



**VISION STATEMENT:**  
"The Magic City: A diverse,  
welcoming community  
where people prosper and  
business succeeds."

## WORK SESSION SUMMARY

**COUNCIL CHAMBERS**  
316 N. 26th St., 5th Floor

**JULY 7, 2025**

**5:30 P.M**

**CALL TO ORDER:** Mayor Cole

**Present:** Councilmember Owen, Ward II  
Councilmember Neese, Ward II  
Councilmember Rogers, Ward III  
Councilmember Aspenlieder, Ward IV  
Councilmember Tidswell, Ward IV (via Zoom)  
Councilmember Boyett, Ward V  
Councilmember Rupsis, Ward V  
Mayor William Cole

**Absent/  
Excused:** Councilmember Shaw, Ward I  
Councilmember Gulick, Ward I  
Councilmember Kennedy, Ward III

**Staff  
present:** Chris Kukulski, City Administrator  
Kevin Iffland, Assistant City Administrator  
Gina Dahl, City Attorney  
Denise Bohlman, City Clerk  
Elyse Monat, Transportation Planner  
Mac Fogelson, City Engineer  
Lora Mattox, Transportation Planning Coordinator  
Wyeth Friday, Planning Director  
Anna Vickers, Planning Manager

**Public Comment:**

- Denise Joy, 1600 Avenue E, Billings, MT, spoke of the need to help the unhoused population.
- Tony O'Donnell, 3958 S. Tanager, Billings, MT, spoke of the NorthWestern Energy rate increase.

### **1. Billings PCE Superfund Site Update.**

**Presentation:** Environmental Affairs Manager Cheri Armstrong introduced EPA Project Manager, Roger Hoogerheide and DEQ Project Manager, Breana Pabst, who updated the Council on the Billings PCE (perchloroethylene) Superfund Site. They outlined the extent of the contamination (a 976-acre plume beneath Billings affecting over 4,200 structures) and the health concern of PCE vapor intrusion into buildings. EPA/DEQ's preferred remedy focuses on addressing indoor air impacts. It has three parts: (1) Monitoring – sampling indoor air and sub-slab vapors in affected structures; (2) Mitigation – installing radon-style vapor intrusion systems in homes and businesses where dangerous PCE levels are found; and (3) Institutional controls – implementing city ordinances to inform

the public, minimize exposure, and ensure long-term protection of the remedy. EPA estimates this plan will cost roughly \$33 million over 35 years. EPA/DEQ will install and maintain the mitigation systems; property owners would pay only a small incremental cost (about the equivalent of running a 75-watt bulb) for electricity.

Timeline: The presenters reviewed the next steps. EPA will release a Proposed Plan for public comment by summer 2025. A 30-day comment period and a public meeting will follow. The Council requested the EPA schedule the meeting on a night when the Council is not in session so members and other officials can attend, and EPA agreed EPA's mobile "TAGA" lab is planned for Winter 25-26.

The Council agreed to assist EPA by providing a city property with electricity for parking and operating the TAGA van. After the comment period, EPA intends to issue a formal Record of Decision on vapor intrusion controls by late 2025 or early 2026.

Council Discussion: Councilmembers had no objections to the proposed work plan. Mayor Cole and members supported moving ahead as EPA/DEQ described. They agreed that Cheri Armstrong will serve as the City's point of contact and will work with City legal staff to draft any necessary ordinances (for example, requiring vapor mitigation in new construction or change-of-use in the plume area, and tenant notification of vapor risks). (The ordinances are expected to be drafted for future Council review.) Council emphasized coordination with residents; for example, EPA agreed not to hold its public meeting on a Council night as requested.

Outcome: No formal vote was needed. The Council supported the staff recommendation. EPA/DEQ will proceed with finalizing the Proposed Plan, conducting the sampling, and engaging the public as scheduled. Further action will occur at future meetings as the project progresses.

Public Comment:

None

## **2. Transportation Alternatives Applications.**

Presentation: Elyse Monat presented the 2025 Transportation Alternatives (TA) grant program. She explained that approximately \$1.8 million in federal TA funds have been allocated locally (through the Billings MPO) for pedestrian and bicycle projects. Two grant applications were received:

Billings Safe Routes to School 2025: A bundle of seven pedestrian-safety improvements at area schools (crosswalk enhancements, curb extensions, pedestrian refuge islands, and flashing beacons). Total project cost is about \$1.5 million; the City requested \$1.31 million in TA funding with about \$200,000 from the City (Safe Routes program) as local match.

Lockwood Johnson Lane Sidewalk Connector (Yellowstone County/Lockwood Pedestrian Safety District): Two sidewalk gap segments (about 500 feet each) along Johnson Lane. Cost is \$250,000; the request is \$217,100 in TA funds with \$33,600 local match (funded by the local pedestrian safety district). The County Commissioners have pledged support.

Both projects scored highly in the technical review (average scores ~87) and are recommended for full funding.

Council Questions: Councilmembers sought clarification on funding and scope. CM Neese noted that many County-owned areas in the city (like Lockwood) lack sidewalks, and asked whether the County was addressing this. Staff explained that Lockwood voters created a sidewalk tax district (the local match for the Johnson Lane project). Other County sections could similarly apply for TA funds if local match is provided. CM Owen suggested informing County officials of any remaining sidewalk gaps on their land, since citizens

are already contributing via the district fund. CM Rupsis asked why City property owners pay the full sidewalk cost (100% frontage assessments) while Lockwood residents pay only 10%. Mayor Cole explained that State law requires City owners to fully fund new sidewalks on their frontage, whereas the Lockwood district spreads costs across property owners through a tax, greatly reducing individual share.

Public Comment:

None

Outcome: Council agreed with the staff's recommendation to fully fund both TA projects. No action was taken at this work session; both projects will be placed on July 14, 2025 consent agenda for formal approval. In the meantime, staff will forward the recommendation to the MPO's Policy Coordinating Committee as planned.

### **3. Draft Public Art Policy.**

Presentation: Elyse Monat introduced the new draft Public Art Policy, developed to replace the outdated 2011 policy. This effort grew out of the "Mobilize the Magic City" 2023 project and other recent public-art interest (for example, the "Space to Place" grant and various murals). Without a clear policy, prior projects (like painting the 21st Street underpass) required ad-hoc staff coordination. The draft policy establishes a clear process for artwork on city-owned outdoor property: applicants will submit to Planning, city staff will conduct a departmental review for code compliance, and a newly formed Public Art Committee (with artists, developers, cultural reps, architects, etc.) will hold a public hearing to approve or deny projects. Denials can be appealed to the Council. The policy defines public art (original art freely accessible), excludes things like transit advertisements or standard sign code items, and provides tools (application forms, flowcharts, etc.) to guide applicants.

Council Feedback: Councilmembers expressed broad support for the policy as a step forward. They raised a few issues to address in the draft:

Maintenance Funding (10% Fee): The policy requires artists to allocate 10% of project cost to a city maintenance fund. Council asked how that 10% is calculated and handled. Staff agreed to clarify that donated materials or volunteer labor should be counted in the budget. It was confirmed that the 10% fees will go into a common maintenance fund (pooled for all projects). Concern was noted that 10% may be insufficient for projects with high eventual upkeep; the policy will be revised to keep 10% as a default but allow the Committee to require more for particularly costly works.

Appeals and Removal: Council asked how appeals to the Council would be evaluated. Staff will clarify that appeals should be judged objectively, based on the policy criteria (not personal taste). Members also suggested adding language giving the Council the right to remove public art in the future (for example, after a 20-year review) to ensure flexibility.

Other Exclusions: It was confirmed that the policy does not govern advertising or event banners on city property (these remain under the sign code) nor transit vehicle/bench art (handled by MET Transit).

Public Comment:

- Lisa Olmstead, 2406 Woody Drive, Billings Community Foundation, Billings, MT, encouraged Council to trust the committee and guide them through the process.
- Amy Aguirre, 154 Lewis Avenue, Billings, MT, spoke against requiring artists to monetize volunteer hours and encouraged a sliding scale.

- Tony O'Donnell, 3958 S. Tanager, Billings, MT, spoke of the possibility of legal issues with approval/denial of art and maintenance costs.
- Tom McClaine, Parks and Recreation Board member, spoke of the importance of an art policy and how it may help other organizations.
- Denise Joy, 1600 Avenue E, Billings, MT, spoke of the importance of art.

Next Steps: Staff will revise the draft policy to incorporate Council's suggestions (clarify the 10% maintenance language, appeals criteria, removal option, etc.) A final draft (with attachments) will return to Council for formal adoption. No action was taken at this meeting.

#### **4. Litter in Billings Discussion.**

This item was postponed. Councilmember Kennedy, who requested the discussion, was absent. Mayor Cole announced that Debi Meling of Public Works was present but unable to attend the next meeting in July, so the item was tentatively rescheduled for the first work session in August (August 4, 2025).

Recess at 7:42 P.M. Reconvene at 7:50 P.M.

#### **5. City Charter Amendment Discussion Concerning Possible Reduction of City Councilmembers and Redistricting.**

Presentation: Mayor Cole introduced a Council-initiated proposal to reduce the size of the City Council. Currently the Charter provides for ten Councilmembers plus the Mayor. The amendment under discussion would shrink the Council to six members (six elected from single-member wards plus one at-large Mayor). City Attorney Gina Dahl assisted with background and legal process (there was no formal slide presentation).

Council Discussion – Pros and Cons: 11-member council (10 plus Mayor) is “not efficient” for Billings’ size (around 120,000 people) and makes it hard to reach consensus, smaller council would be more cohesive and effective, even if each member’s workload increases. Many similar-size cities operate with 6 or fewer councilmembers. The fiscal savings (roughly \$50,000 per year) would be modest, but the main benefit is streamlined decision-making.

CM Jennifer Owen expressed caution.

Legal Requirements: Attorney Dahl reviewed the timeline for a Charter amendment. Because this change is to the City Charter, it requires voter approval via ballot. To meet the November 4, 2025 election deadlines, the Council must adopt an ordinance referring the amendment to voters by early August. A public hearing on the ordinance will be held on August 28 (with legal notices published in July). The Council confirmed this schedule.

Direct staff to add item to end of the next agenda (July 14, 2025).  
 Moved by Aspenlieder  
 2<sup>nd</sup> by Rogers

**APPROVED 4-3**, Neese, Tidswell and Rupsis opposed

Public Comment:

None

**HIGHLIGHT UPCOMING AGENDA ITEMS OF COUNCIL INTEREST:**

**COUNCIL DISCUSSION:**

None

**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.)*

None

**ADJOURN: 8:44 P.M.**