

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
September 22, 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 Kennedy Rogers

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

Absent/

Excused: Councilmember Bill Kennedy, Ward III

Staff

Present: Chris Kukulski, City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Jeff Roach, Aviation and Transit Director
Paul Khera, Aviation and Transit Assistant Director
Rusty Logan, MET Manager
Debi Meling, Public Works Director
Mac Fogelsong, City Engineer
Andy Zoeller, Finance Director
Gavin Woltjer, Interim Parks, Recreation and Public Lands Director
Wyeth Friday, Planning Director
Hunter Kelly, Planner
Tate Johnson, Neighborhood Planner
Karen Husman, Zoning Coordinator
Tina Hoeger, Code Enforcement Manager
Brenda Beckett, Community Development Manager
Tam Rodier, Community Services Coordinator

MINUTES:

- August 25, 2025

Moved by Councilmember Boyett

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmember Kennedy absent/excused

- September 8, 2025 - Pending

COURTESIES:

- Councilmember Gillick reported that on Saturday, September 20, 2025, the Great Downtown Bike Roll occurred. Approximately 75 to 100 residents participated, representing a wide range of ages. This event gave residents the opportunity to try out the new downtown bikeways, allowing many to ride through downtown for the first time in a safe environment. Special thanks were extended to Public Works and the community partners who supported the event.

PROCLAMATIONS: Mayor Cole proclaimed the month of October as Domestic Violence Awareness Month.

COUNCIL REPORTS: There were no Council reports.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

Mr. Kukulski advised Council that:

- The assessment plan from Northern Industries Hygiene concerning the incinerator incident at the Animal Control facility was provided to Yellowstone Valley Animal Shelter (YVAS). The document provides direction for restoration. Meetings were held with the Department of Environmental Quality (DEQ) and the approach to restoration was approved.
- The demolition at 802 Yellowstone Avenue was scheduled for this week.
- Regular Agenda Items 3 and 5, Exhibits concerning Weed and False Alarm assessments have been updated to indicate current properties to be assessed as of 1:30 PM today.
- Regular Agenda Items 9a, 9b and 9c, public hearings regarding Annexation 25-04 and Zone Change 1070, the applicant has requested a delay. If it is delayed, the public hearing for First Reading Ordinance for the ward boundary expansion would also need to be continued. The public hearings have been advertised making it necessary for them to be opened for public comment and continued to the October 13th Regular Business meeting, if Council honors the applicant's request for a delay. Council will need to make a motion and approve the continuance of the public hearings to the October 13th Regular Business meeting.
- There were no exparte communications received after 3 PM addressed to the Mayor and Council concerning items on the agenda.

Councilmember Owen asked for a status on the police union negotiations. Mr. Kukulski informed that additional meetings have been held, but to date no agreement has been reached.

After some clarification from Wyeth Friday, Planning Director, about the wishes of the applicants concerning Regular Agenda Items 9(a), (b) and (c), in which the items were to be removed from the agenda and placed on the October 13th Regular Business meeting. Mayor Cole explained he would allow public testimony on Regular Agenda Items 9(a), (b) and (c) since it was advertised for public hearing at this meeting.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1 and 10 ONLY. Speakers 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:

- **Kevin Nelson, Billings, Montana**, in reference to Consent Agenda Item 1P, voiced concern about using TIF monies to build or restore a swimming pool. He opposed the expansion of the SBBURD boundaries.
- **Denise Joy, House Representative**, in reference to Consent Agenda Item 1Q, spoke in support of the resolution.

Mayor Cole was reminded that there were 2 Council initiatives for which public comment could be heard.

- **Susie Kasper, Billings, Montana**, in reference to Council initiative concerning traffic noise, gave support to Council doing whatever it could to mitigate the aggressive drivers and excessive noise along Shiloh and throughout the City.
- **Sam Minner, Billings, Montana**, in reference to Council initiative concerning traffic noise, gave examples of the multiple times when noise levels exceeded the decibel limits during the previous night due to reckless driving along Shiloh Lane. He provided some suggestions to mitigate the problem.
- **Jordan Weber, Billings, Montana**, in reference to Council initiative concerning traffic noise, echoed the concerns of the previous speakers and asked Council to do what they could to reduce the traffic noise and increase enforcement.

There was no further public comment.

Councilmember Aspenlieder separated Consent Agenda Item 1D for discussion.

Councilmember Rupsis separated Consent Agenda Item 1P for discussion.

Councilmember Neese separated Consent Agenda Item 1Q for discussion.

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

Moved by Councilmember Boyett

Seconded by Councilmember Rupsis

APPROVED 10-0, Councilmembers Kennedy absent/excused

1. **CONSENT AGENDA**

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

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Rebecca Noell	Community Development - At Large*	09/22/25	12/31/29
2	Sandra McKee	Housing Authority - Family*	09/22/25	12/31/26
3	Jeff Schoenhard	Tourism BID	10/1/25	09/30/29
4	George Maragos	Tourism BID	10/1/25	09/30/29

*1 Unexpired term of Adam Toland

*2 Unexpired term of Gale Stott

B. **Bid Awards:**

1. **MET Transit Bus Wash Equipment Replacement.** (Opened 08/05/25) Recommend Cucancic Construction Inc.
2. **W.O. 23-31: Millice Park Irrigation System Replacement.** (Opened 9/02/25) Recommend The Good Earth Works Company, Inc.
3. **W.O. 25-31: Water Reclamation Facility Air Flotation Thickener Roof Replacement.** (Opened 9/02/25) Recommend Empire Roofing.

C. **Purchase** of a RamVachydro excavator from SWS Equipment, LLC, for Public Works Department.

D. **Contract for Professional Services** with Sanbell for W.O. 25-24: Safe Streets for All 2023.

Councilmember Aspenlieder voiced his concerns that the project as too expensive, especially on anything that was not shovels in the dirt, but soft costs and he sought alternatives from staff for the project. Mac Fogelsong, City Engineer, explained how services were considered and determined for projects.

Council and staff discussed possible ways some things could be accomplished in-house to reduce outside costs.

Motion: I move to approve Consent Agenda 1D, as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Gulick

Councilmember Shaw stated Safe Streets and Routes to Schools were a priority for Council and she supported approval of the item without delay.

Mayor Cole explained that the project covered 19 different locations and bidding them separately would be inefficient.

APPROVED 7-3, Councilmembers Rogers, Tidswell and Neese opposed, Councilmember Kennedy absent/excused

- E. **Consultant Contract** with Steven Baldwin Associates for the Airport Governance Analysis and Transition Plan project.
- F. **General Contractor/Construction Manager (GC/CM) Services Contract** with Martel Construction for Preconstruction Services, Phases I and II for the Airport Ticketing and Baggage Remodel.
- G. **Memorandum of Understanding (MOU)** between Riverstone Health, Yellowstone County, and the City of Billings concerning code compliance for unlicensed motels, hotels, and tattoo artists.
- H. **Agreement** with Allies in Aging to provide Senior Medical Transportation for FY26 by MET Transit.
- I. **Property Acquisition** of 123.52 acres (C.O.S. 2795 Parcel D) from the Dr. Morledge Family, LLC, for the Airport.
- J. **Temporary Land Use Agreement** with Yellowstone County for its use of City-owned property to store equipment and material for repairs to Duck Creek Bridge.
- K. **Perpetual Right-of-Way Easements** from MBA Properties, LLC.
- L. **Warranty Deed** for Lot 4B, Annafeld North Subdivision, 1st Filing from McCall Development.
- M. **Preliminary Major Plat** for High Sierra Subdivision, 23rd Filing. *Quasi-Judicial
- N. **Final Plat** for Annafeld Subdivision, 6th Filing. *Quasi-Judicial
- O. **Final Major Plat** for Annafeld Subdivision, 7th Filing. *Quasi-Judicial
- P. **Resolution of Intent 25-11296** to expand the boundaries of the South Billings Boulevard Urban Renewal District (SBBURD) and set a Public Hearing date of October 27, 2025.

Councilmember Rupsis indicated he was not objecting to the expansion of the SBBURD, but he was not comfortable approving the expansion without some projections about incomplete, existing projects.

Wyeth Friday, Planning Director, indicated the Urban Renewal documents would provide details about identified blight projects within the expanded area.

Motion: I move to approve Consent Agenda 1P, as recommended by staff.

Moved by Councilmember Gulick
Seconded by Councilmember Shaw

Councilmember Shaw pointed out that schools in the TIF area had been helped in the past and that would continue if applications and criteria were met.

Councilmember Owen noted that the area to be served by the expansion perfectly fit the statutory requirements and had been economically neglected for a long time. The expansion would stimulate economic growth to the area. It made sense to expand an existing TIF district rather than create a new one for the area.

APPROVED 8-2, Councilmembers Neese and Rupsis opposed; Councilmember Kennedy absent/excused

Q. Resolution 25-11297 establishing a Public Art Policy and effective date.

Councilmember Neese acknowledged the efforts of those on the committee and noted the policy proposed was much improved, but he would not support its approval.

Motion: I move to approve Consent Agenda 1Q, as recommended by staff.

Moved by Councilmember Rupsis
Seconded by Councilmember Boyett

Councilmember Boyett explained that without the policy, the City and its citizens lacked direction for placement of art.

APPROVED 8-2, Councilmembers Neese and Aspenlieder opposed; Councilmember Kennedy absent/excused

R. Bills for the Week of:

1. August 25, 2025

REGULAR AGENDA:

2. **PUBLIC HEARING** to receive input on FY2024-2025 draft Comprehensive Annual Performance Evaluation Report (CAPER). No action necessary.

Brenda Beckett, Community Development Manager, provided a presentation reviewing the Federal awards to CDBG, HOME, CDBG-CV, and HOME-ARP. She reviewed the accomplishments, i.e., Mitchell Court Affordable Housing Development, Washington School HVAC replacement, Boys and Girls Club Foyer Expansion, and the public restroom located at Park 3 parking garage, North Park amenities, St. John's Avenue home foreclosure acquisition and rehabilitation, Parkhill Drive home foreclosure acquisition and rehabilitation. She noted how the HOME-ARP funds were utilized in the community for supportive services programs, i.e., Alternatives, Inc., District 7 HRDC and Native American Development Corporation. Funding is also helping to replace lead piping through the Public Works Department.

No public testimony was given. No Council action was required or taken.

Mayor Cole realized a motion to remove Regular Agenda Items 9(a), (b) and (c) was not made earlier and asked if Council wished to consider that now.

Motion: I move to remove from the agenda, Regular Agenda Items 9(a), (b) and (c) and place on the October 13th Regular Business meeting agenda and its public hearing to that date.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick

Council and staff discussed publishing notice again of the new public hearing date.

APPROVED 10-0, Councilmember Kennedy absent/excused

3. **PUBLIC HEARING AND RESOLUTION 25-11298** assessing Weed Abatements. Staff recommends approval.

Andy Zoeller, Finance Director, presented and noted that 7 of the properties listed in the agenda packet had paid their assessments and an amended exhibit to the resolution would reflect those changes.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution assessing weed abatements and amending Exhibit A, as recommended by staff.

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

4. **PUBLIC HEARING AND RESOLUTION 25-11299** assessing Nuisance Property Abatements. Staff recommends approval.

Andy Zoeller, Finance Director, presented and noted there were 2 properties to be assessed.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution assessing nuisance property abatements, as recommended by staff.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Neese
APPROVED 10-0, Councilmember Kennedy absent/excused

5. **PUBLIC HEARING AND RESOLUTION 25-11300** assessing false alarm responses. Staff recommends approval.

Andy Zoeller, Finance Director, presented and noted it was the first year for assessments after the new policy was placed in effect. Some businesses with overdue assessments had paid their assessments since the agenda packet was published and an amended exhibit to the resolution would reflect those changes.

Council and staff discussed possible increases to incentivize businesses from having false alarms.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution assessing false alarm responses and amending Exhibit A, as recommended by staff.

Moved by Councilmember Neese
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Kennedy absent/excused

6. **PUBLIC HEARING AND RESOLUTION 25-11301** Re-levying and Reassessing SID 2925 (W.O. 22-07). Staff recommends approval.

Andy Zoeller, Finance Director, presented and explained the process for reducing the amounts levied and reassessing the properties affected for a lesser amount.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution re-levying and reassessing SID 2925 (W.O. 22-07), as recommended by staff.

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

7. **PUBLIC HEARING** for land use contrary to zoning to install an electronic message display wall sign at Alkali Creek Elementary School. No action necessary.

Tate Johnson, Neighborhood Planner, presented and reviewed the electronic message display wall sign proposed. She advised Council that no action was necessary and none was taken.

No public testimony was given.

8. **PUBLIC HEARING AND SPECIAL REVIEW 1001:** a special review to allow construction of a new surface parking lot for Energy Laboratories at 1108 and 1110 South 28th Street. Zoning Commission recommends conditional approval and adoption of the findings of the 9 review criteria. ***Quasi-Judicial**

Tate Johnson, Neighborhood Planner, presented and reviewed the proposed parking lot and the Zoning Commission's recommendation and findings.

Council and staff discussed best use for the land, off-street parking, CPTED concepts and lighting.

The following individuals gave public testimony:

- **Stephanie Donovan, Agent for Energy Labs**, noted that between the existing parking lot and the proposed parking lot the business would meet the parking code's requirements for the number of spaces. She spoke about landscaping requirements.

No further public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve Special Review 1001 and adopt the findings of the 9 review criteria, as recommended by the Zoning Commission.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Rogers

Councilmember Rupsis spoke in opposition noting that the City's Code required businesses to provide excessive amounts of parking spaces. Councilmember Neese echoed and would vote against it.

APPROVED 8-2, Councilmembers Neese and Rupsis opposed; Councilmember Kennedy absent/excused

9. ~~**JOINT PUBLIC HEARING FOR ANNEXATION 25-04 AND ZONE CHANGE 1070:** Lots 66A1 and 67A1 of the Amended Lots 66A and 67A, Sunny Cove Fruit Farms Subdivision~~
 - a. ~~**RESOLUTION APPROVING ANNEXATION 25-04:** generally described as Lots 66A1 and 67A1 of the Amended Plat of Lots 66A and 67A, Sunny Cove Fruit Farms Subdivision. Staff recommends conditional approval. *Quasi-Judicial~~
 - b. ~~**FIRST READING ORDINANCE FOR ZONE CHANGE 1070:** generally described as Lots 66A1 and 67A1 of the Amended Plat of Lots 66A and 67A, Sunny Cove Fruit Farms Subdivision. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi-Judicial~~
 - c. ~~**PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward IV to include recently annexed property in Annexation 25-04: Lots 66A1 and 67A1 of the Amended Plat of Lots 66A and 67A, Sunny Cove Fruit Farms Subdivision. Staff recommends approval.~~
10. **RESOLUTION 25-11302** renewing the Citizen Police Advisory Board for four years (December 31, 2029 expiration). Staff recommends approval.

Rich St. John, Police Chief, spoke about the positive affects the Board had the past four years and recommended its continuation for an additional four years. Also recommended was removing the requirement of representatives from specialty areas to serve on the Board but rather have 7 at large community representatives.

- **Jordan Weber, Board Member**, spoke about data collection, personnel capacities and limitations. He encouraged community partners engagement.
- **Kari Boiter, Board Chair**, addressed the Council and gave a plan of action for the next four years.

Motion: I move to approve renewing the Citizen Police Advisory Board for four years (December 31, 2029 expiration), as recommended by staff.

Moved by Councilmember Rupsis
Seconded by Councilmember Rogers

Councilmember Neese would support the motion, but preferred it be extended for only another two years. He noted that the current Board had not been as effective as hoped. However, with new members bringing expertise in data analysis, there was potential for the Board to provide valuable information to the community.

APPROVED 9-1, Councilmember Aspenlieder opposed; Councilmember Kennedy 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.)

The following individual gave public comment:

- **Paul Clark, Billings, Montana**, inquired whether the Governor had responded to the clean up of the swamp at the 6th Street underpass; status of law enforcement utilizing the animal shelter incinerator for disposal of dangerous drugs; changes to the code regarding mandatory parking spaces and the political environment after the killing of Charlie Kirk.

No further public comment was offered.

COUNCIL INITIATIVES:

1. Aggressive Driving and Excessive Vehicular Noise Reduction – Councilmember Rupsis

Motion: I move that staff place this topic on a future Work Session for discussion about implementing a program that uses a combination of legislative changes, environmental design, and technology to discourage and decrease aggressive driving and excessive vehicular noise throughout the city.

Moved by Councilmember Rupsis

Seconded by Councilmember Owen

APPROVED 10-0, Councilmember Kennedy absent/excused

2. Codify HB231 (2025) Levy Adjustments – Councilmember Rupsis

Motion: I move to instruct staff to bring forth an ordinance that describes the adjustments required under HB 231 (2025) and ensures the relative allocation of those adjustments across the various City funds remains consistent with voter-intent in future budget years.

Moved by Councilmember Rupsis

Seconded by Councilmember Gulick

Councilmember Boyett questioned whether a resolution would be fitting rather than an ordinance to address the matter. Gina Dahl, City Attorney, offered that it appeared to be more of a policy issue that could be addressed in a resolution.

Councilmember Owen opposed the language and references made to being the will of the voters or creation of a slush fund. She supported being able to levy up to an amount but not necessarily doing so and having the flexibility to move funding from one levied fund to another without having to go for an additional mill levy. She voiced concerns about the future of transit should an Airport Authority be approved.

Councilmember Shaw supported bringing to a work session for further discussion but would oppose it coming to a regular business meeting without more discussion. She asked if Councilmember Rupsis would consider amending his Motion to include it be brought to a Work Session.

Councilmember Rupsis agreed to amend his motion and Councilmember Gulick also agreed.

Amended Motion: I move to instruct staff to bring forth a drafted ordinance to a future work session that describes the adjustments required under HB 231 (2025) and ensures the relative allocation of those adjustments across the various City funds remains consistent with voter-intent in future budget years.

Councilmembers Aspenlieder and Neese supported a future discussion.

APPROVED 8-2; Councilmembers Owen and Rogers opposed; Councilmember Kennedy absent/excused

ADJOURN: 8:02 P.M.



CITY OF BILLINGS

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

ATTEST:

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