MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
April 27, 2026

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 Nelson

PLEDGE OF ALLEGIANCE: Mayor Nelson

INVOCATION: Councilmember ~~Aspenlieder~~ Kennedy

ROLL CALL:

Present:
Councilmember Kendra Shaw, Ward 1
Councilmember Mark Nicholson, Ward 1
Councilmember Roy Neese, Ward 2
Councilmember Denis Pitman, Ward 2
Councilmember Amy Aguirre, Ward 3
Councilmember Bill Kennedy, Ward 3
Councilmember Scott Aspenlieder, Ward 4
Councilmember Andrew Lindley, Ward 4
Councilmember Mike Boyett, Ward 5
Councilmember Tony O'Donnell, Ward 5
Mayor Mike Nelson

Staff Present:
Chris Kukulski, City Administrator
Kevin Iffland, Assistant City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Tricia Mae, Facilities Manager
Gavin Woltjer, Library Director
Kory Thompson, Recreation Superintendent
Kelsie Rubich, Library Director
Wyeth Friday, Planning and Community Services Director
Anna Vickers, Planning Manager (via Zoom)
Karen Husman, Zoning Coordinator
Brenda Beckett, Community Services Manager
Hunter Kelly, Planner
Dave Green, Planner
Mac Fogelson, City Engineer
Tyler Westrope, Development Services Engineer

MINUTES:

- March 27, 2026 – Pending
- April 13, 2026

Moved by Councilmember Boyett
Seconded by Councilmember Shaw
APPROVED 11-0

COURTESIES:

Mayor Nelson recognized House District 28 Representative Greg Oblander in the audience and thanked him for his service.

Councilmember Aspenlieder welcomed the Billings All-Stars Cheerleading Rebel Team and congratulated them on their silver medal win at the World Cheerleading Competitions in Orlando, Florida. They represent schools across Billings. Photos with Council followed.

Mayor Nelson introduced and congratulated the winner of the Regional Civics Bee, Shri, and her parents, Prashant and Shobi Vaishnava. She will continue to National competitions in Washington, D.C.

PROCLAMATIONS:

Mayor Nelson read the following proclamations.

- National Travel and Tourism Week - May 3-9, 2026
- National Day of Prayer - May 7, 2026

COUNCIL REPORTS:

Councilmember Aspenlieder acknowledged the death of Shawna Hart Grove and that many of the citizens in attendance were there to provide public comment about her, domestic violence and the challenges facing the community. He noted that domestic violence is the number one driver of violent crime in our community and accounts for nearly 50% of cases. He acknowledged that training alone was not enough, and it must be paired with accountability; outcomes must be measured, standards enforced and implementation ensured. He asked that the City's leadership review what is working elsewhere and provide a comparative analysis to Council and the community.

Councilmember Lindley added his support and asked that every part of the system be reviewed: officer training, response to protection order violations, risk assessment, coordination with the court, release decisions, and victim support systems. He asked for a full accounting of every domestic violence fatality in Billings over the past five years.

Councilmember Aguirre shared that she was the Director of Angela's Piazza Women's Drop-In Center. She offered hope to survivors of domestic violence. She acknowledged the different forms of domestic violence, the warning signs, and the effects on children who witness and experience it. She encouraged those living with domestic violence to reach out to friends, family members and local organizations for support and help.

Councilmember Kennedy shared that he volunteered at the Family Tree Nurturing Center and saw the effects of generational domestic violence trauma to children. He listed the services provided at the Center and he supported action to address domestic violence.

Mayor Nelson asked the City Administrator, Chris Kukulski, for a timeline for staff to compile the summaries requested by Councilmember Lindley and if a Special Work Session could be held within the next 10 days.

Mr. Kukulski noted not all cases were solely with the City. Felony cases would require coordination with the County Attorney's office and the cases involved complex interactions across multiple systems, including the city, county, and state. He offered that data might be available in a few weeks. He indicated a Special Work Session could be held within the next 10 days to begin the review process.

Mayor Nelson asked Council for a consensus to add a Special Public Comment to the agenda.

SPECIAL PUBLIC COMMENT:

The following individuals provided public comment concerning Shawna Hart Grove's death and domestic violence concerns:

- Sarah Hinkle, local business owner, offered free training to victims and survivors of domestic violence, including personal safety, situational awareness, violence prevention, self-defense and firearms training.
- Lilly (indecipherable), Founder of Montana Domestic Violence Railroad, identified herself as a survivor and advocate for change. She shared her story and stated stronger legislation was needed.
- James Miller, identified himself as a survivor and that he had been involved in court proceedings for the past three years. He stated reform was needed in the court system and as well as more education concerning male victims of domestic violence.
- Kinsey Minor, identified herself as a friend of Shawna and a survivor. She shared her story and called for change.
- Lauren West, spoke about Shawna being the grandmother to her daughter. She indicated there were repeated incidents of stalking and harassment Shawna experienced despite having an order of protection in place.
- Shawna Hart's son shared his family's experiences and hoped no child would lose their mother to a domestic violence death ever again.
- Crystal Hattery, a friend of Shawna's, called for change.
- Madeline Rutherford, noted there would be a vigil in Shawna's memory held on the courthouse lawn on Sunday. She asked Council to support meaningful change.
- Abby Zeiler, shared her daughter's story about her violent marriage and noted domestic violence was preventable. She added that the system needs to be clear, immediate and effective.
- Brittany Brown, shared her heartbreak and was seeking justice for Shawna.
- Danielle Rodriguez, spoke about more protections were needed for victims.

- Elizabeth Parsons, Shawna's niece, spoke about the effects of Shawna's death of her surviving children.
- Kelsey Kruger, spoke of her gratitude to Shawna for assisting her when leaving an abusive situation. The loss of Shawna affected everyone in some way.

There was no further public comment.

Mayor Nelson called for a recess at 6:39 P.M. and reconvened the meeting at 6:49 P.M.

Councilmember Aspenlieder advised that the Budget and Finance Council Subcommittee would meet on Wednesday, April 29th in the Rimrock Conference Room from 9:00 A.M. – 11:00 A.M. The TIF Districts would be presenting.

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

Mr. Kukulski advised Council that:
- A valid protest petition was received. A 2/3 majority vote was needed (7 out of 10 votes) to approve Zone Change 1078, Regular Agenda Item 6b, since Councilmember Aspenlieder would be recusing himself.
- Budget Work Sessions were scheduled for May 4th and 5th, 2026.
- The Strategic Planning Process for staff only was on May 6th and staff and Council on May 7th, 2026. This would be led by the Bridge Group and would focus on core values, vision, and mission development for the strategic plan.
- A Special Closed Executive Session was scheduled for Noon, on Thursday, April 30th, 2026, concerning "Interim City Administrator candidate evaluation and review".
- There was 1 exparte communication received after 3 P.M. to the Mayor and Council concerning Regular Agenda Item 6b, Zone Change 1078, and a copy of it was placed in the notebook located where copies of the agenda are for the public to review.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 2a, 6c, 7c, and 8 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 gave public comment:

- Jeff Ketelsen, in reference to Regular Agenda Item 2a, voiced his concerns about not having a dedicated revenue source and that the ARC was expected to operate at a deficit. Relying on external funding sources, such as the Tourism Business Improvement District, to help offset losses was not a sustainable long-term solution and the financial burden would eventually shift onto taxpayers.
- Lori Cameron, spoke about a new development project that would impact their private property.

There was no further public comment.

Councilmember Aspenlieder separated Consent Agenda Item 1J to abstain as his business represented the applicant.

Councilmember Neese separated Consent Agenda Item 1G for discussion.

Motion: I move to approve the Consent Agenda, with the exception of Items 1G and 1J moved for separation.

Moved by Councilmember Neese
Seconded by Councilmember Nicholson
APPROVED 11-0

1. **CONSENT AGENDA**

   A. **Bid Awards:**

      1. **Airport Drainage Pond E Expansion Project.** (Opened 4/7/26). Recommend K2 Civil.

   B. **Collective Bargaining Agreement with IAFF - Local 521.**

   C. **Contract** for custodial services at Public Library with Pride of Montana, Inc.

   D. **Five-Year Agreement** for Airport Automobile Public Parking Concession; SP Plus, LLC.

   E. **Purchase** of UV Disinfection System replacement parts for the Water Reclamation Facility; Trojan Technologies.

   F. **Recommendation of Approval** to Policy Coordinating Committee (PCC) of Amendment No. 3, 2024-2028 Transportation Improvement Program (TIP).

   G. **FY2026-2027 Annual Action Plan**, recommended CDBG and HOME Budget Allocation, and First Time Home Buyer Program.

Motion: I move to approve Consent Agenda Item 1G.

Moved by Councilmember Shaw
Seconded by Councilmember Kennedy

Motion to Amend: I move to amend the motion to remove the foreclosure assistance program and reallocate those funds to the first time homebuyer assistance program.

Moved by Councilmember Kennedy
Seconded by Councilmember Neese

Councilmembers Kennedy and Neese discussed concerns that the foreclosure program had not performed effectively and may compete with private sector services. Councilmember Shaw would not support the amendment and expressed support for maintaining the original recommendation, citing the work of the Community Development Board.

APPROVED 9-2, Councilmembers Shaw and Aguirre opposed

Amended Motion: I move to approve the FY2026-2027 Annual Action Plan, recommended CDBG and HOME Budget Allocation, and First Time Home Buyer Program, with the removal of the foreclosure assistance program and reallocation of those funds to the First Time Home Buyer Program.

APPROVED 10-1, Councilmember Aguirre opposed

H. **Donation** to the Public Library from David and Nancy Myers for purchase of library books.

Councilmember Boyett thanked and recognized Mr. and Mrs. Myers for their donation.

I. **Exempt Plat and Warranty Deed** for Public Right-of-Way on East Alkali Creek Road, Certificate of Survey 34, Amended Tract 9B.

J. **Preliminary Major Plat** for Trailhead Subdivision. *Quasi-Judicial

Motion: I move to approve Consent Agenda Item 1J.

Moved by Councilmember Boyett
Seconded by Councilmember Neese
APPROVED 10-0, Councilmember Aspenlieder abstained

K. **Final Major Plat** for Howard Billings Industrial Subdivision. *Quasi-Judicial

L. **Bills for the Weeks of:**

1. March 30, 2026
2. April 6, 2026

REGULAR AGENDA:

2. **PUBLIC HEARING AND RESOLUTION 26-11327** approving Amend Park Recreation Campus (ARC) Operations, Fees, and Naming Rights. Staff recommends approval.

Gavin Woltjer, Parks, Recreation and Public Lands (PRPL) Director, presented. He explained that PRPL and City Administration had met with the Billings Tourism Business Improvement District (TBID) about supplemental funding for the Courts Complex 3 times during 2025. TBID approved funding $500,000 over the course of 3 years to help with startup costs and operational shortfalls. He provided a timeline for the design, construction and formation of a subcommittee. Council approved to have PRPL operate the Courts Complex for 3 years. Mr. Woltjer reviewed the details of the proposed resolution. An advisory board was recommended that would consist of 1 representative from School District 2; 1 sports tourism representative from TBID (while receiving TBID funding); 3 public members; 1 ex-officio Councilmember; 1 ex-officio PRPL leadership representative. He outlined the naming rights tier structure to support operations such as:

- Facility naming rights: 10-year term
- Lobby naming rights: 5-year term
- Court sponsorships: 5-year term
- Multi-purpose room: 3-year term
- Outdoor courts and smaller sponsorships available

Up to 50% of naming rights revenues would be used for operations in the first 3 years, with the remainder placed into a reserve fund. In later years, the reserve contribution increases. The long-term goal was to build a $2 million reserve for capital improvements and maintenance.

Mr. Woltjer reviewed the fees and revenues model the facility would generate as:

- Court rentals
- Tournament hosting
- Concessions
- Sponsorships

Tournament rates would include additional services such as custodial support. All revenue would remain within the facility's operating fund (structured similarly to an enterprise fund). A clause could be added that if there are excess reserves above $2 million, it could be directed by Council to be used in other areas of the PRPL department as needed.

Mr. Woltjer addressed Regular Agenda Item 2a reiterating the total funding as $500,000 over 3 years. He outlined the funding distribution and noted financial statements would be reported quarterly to both TBID and Council.

Councilmember Aspenlieder disclosed he was on the subcommittee and expressed appreciation for the work of the subcommittee and staff. He spoke about leveraging what VisitBillings and the TBID had developed for sports tourism and mentioned the numerous facilities available in Billings to draw sporting events. He supported keeping the TBID on the advisory board, permanently, no matter whether their funding continued because they brought expertise that the City would not have.

Councilmember Neese agreed with Councilmember Aspenlieder but noted the TBID representative should be required to be a sports tourism director. He clarified that the advisory board was a staff advisory board, not a Council advisory board.

Mayor Nelson noted the ARC was located in a great spot, "King of the Region". He congratulated staff.

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 a resolution for ARC operations, fees and naming rights, as recommended by staff, and include in the staff advisory board composition that the TBID representative be a permanent position so long as it is filled by a sports tourism director.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Kennedy
APPROVED 11-0

a. **MEMORANDUM OF UNDERSTANDING (MOU)** between the City and Tourism Business Improvement District (TBID). Staff recommends approval.

Staff did not have additional information, but was available for further questions.

Aly Eggart, Billings Chamber of Commerce VisitBillings, expressed support for the project. She explained that TBID funds were generated by a $4 bed tax collected from visitors who overnighted in Billings hotels and motels. Those funds helped with marketing and promotions of events in the Billings area, which brought more visitors to the area.

Motion: I move to approve the MOU between the City and TBID, as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Aguirre
APPROVED 11-0

At 7:36 P.M. Councilmembers Aspenlieder and O'Donnell left the meeting and returned at 7:45 P.M.

3. **PUBLIC HEARING AND APPROVAL** of a Purchase and Sell Agreement for the Babcock Theater with Art House Management, LLC. Staff recommends approval.

Tricia Mae, Facilities Manager, reviewed details of the Purchase and Sell Agreement (PSA) with Art House Management, LLC. The PSA included a $100,000 City contribution for the insurance deductible for repairs to the ceiling which would be paid at closing. The closing date was set for June 1. Art House Management, LLC, would assume ownership during reconstruction and wished to reserve the right to apply for future TIF funding. Ms. Mae provided public notice details and stated she had not received any interest other than that from Art House Management, LLC.

Councilmembers Kennedy and Lindley discussed the benefits of transferring ownership to a nonprofit organization with operational experience.

Councilmember Pitman raised concerns regarding process transparency, tax implications and the lack of market listing with a realtor.

Councilmember Neese noted there were blanks in the PSA and clarified there were no attachments. He also wanted it noted that the buyer accepted the property in its current condition.

The following individual provided public testimony:

- Jeff Ketelsen, acknowledged he generally would not support the sale of City-owned properties and especially not to nonprofits that did not pay taxes. He did not like that the property was not listed with a realtor and was being sold for $1. He asked Council to not approve the PSA. He wanted Council to require staff to list it to get the best offer possible.

No further public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve the purchase and sell agreement for the Babcock theater with Art House Management, LLC, as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Neese

Councilmember Shaw explained how the City acquired the Babcock; that it had been successfully managed by the Art House group until the ceiling fell and she supported their cultural preservation efforts.

Councilmember Neese mentioned the City had been trying to rid itself of the Babcock Building for years. Art House Management, LLC, would be supported through community donations and fundraising efforts. He confirmed with City Attorney, Gina Dahl, that the City followed its property disposition policy.

Councilmember Pitman spoke to transparency concerns by choosing Art House and not listing with a realtor. He disapproved of the process.

Councilmember Boyett noted there were $5 million in deferred maintenance needs to the Babcock and the City did not have the funding. Art House Management would see that it was properly maintained and preserved.

APPROVED 10-1, Councilmember Pitman opposed

4. **PUBLIC HEARING AND RESOLUTION OF INTENT 26-11328** to proceed with public notice and hearing process required for the potential disposal of property located at 802 Yellowstone Avenue. Staff recommends approval.

Wyeth Friday, Planning Director, outlined the history of the property and that the City acquired the property through nuisance legislation. He reviewed demolition costs that were funded through a Brownfields Federal loan of $85,000, and options for the property's disposal. Repayment requirements of the loan, tied to sale proceeds, were explained.

Council and staff discussed the recommendations set forth by the Community Development Board, loan forgiveness requirements and exceptions, and possible usage of the property.

The following individuals provided public testimony:

- Rebecca Noell, Community Development Board Member, thanked the City for demolishing the building. She urged Council to support an affordable housing development utilizing the stipulations set forth by the Community Development Board for the sale of the property.
- Jack Hanson, asked for a clear disposal policy for future City property disposals. He suggested prioritizing middle-market housing development for these properties and setting conditions for the new property owner. He urged Council to do as the Community Development Board recommended.
- Nathan Blanding, a small developer, expressed interest in developing a small-scale residential/commercial project.

No further public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution of intent to allow staff to proceed with public notice and the hearing process required for the potential disposal of 802 Yellowstone Avenue, as recommended by staff.

Moved by Councilmember Kennedy
Seconded by Councilmember Neese

Council discussed preferences for developing the land and providing first right of refusal options to bordering property owners.

Motion to Amend: I move to add prioritizing housing for the public good in the Request For Proposals (RFP) to sell the property.

Moved by Councilmember Shaw
Seconded by Councilmember Lindley

Councilmember Shaw indicated the City would not benefit from the sale of the property if it was developed as a parking lot and the City would lose the Brownfield loan funds under that scenario. If the amendment was not passed she would not support the underlying motion.

Council discussed whether to prioritize affordable housing or maximize sale value and let private developers be creative about the usage of the property.

Substitute Motion: I move that the property be listed for sale on the market and remove any clause about "exchange or donation" from the RFP.

Moved by Councilmember Pitman
Seconded by Councilmember Neese

Council discussed fiscal responsibility, housing needs, and long-term tax impacts.

Councilmember Shaw and Mayor Nelson asked for clarification as to how the substitution motion differed from the underlying motion. Councilmember Pitman indicated he wanted the property sold, not to be exchanged or donated.

Councilmember Neese withdrew his second on the motion and Councilmember Pitman withdrew his substitute motion.

A vote on the Motion to Amend was taken.

FAILED 7-4, Councilmembers Aspenlieder, Kennedy, Boyett, O'Donnell, Pitman, Neese, and Mayor Nelson opposed

Additional discussions were held between Council and Staff concerning marketing the property.

Councilmember Aspenlieder called the question and it was seconded by Councilmember Kennedy.
APPROVED 10-1, Councilmember Neese opposed

A vote on the underlying Motion was taken.

APPROVED 10-1, Councilmember Shaw opposed

Mayor Nelson called for recess at 8:30 P.M. and reconvened the meeting at 8:40 P.M.

5. **JOINT PUBLIC HEARING FOR ANNEXATION 26-02 AND ZONE CHANGE 1079 - LONG SUBDIVISION**

a. **RESOLUTION APPROVING ANNEXATION 26-02:** a parcel of land generally located west of Shiloh Road and north of Hesper Road. Staff recommends conditional approval. *Quasi-Judicial

Hunter Kelly, Planner, noted that the applicants had requested a delay to May 11, 2026, on the annexation and zone change. Negotiations on the terms and conditions of the annexation agreement were not settled at the time of the meeting. If Council agreed to the delay, all remaining items for Regular Agenda Item 5 would be delayed to the May 11th Regular Business Meeting.

City Attorney, Gina Dahl, advised Council open the joint public hearing for Items 5a and 5b, then vote on whether to delay. Ms. Dahl advised that City Code specifically indicated for zone changes that Council could take no action, including delaying a zone change, until a public hearing was held. If the vote to delay was approved, then the public hearing for Item 5d would not be held.

No public testimony was given.

b. **RESOLUTION FOR ZONE CHANGE 1079:** a parcel of land generally located west of Shiloh Road and north of Hesper Road. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi-Judicial

Motion: I move to accept the request to delay Annexation 26-02 and Zone Change 1079 to the May 11, 2026, Regular Business meeting.

Moved by Councilmember Aspenlieder
Seconded by Councilmember O'Donnell
APPROVED 11-0

c. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward 5 to include recently annexed property in Annexation 26-02: a parcel of land generally located west of Shiloh Road and north of Hesper Road. Staff recommends approval.

Motion: I move to delay to the May 11, 2026, Regular Business Meeting.

Moved by Councilmember Shaw
Seconded by Councilmember Boyett
APPROVED 11-0

6. **JOINT PUBLIC HEARING FOR ANNEXATION 26-03 AND ZONE CHANGE 1078 - BARBER FARM SUBDIVISION**

a. **RESOLUTION 26-11329 APPROVING ANNEXATION 26-03:** a parcel of land generally located north of Central Avenue, south of Broadwater Avenue, and west of 44th Street West. Staff recommends conditional approval. *Quasi-Judicial

Councilmember Aspenlieder declared a conflict of interest and recused from participation and voting on this item.

Karen Husman, Zoning Coordinator, presented and advised that a valid protest was received. Approval of the zone change required a two-thirds vote. She reminded Council that this Item had been before Council before, but the applicants chose to withdraw their application to reconsider their housing development and make changes.

Taylor Kasperick, Performance Engineering, agent, for the applicants and developer, presented the proposed annexation and zoning plan for approximately 360 residential units (however he noted that up to 800 units could be built according to allowable City zoning options). He explained that the phased development could take 10 to 12 years to complete. He addressed infrastructure considerations including future road connections and utility service. The proposal emphasized compatibility with growth policy and housing demand. The proposed development included more N3 (43%) (the lowest density allowed by the City) and N2 (42%) housing as requested by surrounding landowners. The developer agreed to add additional trees and park/open space for buffering that would be included in the annexation agreement. Mr. Kasperick mentioned that the infrastructure in County subdivisions and that for City subdivisions were not comparable, but the subdivisions were compatible, i.e., residential vs. residential. He provided details concerning the growth policy and essential investments for City infrastructure. He provided information from the traffic impact study and explained how the development would address traffic concerns which included installing turn lanes on Central Avenue. This plan removed vehicular access to adjacent subdivisions and contained a pedestrian-only connection. He discussed purchase vs. lease options and assumed affects to adjacent property values. He urged Council to accept the recommendations of the Planning Staff and the Zoning Commission and approve the zone change.

Cal Kunkel, developer, noted the proposed neighborhood did not have voice, it was only his voice for what he planned to build. The homes would be affordable housing, not government subsidized housing and would be market value. He spoke about the 20 housing developments he had built in the Billings area over the past 25 years. He noted that Billings residents preferred single-level, duplex patio homes. He shared his vision for the proposed neighborhood that would include small commercial businesses like a gym, coffee shop, etc. He identified it as an infill project because connecting infrastructure was available on most sides of the property.

The agent and Council discussed traffic mitigation construction on Central Avenue and whether the City's Capital Improvement Projects (CIP) contained any improvements for Central Avenue. Council complimented the developer on the changes made to the plan.

Councilmember O'Donnell expressed his concerns about bottlenecking traffic on Central Avenue where the road was not widened. He suggested a moratorium be implemented on future development until the entire stretch of Central Avenue was widened. Discussions continued concerning when street improvements and infrastructure were made.

The following individuals provided opposing public testimony concerning traffic congestion and road capacity; school overcrowding; infrastructure limitations; property value impacts; and neighborhood compatibility.

- Susan Sullivan, resident of Cloverleaf Meadows Subdivision
- Carmen Kile, resident of Sundance Subdivision, noted there is nothing currently in the City's CIP for Central Avenue.
- Janelle Lende, resident of Sundance Subdivision
- Dean Kyle, resident of Sundance Subdivision

- Tony Gaffke, a resident to the west of Barber Farm
- Chelsea Thompson, resident in a neighboring subdivision
- Roger Aldinger, stated the proposed development did not indicate adequate parks and trails and there were too many duplexes
- Gary Workman, resident of Cloverleaf Meadows Subdivision, asked City to infill with properties already available elsewhere
- Steve Zabawa, resident of Cloverleaf Meadows Subdivision, gathered signatures for the protest petition.
- Brenda Larson, resident in a neighboring subdivision, spoke about the protest petition and what the residents around this property wanted. She spoke about the dangerous nature of the county roads with no shoulders and deep ditches on either side of the roads.
- Shane Coleman, an attorney that lives in a neighboring subdivision, stated he represented many homeowners and urged Council not to approve the annexation and zone change.
- Melissa Townsend, disagreed that road improvements would be made timely. She explained that the increased growth along Grand Avenue had not expedited improvements to it.
- Katie Stanley, a resident of Cloverleaf Subdivision, advocated for her children and had concerns for overcrowded schools.
- Katherine Bosman, resident of Cloverleaf Subdivision
- Rocky Erickson, resident of a neighboring subdivision
- Wade Wilde, resident of Cloverleaf Subdivision, appreciated the changes made to the plan, but infrastructure was needed first.
- Bill Duke, resident of a neighboring subdivision, voiced concerns about the design of Broadwater Avenue.

The following individuals provided public testimony in favor with similar statements about additional housing supply needed; economic benefits that would come with the development; and compatibility with long-term planning.

- Danielle Turner, business manager for Happy Homes.
- Liz Swarz, a local teacher
- Mike Brushwine, real estate agent for the applicants, noted the Barber Farm was an island among the neighborhoods that had developed around them over the past 80 years. It was their turn to exercise their right to sell their land and have it developed.
- Derek Bartel, business manager for Happy Homes
- Mike Burbee, a resident of a neighboring subdivision, appreciated the single level housing.

No further public testimony was given.

Taylor Kasperick, Performance Engineering, agent, clarified that Broadwater Avenue curved to the north because there was existing public right of way, but it was unlikely it would extend east until the Billings Clinic property was developed. Council, Mr. Kasperick, Wyeth Friday, Planning Director, Mac Fogelsong, City Engineer, and Tyler Westrope, Development Services Engineer, discussed widening roads along the entire frontage of annexed property Central Avenue and installing turn lanes. Discussions continued about creating a Special Improvement District (SID) when necessary.

Councilmember Kennedy inquired whether the County would work with these subdivisions to widen the roads.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to conditionally approve Annexation 26-03 as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Lindley

Councilmember Shaw addressed comments from County residents who wanted infrastructure in place before development (including schools and public safety). She advised that all of those items were paid with tax revenues and the only way to generate more taxes was through more development. Lack of housing diversity was a problem, and it should not be expected for just certain areas but across Billings. She spoke in favor of the motion.

Councilmember Aguirre echoed Councilmember Shaw's comments about housing diversity and added there should not be walls and boundaries or attitudes of "not in my back yard." She urged citizens concerned with overcrowded schools to vote in favor of school levies to expand schools, etc. Keeping the status quo was limiting Billings' potential. She supported the motion.

Councilmember Lindley agreed there were infill properties to be developed, but they were not for sale. The City could only annex properties in which the owners and developers petitioned to annex. He supported the motion.

Councilmember Neese supported the motion and voiced appreciation to the developer for the changes to the development plans.

Councilmember Kennedy supported the motion and echoed his appreciation for the changes made to the development plans and spoke to those changes.

Councilmember O'Donnell was opposed to the motion and wished for a moratorium to future growth until infrastructure and road improvements were made in that area of Billings.

Councilmember Nicholson supported the Motion stating additional housing in the median range was needed.

APPROVED 9-1, Councilmember Aspenlieder abstained, Councilmember O'Donnell opposed

b. **RESOLUTION 26-11330 FOR ZONE CHANGE 1078:** a parcel of land generally located north of Central Avenue, south of Broadwater Avenue, and west of 44th Street West. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi-Judicial

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve Zone Change 1078, and adopt the 10 review criteria, as recommended by the Zoning Commission.

Moved by Councilmember Lindley
Moved by Councilmember Aguirre
APPROVED 9-1, Councilmember Aspenlieder abstained, Councilmember O'Donnell opposed

c. **ANNEXATION AGREEMENT** with Donna Barber-Schneider, Diana Browne, and Karin Barber. Staff recommends approval.

Motion: I move to approve the City entering into an annexation agreement with Donna Barber-Schneider, Diana Browne, and Karin Barber, as recommended by staff.

Moved by Councilmember Boyett
Seconded by Councilmember O'Donnell
APPROVED 10-0, Councilmember Aspenlieder abstained

d. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward 5 to include recently annexed property in Annexation 26-03: a parcel of land generally located north of Central Avenue, south of Broadwater Avenue, and west of 44th Street West. Staff recommends approval.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve first reading ordinance expanding the boundaries of Ward 5 to include recently annexed property in Annexation 26-03, as recommended by staff.

Moved by Councilmember Kennedy
Seconded by Councilmember O'Donnell
APPROVED 10-0, Councilmember Aspenlieder abstained

Mayor Nelson called for recess at 11:00 P.M. and reconvened the meeting at 11:11 P.M.

7. **JOINT PUBLIC HEARING FOR ANNEXATION 26-04 AND ZONE CHANGE 1080 - LARSON FAMILY PROPERTIES, LLC**

a. **RESOLUTION 26-11331 APPROVING ANNEXATION 26-04:** a parcel of land generally located west of the roundabout of Shiloh Road and Zoo Drive. Staff recommends conditional approval. *Quasi-Judicial

Dave Green, Planner, reviewed the interconnectedness of the Annexation and accompanying Zone Change and their relationship to each other. He identified the zones considered - R1: Larger lot, lower density residential; NMU2: Mixed-use, walkable, residential above commercial; CMU1: Higher intensity mixed-use near arterial corridors; NX1: Medium-density residential (single-family/duplex); and P1: Park/open space designation. He reviewed the configuration of the proposed development and the neighbors and developer were content with it. He explained traffic flow mitigation from the subdivision by way of the Zoo Drive roundabout. He spoke about the creation of a park and park maintenance district.

John Halverson, Sanbell, agent for the applicants, spoke about the proposed zone change. The property was located at a major arterial intersection (Zoo Drive and Shiloh Road). The site had been identified for development since 2001. The Zoning plan was designed to transition from high-intensity commercial near Shiloh Road to lower-density residential toward the west. There were no concerns raised by the Zoo.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to conditionally approve Annexation 26-04, as recommended by staff.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Neese
APPROVED 11-0

b. **RESOLUTION 26-11332 FOR ZONE CHANGE 1080:** a parcel of land generally located west of the roundabout of Shiloh Road and Zoo Drive. Zoning Commission recommends approval and adoption of the 10 review criteria. *Quasi-Judicial

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve Zone Change 1080, and adopt the 10 review criteria, as recommended by the Zoning Commission.

Moved by Councilmember Boyett
Moved by Councilmember O'Donnell
APPROVED 11-0

c. **ANNEXATION AGREEMENT** with Larson Family Properties, LLC. Staff recommends approval.

Motion: I move to approve the City entering into an annexation agreement with Larson Family Properties, LLC, recommended by staff.

Moved by Councilmember Aspenlieder
Seconded by Councilmember Kennedy
APPROVED 11-0

d. **PUBLIC HEARING AND FIRST READING ORDINANCE** expanding the boundaries of Ward 5 to include recently annexed property in Annexation 26-04: a parcel generally located west of the roundabout of Shiloh Road and Zoo Drive. Staff recommends approval.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken testimony, I move to approve first reading ordinance expanding the boundaries of Ward 5 to include recently annexed property in Annexation 26-04, as recommended by staff.

Moved by Councilmember Boyett
Seconded by Councilmember O'Donnell
APPROVED 11-0

8. **TAX INCREMENT FINANCING ASSISTANCE** from the East Billings Urban Renewal District (EBURD) to Skyview Residences, LLLP and NeighborWorks Montana to build the Skyview Apartment Complex, up to a maximum reimbursement of $1,000,000, as recommended by the East Billings Urban Renewal District Advisory Committee.

Councilmember Aspenlieder declared a conflict of interest and recused from participation and voting on this item.

Heather Doty, with the Billings Industrial Revitalization District (BIRD), presented the proposal for an 18-unit workforce housing development, noting the project would consolidate multiple parcels and remove four existing structures, two of which were in deteriorated condition. She advised that the funding was layered and included Low-Income Housing Tax Credits, Coal Trust Fund Loan and private investment.

The TIF request was structured as $750,000 in Year 1 and $250,000 in Year 2.

The project was intended to remove blight, increase housing supply, improve property values, and supports redevelopment goals within the district.

Ms. Doty emphasized alignment with the urban renewal plan, including elimination of unsafe structures, activation of underutilized land and creation of housing near jobs and services.

She provided the budget overview. Gene Leuwer, applicant, acknowledged the construction for this housing project was expensive. Mr. Leuwer advised that including land costs improved financial viability and without it, the project may face challenges moving forward.

Council made inquiries about leasing prices for the units, desiring on-site management and Crime Prevention Through Environmental Design (CPTED) concepts were lacking on the project.

Ms. Doty noted that building in the EBURD was more expensive because the EBURD required more expensive roofing, siding and windows to increase sustainability.

Motion: I move to approve tax increment financing assistance from the East Billings Urban Renewal District (EBURD) to Skyview Residences, LLLP and NeighborWorks Montana to build the Skyview Apartment Complex, up to a maximum reimbursement of $1,000,000, as recommended by the East Billings Urban Renewal District Advisory Committee.

Moved by Councilmember Shaw
Seconded by Councilmember Nicholson

Councilmember Neese would not support the motion stating the construction costs were too high and TIF monies would be better spent on a less expensive housing project.

Motion to Amend: I move to approve $540,000 of tax increment financing assistance from EBURD to Skyview Residences, LLLP and NeighborWorks Montana.

Moved by Councilmember Neese
Died for lack of a second.

Councilmember O'Donnell agreed with Councilmember Neese's assessment that the construction costs were too high. He would not support the motion.

Councilmember Lindley called Point of Order for no further discussion.

A vote on the underlying motion was taken.

APPROVED 8-2, Councilmember Aspenlieder abstained, Councilmembers Neese and O'Donnell 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 provided public comment:

- Jennifer Strong, stated Council was not making good financial decisions by selling a property for $1 and then authorizing $1 million for 18 housing units to be built.

No further public comment was made.

COUNCIL INITIATIVES:

There were no Council initiatives.

ADJOURN: 12:02 A.M., April 28, 2026

CITY OF BILLINGS

BY: ______________________________
Mike Nelson, Mayor

CITY OF BILLINGS SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST:

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