

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
August 25, 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 Owen

ROLL CALL:

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 Daniel Tidswell, Ward IV (via Zoom)
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

Absent/

Excused: Councilmember Kendra Shaw, Ward I
Councilmember Scott Aspenlieder, Ward IV

Staff

Present: Kevin Iffland, Assistant City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Andy Zoeller, Finance Director
Gavin Woltjer, Interim Parks, Recreation and Public Lands Director
Jennifer Duray, Deputy Public Works Director
Wyeth Friday, Planning Director
Anna Vickers, Planning Manager
Karen Husman, Zoning Coordinator
Tricia Mae, Facilities
Kelsie Rubich, Interim Library Director

MINUTES:

- August 11, 2025

Moved by Councilmember Neese

Seconded by Councilmember Boyett

APPROVED 9-0, Councilmembers Shaw and Aspelieder absent/excused

COURTESIES:

- Mayor Cole reminded everyone that applications for positions on the Community Development Board were being accepted and invited interested parties to apply.
- Mayor Cole recognized members of Scout Troop 23 who were attending the meeting to earn their Citizenship in the Community merit badges.
- Councilmember Kennedy recognized Officer Cale Gullett for his recent apprehension of suspects that totaled his patrol car and caused him minor injuries.

PROCLAMATIONS: Mayor Cole proclaimed August 30, 2025 as Healthy Tribes Run on the Rims day.

COUNCIL REPORTS: There were no Council reports.

ADMINISTRATOR REPORTS - ~~CHRIS KUKULSKI~~ KEVIN IFFLAND, ASSISTANT CITY ADMINISTRATOR

Mr. Iffland advised Council that:

- The Work Session meeting for the following week would be held on Tuesday, September 2nd, rather than Monday due to the Labor Day Holiday and all City offices were closed.
- There were no exparte communications received after 3 PM addressed to the Mayor and Council concerning items on the agenda.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 and 10(a) (b) and (c) 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.)

No public comment was given.

Councilmember Rupsis separated Consent Agenda Item 1D2, in order to abstain as he had a client receiving payment in the account's payables.

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

Moved by Councilmember Gulick

Seconded by Councilmember Boyett

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

Motion: I move to approve Consent Agenda Item 1D2.

Moved by Councilmember Gulick
Seconded by Councilmember Boyett

APPROVED 8-0, Councilmembers Shaw and Aspenlieder absent/excused; Councilmember Rupsis abstained

1. **CONSENT AGENDA**

A. **Bid Awards:**

1. **Fire Station 2 Boiler Replacement.** (Opened 8/5/25) Recommend Plumb MT, Inc.
2. **Landfill Compactor Wheels.** (Opened 8/5/25) Recommend Tractor & Equipment Co.

B. **Purchase** of a sewer camera truck from SWS Equipment for Public Works Street/Traffic Division.

C. **In-Kind Donation** for Black Otter Trail Crack Sealing to the Parks, Recreation and Public Lands Department from Billings Trail Net.

D. **Bills for the Weeks of:**

1. July 30, 2025
2. August 4, 2025

REGULAR AGENDA:

2. **PUBLIC HEARING** for land use contrary to zoning to expand the surface parking at Elysian School, located at 6416 Elysian Road. No action necessary.

Karen Husman, Zoning Coordinator, presented the request from Elysian School to expand surface parking without the required end-of-row landscape buffers. She noted the school intended to consolidate landscaping in another area, resulting in a net gain in overall landscaping. Councilmembers asked about cost savings and drainage issues. Superintendent Shelton explained the project was expedited to be completed before the school year and the remaining funds from the building project would be used to improve drainage and finish paving. Public comment was invited but none were offered. No Council action was required.

3. **PUBLIC HEARING AND RESOLUTION 25-11284** approving a street name change from Leatherneck Lane in Elysian Subdivision to Community Place. Staff recommends approval.

Jennifer Duray, Deputy Public Works Director, explained the request from Intermountain Health, the only property owner addressed on Leatherneck Lane, to rename the street to Community Place. The change would not affect other property owners. Public comments were invited, but none were offered.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve the resolution for a street name change from Leatherneck Lane in Elysian Subdivision to Community Place, as recommended by staff.

Moved by Councilmember Kenndy
Seconded by Councilmember Boyett

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

4. PUBLIC HEARING REOPENED AND RESOLUTION 25-11285 approving and adopting wastewater wholesale rates for FY2026. Staff recommends approval.

Jennifer Duray, Deputy Public Works Director, described the methodology changes since the public hear in May, including use of a seven-day rolling average for capacity calculations and revised allocation of inflow and infiltration. These adjustments reduced projected revenues by \$1.1 million. To balance the budget, staff recommended cutting sewer line extension funding and delaying certain capital projects. Councilmembers asked about project prioritization, impacts to nitrogen discharge levels, and whether wholesale customers were paying a fair share compared to retail rates. Representatives from Par Montana and Phillips 66 both spoke in support of the compromise FY2026 rates, thanking staff for working through concerns and committing to continuing discussions for FY2027 methodology. Public comments were invited, but none were offered.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution approving and adopting wastewater wholesale rates for FY2026, as recommended by staff.

Moved by Councilmember Kenndy

Seconded by Councilmember Boyett

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

5. PUBLIC HEARING AND RESOLUTION 25-11286 setting annual levies for FY2026 on General Fund, Transit, Library, Public Safety I, II, III, and General Obligation Debt. Staff recommends approval.

Andy Zoeller, Finance Director, presented. He advised Council they were being asked to approve 244.39 mills, which was approximately 35.72 mills more than in fiscal year 2025. He explained that Billings experienced a 15% decrease in its taxable value due to the legislative changes that occurred. He mentioned that the median residential home value increased to \$345,000 for FY2026, and increase of \$36,800 over FY2025, however City property taxes would decrease by about \$222 based on that value.

Public comments were invited, but none were offered.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution setting annual levies for FY2026 on General Fund, Transit, Library, Public Safety I, II, III, and General Obligation Debt, as recommended by staff.

Moved by Councilmember Owen

Seconded by Councilmember Rogers

Motion to Amend: I move to amend the motion setting annual levies by modifying Sections 1 and 2 to return the levies to their Charter authorized amounts and establish a new Section 2F as directed by the State under HB 231.

Moved by Councilmember Owen

Seconded by Councilmember Rogers

Councilmember Owen spoke to her motion to amend indicating it was important for the public to understand how House Bill (HB) 231 affected the Charter authorized mills.

Council discussion continued about determining where the extra mills would be allocated, future years' budgets, maintaining flexibility, and levying mills per HB 231.

Councilmember Rupsis voiced concerns about future years' budgets if the mills were not specifically identified for specific use, i.e., the Library Operating Fund. He spoke against having flexibility with the 34.71 mills and concern about transparency. He opposed the Motion to Amend.

Councilmember Owen explained her understanding of how the budget was set and mills were assessed and used up to the number that was authorized.

Councilmember Neese voiced his preferences for language in the resolution.

Councilmember Kennedy noted that funds could be moved by the City Administrator and the Budget and Finance Subcommittee would review the budget regularly.

Mr. Zoeller reviewed the current tax bill language with and without the proposed amendment language.

Mayor Cole stated the original proposed resolution without the amendment was clear enough. He would not support the Motion to Amend and opposed the process.

Council discussed hypotheticals concerning the Transit Department potentially becoming part of the airport authority.

Councilmember Neese called the question.

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

A hand vote was taken on the Motion to Amend the Motion.

APPROVED 6-3, Councilmembers Shaw and Aspenlieder absent/excused; Councilmembers Gulick, Rupsis and Mayor Cole opposed

Motion to Amend the Amended Motion: I move to indicate the division of the 34.71 mills amongst each of the levies in Paragraph 4 of the Resolution.

Moved by Councilmember Neese
Seconded by Councilmember Gulick

Council and staff discussed whether in Section 4 of the amended resolution, that 35.72 mills should read as 34.71 mills.

APPROVED 7-2, Councilmembers Shaw and Aspenlieder absent/excused; Councilmembers Kennedy and Rupsis opposed

Motion to Amend the Amended Motion: I move to have written in Section 4, 34.71 mills rather than 35.72 mills.

Moved by Councilmember Owen
Seconded by Councilmember Boyett

APPROVED 7-2, Councilmembers Shaw and Aspenlieder absent/excused; Councilmembers Kennedy and Rupsis opposed

Council discussed their positions on the now Amended Motion.

A voice vote was taken on the Amended Motion.

Amended Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution setting annual levies for FY2026 on General Fund, Transit, Library, Public Safety I, II, III, and General Obligation Debt, indicating in Sections 1 and 2 the levies at their Charter authorized amounts and establish in Section 2F the differences as directed by the State under HB 231 and to indicate the division of the 34.71 mills amongst each of the levies in Section 4 and have written in Section 4, 34.71 mills rather than 35.72 mills.

APPROVED 7-2, Councilmembers Shaw and Aspenlieder absent/excused; Councilmembers Kennedy and Rupsis opposed

6. **PUBLIC HEARING AND RESOLUTION 25-11287** setting annual Road Maintenance District No. 6 assessments for FY2026. Staff recommends approval.

Andy Zoeller, Finance Director, presented and explained the assessments were for maintenance of an emergency road access to meet fire code within the Briarwood Subdivision. The assessment was unchanged from the prior year.

Public comments were invited, but none were offered.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution setting annual Road Maintenance District No. 6 assessments for FY2026, as recommended by staff.

Moved by Councilmember Rogers
Seconded by Councilmember Boyett

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

7. **PUBLIC HEARING AND RESOLUTION 25-11288** setting annual Park Maintenance Districts (PMDs) assessments for FY2026. Staff recommends approval.

Andy Zoeller, Finance Director, presented and explained the assessments were to nearly 6,500 properties and covered maintenance and equipment replacement in the parks. He noted there was a 15.5% overall increase mostly to properties in Ironwood and Rehberg Ranch Subdivisions as those were experiencing the most improvements to their parks.

Public comments were invited, but none were offered.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution setting annual Park Maintenance Districts (PMDs) assessments for FY2026, as recommended by staff.

Moved by Councilmember Boyett
Seconded by Councilmember Rogers

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

8. **PUBLIC HEARING AND RESOLUTION 25-11289** approving and adopting FY2025 Budget Amendments. Staff recommends approval.

Andy Zoeller, Finance Director, presented and reviewed two proposed budget amendments.

Public comments were invited, but none were offered.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution adopting FY2025 Budget Amendments, as recommended by staff.

Moved by Councilmember Kennedy
Seconded by Councilmember Gulick

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

9. PUBLIC HEARING AND RESOLUTION 25-11890 approving and adopting FY2026 Final Budget. Staff recommends approval.

Andy Zoeller, Finance Director, presented and stated the Budget and Finance Subcommittee reviewed the budget and recommended approval. He reviewed 4 amendments recommended to the budget. One was for the SBBURD TIF district; one was for the North 27th Street (Downtown TIF District); one was for City Hall Financing and finally one was for Parking – the sale of Park 1 Retail Lease Spaces.

Public testimony was given by:

- **Bruce Nelson, Billings, Montana**, spoke of placing additional monies in the budget to increase traffic law enforcement and reporting.

No other public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve a resolution adopting FY2025 Budget Amendments, as recommended by staff.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick

APPROVED 7-2, Councilmembers Shaw and Aspenlieder absent/excused; Councilmember Rupsis and Neese opposed

10. RESOLUTIONS creating advisory committees for Urban Renewal Areas. Staff recommends approval.

Gina Dahl, City Attorney, gave a combined presentation for all of the resolutions to be considered. She noted that Section 2 of each Resolution noted that the advisory committee would be comprised of 9 voting members and that there would be 1 representative from the City of Billings; 1 representative from Yellowstone County; and 1 representative from School District 2; and 6 at-large members who own, operate or represent a business, property or organization within the district or who otherwise has a significant vested interest or presence in the district. She explained the term expirations. She confirmed the committees would be committees of the City. Representatives from each district addressed the Council and none of them had any objections.

a. East Billings Urban Renewal District (EBURD) **RESOLUTION 25-11291**.

Motion: I move to approve a resolution creating an advisory committee for East Billings Urban Renewal District (EBURD), as recommended by staff.

Moved by Councilmember Gulick
Seconded by Councilmember Neese

Motion to Amend: I move to add in Subsection 2, that the representatives in a. (City), b. (Yellowstone County), and c. (School District 2), cannot own personal property in the district.

Moved by Councilmember Neese
Seconded by Councilmember Owen

Councilmember Neese wanted to eliminate any potential conflicts of interest with his motion.

Councilmember Gulick noted filling vacancies on boards and commissions was already a difficult task, restricting who could serve created more difficulty.

Councilmember Neese argued that the amendment opened up the pool of possible candidates to anyone in the City, not just those in the specific district.

Councilmember Boyett supported the motion to amend.

Mayor Cole opposed the motion to amend, he wanted to allow the districts to choose their committee members.

- **Katy Schreiner, Downtown Urban Renewal District**, voiced concerns about finding willing and qualified participants for boards.
- **Dick Zier, SBBURD**, voiced concerns about veering from State laws regarding creating committees.

Wyeth Friday, Planning Director, shared that the School District was considering appointing a professional from their organization, i.e. trustee, administrator, and the quality of the person's experience was more important than where he/she/they resided or owned property.

Councilmember Owen supported the motion to amend and did not find it would hinder filling vacancies.

On a voice vote the **Motion to Amend FAILED 3-6**, Councilmembers Shaw and Aspenlieder absent/excused; Councilmembers Gulick, Rogers, Kennedy, Tidswell, Boyett, Rupsis and Mayor Cole opposed.

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

- b. South Billings Boulevard Urban Renewal District (SBBURD) **RESOLUTION 25-11292**

Motion: I move to approve a resolution creating an advisory committee for South Billings Boulevard Urban Renewal District (SBBURD), as recommended by staff.

Moved by Councilmember Kennedy
Seconded by Councilmember Gulick

APPROVED 9-0, Councilmembers Shaw and Aspenlieder absent/excused

- c. Downtown Urban Renewal District **RESOLUTION 25-11293**

Motion: I move to approve a resolution creating an advisory committee for Downtown Urban Renewal District, as recommended by staff.

Moved by Councilmember Gulick
Seconded by Councilmember Rogers

APPROVED 9-0, Councilmembers Shaw and Aspenlieder 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.

Councilmember Kennedy advised he would bring an initiative in the future concerning requiring future department heads to reside within the City limits.

Councilmember Rupsis advised he would bring an initiative regarding aggressive driving and excessive vehicular noise reduction.

Councilmember Boyett reminded Council that a memorial in remembrance of those who lost their lives due to COVID had been proposed by past Councilmembers for placement at the new City Hall building.

ADJOURN: 8:01P.M.



CITY OF BILLINGS

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

ATTEST:

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

