

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
October 27, 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 Tidswell

ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I
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: Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Andy Zoeller, Finance Director
Wyeth Friday, Planning Director
Karen Husman, Zoning Coordinator
Tina Hoeger, Code Enforcement Manager

MINUTES:

- September 22, 2025
Moved by Councilmember Neese
Seconded by Councilmember Boyett
APPROVED 10-0, Councilmember Aspenlieder absent/excused

- October 13, 2025
Moved by Councilmember Neese
Seconded by Councilmember Boyett
APPROVED 10-0, Councilmember Aspenlieder absent/excused

COURTESIES: There were no courtesies.

PROCLAMATIONS: Mayor Cole proclaimed the month of November as Epilepsy Awareness Month and as Family Court Awareness Month. Megan Hodson, Advisory Board Chair for Epilepsy Foundation Montana, spoke about the Foundation and its mission. Kyla Hailstone, Director for Montana Family Court Awareness Project, and Denise Johnson, a child and family advocate, spoke of recent legislative changes that positively impacted families involved in domestic violence situations.

COUNCIL REPORTS: There were no Council reports.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI GINA DAHL, CITY ATTORNEY

Ms. Dahl advised Council that:

- The City Administrator and Assistant City Administrator were attending a conference for International City Managers Association in Tampa, Florida.
- Regular Agenda Item 2, Special Review 1002, the applicant wished to withdraw their application. Procedurally, City Council would need to hear the recommendation from the City Zoning Commission and the associated findings. Council could choose to open the hearing or not, as it had been advertised. But before council could make any motion they must hear the recommendation and the findings on the Special Review.
- The Short-Term Detention Facility had been open for a couple of weeks and there were no major problems reported.
- Regular Agenda Items 3 and 4, Wyeth Friday, Planning Director, would address questions during that time.
- Northern Industrial Hygiene was working on its report and it is expected by the end of the week. It would be submitted to DEQ. There were no additional cleaning recommendations. A certificate of fitness is anticipated in a couple of weeks. Staff is working with YVAS on a short-term agreement for continued services.
- There was 1 exparte communication received after 3 PM addressed to the Mayor and Council, from Planning Director, Wyeth Friday, and it was placed in the notebook for the public to view.

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.)

No public comment was given.

Councilmember Kennedy separated Consent Agenda Item 1I for discussion.

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

Moved by Councilmember Neese

Seconded by Councilmember Rogers

APPROVED 10-0, Councilmembers Aspenlieder absent/excused

1. **CONSENT AGENDA**

- A. **Bid Awards:** None.
- B. **Purchase** of a Caterpillar bulldozer from Tractor and Equipment Co. for the landfill.
- C. **Amendment No.1**, to Contract for Professional Engineering Services with Sanbell for W.O. 25-36: Rimrock Road - 54th Street West to 62nd Street West.
- D. **Donation** to the Parks, Recreation and Public Lands Department from PickleBall Smiles for bench purchases and installation.
- E. **Agreement** for encroachments with the Birely Drainage District and Trails West Homes, LLC.
- F. **Preliminary Major Plat** of Trestles Subdivision, 1st Filing. *Quasi-Judicial
- G. **Final Major Plat** of 44 West Subdivision. *Quasi-Judicial
- H. **Final Major Plat** of Clearwater Estates Subdivision, 2nd Filing. *Quasi-Judicial
- I. **Second/Final Reading Ordinance 25-5919** amending BMCC 22-406 - Sidewalk Impediments.
Councilmember Kennedy voiced opposition.

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

Moved by Councilmember Gulick

Seconded by Councilmember Neese

APPROVED 9-1, Councilmember Aspenlieder absent/excused; Councilmember Kennedy opposed

- J. **Second/Final Reading Ordinance 25-5920** for Zone Change 1070: Lots 66A1 and 67A1 of the Amended Plat of Lots 66A and 67A, Sunny Cove Fruit Farms.
- K. **Second/Final Reading Ordinance 25-5921** expanding the boundaries of Ward IV to include recently annexed property in Annexation 25-04.
- L. **Council Holiday Meetings Schedule.**
- M. **Bills for the Weeks of:**
 - 1. September 9, 2025
 - 2. September 17, 2025
 - 3. September 22, 2025

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND SPECIAL REVIEW 1002:** a special review to allow the development of a new casino as part of a multi-tenant commercial building at 5545 Holiday Avenue. Zoning Commission recommends conditional approval and adoption of the findings of the 9 review criteria.
*Quasi-Judicial

Karen Husman, Zoning Coordinator, explained that the Special Review was for a new bar and casino. plan was to put in a 3-unit structure and one of those units would be allowed for the beverage liquor license with gaming. The Zoning Commission held a public hearing and had forwarded a

recommendation of conditional approval. But since the Zoning Commission held their public hearing staff received a request from the applicants to allow them to withdraw their application due to pulled funding for the project. Ms. Husman advised Council that the public hearing needed to be opened since it had been noticed before Council could take action.

No public testimony was given during the public hearing.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to allow the applicant to withdraw its application as requested.

Moved by Councilmember Boyett

Seconded by Councilmember Kennedy

APPROVED 10-0, Councilmember Aspenlieder absent/excused

3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1071:** The south 1.775 acres of Lot 2 and all of Lot 3, Clearwater Estates Subdivision. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi-Judicial

Karen Husman, Zoning Coordinator, presented and explained the existing zoning and the developers' need for a zone change on a little over 9 acres. The Zoning Commission held a public hearing and recommended approval based on the review criteria.

Council and staff discussed the original PND associated with the subdivision and the subsequent division and development of the properties.

Craig Dalton, Performance Engineering, addressed Council and explained the history of the property and changes to the vision for the property by the builders.

No public testimony was given during the public hearing.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve first reading ordinance for the Zone Change 1071 and adopt the findings of the 10 review criteria, as recommended by the Zoning Commission.

Moved by Councilmember Kennedy

Seconded by Councilmember Tidswell

Councilmember Gulick voiced his concerns for density diversity and this property lacked that, but he supported it due to the small size of the zone change area.

APPROVED 10-0, Councilmember Aspenlieder absent/excused

4. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE 1072:** On approximately 3 acres of Lot 1, all of Lot 4 and approximately 14 acres of Lot 5, of Clearwater Estates Subdivision. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi- Judicial

Karen Husman, Zoning Coordinator, presented and explained the existing zoning and the developers' need for a zone change. The Zoning Commission held a public hearing and recommended approval based on the review criteria.

Council and staff discussed the original PND associated with the subdivision and the subsequent division and development of the properties.

Greg McCall, McCall Homes and McCall Development, explained that the PND originally designated for the property was experiencing unforeseen problems due to changes that came

into effect by Project Recode. He explained there would still be private parkland in the shape of a "T".

Councilmember Rupsis and Mr. McCall discussed a lack of connectivity through Bell Avenue. Craig Dalton, Performance Engineering, indicated the master plan had Bell Avenue entering into the development but there was an undeveloped parcel that was not required to connect. The intent was to divert traffic to the north on Central Avenue rather than to the west on Bell Avenue for traffic calming efforts.

No public testimony was given during the public hearing.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve first reading ordinance for the Zone Change 1072 and adopt the findings of the 10 review criteria, as recommended by the Zoning Commission.

Moved by Councilmember Rupsis
Seconded by Councilmember Neese

Councilmember Gulick voiced support of the development and traffic calming efforts. Councilmember Neese noted the PND process was delaying development and encouraged remediation through future changes to the zoning code

APPROVED 10-0, Councilmember Aspenlieder absent/excused

- 5. PUBLIC HEARING AND FIRST READING ORDINANCE** to expand the boundaries of the South Billings Boulevard Urban Renewal District (SBBURD) and adopt a modified Urban Renewal Plan. Staff recommends approval.

Wyeth Friday, Planning Director, presented and provided background. South Billings Boulevard District was initially created in 2007 and was immediately amended in 2008 with a slight adjustment and then again in 2021. Discussions for SBBURD expansion with Council began in 2024. The expansion area has potential redevelopment opportunities. The entire existing and proposed expansion area for the TIF would sunset in 2046. He explained the entire expansion process per State statute. The process began with Council direction to staff, followed by findings of blight analysis and 2 school districts were noted within the area. Mr. Friday reviewed the multiple public meetings held, the Planning Board's acknowledgment of the Growth Policy conformance and the Urban Renewal Plan amendments.

Councilmember Kennedy clarified that Western Sugar was in the City limits.

Councilmember Neese asked Mr. Friday whether he had read through an email sent late in the day by Mr. Nelson. Mr. Friday acknowledged he had read the email and explained the multiple times in which public engagement opportunities for comment had been afforded. He indicated public notice was given concerning the topic of the TIF district expansion through the published agendas for the school districts and County Commissioners meetings.

Councilmember Shaw disclosed she had asked Mr. Friday about centrally assessed properties with the downtown district and received assurance about the stability within the expansion. The advantage of including the railroad right away along the north side of the expansion area was that it covered up to the 21st Street underpass where a future project was considered to make it safer and more accessible.

Councilmember Rupsis voiced concerns about all the projects slated for the SBBURD TIF and a lack of funding projections and future expenditures for the known projects. Mr. Friday noted that a costs estimate on the slated projects was included with the staff memo and estimated at \$25 million. Prioritization of the projects would be necessary.

Councilmember Boyett left Council Chambers at 7:11 P.M. and returned at 7:15 P.M.

The following individuals provided public testimony:

- **Tanya Ludwig**, spoke on behalf of the school district and mentioned she lived in the current SBBURD boundaries. She testified to the schools' improvement projects, made possible by use of the tax increment funds and how those projects had enhanced the area and lives of the citizens. She supported expanding the SBBURD boundaries to include the South Park as the pool was in desperate need of improvements.
- **Paul Clark, Billings, Montana**, spoke in favor of the expansion and inquired whether including Western Sugar in the expansion would give the City authority to regulate potential pollutants from the facility.
- **Kevin Nelson, Billings, Montana**, spoke against the expansion and insisted the expansion was solely to pay for a pool at South Park. He indicated there was no economic advantage and a pool was not a good investment. He insisted the City did not follow public notice laws and asked that the proposed expansion be given to the voters to see if there was support.
- **Nancy Talcott, Billings, Montana**, voiced concerns that her taxes would be increased and someone would force her to sell her mobile home.
- **Gene Kolvar, Billings, Montana**, voiced concern about blighted areas and unhoused population.

No further testimony was provided.

Brad Archibald, Pioneer Technical Services, assured Council that the process through public meetings up to this public hearing met State statute and met best practices.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve first reading ordinance to expand the boundaries of the South Billings Boulevard Urban Renewal District (SBBURD) and adopt a modified Urban Renewal Plan, as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Kennedy

Councilmember Shaw advised citizens that the expansion did not increase their taxes. The TIF allowed for a strategic use of certain tax dollars in specific areas of town.

Councilmember Kennedy noted all the areas within the expanded area and the opportunities for blighted and vacant lands to be developed for commercial use. He spoke about the Amend Recreation Center and Signal Peak Ice Arena being built because of TIF assistance. He spoke of the bad condition of the South Park Pool and its facilities and its need for improvement. He supported including the entire area south of the railroad tracks in one TIF district.

Councilmember Owen noted the expanded area was desperately in need of investment and the expansion would allow for a tax base growth for additional revenues where it currently did not exist. She added improvements to the South Park pool would raise property values and a grocery store was needed to address the food desert in the area.

Mayor Cole noted residential development was needed and he hoped future developments in the area would prompt future annexations of properties for residential development.

Councilmember Neese voiced his support and noted the area was blighted.

Councilmember Rupsis was opposed because there were approximately \$25 million in identified projects with no documentation indicating capacity to fund them in the near future.

Councilmember Boyett spoke of the many improvements made within the current TIF district boundaries and gave his support to expand the TIF as proposed.

APPROVED 9-1, Councilmember Aspenlieder absent/excused, Councilmember Rupsis 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.)*

The following individual gave public comment:

- **Tanya Ludwig, Billings, Montana**, urged for the creation of a Southwest Billings task force.
- **Patricia Harn, Billings, Montana**, voiced her concerns about the Yellowstone Valley Animal Shelter staff not returning to the Animal Control facility. She asked that Council do whatever they could to expedite the inspections and get the shelter in operation.

No further public comment was offered.

COUNCIL INITIATIVES:

There were no Council initiatives.

ADJOURN: 7:31 P.M.



CITY OF BILLINGS

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

ATTEST:

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

