

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
July 14, 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 Boyett

Present: 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 Scott Aspenlieder, Ward IV
Councilmember Daniel Tidswell, Ward IV
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

**Absent/
Excused:** Councilmember Kendra Shaw, Ward I

**Staff
Present:** Chris Kukulski, City Administrator
Kevin Iffland, Assistant City Administrator
Gina Dahl, City Attorney
Toni Keehner, Deputy City Clerk
Daniela Pavuk, Assistant City Attorney
Tina Hoeger, Code Enforcement Manager
Wyeth Friday, Planning and Community Development Director
Mac Fogelson, City Engineer

MINUTES:

- June 23, 2025

Moved by Councilmember Neese

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Shaw absent/excused

COURTESIES:

Mayor Cole spoke of the recent Celebration of Life for Yellowstone County Commissioner John Ostlund.

Mayor Cole expressed condolences to the family and friends of former MSU-B Chancellor, Ron Sexton, who had recently passed.

PROCLAMATIONS:

There were no Proclamations.

COUNCIL REPORTS:

There were no Council reports.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

Mr. Kukulski provided Council with information that:

- There were NO exparte communications received after 3 PM to the Mayor and Council concerning items on the agenda.
- He indicated the sale of former City Hall and the Park 3 Parking garage was complete. He spoke of the demolition of the existing building across from Park 3 for the start of a new hotel.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 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.)

The following individuals provided public comment:

- **Dave Goodridge, 129 Avenue D, Billings, Montana**, in reference to Regular Agenda Item 6, spoke against a reduction in Council size.
- **Amy Aguirre, 1504 Lewis Avenue, Billings, Montana**, in reference to Regular Agenda Item 6, spoke of concerns with the proposed initiative reducing the size of Council.
- **Dan Brooks, Chamber of Commerce**, spoke in support of the TIF funding requests for Regular Agenda Items 4 and 5. He indicated there was a reduction in crime when Crime Prevention through Environmental Design (CPTED) principles were utilized. He also spoke of support for the flashing beacons on Montana Avenue.
- **Tana Patterson, 1712 Lewis Avenue, Billings, Montana**, in reference to Regular Agenda Item 6, spoke against a reduction in Council size.
- **Mike Schaer, 1109 N. 23rd Avenue, Billings, Montana**, indicated the Historic Montana Association was in support of Regular Agenda Item 4.

No further public comment was given.

1. **CONSENT AGENDA**

Councilmember Aspenlieder separated Items 1H and 1N3 to abstain as his company was involved.

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 Shaw absent/excused

A. **Bid Awards:**

1. **W.O. 19-42: West End Water Treatment Plant Transmission Main, Phase 2.**
(Opened 6/17/25) Recommend COP Construction, LLC.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

2. **Fire Station 5 Interior Remodel.** (Opened 7/1/25) Recommend TW Ridley, LLC.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

B. **Change Order No. 6, W.O. 19-12: West End Reservoir Project;** Dick Anderson Construction, Inc.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

C. **Amendment No. 1, Park 1 Garage Condo Declaration** with TD Properties.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

D. **Amendment No. 4, Air Service Consulting Services** with Mead & Hunt, Inc.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

E. **Purchase 30 Mobile Data Terminals** from Insight Public Sector for the Police Department.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

F. **Disposal** of 300-gallon surplus waste containers.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Shaw absent/excused

- G. **Donation** to Parks and Recreation from Partners for Parks for solar lighting along Rose Park North Trail.

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

- H. **Right-of-Way and Warranty Deed** for Certificate of Survey 2007, Amended Tract 2A-1.

Moved by Councilmember Boyett
Seconded by Councilmember Neese
APPROVED 9-0, Councilmember Aspenlieder abstained, Councilmember Shaw absent/excused

- I. **Recommendation** for approval of the Transportation Alternatives grant applications to the PCC.

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

- J. **Recommendation** for approval of the FY2026 Unified Planning Work Program to the PCC.

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

- K. **Approval and Acceptance** for US EPA Brownfields Revolving Loan Fund for abatement and demolition of 802 Yellowstone Avenue.

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

- L. **Resolution 25-11280** authorizing the sale and prescribing the form and terms for the Tax Increment bonds for the South Billings Urban Renewal District.

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

- M. **Second/Final Reading Ordinance 25-5916** for Zone Change 1066, located at 844 Grand Ave.

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

- N. **Bills for the Weeks of:**

1. June 9, 2025

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

2. June 16, 2025

Moved by Councilmember Boyett
Seconded by Councilmember Kennedy
APPROVED 10-0, Councilmember Shaw absent/excused

3. June 23, 2025

Moved by Councilmember Boyett
Seconded by Councilmember Neese
APPROVED 9-0, Councilmember Aspenlieder abstained, Councilmember Shaw absent/excused

REGULAR AGENDA:

2. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Billings, Montana City Code (BMCC), Section 22-408, Failure to Remove Obstructions. Staff recommends approval.

Daniela Pavuk, Assistant City Attorney, gave a brief presentation of the proposed ordinance changes. She explained that the revisions would affect commercial property and would allow a property owner to handle obstructions to their public rights-of-way. She spoke of trespass laws being utilized for private properties and doorways. She indicated this amendment was not intended to be used for Government buildings, parks, etc.

Council questioned laws against camping, protesters and civil penalties.

Tina Hoeger, Code Enforcement Manager, explained how the revisions would help the Police Department enforce the obstruction of alleys, streets and sidewalks. Ms. Pavuk spoke about the differences between loitering, types of permitted gatherings and free speech rights.

Ms. Pavuk indicated the ordinance was intended to deter obstructions in problematic spaces.

The following individual provided testimony during the public hearing:

- **Dan Brooks, Chamber of Commerce**, indicated the Chamber encouraged business owners to use CPTED principles to address problems through sound and lighting utilization. He added they were in support of the ordinance if it would help Code Enforcement enforce issues.

No further testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance amending BMCC Section 22-408, Failure to Remove Obstructions, as recommended by staff.

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

3. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Billings, Montana City Code (BMCC), Section 24-601, Parking. Staff recommends approval.

Daniela Pavuk, Assistant City Attorney, reviewed the proposed amendment to the ordinance. She spoke of the Police Department's "bait bike program" and how the program had contributed to multiple felony arrests.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the First Reading Ordinance amending BMCC Section 24-601, Parking, as recommended by staff.

Moved by Councilmember Rogers

Seconded by Councilmember Tidswell

APPROVED 10-0, Councilmember Shaw absent/excused

4. **TAX INCREMENT FINANCING ASSISTANCE** from the Downtown Urban Renewal TIF District to upgrade (4) pedestrian crossings along Montana Avenue, up to \$20,000. Downtown Billings Partnership (DBP) Board recommends approval.

Mehmet Casey, Downtown Billings Association (DBA) Development Director, provided a presentation and gave an overview of the 4 proposed locations for the crossings and the merits of installing beacons as pedestrian crossings. He gave an overview of the Historic Montana Avenue Association's role in the proposed crossings.

Council questioned how proposed improvements to Montana Avenue could affect the beacons.

Mr. Casey indicated the State was discussing three options: keeping things as they were; 2 lanes with angled parking; and/or 2 lanes with a loading zone on one side. He indicated the beacons would not be difficult to uninstall if necessary.

Motion: I move to conditionally approve tax increment financing assistance from the Downtown Urban Renewal TIF District to upgrade (4) pedestrian crossings along Montana Avenue, up to \$20,000, as recommended by DBP Board.

Moved by Councilmember Boyett

Seconded by Councilmember Gulick

APPROVED 10-0, Councilmember Shaw absent/excused

5. **TAX INCREMENT FINANCING (TIF) ASSISTANCE** from the Downtown Urban Renewal TIF District to Masonic Temple Billings, LLC (Steve Widmyer) for redevelopment of the Masonic Temple at 2804 3rd Avenue North, as recommended by Downtown Billings Partnership (DBP) Board.

Mehmet Casey, Downtown Billings Association (DBA) Development Director, provided a presentation and gave an overview of the history of the building. He reviewed the project's categories, eligible expenses and recommendations. He reviewed the proposed floor plans, project merits and the DBP Board recommendation. He gave an overview of the TIF cash forecast and how other projects would affect the formula utilized.

Councilmember Gulick indicated he would recuse himself from the vote, as his employer was the Historic Tax Credit Consultant for the project.

Council discussed TIF cash forecast and prior TIF funding for the property.

Katie Schreiner, DBA CEO, indicated TIF funding had been granted in the past for asbestos and environmental abatement. She stated the recent request for TIF funding was a significant change of use from the former request.

Council discussed ways to avoid allowing multiple requests for TIF funding for the same property.

Chris Kukulski, City Administrator, indicated it would be possible to add limitations to the development agreement, but it may limit future development.

Wyeth Friday, Planning and Community Development Director, spoke of past projects that had been saved from demolition through TIF funding and stated staff was open to discussing policy changes.

Council discussed the need for transparency and questioned the appropriateness of the DBA leasing space in the building.

Ms. Schreiner indicated they had been searching for new offices for over a year and had created an extensive list of available space. She explained that the Downtown Billings Office's interest in office space at the Masonic Temple had occurred before any TIF funding requests had occurred. She explained she had recused herself on all votes involving the property.

Mr. Casey spoke of the ways DBA worked to ensure transparency.

Steve Widmyer, developer, spoke of specific needs for improvements of the building and how the various steps in the public process encouraged transparency. He indicated the utilization of State of Montana Grants, Historic Tax Credits, and TIF funding would assist in the restoration of the building.

Motion: I move to conditionally approve tax increment financing assistance from the Downtown Urban Renewal TIF District to Masonic Temple Billings, LLC (Steve Widmyer) for redevelopment of the Masonic Temple at 2804 3rd Avenue North, as recommended by DBP Board.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Rupsis

Councilmember Neese indicated he thought the City was overfunding the project and would not support the motion.

Councilmember Kennedy requested Council be notified in advance of projects that had previously received TIF funding.

Mayor Cole indicated he would be presenting revised language to adjust the TIF policy during discussions at the upcoming Work Session.

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

6. CITY CHARTER AMENDMENT discussion. No action necessary.

Chris Kukulski, City Administrator, gave an overview of previous steps Council had taken to present the option of decreasing the size of Council.

Councilmember Aspenlieder spoke of the benefits of allowing the voters an opportunity to decide what type of Council they wanted.

Motion: I move to direct staff to draft initiative language to create 6 Wards with 1 Councilmember per Ward, in addition to the Mayor.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Kennedy

Councilmember Kennedy indicated support and stated the voters needed an opportunity to make their own decision.

Councilmembers Owen, Boyett, Neese and Rupsis expressed concerns with the motion and the short deadline.

FAILED 4-6, Councilmember Neese, Owen, Rogers, Tidswell, Boyett and Rupsis opposed, Councilmember Shaw absent/excused

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 provided.

COUNCIL INITIATIVES:

There were no Council initiatives.

ADJOURN: 7:41 P.M.



CITY OF BILLINGS

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

ATTEST:

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