

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
October 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 4:00 P.M.

CALL TO ORDER: Mayor Cole

RECESS TO CLOSED EXECUTIVE SESSION (4:00 PM - 5:30 PM) - * City Administrator, Chris Kukulski's Annual Review

*Note: The Executive Session will be closed, as allowed in Section 2-3-203(3), MCA, as discussions relate to matters of individual privacy and wherein the demands of individual privacy exceed the merits of public disclosure.

Regular Business meeting was reconvened at 5:36 P.M.

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Tidswell Boyett

ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I (via Zoom after recess at 8:09 P.M.)
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 (via Zoom)
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
Denise Bohlman, City Clerk
Jaime Fender, Assistant Fire Marshall
Mike Pigg, Parks, Recreation and Public Lands Director
David Watterson, Information Technology Director
Nicole Cromwell, Zoning Coordinator
Hunter Kelly, Planner
Wyeth Friday, Planning Director
Anna Vickers, Planning Division Manager
Dave Green, Planner II
Mac Fogelson, City Engineer

MINUTES:

- September 23, 2024

Moved by Councilmember Joy

Seconded by Councilmember Gulick

APPROVED 11-0

- October 14, 2024

Moved by Councilmember Joy

Seconded by Councilmember Gulick

APPROVED 11-0

COURTESIES:

Ron Spence, President of the Friends of the USS Billings, introduced Commander Frank Levine who introduced the 9 members of the USS Billings crew visiting Billings. Each member of the crew stated where they were from and the position they held on the ship. Each year a small delegation of crew members is selected to visit Billings from a crew of 90-100 sailors.

PROCLAMATIONS:

Mayor Cole proclaimed November as Epilepsy Awareness Month and Lung Cancer Awareness Month.

COUNCIL REPORTS: There were no Council reports.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

Mr. Kukulski mentioned that Consent Agenda Item 1D, MOA with the Billings Bench Water Association (BBWA) – FEMA HMGP Grant, would need a motion to remove the item from the Consent Agenda and the City Engineer, Mac Fogelsong, was present to provide an explanation.

Mr. Kukulski highlighted Consent Agenda Item 1G, State Homeland Security Program FY2024 Grant Award to IT Department. The grant would provide an analysis of whether the City had an adequate amount of data security.

Mr. Kukulski noted that the title for Regular Agenda Item 6, was incorrect. It should have been written as the title to the staff memo, "City Administrator's Annual Performance Evaluation Compensation Consideration". The motion would be revised according to Council's decision.

Lastly Mr. Kukulski mentioned there was 1 ex parte communication received after 3 pm to the Mayor and Council concerning Regular Agenda Item 5, from Elizabeth Shumaker of the Home Builders Association of Billings.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 2c, 4, 5 and 6 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.)

Motion: I move to rearrange the items on the Regular Agenda as follows: Item No. 5 moved to the beginning of the Regular Agenda as Item No. 2 due to the amount of public participation

and Item No. 2 would be heard immediately thereafter.

Moved by Councilmember Neese
Died for lack of a second.

The following individuals provided public comment:

- **Kimberly Welzenbach, CEO of Home Builders Association, 1645 Avenue D, Billings, Montana**, in reference to Regular Agenda Item 5, spoke about the streetlight mandate and noted it may not be appropriate to mandate streetlights in every subdivision. She expressed concern about a lack of local studies and how the mandate may further hinder the affordability of housing.
- **Dan Brooks, Executive Director, Billings Chamber of Commerce, 815 S. 27th Street, Billings, Montana**, in reference to Regular Agenda Item 5, expressed concern about housing balance, increasing public safety and reducing the cost of housing. He offered the services of the Chamber to aid with offsetting the cost of new lighting.
- **Elizabeth Shumaker, Home Builders Association, 1645 Avenue D, Billings, Montana**, in reference to Regular Agenda Item 5, presented data concerning new housing inventory in Billings from 2020 to 2024, indicating a reduction in the number of houses built each year and the increase in the cost of houses. She indicated builders were not willing to build within the City limits due to all the restrictions and regulations. She was opposed to the streetlighting mandate.
- **Mike Vinton, Vice President of the Montana Building Industry Association, 5115 High Trail Road, Billings, Montana**, in reference to Regular Agenda Item 5, indicated they were working on all levels to reduce the cost of housing. He voiced opposition to the mandates as those increased the costs of housing unnecessarily. He indicated there were many dark sky communities and the people living in them preferred them.
- **Beau Thompson, Billings, Montana, former President of the Billings Home Builders Association**, in reference to Regular Agenda Item 5, voiced his opposition to increased Special Improvement Districts to pay for the mandated streetlights.
- **Doug Wild, 4712 Audubon Way, Billings, Montana**, in reference to Regular Agenda Item 5, voiced his concerns about requiring homeowners to provide streetlighting if they do not want to pay for it.
- **Pam Purinton, 3606 Quimet Circle, Billings, Montana**, in reference to Regular Agenda Item 5, encouraged Council to listen to the home builders' concerns about increasing costs to the homebuyers. She indicated 40% of current housing increases were due to government regulations, especially those on the local level. She supported choice for homeowners who would rather live in neighborhoods without streetlighting. She opposed enforcing CPTED regulations throughout the City. She noted that building permits in the City had declined in recent years.

No further public comments were given.

1. **CONSENT AGENDA**

Mayor Cole separated Consent Agenda Item 1D for discussion.

Councilmember Aspenlieder separated Consent Agenda Item 1J2 in order to abstain as his employer was subject to payment for services.

Councilmember Kennedy separated Consent Agenda Item 1E for discussion.

Motion: I move to approve the items of the Consent Agenda as submitted, with the exception of items moved for separation.

Moved by Councilmember Neese
Seconded by Councilmember Gulick

APPROVED 11-0

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

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Matt Mikkelson	Billings BID*	10/28/24	12/31/25
2	No Applications	Community Development Board - Low Mod*	10/28/24	12/31/26
3	Donald White	Community Development Board*	10/28/24	12/31/26

*1 Unexpired term of Lea Morford
*2 Unexpired term of Valerie Courtney
*3 Unexpired term of Jenna Martin

B. **Bid Awards:**

1. **W.O. 23-22: WRF Digester Boiler.** (Opened 10/01/24) Recommend Star Service.

Moved by Councilmember Neese
Seconded by Councilmember Gulick

APPROVED 11-0

C. **Par 3 Golf Course Management Agreement** with the Exchange City Golf Corporation.

Moved by Councilmember Neese
Seconded by Councilmember Gulick

APPROVED 11-0

D. **Memorandum of Agreement (MOA)** with the Billings Bench Water Association (BBWA) for the combined application for the FEMA HMGP Grant.

Mac Fogelsong, City Engineer, addressed changes to the MOA. On page 4, Section 5.ii, Payment for Work, was clarifying engineering fees for work done and reimbursement; and under Section 10, Remedies, additional protections for the City were added. Mr. Fogelsong provided examples.

Motion: I move to approve Item 1D including the modifications as stated.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick

APPROVED 10-1, Councilmember Aspenlieder opposed

E. **Amendment No. 5**, Professional Engineering Services Contract with HDR Engineering for W.O. 19-12: West End Project Preliminary Reservoir Design and BBWA Unloader Raw Water Delivery Design, Bidding and Construction Administration Services.

Councilmember Kennedy clarified with Mac Fogelson, City Engineer, that construction would not be delayed by the changes and the pipeline to provide water to the City would not be affected.

Councilmember Neese confirmed with Mac Fogelson, City Engineer, that the canal could still be used as a water source in the case of an emergency and that the City paid the BBWA an annual fee for the delivery source.

Motion: I move to approve Item 1E.

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

- F. **Acceptance** of 2025 Domestic Violence Grant Award to the Police Department for the Domestic Violence Investigator Program and **Authorization** for the Police Chief to sign all required grant materials.

Councilmember Boyett recognized that the Police Department would receive \$69,000 from this grant.

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

- G. **Acceptance** of State Homeland Security Program FY 2024 Grant Award for the Information Technology Department.

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

- H. **Second/Final Reading Ordinance 24-5894** expanding the boundaries of Ward I - Annexation 24-03.

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

- I. **Second/Final Reading Ordinance 24-5895** for Zone Change 1054 - Montana National Guard Project - Hwy 3.

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

J. Bills for the Weeks of:

1. September 23, 2024

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

2. September 30, 2024

Moved by Councilmember Boyett
Seconded by Councilmember Shaw
APPROVED 10-0, Councilmember Aspenlieder abstained

REGULAR AGENDA:

**2. THOMAS ROMINE PROPERTY - 58th Street West and Rimrock Road.
JOINT PUBLIC HEARING FOR ANNEXATION 24-04 and ZONE CHANGE 1057:**

- i. **RESOLUTION APPROVING ANNEXATION 24-04:** a portion of Lot 27A of the Sunny Cove Fruit Farms Subdivision. Staff recommends conditional approval. ***Quasi-Judicial**

Hunter Kelly, Planner, provided a presentation about the area to be annexed and the area to be rezoned. He explained the annexation policy criteria and stated staff recommended conditional approval. He noted that the following Zone Change met with the current growth policy; N2 zoning was compatible with adjacent zones and uses, etc. He reviewed the differences between N3 and RR3 versus N2 zoning. He acknowledged that the Zoning Commission recommended approval and adoption of the 10 review criteria and that a valid protest petition was received from a minimum of 25% of the surrounding property owners within 150 feet of the proposed zone change. Therefore, a supermajority vote was required of present Councilmembers or 8 in this case.

Councilmember Boyett inquired about ingress and egress from the area onto Rimrock Road. Mr. Kelly responded that the Engineering Department preferred minimizing additional entrances onto Rimrock Road because so many already existed there. That was the reasoning for placing the ingress and egress access points on Mared Street.

Councilmember Boyett asked if the protest was for the annexation and the zone change. Mr. Kelly responded annexations could not be protested against. The protest was against the zone change.

Councilmember Rupsis inquired about the annexation of Mared Street and who owned it. Mr. Kelly responded it was a public road owned by the County. Per the County Public Works Department it was recommended to annex the road with the property to better handle traffic flows and create consistency with City public roads.

Councilmember Aspenlieder observed another option for ingress and egress from the west of the property at 60th Street West. He asked if it was ever considered. Mac Fogelsong, City Engineer, responded there was a Subdivision Improvements Agreement (SIA) to the subdivision north of the area that may affect access.

Mayor Cole inquired who was responsible for bringing Mared Street into compliance with City standards. Mr. Fogelsong responded that water mains would need to be installed, etc., so that would require the gravel road to be paved and curb and gutters installed and that expense would be on the developer.

Councilmember Neese clarified with Anna Vickers, Planning Division Manager, that all the proper postings and notices were done.

Councilmember Rupsis asked about the timeline for annexation of the property and the addition of the annexation of Mared Street. Anna Vickers, Planning Division Manager, provided a timeline for when the zone change went before the Zoning Commission. She explained the first public hearing for the annexation was during this meeting and because the County asked to have Mared Street annexed as well, it would be contained in the annexation agreement, separately. The annexation agreement was still being vetted. She explained the notification process.

Councilmember Boyett asked about stretching the public safety resources with each additional annexation and would these properties' taxes contribute sufficiently toward supporting police and fire. City Administrator, Chris Kukulski, stated that the fire department was a regional service and whether the property was annexed or not, the fire department would still provide service to the property.

Council and staff continued discussions about housing in N2 zoning and RR3 zone that would remain if the zone change was not approved.

The following individuals provided testimony during the public hearing:

- **Gina Ballard, 5806 Mared Street, Billings, Montana**, insisted she had not received any kind of notice about the zone change and she objected to the methods of communication. She added there were not enough schools, police, hospitals, etc. in the area, nor were the roads developed to meet the increased densities of the west end. She spoke to the flooding and dewatering of the area and the lack of studies about dewatering impacts on neighborhood wells.
- **Teresa Ehrlick, 5819 Mared Street, Billings, Montana**, noted that Billings lacked good planning. She referred to Glen Abbey Subdivision costing thousands of dollars in damages to surrounding neighbors. She added that no one had resided in the Glen Abbey Subdivision for 6 years and the City was not collecting taxes from it. She supported keeping the irrigated farmland versus more housing.
- **Jody Goddard, 5811 Mared Street, Billings, Montana**, opposed the zone change and stated it did not meet the review criteria in No. 4 – the roads. She opposed the annexation and noted that if she had wanted to live in the City she would have bought property in the City.
- **Lance Brady, 2916 Mickey Wright Lane, Billings, Montana**, voiced his concerns about the traffic. He disagreed with the ingress and egress on Mared Street.
- **Tammy Cosgrove, 2508 58th Street West, Billings, Montana**, voiced her concerns about added traffic congestion and opposed the project.
- **Laura Kelly, 2520 58th Street West, Billings, Montana**, opposed the zone change. Rimrock Road was too busy already.
- **Doug Wild, 4712 Audubon Way, Billings, Montana**, questioned the cost ramifications to property owners on Mared Street should the area be annexed.

No further testimony was given.

Trent Parks, 2259 Gleneagles, Billings, Montana, the developer, mentioned that he was building homes in 3 other subdivisions in which the lots were nearly filled. He understood he would be responsible for paving Mared Street and the water and sewer connections. He estimated \$75,000 to do all of it and then the City would maintain the infrastructure after that.

Council, staff and Mr. Parks discussed sidewalk installation, payment, maintenance and requirements. They also discussed trigger points for new traffic studies, existing traffic studies for neighboring subdivisions, the transportation plan and connectivity to other connector streets.

Councilmember Neese voiced concern about dewatering and effects on existing wells and whether the City had any responsibilities associated with dewatering. Wyeth Friday, Planning Director, stated any annexed properties would be on City water and sewer. The Bureau of Mines was conducting a study of the entire west end to determine the health of the receding aquifer and increased nitrate levels.

J.W. Papez, Engineer Consultant to the Developer, mentioned the property had been annexed into the City at one time, but a different developer chose to de-annex later.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a Resolution conditionally approving Annexation 24-04, as recommended by staff.

Moved by Councilmember Rupsis
Seconded by Councilmember Joy

Councilmember Joy acknowledged the frustrations people were having with inadequate traffic flows and lack of schools. She noted that to help defray costs of the fire department services to an unannexed area, the property needed to be annexed into the City. She supported the motion.

Councilmember Boyett reminded Council there was a valid protest on the Zone Change only and Mayor Cole reiterated that a supermajority of votes was needed for approval or 8 votes. A simple majority vote was sufficient for approval of the annexation.

Councilmember Aspenlieder opposed the motion because it was not done in the best way. He explained that more property could have been included in the annexation and made suggestions about identifying more effective ingress and egress access points and leaving Mared Street out of the annexation altogether. He encouraged the developer to withdraw the application to avoid a 12-month delay should there be a failed vote on the motion.

Councilmember Owen was concerned about the traffic studies and would oppose the motion.

Councilmember Joy clarified with Mac Fogelson, City Engineer, about whether the developer would be responsible for improvements on 58th Street West if the annexed property did not abut to it. He responded that no subdivision regulation addressed that, but it could be included in the annexation agreement. He noted that requirement was not a consistent practice.

Councilmember Kennedy voiced his opposition to the motion for approval.

Trent Parks, Developer, noted the original design had 2 ingress and egress access points on Rimrock Road, but City staff required the access points be changed to Mared Street.

Councilmember Owen asked about constructing an additional 59th Street West as an option. Mr. Parks responded that it was a requirement to extend Arnold Palmer Road to the south, which would

be 59th Street West.

Councilmember Aspenlieder questioned the developer's statements.

Councilmember Joy called point of order.

Mayor Cole called for a recess at 8:02 P.M. and the meeting was reconvened at 8:09 P.M.

Councilmember Shaw left the meeting at 8:05 P.M. Councilmember Shaw appeared via Zoom at 8:09 P.M.

Council and staff discussed the status of the zone change should the annexation fail approval. If annexation was approved, the zoning could not remain as is because there was no RR3 zoning in the City. Therefore, the developer could not enter into an annexation agreement and the annexation could not move forward. Wyeth Friday, Planning Director, pushed back on comments about lack of planning and provided details about future plans for road improvements in the area, etc., stating there was a method and it could not all be done at once. Acquisition was a process.

Councilmember Rupsis inquired about the 10-acre requirement for PND zoning. Mr. Friday noted that because the proposed property to be annexed contained less than 10 acres, PND zoning was not required.

Councilmember Neese voiced his opposition to the motion.

Councilmember Gulick supported the zone change if the annexation was approved.

Councilmember Kennedy called the question to move to a vote on the motion, seconded by Councilmember Aspenlieder.

APPROVED 10-1, Mayor Cole opposed

A show of hands vote was taken on the Motion to approve the annexation.

FAILED 4-7, Councilmembers Neese, Owen, Kennedy, Aspenlieder, Tidswell, Boyett and Mayor Cole opposed

Due to the failure to approve the annexation of the property, the following Zone Change, Annexation Agreement and Ward Boundary Expansion were moot.

~~ii. **FIRST READING ORDINANCE FOR ZONE CHANGE 1057**: a portion of Lots 6A-1 and 27A of the Sunny Cove Fruit Farms Subdivision, generally located at 58th Street West and Rimrock Road. Zoning Commission recommends approval and adoption of the 10-review criteria. *Quasi-Judicial~~

~~iii. **ANNEXATION AGREEMENT** with Thomas Romine. Staff recommends approval.~~

~~iv. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annexation 24-04. Staff recommends approval.~~

3. PUBLIC HEARING AND FIRST READING ORDINANCE adopting 2021 International Fire Code (IFC). Staff recommends approval.

Jaime Fender, Fire Marshall, addressed the Council about the adoption of the 2021 IFC and answered Council questions concerning requirements for carbon monoxide monitoring in existing hotels. The permits section and construction documents were also addressed as those

were specific to the City. He noted there was one change to be made to Section 107, adding the word "Not" to the sentence "fees are not adopted". He clarified that fire protection inspections were conducted by the Fire Department.

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 First Reading Ordinance adopting 2021 International Fire Code (IFC), with a change to Section 107, adding the word "Not" to the sentence "fees are not adopted", recommended by staff.

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

4. TAX INCREMENT FINANCING ASSISTANCE from the South Billings Boulevard Tax Increment Finance District to Tropicana Inn-Vestments 2.0, LLC, for Montana Trailhead Inn partial demolition - 5500 Midland Road. South Billings Urban Renewal Association (SBURA) Board recommends approval.

Dick Zier, SBURA consultant, provided a presentation explaining the plans for demolition and improvements to the property. He noted the property had been plagued with vandalism and vagrants.

James Malloy, owner, reported on the condition of the property and the plans for demolition, asbestos abatement and renovation. He spoke to the additional tax revenue that could be realized once the over 13-acre property was renovated.

Council and Mr. Malloy discussed the vision for the building as a limited service hotel without a restaurant, casino or bar. It would not be a convention center. Mr. Zier confirmed that the SBURA Board approved the finance assistance and their budget had the funds. He noted it was a valuable piece of property in the SBBURD; the improvements would remove blight and eliminate the transient and vandalism problem in the area; and it would be to everyone's advantage to get it back on the tax rolls. He urged Council to approve the assistance.

Motion: I move to conditionally approve tax increment financing assistance from the South Billings Boulevard Tax Increment Finance District to Tropicana Inn-Vestments 2.0, LLC, for Montana Trailhead Inn partial demolition - 5500 Midland Road, as recommended by SBURA Board.

Moved by Councilmember Kennedy
Seconded by Councilmember Aspenlieder

Councilmember Neese asked if the policy allowed funding to projects that were already started. Chris Kukulski, City Administrator, referred to the local policy that indicated the application for finance assistance "should" be submitted and considered prior to project implementation. Wyeth Friday, Planning Director, noted that the TIF Boards were trying to do a better job of getting these considerations before the Council sooner, but that the application had been submitted to the SBURA Board in early September before the project started.

APPROVED 11-0

5. SECOND/FINAL READING ORDINANCE 24-5896 amending Sections 23-100 through 23-1100, Billings, Montana City Code (BMCC), Subdivision Regulations, to conform to State Legislation passed in 2023 and local changes provided by City Council, Planning, Engineering, Parks and Fire Department staff. Planning Board and staff recommends approval.

Dave Green, Planner, reviewed proposed street width language replacing the word "property" to the words "street sections" in the areas addressing parking as requested by Council. He also

addressed the typo on Page 53, Section 11, Street Grades - as minimum speeds was changed to maximum speeds.

Motion: I move to approve second/final reading ordinance amending Sections 23-100 through 23-1100, Billings, Montana City Code (BMCC), Subdivision Regulations, to conform to State Legislation passed in 2023 and local changes provided by City Council, Planning, Engineering, Parks and Fire Department staff, as recommended by the Planning Board and staff, and inclusive of the 2 amendments noted.

Moved by Councilmember Owen
Seconded by Councilmember Joy

Councilmember Owen indicated that lighting was a common tool utilized to increase public safety and it was best to create that in a built environment at the beginning. She addressed the dark sky theory and referenced the Dark Sky Association's stance that it was possible to implement low lighting that preserved dark skies through certain technologies. She focused on reducing builders costs by expediting the permitting process because delays equaled costs. She invited community members to offer solutions to crime prevention if they were opposed to a lighting solution

Councilmember Joy echoed Councilmember Owen's comments and supported the motion.

Councilmember Neese opposed the section concerning streetlighting and wanted it removed as it was too regulatory.

Motion to Amend: I move to amend Section 14 concerning streetlighting, to "streetlights may shall be installed in residential subdivisions" and lighting plans are to be brought to the Planning Board for approval.

Moved by Councilmember Neese
Seconded by Councilmember Kennedy

Councilmember Neese spoke to his motion about how the State legislature tried to simplify things for the housing market and Council was looking at ways to complicate matters. He was concerned about builders refusing to build in Billings because of the regulations. He agreed that in high density areas streetlighting would be beneficial, but in rural, less dense areas, lighting should not be mandatory.

Mayor Cole supported the motion to amend but also supported streetlights in general as making an impact to overall safety. He mentioned that Montana had the largest affordability gap in the nation for housing. It was prudent to try to keep costs low.

A show of hands vote was taken on the Motion to Amend. **FAILED 5-6**, Councilmembers Gulick, Owen, Joy, Shaw, Aspenlieder, Rupsis and Shaw opposed

A voice vote was taken on the Original Motion. **APPROVED 9-2**, Councilmembers Neese and Kennedy opposed

6. CITY ADMINISTRATOR'S Annual Performance Evaluation and ~~APPROVAL~~ of Employment Contract. Compensation Consideration.

Mayor Cole explained that any increase in the City Administrator's compensation during a time in which there were so many questions about the utility billing situation would send the wrong message to the public. Councilmembers wanted to review the outcome of the audit before making any decision about compensation. No action would be taken until 60 days after completion of the utility billing audit or 6 months from today's date, whichever came first.

Mayor Cole explained the annual evaluation and scoring process. He reported that Mr.

Kukulski received a very good overall score and Council appreciated his professionalism, collaborative nature, integrity and hard work ethic.

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.*)

No public comment was given.

COUNCIL INITIATIVES: There were no Council initiatives.

ADJOURN: 9:25 P.M.



CITY OF BILLINGS

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

ATTEST:

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