

****ATTENTION****

The City Council meeting will be held in a hybrid format that may include both in-person AND virtual attendance via Zoom. Unless they have cause to appear virtually, Councilmembers will attend the meeting in person in Council Chambers, fifth floor of City Hall, 316 N. 26th Street. In order to honor the Right of Participation and the Right to Know in Article II, Sections 8 and 9, of the Montana Constitution, the City of Billings and City Council are making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: www.billingsmt.gov and click on "Your Government," "City Council," and "Agendas & Minutes".
- View the meeting:
 - On Community 7 TV - Channel 7 or Channel 507 -- Spectrum Cable. *(On evenings when there is a conflict with School District No. 2 Board meetings, the City Council meeting will be broadcast on Channel 8 - Spectrum Cable.)* Channel 7 or Channel 978 - TDS Fiber.
 - Online at www.comm7tv.com and click on the "Watch Live" icon. Community 7 also has links to their Facebook page and YouTube channel.
 - On the City's website at www.billingsmt.gov and click on "Watch Meetings Online" on the homepage.
 - In-Person.

Citizens may submit public comment via the following methods:

- Mail: City Clerk, P.O. Box 1178, Billings, MT 59103
- Email: Council@billingsmt.gov.
 - Emails received after 3:00 PM on the day of the meeting, may be posted on the Council's webpage the following day for public viewing.
- Attend the meeting in person

Please contact Denise Bohlman, City Clerk, at bohlmand@billingsmt.gov, or at 406.657.8210, with any questions.



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

**SPECIAL MEETING
AGENDA**

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

JUNE 16, 2025

4:00 P.M.

CALL TO ORDER: Mayor Cole

ROLL CALL: Councilmembers present on roll call were: Shaw, Gulick, Neese, Owen, Rogers, Kennedy, Aspenlieder, Tidswell, Boyett, Rupsis

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

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.)

SPECIAL AGENDA:

- 1. **RESOLUTION** requiring or canceling a Municipal Primary Election on September 9, 2025.

Recommended Motion: I move to approve a Resolution (requiring or canceling) a Municipal Primary Election on September 9, 2025.

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. Please sign the roster located at the back of Council chambers or at the podium.)

ADJOURN:

Council Chambers are readily accessible to individuals with physical disabilities.

For more information or to make requests for special arrangements, please contact the City Clerk's Office at 657-8210 or e-mail bohlmand@billingsmt.gov, 72 hours prior to the meeting date.

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**\* Quasi-Judicial** -- Caution must be exercised concerning any potential ex parte communications with interested parties. This policy-making body may exercise approval or other adjudication authority which is "judicial" because it directly affects the legal rights of a person.

**City Council Special Session**

**Meeting Date:** 06/16/2025

**Title:** Resolution requiring or canceling a Municipal Primary Election

**Presented by:** Chris Kukulski, City Administrator

**Department:** City Hall Administration

**Division:** Administration

**RECOMMENDATION**

Staff recommends Council approve a resolution requiring or canceling a Municipal Primary Election on September 9, 2025.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

Section 13-14-115(3), MCA, authorizes a governing body to require a primary election be held for a nonpartisan office if it passes a resolution not more than 10 days after the close of filing by candidates for election stating that a primary election must be held for that office, or June 21, 2025. Section 13-1-403(4), MCA authorizes a municipality to cancel an election by resolution after notification by the election administrator if the number of candidates filing for election is equal to or less than the number of positions to be filled. On June 11, 2025, the City received notification from the election administrator that a municipal primary would not be held (see attached). However, a special meeting has been requested to consider requiring a primary despite the election administrator's determination.

**ALTERNATIVES**

City Council may:

- Approve a resolution requiring a primary election be held for certain nonpartisan offices on September 9, 2025, pursuant to Section 13-14-115(3), MCA; or,
- Not Approve a resolution requiring a primary election be held for certain nonpartisan offices on September 9, 2025, pursuant to Section 13-14-115(3), MCA.

**FISCAL EFFECTS**

The primary election of municipal offices currently eligible for election shall be held by mail ballot as set forth in City of Billings Resolution No. 25-11263 and in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, MCA. Pursuant to Section 13-1-302, MCA, all costs of the regularly scheduled primary and general elections shall be paid by the counties and other political subdivisions for which the elections are held. Each political subdivision shall bear its proportionate share of the costs as determined by the county governing body. According to the Yellowstone County Election Administrator, K. V. "Ginger" Aldrich, having a primary election on September 9, 2025, may cost the City approximately \$100,000.

Elections Administrator Notice Cancelling Primary  
Proposed Resolution



PO Box 35002  
Billings, MT 59107-5002  
(406)256-2740  
(406)254-7940 (Fax)

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June 11, 2025

Denise Bohlman  
City Clerk  
City of Billings  
PO Box 1178  
Billings, MT 59103

Ms. Bohlman,

In accordance with 13-14-115, MCA, I have determined that the September 9, 2025, municipal primary election for the City of Billings will not be held due to a lack of candidates. The following offices are affected: Mayor, the office of City Council for Wards 1, 2, 3, 4, and 5, and Billings Municipal Court Judge.

However, the governing body may still require that a primary election be held for a nonpartisan office if it passes a resolution not more than 10 days after the close of filing. Filing closed today at 5 p.m.

Please do not hesitate to contact me if you have any questions.

With regards,

K.V. Aldrich  
Yellowstone County Election Administrator

## RESOLUTION \_\_\_\_\_

### A RESOLUTION REQUIRING A PRIMARY ELECTION OF CERTAIN MUNICIPAL OFFICERS TO TAKE PLACE ON SEPTEMBER 9, 2025

WHEREAS, section 13-10-201(7), MCA, provides that a candidate's declaration for nomination must be filed no sooner than 105 days before the election in which the office first appears on the ballot and no later than 5 p.m., 90 days before the date of the primary election, or June 11, 2025; and

WHEREAS, MCA section 13-1-403(4) authorizes a municipality to cancel an election by resolution after notification by the election administrator if the number of candidates filing for election is equal to or less than the number of positions to be filled; and

WHEREAS, section 13-14-115(3), MCA, authorizes a governing body to require a primary election be held for a nonpartisan office if it passes a resolution not more than 10 days after the close of filing by candidates, or June 21, 2025; and

WHEREAS, by letter dated June 11, 2025, the City of Billings received notice by the Yellowstone County Election Administrator that a primary election would not be necessary for any elected municipal offices; and

WHEREAS, the City of Billings wishes to conduct a primary election on September 9, 2025, for certain municipal elected offices currently eligible for election; and

WHEREAS, pursuant to Section 13-1-302, MCA, all costs of the regularly scheduled primary and general elections shall be paid by the counties and other political subdivisions for which the elections are held. Each political subdivision shall bear its proportionate share of the costs as determined by the county governing body.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. Council has determined there should be primary election held for the municipal officer positions of [Mayor, City Council Ward 2, City Council Ward 4] currently eligible for election.
2. Council hereby calls and directs a primary election to be held on September 9, 2025, to be conducted in accordance with the provisions of Title 13 of the Montana Code Annotated.
3. The primary election of the above referenced municipal offices currently eligible for election shall be held by mail ballot as set forth in City of Billings Resolution No. 25-11263 and in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, MCA.

4. The City of Billings shall bear its proportionate share of the costs as determined by the Yellowstone County Election Administrator.
5. The City of Billings cancels the September 9, 2025, primary election for the following elected municipal offices: [City Council Ward 1, City Council Ward 3, City Council Ward 5].

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 16<sup>th</sup> day of June, 2025.

CITY OF BILLINGS

By: \_\_\_\_\_  
William A. Cole, Mayor

ATTEST:

By: \_\_\_\_\_  
Denise R. Bohlman, City Clerk