

**VISION STATEMENT:**

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

**COUNCIL ACTION SUMMARY  
CITY COUNCIL REGULAR BUSINESS MEETING****COUNCIL CHAMBERS****SEPTEMBER 9, 2024****CLOSED EXECUTIVE  
SESSION 4:30 P.M.****WORK SESSION  
BEGINS AT 5:30 P.M.****CALL TO ORDER:** Mayor Cole**CLOSED EXECUTIVE SESSION - LITIGATION UPDATE (4:30 PM - 5:30 PM)****PLEDGE OF ALLEGIANCE:** Mayor Cole**INVOCATION:** Councilmember Joy**ROLL CALL:**

Present: Councilmember Kendra Shaw, Ward I – Via Zoom  
Councilmember Ed Gulick, Ward I  
Councilmember Roy Neese, Ward II  
Councilmember Jennifer Owen, Ward II  
Councilmember Denise Joy, 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: Chris Kukulski, City Administrator  
Kevin Iffland, Assistant City Administrator  
Gina Dahl, City Attorney  
Toni Keehner, Deputy City Clerk  
Andy Zoeller, Finance Director  
Pepper Valdez, Fire Chief  
Jennifer Duray, Public Works Deputy Director  
Wyeth Friday, Planning Director  
Anna Vickers, Planning Manager  
Tina Hoeger, Code Enforcement Manager  
Mike Pigg, Parks and Recreation Director  
Jeff Roach, Aviation and Transit Director  
Mac Fogelson, City Engineer

## MINUTES:

- August 12, 2024 - **APPROVED 10-0**, Aspenlieder absent/excused
- August 26, 2024 - **PENDING**

## COURTESIES:

### PROCLAMATIONS:

- United Way Day – September 12, 2024
- Suicide Prevention Day - September 15, 2024

## COUNCIL REPORTS:

### 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.)

#### 1. **CONSENT AGENDA** -- Separations: 1E and 1H

##### A.

Mayor Cole recommends that Council confirm the following appointments:

#### 1. **APPROVED 10-0**, Aspenlieder absent/excused

Name	Board/Commission	Term		
		Begins	Ends	
1	No Applications	Community Development Board - Low Mod*	09/09/24	12/31/26
2	No Applications	Community Development Board*	09/09/24	12/31/26
3	Joe Studiner	Tourism BID	10/01/24	10/01/28
4	Jase Muri	Tourism BID	10/01/24	10/01/28

\*1 Unexpired term of Valerie Courtney  
\*2 Unexpired term of Jenna Martin

##### B. **Bid Awards:**

1. **W.O. 19-42: West End Water Treatment Plant Transmission Main, Phase 1.** (Opened 8/20/24) Recommend Askin Construction. **APPROVED 10-0**, Aspenlieder absent/excused
2. **W.O. 24-08: Hesper Sewer, Shiloh Road to South 48th Street West.** (Opened 8/6/24) Recommend COP Construction. **APPROVED 10-0**, Aspenlieder absent/excused

- C. **Purchase of 2025 Grapple Truck**; Recommend SWS Equipment, LLC. **APPROVED 10-0**, Aspenlieder absent/excused
- D. **Amendment No. 1**, Professional Engineering Services Contract with Performance Engineering, LLC, for W.O. 24-38, Wicks Lane Storm Improvements. **APPROVED 10-0**, Aspenlieder absent/excused
- E. **Behavioral Health Systems for Future Generations Grant**. **APPROVED 10-0**, Aspenlieder absent/excused
- F. **Airport's Updated Disadvantaged Business Enterprise (DBE) Program**. **APPROVED 10-0**, Aspenlieder absent/excused
- G. ~~Annexation Agreement with Department of Military Affairs~~. **REMOVAL FROM AGENDA APPROVED 10-0**, Aspenlieder absent/excused
- H. **Downtown Revolving Loan** to Old Billings Hardware Development Venture, LP. **APPROVED 7-2**, Aspenlieder absent/excused, Neese and Kennedy opposed, Gulick abstained
- I. **Second/Final Reading Ordinance 24-5891** for Zone Change 1051, 122 N. 12th Street. **\*Quasi-Judicial APPROVED 10-0**, Aspenlieder absent/excused
- J. **Second/Final Reading Ordinance 24-5892** for Zone Change 1053, 1529 S. Billings Blvd. **\*Quasi-Judicial APPROVED 10-0**, Aspenlieder absent/excused
- K. **Bills for the Weeks of:**
  - 1. August 5, 2024 **APPROVED 10-0**, Aspenlieder absent/excused
  - 2. August 12, 2024 **APPROVED 10-0**, Aspenlieder absent/excused

**REGULAR AGENDA:**

- 2. **PUBLIC HEARING AND RESOLUTIONS** allocating assessments on the following:
  - a. **SID 1421 - RES. 24-11223 APPROVED 10-0**, Aspenlieder absent/excused
  - b. **SID 1422 - RES. 24-11224 APPROVED 10-0**, Aspenlieder absent/excused
  - c. **SID 1425 - RES. 24-11225 APPROVED 10-0**, Aspenlieder absent/excused
  - d. **SID 1426 - RES. 24-11226 APPROVED 10-0**, Aspenlieder absent/excused
  - e. **SID 1427 - RES. 24-11227 APPROVED 10-0**, Aspenlieder absent/excused
  - f. **SID 2926 - RES. 24-11228 APPROVED 10-0**, Aspenlieder absent/excused
  - g. **SID 2927 - RES. 24-11229 APPROVED 10-0**, Aspenlieder absent/excused

Staff recommends approval.

3. **11. PUBLIC HEARING AND RESOLUTION 24-11230** setting annual levies on General Fund, Transit, Library, Public Safety I, II, III, and General Obligation Debt. Staff recommends approval. **MOVED TO NEW #11**  
**MOTION TO DELAY TO 9/23/24 - APPROVED 9-1**, Aspenlieder absent/excused, Rupsis opposed
4. **PUBLIC HEARING AND RESOLUTION 24-11231** assessing Road Maintenance District No. 6. Staff recommends approval. **APPROVED 9-1**, Aspenlieder absent/excused, Neese opposed
5. **PUBLIC HEARING AND RESOLUTION 24-11232** assessing Weed Abatements. Staff recommends approval. **APPROVED 10-0**, Councilmember Aspenlieder absent/excused
6. **PUBLIC HEARING AND RESOLUTION 24-11233** setting annual Park Maintenance Districts (PMDs) assessments for FY25. Staff recommends approval. **APPROVED 10-0**, Aspenlieder absent/excused
7. **PUBLIC HEARING AND RESOLUTION 24-11234** revising and assessing Encroachment Rental fees. Staff recommends approval. **APPROVED 10-0**, Aspenlieder absent/excused
8. **PUBLIC HEARING AND RESOLUTION 24-11235** setting Special Improvement Lighting Maintenance District (SILMD) assessments. Staff recommends approval. **APPROVED 9-1**, Aspenlieder absent/excused, Kennedy opposed
9. **PUBLIC HEARING AND RESOLUTION 24-11236** assessing Sidewalk Construction and/or Repairs. Staff recommends approval. **APPROVED 10-0**, Aspenlieder absent/excused
10. **PUBLIC HEARING AND RESOLUTION 24-11237** approving and adopting FY2024 Budget Amendments. Staff recommends approval. **APPROVED 10-0**, Aspenlieder absent/excused
11. **PUBLIC HEARING AND RESOLUTION 24-11238** creating the City of Billings Planning Commission to comply with the Montana Land Use Planning Act (MLUPA). Staff recommends approval. **MOTION TO CONTINUE TO 9/23/24 BUSINESS MEETING APPROVED 10-0**, Aspenlieder absent/excused

**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.)

**COUNCIL INITIATIVES:**

**ADJOURN:** 9:53 P.M.