Speck's book, who spoke about CPTED concepts during a presentation at the Babcock Theatre.
- **Anne Holub, 2924 Ronan Drive, Billings, Montana**, introduced herself as the writer in residency candidate at the Yellowstone Art Museum. She spoke about North 26th Street being deserted most of the time, which increased crime on that street. She addressed the difficulties to cross from the Yellowstone Art Museum to the Vault just across North 26th Street from the museum's parking lot. It required her to go approximately 3 blocks to go across the street to the Vault.
- **Jessica Ruhle, 401 North 27th Street, Billings, Montana**, spoke of the confusion museum patrons have due to the lack of clarity between 2-way and 1-way streets. She encouraged Council move forward with the conversion.
- **Virginia Duke, 239 Avenue F, Billings, Montana**, spoke in favor of the 2-way conversion for increased safety to bicyclists and her support of back in parking.
- **John Halverson, 644 Yellowstone Avenue, Billings, Montana**, spoke in favor of 2-way conversion and the safety allowed to school children that need to get to school via bike paths.
- **Randy Hafer, 702 North 23rd Street, Billings, Montana**, spoke about his experience with the downtown area during his high school years as them being 2-way streets and then during his college years the conversion to one-way streets occurred and it hollowed out the downtown area. Lacked the vibrancy it once had. He noted it was a terrible idea to go to one-way streets 50 years ago and it's still a terrible idea.

There were no further speakers.

SPECIAL PRESENTATION: Thorne Run

Chris Kukulski, City Administrator, introduced Greg Burns and Jim Davenport with Thorne Run, the City's Federal lobbyists. Mr. Kukulski noted that the lobbyists kept staff informed of happenings on the Federal level; advised of grant opportunities; review grant submittals; make inquiries into why a grant application was unsuccessful and advocating on the City's behalf on Federal matters.

Jim Davenport presented Congress in Review and stated it had been the most unproductive session in modern history, passing only 27 laws. Due to this, the Thorne Run lobbyist spent most of their time and attention to grant opportunities for the City. He highlighted wins for the City, i.e., the Safe Streets for All (SS4A) grant program and the Urban Forestry Grant.

Greg Burns addressed City Leadership and Department Head engagement to discuss grant opportunities and challenges, regulatory issues and implementation of Federal law and policy. He added that the lobbyists had engaged with the Congressional delegation on key City issues, i.e., FEMA Hazard Mitigation Grant funding for the reservoir storage and stormwater projects; FAA Reauthorization to the airport and gathering letters of support for grant applications. The lobbyists facilitated meetings with important Federal agencies, i.e., Bureau of Justice Assistance (BJA) grants and FEMA fire grant opportunities. They also aided with strategizing for future effort, i.e., EPA impaired waters, lead, and copper rule; EPA community change grant; recycling infrastructure grant; and several BJA and DOT grants. He offered to make arrangements for City leaders to meet with Montana legislators in Washington, D.C. and their staff.

1. CONSENT AGENDA

Councilmember Kennedy separated Consent Agenda Item 1N for discussion.

Mayor Cole separated Consent Agenda Item 1H to abstain as he and his wife were donors.

Councilmember Aspenlieder separated Consent Agenda Item 1K to abstain from as his company was involved in the item.

Councilmember Neese separated Consent Agenda Item 1O for discussion.

Councilmember Boyett acknowledged donors and thanked them for their generosity.

Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of Items 1H, 1K, 1N and 1O.

Moved by Councilmember Gulick

Seconded by Councilmember Rupsis

APPROVED 11-0

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

1. Tourism BID Board - Billings Hotel and Convention Center (BHCC).

Moved by Councilmember Gulick

Seconded by Councilmember Rupsis

APPROVED 11-0

B. Bid Awards:

1. W.O. 20-13: King Avenue West and 36th Street West Traffic Signal Improvements. (Opened 5/7/24) Recommend Montana Lines, Inc.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

2. W.O. 24-24: Voelker Pump Station Pressure Reducing Valve. (Opened 5/7/24) Recommend COP Construction, LLC.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

C. Amendment No. 1, W.O. 24-01, Contract 2: 2024 Sewer Main Replacement; Morrison-Maierle, Inc.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

D. Contract with Signal of Montana for Library Security Services.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

E. Purchase of FY25 Solid Waste Refuse Trucks from SWS Equipment, LLC.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

F. Declaring Surplus Property and authorizing the sale of 300-gallon waste containers to the City of Powell, Wyoming.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

G. 2024 High Intensity Drug Traffic Area (HIDTA) award from the Executive Office of the President, Office of National Drug Control Policy. **APPROVED 11-0**

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

H. Donations to Code Enforcement for Graffiti Reward Fund from various donors.

Deputy Mayor Boyett recognized the donors and indicated the program was working. He called for the vote.

Motion: I move to approve the acceptance of donations to the Code Enforcement Graffiti Reward Fund.

Moved by Councilmember Neese
Seconded by Councilmember Gulick

APPROVED 10-0, Mayor Cole abstained

I. **Donations** in support of the "Mobilize the MAGIC City" project from various donors.
Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

J. **Easement** from Billings Public Schools for the Rose Park Trail.
Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

K. **Preliminary Minor Plat** of Broso Valley Park Subdivision, 2nd Filing. *Quasi-Judicial

Motion: I move to approve the preliminary minor plat of Broso Valley Park Subdivision, 2nd Filing.

Moved by Councilmember Joy
Seconded by Councilmember Tidswell
APPROVED 10-0, Councilmember Aspenlieder abstained

L. **Preliminary Minor Subsequent Plat** of Les Schwab Subdivision. *Quasi-Judicial
Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

M. **Final Plat** of Annafeld Subdivision, 5th Filing. *Quasi-Judicial
Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

N. **Resolution 24-11201** authorizing the sale and prescribing the form and terms for the Expanded North 27th Street Refunding Bonds.

Councilmember Kennedy inquired if refunding bonds was a customary practice. Mr. Kukulski indicated it was and was a good method to save money by acquiring lower interest rates.

Motion: I move to approve a Resolution authorizing the sale and prescribing the form and terms for the Expanded North 27th Street Refunding Bonds.

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

O. **Second/Final Reading Ordinance 24-5884** amending BMCC, Sec. 24-426 Permit for Loading and Unloading by Backing to Curb and Sec. 24-431 Permit for Curb Loading Zones.

Councilmember Neese noted that a resolution was passed every year by Council setting fees for parking. He indicated he would vote to approve this with one change being that the fees not be set by the City Administrator, but the Council.

Motion: I move to approve second/final reading ordinance amending BMCC, Sec. 24-426 Permit

for Loading and Unloading by Backing to Curb and Sec. 24-431 Permit for Curb Loading Zones, but changing the language about the City Administrator setting fees to the Council setting fees.

Moved by Councilmember Neese
Seconded by Councilmember Owen

Council and staff discussed the fee structure and the methods for which they were currently approved.

APPROVED 10-1, Councilmember Joy opposed

P. Bills for the Weeks of:

1. April 22, 2024

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

2. April 29, 2024

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis
APPROVED 11-0

REGULAR AGENDA:

2. PUBLIC HEARING AND RESOLUTION 24-11202 adopting Solid Waste Collection, Disposal, and Landfill Fees for Fiscal Year 2025. Staff recommends approval.

Jennifer Duray, Deputy Public Works Director, reviewed the proposed rate increases for driver, collection and landfill fees.

Councilmember Kennedy spoke to the presentation and budget presentations as lacking driver salary information in light of a looming Teamsters contract negotiations. He would vote against the resolution.

Councilmember Neese inquired about the "overflow" program and implementing a fee. He proposed that the "missed pickup fee" was too low and suggested it be higher. Ms. Duray advised that the "overflow" program was doing well. It began with an education program, then Solid Waste began tagging containers up to 2 times with warnings and then on the 3rd and subsequent times the containers were not emptied. That seemed to eliminate the overflow problem significantly. Ms. Duray stated an "overflow" fee could be implemented via resolution with no changes to the ordinances if Council wanted. She then addressed full cost recovery for "dry run" or "missed pickup" collection fees. Councilmember Neese suggested the fee be equal to a full hour of costs to the City.

Councilmember Joy inquired about driver sign-on bonuses for CDL licenses and was the City competitive to private industry. Ms. Duray responded it was considered when it was difficult to find drivers, but because existing drivers had not received any bonuses when they were hired, management decided not to implement it. Management was proposing pay increases for equipment operators during contract negotiations and if the pay increases were approved, it would not immediately affect the fees charged to the public.

No public testimony was given during the public hearing.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a Resolution adopting Solid Waste Collection, Disposal, and Landfill Fees for Fiscal Year 2025, as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Gulick

Motion to Amend: I move to amend the motion by changing the “dry run” fee to \$80.

Moved by Councilmember Neese
Died for lack of a second.

A vote was taken on the Motion.
APPROVED 10-1, Councilmember Kennedy opposed

3. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1041: text amendments to the zoning regulations to comply with the elements of SB 245, and adoption of the findings of the 10 review criteria. Zoning Commission recommends approval.

Nicole Cromwell, Zoning Coordinator, explained that the legislature was very active in 2023 in land use and housing issues to remove barriers to housing production. Senate Bill 245 (SB 245) allowed by right multi-unit development in all commercial and mixed-use zones and restricts off-street parking for uses. This legislation is retroactive and affects the changes made by the City. She reviewed the intent of SB 245 and provided the recommended amendments to Table 27-1000.1 in the code to conform with SB 245, i.e., 5-unit/structures in all mixed-use and commercial zones. She continued by reviewing the off-street parking code (Section 27-1300) to require only 1 off-street parking space per dwelling unit in a multi-unit/multi-family or mixed-use structure.

Council noted that the State legislators took away decisions that could be made on the local level.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve first reading ordinance for Zone Change 1041, as recommended by the Zoning Commission.

Moved by Councilmember Gulick
Seconded by Councilmember Joy

Councilmembers Gulick and Rupsis spoke about future revisions concerning off-street parking. Councilmember Neese opposed because the State took local powers and authority away with this legislation.

APPROVED 10-1, Councilmember Neese opposed

4. PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1047: located on the west end of Rimrock Road in Copper Ridge Subdivision, 7th and 8th Filings. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi-Judicial

Nicole Cromwell, Zoning Coordinator, provided details of the Zone Change from N3 to N1. She reviewed possible street configurations and indicated an update to the traffic study may be required if the zone change was approved and the new subdivision was submitted. Ms. Cromwell reviewed the Zoning Commission’s recommendations for approval and the 10 review criteria. She clarified for the Mayor that due to the lawsuit protesting Senate Bill 323, duplex housing options were on hold, but the covenants for Copper Ridge expressly indicated single family housing throughout. Ms. Cromwell acknowledged that a protest petition was received the morning of the

Council meeting, which was a late submittal. She had checked the signatures of property owners and only one of the 24 signatures was valid as a property owner within 150 feet of the zone change. Thus, the protest petition was invalid.

Councilmember Boyett inquired whether the developer could construct all duplexes in the subdivision. Ms. Cromwell responded it could be done, but the lots would have to be wider.

Councilmember Owen was concerned about the water use for the current subdivision.

Councilmember Neese was concerned about public safety, stating response times for fire and police were lengthy due to the distance of the subdivision from fire stations. He suggested system development fees contribute to building additional fire and police stations in the future to reduce response times. He also inquired about how far-reaching the traffic study would be.

Mayor Cole inquired about future school needs being addressed through Zoning, in theory.

John Halverson, Sanderson Stewart, agent, reviewed the approval process and timeline; existing P1, CMU1, CMU2, NO, N3, N2, N1, NX1 and NX2 zoning; and the proposed area zoning as N1 and P1. He continued that the subdivision covenants prohibited duplexes or any multi-family dwelling units and required double attached garages. He provided roadway designs to include 34 foot curb-to-curb traffic calming in the lanes and at intersections. He reviewed the CPTED features that each home would have and the costs of each starter home being geared more toward the median income levels.

The following individuals spoke during the public hearing:

- **Vince Ricci, 3109 Forbes Boulevard, Billings, Montana**, voiced his concerns about creating more density in the area and increased traffic issues on 70th Street West.
- **Steve Simonson, Government Affairs Director for Billings Association of Realtors**, spoke in support of more workforce housing.
- **Gary Lapin, 7045 Shiny Penny Way, Billings, Montana**, spoke against creating higher density at the furthest edge of town and all the unknowns to the types of houses, etc. He supported N3 housing only.
- **Angela Lapin, 7045 Shiny Penny Way, Billings, Montana**, spoke against adding traffic safety concerns on Shiny Penny Way and children in the area. She added Rimrock Road needed to be extended west and 70th Street West needed to be completed.
- **Sharon Wilkerson, Billings, Montana**, spoke about choosing her home based on the type of neighborhood it was zoned to be. Concerned about added density. She said the price of the proposed houses was the same as what she had paid for hers, there were just going to be more of them because they were narrower and taller.
- **Greg McDowell, owner of High Plains Stables, 2223 70th Street West, Billings, Montana**, spoke about his horse training and riding facility and the impact additional traffic could play on the health of the horses. He was against the zone change.
- **Hillary Johnson, Billings, Montana**, spoke about the process's timeline, traffic safety and overcrowding of area schools, and asked that Council consider N2 zoning as it was most compatible with existing N3.
- **Eric Panknin, 7035 Shiny Penny Way, Billings, Montana**, spoke against the zone change.
- **Denise Smith, 3039 Forbes Boulevard, Billings, Montana**, spoke against the zone change because of school overcrowding and she mentioned system development fees and park fees were passed onto the property owners.
- **Gary Radstead, Billings, Montana**, spoke in opposition of the zone change due to the congestion it would cause and deflating his property values.

There were no further speakers.

Nicole Cromwell, Zoning Coordinator, explained the timeline for mailing notices of neighborhood meetings prior to application and the delaying of an application affecting the timeline.

Debi Meling, Public Works Director, provided a timeline for when the Rimrock Road design and construction was planned. She explained the portion of the development of Rimrock Road that would be the developer's responsibility.

Councilmember Neese inquired about the developer's responsibility to develop a portion of 70th Street West. Ms. Meling responded she would have to check the Subdivision Improvement Agreement.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve first reading ordinance for Zone Change 1047, as recommended by the Zoning Commission.

Moved by Councilmember Gulick
Seconded by Councilmember Rupsis

Council and staff discussed the process for adding schools' once development of an area was completed. The need for additional schools is unknown until housing has been built in a new development, then voters must pass a levy to appropriate monies to build schools. Also discussed were covenant restrictions, preliminary plat review and Subdivision Improvement Agreement updates for the newly developed area and that of the existing area

APPROVED 9-2, Councilmembers Tidswell and Boyett opposed

Mayor Cole called a recess at 8:44 P.M. Meeting was reconvened at 8:55 P.M.

5. BID AWARD: W.O. 23-11: DOWNTOWN TWO-WAY STREET CONVERSION, including all Schedules with Alternate Bs to Montana Lines Inc. Staff recommends approval.

Debi Meling, Public Works Director, indicated there were few options to consider other than per schedule, which identified locations for the work to be done; or rejecting the bids, and directing staff to rebid the project. She encouraged Council to approve the bid award so materials could be ordered and the parking configuration could be determined later with Council's input.

Katy Schreiner, CEO of the Downtown Billings Association, provided a PowerPoint presentation that focused on the known differences between Billings downtown streets that were converted to two-way streets, both in assessed values and percentage of growth and vacancies. She reviewed the FY25 strategic priorities of the Downtown Billings Partnership.

Councilmember Kennedy voiced his concern about obtaining another police officer to service the downtown business district.

Councilmember Owen voiced concerns about the condition of the Tax Increment Finance (TIF) district and incentives. Ms. Schreiner addressed the condition of the TIF and its recent history with Council-approved awards for various significant downtown projects. Councilmember Owen inquired whether it was the DBAs intention to close certain downtown streets to create pedestrian malls and if so, she encouraged community conversations. Ms. Schreiner responded that the DBA wished to study that option further, but in no way would it be considered further without better data and a stronger downtown economy.

Councilmember Neese voiced concerns about the back-in parking situation and that it did not appear to be a favorable or effective method of parking. Ms. Schreiner responded that should the community be opposed to back-in parking, then the DBA would consider that.

Motion: I move to approve the bid award for W.O. 23-11: Downtown Two-Way Street Conversion, including all Schedules with Alternate Bs, to Montana Lines, Inc., as recommended by staff.

Moved by Councilmember Aspelieder
Seconded by Councilmember Kennedy

Motion to Amend Motion: I move to direct staff to bring back parking options to Council before the striping portion of the project is considered.

Moved by Councilmember Neese
Seconded by Councilmember Boyett

Councilmember Shaw clarified with Debi Meling, Public Works Director, that staff would bring this topic to Council in the future, so an amendment to the Motion was not necessary. City Attorney, Gina Dahl, suggested the amendment to the Motion not happen as it appears to be a condition of the contract, which was not the case.

Councilmember Neese rebutted that it was important to document the amendment to ensure the matter was brought back for further discussion and public input concerning parking.

Council discussed making two separate motions to address the parking issue. Under agreement, Councilmember Neese withdrew his Motion to Amend Motion and Councilmember Boyett withdrew his second so the vote on the contract only could be taken.

Councilmember Kennedy asked whether he could make an additional motion to include that a Downtown police officer be added to the budget. City Attorney, Gina Dahl, responded he could not as that would involve the budget and the Police Department and it had nothing to do with the two-way street conversion or parking. Further discussions were held concerning the appropriate method to address the additional police officer position.

A vote was taken on the Motion.

APPROVED 11-0

Motion: I move to direct staff to bring parking options to Council before the striping portion of the project is considered.

Moved by Councilmember Neese
Seconded by Councilmember Boyett
APPROVED 9-2, Councilmembers Joy and Kennedy opposed

6. **MEMORANDUM OF UNDERSTANDING (MOU)** with Yellowstone County for Short Term Detention Facility. Staff recommends approval.

No presentation was given.

Motion: I move to approve entering into the Memorandum of Understanding (MOU) with Yellowstone County for Short Term Detention Facility, as recommended by staff.

Moved by Councilmember Owen
Seconded by Councilmember Aspelieder

Councilmember Boyett mentioned the County had approved entry into the MOU and encouraged Council to approve it.

Councilmember Joy expressed her confusion about the City having to "buy" 10 beds for 3 years to hold detainees when the City taxpayers already contributed financially. It would set a precedent for the County to require payment in the future. She would oppose the Motion.

APPROVED 10-1, Councilmember Joy 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 gave public comment:

- **Kristine Glen, Yellowstone Valley Citizens Council**, spoke of the importance of urban forestry to create a green infrastructure. She encouraged proper handling of trees in public spaces to reduce potential liability.
- **Kevin Nelson, 4235 Bruce Avenue, Billings, Montana**, spoke about SBBURD TIF entering into contracts that no one in the public has viewed, including Council who approves the budget. He asked that Council reign the Board in as they were no longer working as an Advisory Board, but a Quasi-Judicial agency.

There were no further speakers.

COUNCIL INITIATIVES:

There were no Council initiatives.

ADJOURN: 9:38 P.M.



CITY OF BILLINGS

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

ATTEST:

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