



**VISION STATEMENT:**  
"The Magic City: A diverse,  
welcoming community  
where people prosper and  
business succeeds."

## WORK SESSION SUMMARY

**Council Chambers**  
**220 N. 27 St.**

**February 20, 2024**

**5:30 P.M.**

### CALL TO ORDER: Mayor Cole

Present: Councilmember Kendra Shaw, Ward I (Left at 6:50 P.M.)  
Councilmember Gulick, Ward I  
Councilmember Jennifer Owen, Ward II  
Councilmember Neese, Ward II  
Councilmember Denise Joy, Ward III  
Councilmember Bill Kennedy, Ward III  
Councilmember Scott Aspenlieder, Ward IV  
Councilmember Mike Boyett, Ward V  
Councilmember Tom Rupsis, Ward V  
Mayor William Cole

Absent/  
Excused: Councilmember Daniel Tidswell, Ward IV

Staff  
Present: Chris Kukulski, City Administrator  
Kevin Iffland, Assistant City Administrator (Left at 7:30 P.M.)  
Gina Dahl, City Attorney  
Wyeth Friday, Planning Director  
Tina Hoeger, Code Enforcement Manager  
Todd Corne, Deputy City Attorney

### Public Comment

- Don Vanica, 2225 N. Echo Drive, Billings, Montana, in reference to Item #4, spoke of private donations for short term jail.
- David Irion, 3133 Ben Hogan, Billings, Montana, in reference to Item #4, spoke in favor increasing police force, assist county in growing jail space.
- Lilly Corning, 3222 Redwood Lane, Billings, Montana, in reference to Item #4, spoke in favor of closing gap on short term jail funding.
- Michelle Johnson, no address given, spoke on MDT speed study, intersection at Jellison and Bluecreek Road needs to have formal traffic safety study.
- Jeremy Vannetta, 5303 Rich Lane, Billings, Montana, in reference to Item #4, spoke in support short term jail funding.

## 1. Code Enforcement Ordinance Amendments (ended at 1:16:57)

Wyeth Friday, Planning Director, gave an overview of how staff had worked with the community, the Legal Department and Council to make the proposed Code Enforcement Ordinance amendments.

Tina Hoeger, Code Enforcement Manager, reviewed the nuisance ordinance amendments. Looking for input from Council: how to address grandfathering and language to address structures under construction and/or which have building permits. A vacant property registry ordinance would be addressed in the future.

Todd Corne, Deputy City Attorney, addressed Council concerns with trespassing and unlawful activity.

General discussion and questions by Councilmembers. Various terminology suggestions. Council consensus to see final draft and bring back to Regular Council meeting for approval.

### Public Comment

- Randy Hafer, High Plains Architects, Billings, Montana, general comments on older buildings downtown and remodeling potentials.

## 2. Montana Land Use Planning Act (Senate Bill 382) (ended at 2:01:33)

Wyeth Friday, Planning Director, gave an overview of the MT Land Use Planning Act, who the law applied to, when to comply, and what implementation would look like. He discussed a Planning Commission formation, public participation plan, housing analysis and criteria to meet, lawsuit update and implications, and next steps.

General discussion and questions by Councilmembers.

### Public Comment

- None

Break at 7:31 pm

Reconvene at 7:40 pm

CM Boyett moved to postpone Item #3 to a later meeting, seconded by CM Rupsis. Approved 9-0, CM Shaw and Tidswell absent/excused

## 3. ~~PMD Assessment Discussion~~

## 4. Yellowstone County Short-Term Jail Request (ended at 3:53:00)

Chris Kukulski, City Administrator, discussed the County letter requesting the City consider funding up to half of the construction of the not to exceed 75 hour holding facility. He spoke of the budgeting process, and the minimum number of beds. He indicated the Clerk's office would revise the agenda for the February 26, 2024 meeting to add an action item approving the Council letter.

CM Boyett proposed budgeting \$500,000 in FY25 and \$500,000 in FY26 (in addition to the \$500,000 already budgeted for FY24) for a total of \$1.5 million.

CM Owen spoke of Jail Expansion Subcommittee discussions, police officer morale, and needs of the community. She indicated \$1.5 million would not be adequate and a larger amount would be needed to encourage the County to proceed quickly.

Council discussed the debt owed to the City by the County, and marijuana tax revenues received by the City.

CA Kukulski indicated the City received approximately \$600,000 in marijuana tax revenues annually and \$200,000 City Hall Law and Justice Center.

CM Aspenlieder made a substitute motion: budget \$750,000 in FY25 and \$750,000 in FY26, CM Owen seconded.

CM Kennedy indicated he would support budgeting \$2 million for the short-term jail if the additional 10 mills currently being used for the franchise fee lawsuit was appropriated for additional police officers and detectives beginning next year.

Council continued discussion on public safety needs, the Sheriff having a role at the facility, and concerns with the City's financial role in the facility. They discussed putting a range in the letter, and penalty for non-delivery of terms.

Alan Rapacz, Schutz Foss Architects, Billings, Montana, spoke of 6 to 6.5 months for design, 14-16 months for design and construction, \$4.7 million for 48 beds in a 2-story shell and \$1.3 million for interior finishing. He spoke of the possibility of additional beds and design plans.

Council continued discussion on the plans, holding facility components, and what type of offenders would be housed in the facility.

Gina Dahl, City Attorney, explained the process of how the Judge would make the decision on next steps for the offender and the short-term facility could house persons for all types of crimes.

## **Public Comment**

- Gary Buchanan, no address given, indicated concerns with proposed costs. He encouraged a tight agreement with the County.
- David Irion, 3133 Ben Hogan, Billings, Montana, spoke of needs of the community.
- Michelle Johnson, no address given, expressed anger at the lack of action by the City.

Chris Kukulski, City Administrator, explained how the contribution could be budgeted.

CM Owen made a motion to direct staff that a minimum of \$370,000 come from marijuana revenues for FY25 and FY26. CM Kennedy seconded.

Council discussed including terminology of bed capacities for City needs, delivery date and contributions for late holdbacks, and adding data reporting requirements.

## **5. Council Retreat Discussion. (ended at 3:54:34)**

Chris Kukulski, City Administrator, discussed timeline of the retreat and a draft agenda. He asked Council their thoughts on defining a successful retreat. He reviewed draft policy issues for strategic goals. Council discussed their top priorities.

**Public Comment**

- None

**6. Highlight Upcoming Agenda Items of Council Interest.**

**Public Comment**

- None

**COUNCIL DISCUSSION:**

- None

**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.)*

- None

**ADJOURN:** 9:50 P.M.