

**MINUTES  
OF THE BILLINGS CITY COUNCIL  
REGULAR BUSINESS MEETING  
December 15, 2025**

The Billings City Council met in regular session in the City Council Chambers, located at 316 N. 26<sup>th</sup> Street, 5<sup>th</sup> Floor, Billings, Montana, at 4:00 P.M. and recessed to a Closed Executive Session immediately after Deputy Mayor Boyett called the meeting to order.

**CALL TO ORDER:** Mayor Cole Deputy Mayor Boyett

Recessed to Closed Executive Session (4:00 P.M. - 5:00 P.M.) - \* City Administrator, Chris Kukulski's Annual Review

Mayor Cole reconvened the regular session at 5:30 P.M.

**PLEDGE OF ALLEGIANCE:** Mayor Cole

**INVOCATION:** Councilmember Shaw

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

**Staff**

Present: Chris Kukulsk, City Administrator  
Kevin Iffland, Assistant City Administrator  
Gina Dahl, City Attorney  
Denise Bohlman, City Clerk  
Matt Hoppel, Fire Chief  
Debi Meling, Public Works Director  
Mac Fogelson, City Engineer  
Gavin Woltjer, Interim Parks, Recreation and Public Lands Director  
Wyeth Friday, Planning Director  
Anna Vickers, Planning Manager  
Karen Husman, Zoning Coordinator

**MINUTES:**

- November 24, 2025 – Pending
- December 8, 2025 – Pending

**COURTESIES:**

Mayor Cole addressed the recent antisemitism acts happening locally and internationally. He condemned those acts and all acts of hate that involved violence and property damage. He added that the acts go far beyond exercising one's right to free speech and there was no place in the city for these crimes. Hate crimes were inherently corrosive and damaged not only the immediate victims, but it divided the community and destroyed trust. He strongly encouraged anyone in the community that had information about the crimes to contact the Billings Police Department and stay tuned for future developments.

Councilmember Kennedy was involved in the Wreaths Across America Project at the Yellowstone National Cemetery where over 1,600 wreaths were laid on the graves of the veterans interned there. He acknowledged there were between 150 and 200 volunteers that helped place the wreaths and thanked them for their assistance.

**PROCLAMATIONS:** Mayor Cole proclaimed December 21, 2025, as Homeless Persons' Memorial Day and asked for a moment of silence to remember those who had died homeless. He encouraged citizens to support local efforts to minimize homelessness in the community. A recognition ceremony would be held on December 22, 2025, at Noon on the Courthouse lawn.

**COUNCIL REPORTS:** There were no Council reports.

**ADMINISTRATOR REPORTS - CHRIS KUKULSKI**

Mr. Kukulski advised Council that:

- The agenda had been revised and Regular Agenda Items 3B, C and D were removed. The public hearing on Item 3 would be held since notice to the public was advertised. Staff sought policy direction relative to following the City's process to connect to utilities.
- Code Enforcement had contacted the Mayflower Church congregation to offer equipment and materials to help clean the damage caused by recent vandalism.
- This was the last Council meeting of the year and the next Council meeting would be a Work Session on January 5<sup>th</sup>. The new mayor and councilmembers would be sworn in at the beginning of that meeting.
- City offices would be closed December 25<sup>th</sup> for Christmas and January 1<sup>st</sup> for New Year's Day ONLY. Business offices would be open the Fridays following these holidays.
- There were no exparte communications to Mayor and Council received after 3 P.M. concerning items on the agenda.

Councilmember Rupsis voiced concern that there may be citizens in the audience who wished to provide public comment concerning recent hate crimes and he made the following motion.

**Motion:** I move to include an additional Public Comment on Non-Agenda Items at the beginning of the meeting when Public Comment on Non-Public Hearing Agenda Items is heard and keep the Public Comment on Non-Agenda Items at the end of the meeting to allow for those who arrive later.

Moved by Councilmember Rupsis

Seconded by Councilmember Rogers

**APPROVED 10-1**, Councilmember Aspenlieder opposed

**PUBLIC COMMENT on all items. ~~"NON-PUBLIC HEARING" Agenda Items: 1 and 4 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:

- **Tucker Colvin**, representing Building Stronger Together group noted vandalism was happening to churches throughout the Billings area. He noted it was the 30<sup>th</sup> anniversary of the Not in Our Town movement.
- **Paul Clark**, wished Council Merry Christmas and spoke about attending the Southside Task Force and noted that he wanted the MET bus route to include a stop by Family Services to help with transportation for the patrons.
- **Dan Brooks, Billings Chamber of Commerce**, thanked the Mayor and Councilmembers for all their service and noted accomplishments made through partnering with the Chamber and other community partners.

There was no further public comment.

There were no separations on the Consent Agenda items.

**Motion:** I move to approve all items on the Consent Agenda.

Moved by Councilmember Neese

Seconded by Councilmember Rogers

**APPROVED 10-0**, Councilmembers Aspenlieder absent/excused

1. **CONSENT AGENDA**

A. **Bid Awards:** None.

B. **Professional Services Contract** with HDR Engineering, Inc. for W.O. 26-11: Monad Road Reconstruction - Daniel Street to Moore Lane.

C. **Purchase** of Commercial Solid Waste Containers; WasteQuip.

D. **Amendment No. 6**, W.O. 19-12: West End Project Final Reservoir Design and BBWA Raw Water Delivery Services; HDR Engineering.

E. **Short-Term Agreement** with Yellowstone County for use of the Animal Control facility.

- F. **Annexation Agreement** with LMO Investment, LLC. **Fish, Wildlife and Parks Trail Grant** for wayfinding signage and **Donation** from Billings Trailnet to Parks, Recreation and Public Lands.
- G. **Donation** from Partners for Parks for wayfinding signage on various trails to Parks, Recreation and Public Lands.
- H. **Preliminary Minor Plat** for Srite Acres Subdivision, Amended Lot 2A. \*Quasi-Judicial
- I. **Bills for the Week of:**
  - 1. November 17, 2025

**REGULAR AGENDA:**

- 2. **PUBLIC HEARING AND RESOLUTION 25-11312 APPROVING ZONE CHANGE 1075 WITH VARIANCE:** A .38 acre parcel of land, more or less, legally described as Lot 67A1 of the Amended Plat of Lots 66A and 67A Sunny Cove Fruit Farms (to be known as Homestead Acres). Zoning Commission recommends approval of Zone Change 1075 with Variance and adoption of the 10 review criteria. \*Quasi-Judicial

Karen Husman, Zoning Coordinator, explained the Zone Change was initiated by City Council with regard to a public zone strip of land between a CMU and AG zone district in a Planned Neighborhood Development (PND). Zone Change 1070 had a PND along with annexation and was approved in September 2025. She noted the applicants were offered that they could ask for a variance from the requirement of a public street or alley between the two zone districts as those would not connect to anything or the applicants could use landscaping buffering. Due to the size and shape of the strip of land, Council had rendered it useless. The Zoning Commission recommended approval of the zone change with the variance and adoption of the 10 review criteria.

She explained that Council's alternatives were approval and adoption of the 10 review criteria of the zone change and the variance; deny and adopt different findings; delay action; or allow a withdrawal. Since it was City Council initiated, City Council would have to initiate the withdrawal of the application and return it to the Zoning Commission.

**John Halverson**, agent for the applicant, was available for questions.

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 Zone Change 1075 with variance and the adoption of the 10 review criteria as recommended by the Zoning Commission.

Moved by Councilmember Tidswell  
 Seconded by Councilmember Aspenlieder  
**APPROVED 11-0**

- 3. PUBLIC HEARING** to grant a waiver to BMCC, Sections 26-203 and 26-204 for annexation requirements and to provide water service to Meadowlark Mobile Home Park contingent on a water service agreement with Meadowlark of Billings, LLC. Staff recommends approval.

Chris Kukulski, City Administrator, explained there had been revisions to the agenda in which Items 3b, 3c and 3d were removed. The agreements attached to those items were not thoroughly vetted by the Legal Department at the time the Agenda was posted and published, however, the public hearing was advertised and needed to be held and a valuable policy consideration could be made. Staff was seeking direction whether the property could be provided water services without annexation per an exception contained within the current policy.

Mac Fogelson, City Engineer, explained the City had been contacted by Meadowlark of Billings, LLC about a year ago. The current water wells in Meadowlark Mobile Home Park were contaminated with manganese that exceeded EPA's maximum level. The DEQ approached Meadowlark for an Emerging Contaminant Grant and they were successfully awarded it. The grant would pay for construction of a new water main, city system development fees and also the city staff time to administer that grant through construction, at approximately \$2,364,253. He explained there was a human element trying to solve a human health water quality problem. The City currently provided sewer service to Meadowlark. Mr. Fogelson outlined the benefits to the City if water were provided to the Meadowlark area. It would provide another water source for fire protection to the lower landfill area and the costs would be paid by DEQ. He reviewed the downside of annexing the property, i.e. high emergency service call area and the upside was some tax revenue to the City. Providing water service to the area would require 4 separate agreements – 1. Agreement between the City and Meadowlark for water service without annexation; 2. Memorandum of Understanding between City and Meadowlark for consecutive water service; 3. Agreement between City and DEQ to provide grant funding for water main extension with the City being 100% reimbursed; and 4. Agreement between the City and Performance Engineering for engineering services to design and perform construction contract administration. He recommended Council hold the public hearing and approve water service without annexation contingent on approving a water service agreement at a subsequent Council meeting. He introduced Meadowlark Representative, Jay Vantassell.

Jay Vantassell advised that a state-of-the-art water filtration system was installed in 2022/2023 to alleviate the high manganese levels and it was working well. He explained that the DEQ approached Meadowlark, Meadowlark did not approach the DEQ. He supported the City providing water service to the area and stated it benefited all parties. It was desirable to have a reliable water source such as the City's so the filtration system would not need to be monitored and maintained on an ongoing basis, which was costly and time-consuming.

Councilmember Aspenlieder clarified with Mr. Kukulski and City Attorney, Gina Dahl, whether it was advisable he abstain from the discussion and all other potential matters on the subject as his business, Performance Engineering, would likely enter into a contract for services later in the process. Councilmember Aspenlieder announced he would abstain.

Councilmember Kennedy voiced his opposition to providing water services to an unannexed area. Mr. Vantassell explained it was his understanding that the City opposed annexing the area. Councilmember Boyett echoed Councilmember Kennedy's concerns and did not want to set a precedent for other areas to gain City water service and not annex into the City.

Mr. Kukulski explained that the decision to recommend no annexation was led by the decision that was made in 2016. That was when the wastewater utility was connected and annexation was not required for it. One reason it was not annexed at that time was due to the stresses on public safety services to the area. He reiterated that the rules allowed for rare exceptions to not annex a parcel with waivers. He added that Jellison Road was a county road, however, if the City annexed property along the road, Jellison Road would become the City's responsibility.

Councilmember Owen voiced concerns about the consequences of a contract that existed in perpetuity with no end date, no ability to trigger something for renegotiation as was the case with the Heights Water District. Mr. Kukulski referred to Supreme Court rulings that consistently considered property owner signed waivers of right to protest annexations. Waivers run with the property and can be exercised by the City at its sole discretion. If there was not an immediate annexation, the waiver puts the future Council in the driver's seat. Council could decide we want to annex it. That decision could be made now because waivers were already signed. Councilmember Owen would not support water service if the agreement did not have a termination date.

Councilmember Shaw inquired about the urgency for Meadowlark to acquire water service and the property's location on the annexation map. Mr. Vantassell responded that green sand filters last about 10 years and were temporary, but the water filtration system was presently acceptable. Wyeth Friday, Planning Director, advised the area was nowhere close to the boundaries of annexation on the annexation map.

Councilmember Neese inquired about the number of residences and commercial businesses that would be served. Mr. Vantassell responded there were approximately 200 residences, and there was no room to add more residences, and one marijuana growing operation that would receive water service.

The following individuals provided public testimony:

- **Jeff Kettleon**, spoke in opposition of the City providing water service without annexation.
- **Paul Clark**, spoke in opposition to annexing the area and acquiring Jellison Road because there was no opportunity for future commercial development in the area near the landfill.

No further public testimony was given.

Mayor Cole inquired about anticipated costs related to public safety services for the area. Mr. Kukulski responded it was not possible to estimate public safety costs, but the utilities costs were straightforward. Staff had analyzed the costs versus the benefits and concluded it would be best not to annex the area that was already receiving City sewer services on a waiver.

Council and staff discussed the conflict with supplying water to marijuana growing operations when the City prohibits those businesses.

**Motion:** I move to deny granting a waiver of annexation and supplying water services to Meadowlark Mobile Home Park.

Moved by Councilmember Boyett  
Seconded by Councilmember Tidswell

Councilmembers Boyett and Tidswell voiced their support for the motion.

Councilmember Shaw inquired with City Attorney Dahl whether a moratorium would prevent the applicant from re-applying if denied now. Ms. Dahl was not aware of any restrictions that would prohibit the applicant from reapplying in the future.

Councilmember Neese disagreed and stated the City's Code specifically stated there was a one-year waiting period.

Mayor Cole encouraged staff and the developer to continue talks if there were truly benefits to the City and reminded Council there was power in annexation agreements.

Councilmember Kennedy reflected on the history of the area and his previous recollections that the area had not wished to be annexed in years past. He supported the motion to deny.

Council and staff continued discussions about Sections 26-203, -204, -205 and -207, BMCC, and that no physical application had been submitted but it may have been implied and parts of the code were not applicable.

Jay Vantassell voiced his confusion about the process and asked for clarification. Councilmember Owen noted that in Section 26-205 a written application for a waiver was required and since there had been no application, the applicant could withdraw the matter. City Attorney Dahl agreed.

Mr. Vantassell formally withdrew the “application” to allow continued discussions with staff toward a solution.

Mayor Cole called Councilmember Boyett’s motion out of order.

**4. CITY ADMINISTRATOR'S Annual Performance Evaluation and APPROVAL of Compensation Increase.**

Mayor Cole noted that the annual performance evaluation occurred prior to the meeting in a closed executive session. He asked Deputy Mayor Boyett to provide details as Mayor Cole was absent for a portion of the meeting due to a scheduling conflict. Deputy Mayor Boyett explained that per the employment contract with Mr. Kukulski and the City Code, Council was mandated to conduct an annual performance evaluation. Per Mr. Kukulski’s current employment agreement, the City was contractually obligated to provide a 3% cost of living increase. Council offered nothing additional.

**RECOGNITION OF OUTGOING MAYOR AND COUNCILMEMBERS**

Chris Kukulski, City Administrator, provided a presentation outlining the Council’s accomplishments over the past 8 years. He acknowledged each outgoing official and presented them with plaques of appreciation for their service on Council. Deputy Mayor Boyett presented Mayor Cole with a plaque as well. Each outgoing Councilmember gave a brief message of gratitude about their service to the citizens of Billings and to working with staff.

**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 individuals gave public comment:

- **Paul Clark**, voiced concerns about soil lab results for his property and limestone leaching from the sugar beet factory.
- **Jeff Kettleon**, thanked Councilmembers for their service and voiced concerns about annexing properties that had marijuana businesses on them.

No further public comment was given.


**COUNCIL INITIATIVES:**

There were no Council initiatives.

**ADJOURN: 7:33 P.M.**



CITY OF BILLINGS

BY:   
Mike Nelson, Mayor

ATTEST:

BY:   
Denise R. Bohlman, City Clerk