

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
June 9, 2025**

The Billings City Council met in regular session in the City Council Chambers, located at 316 N. 26th Street, 5th Floor, Billings, Montana, at 5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Rupsis

ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I (Via Zoom)
Councilmember Ed Gulick, Ward I
Councilmember Roy Neese, Ward II
Councilmember Jennifer Owen, Ward II
Councilmember TJ Rogers, Ward III
Councilmember Bill Kennedy, Ward III
Councilmember Daniel Tidswell, Ward IV
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

Absent/
Excused: Councilmember Scott Aspenlieder, Ward IV

Staff
Present: Kevin Iffland, Assistant City Administrator
Daniela Pavuk, Assistant City Attorney
Toni Keehner, Deputy City Clerk
Debi Meling, Public Works Director
Gavin Woljter, Parks and Recreation Director
Tracy Scott, Parking Manager
Hunter Kelly, Planner

MINUTES: May 27, 2025 - Pending

COURTESIES:

There were no Council courtesies.

PROCLAMATIONS:

There were no Council proclamations.

COUNCIL REPORTS:

There were no Council reports.

ADMINISTRATOR REPORTS – KEVIN IFFLAND, ASSISTANT CITY ADMINISTRATOR

Mr. Iffland provided Council with information that:

- Consent Agenda Item 1F, Amendment 6 to the Purchase and Sales Agreement (PSA) for City Hall, needed to be separated for a revision.
- John Skauge, owner of Colonial Apartments, had passed away and the City would continue handling issues with the property.
- There were NO exparte communications received after 3 PM to the Mayor and Council concerning items on the agenda.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 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:

- **John Halvorson, Partners for Parks Foundation Vice President**, in reference to Consent Agenda 1J, expressed excitement for the kid’s basketball court at Pioneer Park.

Mayor Cole thanked Partners for Parks for funding the wind break at the High Sierra Dog Park and working with the Parks and Recreation Department for quickly fixing the vandalism that had occurred.

No further public comment was given.

1. CONSENT AGENDA

Mayor Cole separated Item 1F for discussion.

Councilmember Neese separated Item 1G for discussion.

Councilmember Rupsis separated Item 1N1 to abstain as a client was receiving payment.

Motion: I move to approve all items on the Consent Agenda, except for items moved for separation.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

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

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Randy Stone	Billings BID*	06/09/25	12/31/25
2	No Applications	Billings Parking Board*	06/09/25	12/31/25
3	Jordan Webber	Citizens Police Advisory Board*	06/09/25	12/31/25
4	Shannon Reiser	Human Relations Commission*	06/09/25	12/31/26

- *1 Unexpired term of Matt Mikkelson
- *2 Unexpired term of Mark Kary
- *3 Unexpired term of Charles Loveridge
- *4 Unexpired term of Kelly Gardner

Moved by Councilmember Boyett
 Seconded by Councilmember Rogers
APPROVED 10-0, Councilmember Aspenlieder absent/excused

B. Bid Awards:

1. **2025 Vacuum Excavator.** (Opened 5/20/25) Recommend Vermeer Rocky Mountain.

Councilmember Neese asked for clarification on receiving unacceptable bids for the excavator.

Debi Meling, Public Works Director, indicated the unacceptable bids had not been for the appropriate equipment.

Moved by Councilmember Boyett
 Seconded by Councilmember Rogers
APPROVED 10-0, Councilmember Aspenlieder absent/excused

2. **W.O. 25-01, Contract 1: Grand Avenue Water Main Replacement.**
 (Opened 5/20/25) Recommend COP Construction, LLC.

Moved by Councilmember Boyett
 Seconded by Councilmember Rogers
APPROVED 10-0, Councilmember Aspenlieder absent/excused

C. Contract with Kittelson & Associates, Inc. for W.O. 25-19: Transportation Corridor Plan.

Councilmember Neese asked for clarification on having more than one phase to the project.

Debi Meling, Public Works Director, indicated staff had split the project into two phases to allow an opportunity for community input and the second phase could be awarded to Kittleson & Associates if preferred.

Moved by Councilmember Boyett
 Seconded by Councilmember Rogers
APPROVED 10-0, Councilmember Aspenlieder absent/excused

D. Purchase Playground Fall Protection for Landon's Legacy Park; Dakota Playground.

Councilmember Neese asked for clarification on the status of the playground.

Gavin Woljter, Interim Parks, Recreation and Public Lands Director, indicated there was currently no fall protection at the playground and the purchase would cover costs for a pour-in style of fall protection.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

E. Consultant Agreement with SRF Consulting for MET Transit Financial Sustainability and Governance Study.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

F. Amendment No. 6, to the Purchase and Sale Agreement (PSA) for City Hall building at 210 N. 27th Street with Honaker Realty, LLC, and JWT Capital, LLC.

Kevin Iffland, Assistant City Administrator, indicated the closing date in the PSA needed to be revised to match the contingency period date of June 30, 2025. He stated all parties were agreeable with the added language.

Motion: I move to approve Item 1F, with a revised closing date of June 30, 2025, as recommended by staff.

Moved by Councilmember Boyett

Seconded by Councilmember Rupsis

APPROVED 10-0, Councilmember Aspenlieder absent/excused

G. Lease Agreement with CapeHon Development, LLC, for continued use and operation of the Park 3 Parking Garage.

Councilmember Neese expressed concerns with the City's projected profit margin for the parking garage lease.

Mr. Iffland indicated there had been a decrease in hourly parking since the City moved into the new City Hall building. He expected there could be an increase in monthly leased spots in the future.

Tracy Scott, Parking Manager, spoke of ways staff could handle making changes to the hourly and monthly leased spots to ensure an acceptable profit margin. She recommended Council give it a year to see how things were working.

Councilmember Boyett asked if a one-year agreement would be acceptable to staff.

Mr. Iffland spoke of the intrinsic value of maintaining management of the parking garage for employees who still needed to be provided with parking. He explained how the City used internal

transfers for employees according to their department and spoke of the potential for increases in monthly leases in the future. He recommended proceeding with the two-year agreement.

Ms. Scott spoke of snow removal, property taxes, and utility costs for the garage.

Councilmember Rupsis asked Mr. Iffland if he would prefer to re-negotiate the contract.

Mr. Iffland recommended moving forward with the two-year contract as presented.

Motion: I move to approve Item 1G.

Moved by Councilmember Rupsis

Seconded by Councilmember Boyett

APPROVED 9-1, Councilmember Aspenlieder absent/excused, Councilmember Neese opposed

H. Commercial Aviation Ground Lease with Dan and Julane Wells.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

I. FEMA Hazard Mitigation Grant Program, Increment 1 for BBWA Canal.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

J. Donation to Parks and Recreation from Partners for Parks for Pioneer Park Basketball Court.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

K. Perpetual Right-of-Way Easement from Big Island, LLC, for public street improvements.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

L. Encroachment and Easement Agreement with Valley Federal Credit Union for City Hall Parcel, including the Park 3 Garage and Skybridge.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

M. Second/Final Reading Ordinance 25-5915 amending Section 6-1208, BMCC - Curb Cuts.

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Aspenlieder absent/excused

N. Bills for the Week of:

1. May 12, 2025

Motion: I move to approve Item 1N1.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 9-0, Councilmember Aspenlieder absent/excused, Councilmember Rupsis abstained

REGULAR AGENDA:

2. **PUBLIC HEARING FOR EXEMPT PLAT** of Amended Certificate of Survey 3030, generally located south of Ironwood Drive and east of Woodfield Court. Staff recommends DENIAL. *Quasi-Judicial

Hunter Kelly, Planner, gave an overview of the family transfer exempt plat process and rules that needed to be followed according to the Montana Subdivision and Planning Act. He reviewed the property and the proposed division into 4 lots and explained Council's duty. He reviewed evasion criteria per subdivision regulations and reasons why the exempt plat was believed to be an evasion of the Montana Subdivision and Planning Act. He indicated staff was recommending denial of the exempt plat and to require the applicant to complete a minor subdivision.

Council discussed City requirements for improvements for minor subdivisions, family exemption rules and the need for sidewalks in the area.

Daniela Pavuk, Assistant City Attorney, explained Council was looking at the application to determine if the division of the land was for the purpose of evading the Montana Subdivision and Planning Act and indicated the applicant had a burden to rebut the evidence of evasion that had been found by staff.

Tom Llewellyn, applicant for Stephen Zimmerer, spoke of similar past projects in the County. He indicated two of the parcels would be placed into the names of two children and the third lot would be returned to the LLC where it had originated. He expressed disappointment in the process and lack of communication.

Councilmember Kennedy spoke about delaying the decision for a few weeks to allow Mr. Llewellyn to create three lots instead of four to avoid evasion. Mr. Kelly explained the act went into effect any time three or more lots were divided from the initial tract and would still be considered an evasion of the Montana Subdivision and Planning Act.

No testimony was given during the public hearing.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to deny the exempt plat of Amended Certificate of Survey 3030, and require the applicant to complete a minor subdivision, as recommended by staff.

Moved by Councilmember Neese

Seconded by Councilmember Tidswell

Councilmember Neese asked for an opinion from the Legal Department.

Ms. Pavuk indicated she did not see any evidence to suggest this was not an evasion of the regulations.

APPROVED 9-1, Councilmember Aspenlieder absent/excused, Councilmember Kennedy 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 was no public comment.

COUNCIL INITIATIVES:

There were no Council initiatives.

ADJOURN: 6:56 P.M.



CITY OF BILLINGS

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

ATTEST:

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

