



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

COUNCIL ACTION SUMMARY

REVISED 10.23.2024

*** Time Changed for Start of Closed Executive Session**

CITY COUNCIL REGULAR BUSINESS MEETING

AGENDA

CLOSED EXECUTIVE SESSION

COUNCIL CHAMBERS

OCTOBER 28, 2024

BEGINS AT 4:00 P.M.

**BUSINESS SESSION
BEGINS AT 5:30 P.M.**

CALL TO ORDER: Mayor Cole

RECESS TO CLOSED EXECUTIVE SESSION (4:00 PM - 5:30 PM) - * City Administrator, Chris Kukulski's Annual Review

*Note: The Executive Session will be closed, as allowed in Section 2-3-203(3), MCA, as discussions relate to matters of individual privacy and wherein the demands of individual privacy exceed the merits of public disclosure.

Meeting reconvened at 5:36 P.M.

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember Tidswell Boyett

ROLL CALL:

Present: Councilmember Kendra Shaw, Ward I (Via Zoom after recess at 8:09 P.M.)
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 Scott Aspenlieder, Ward IV
Councilmember Daniel Tidswell, Ward IV (Via Zoom)
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

Staff

Present: Chris Kukulski, City Administrator
Kevin Iffland, Assistant City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk

Jaime Fender, Assistant Fire Marshall
 Mike Pigg, Parks, Recreation and Public Lands Director
 David Watterson, Information Technology Director
 Nicole Cromwell, Zoning Coordinator
 Hunter Kelly, Planner
 Wyeth Friday, Planning Director
 Anna Vickers, Planning Division Manager
 Dave Green, Planner II
 Mac Fogelson, City Engineer
 Rich St. John, Police Chief

MINUTES:

- September 23, 2024 – **APPROVED 11-0**
- October 14, 2024 – **APPROVED 11-0**

COURTESIES: USS Billings Crew

PROCLAMATIONS:

- Epilepsy Awareness Month - November
- Lung Cancer Awareness Month - November

COUNCIL REPORTS:

ADMINISTRATOR REPORTS - CHRIS KUKULSKI

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 2c, 4, 5 and 6 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: 1D, 1E and 1J2

A. Mayor Cole recommends that Council confirm the following appointments:

1.

	Name	Board/Commission	Term	
			Begins	Ends
1	Matt Mikkelson	Billings BID*	10/28/24	12/31/25
2	No Applications	Community Development Board - Low Mod*	10/28/24	12/31/26
3	Donald White	Community Development Board*	10/28/24	12/31/26

*1 Unexpired term of Lea Morford

*2 Unexpired term of Valerie Courtney

*3 Unexpired term of Jenna Martin

APPROVED 11-0

B. **Bid Awards:**

1. **W.O. 23-22: WRF Digester Boiler.** (Opened 10/01/24) Recommend Star Service.
APPROVED 11-0

- C. **Par 3 Golf Course Management Agreement** with the Exchange City Golf Corporation. **APPROVED 11-0**
- D. **Memorandum of Agreement (MOA)** with the Billings Bench Water Association (BBWA) for the combined application for the FEMA HMGP Grant. **APPROVED 10-1, ASPENLIEDER OPPOSED**
- E. **Amendment No. 5**, Professional Engineering Services Contract with HDR Engineering for W.O. 19-12: West End Project Preliminary Reservoir Design and BBWA Unloader Raw Water Delivery Design, Bidding and Construction Administration Services. **APPROVED 11-0**
- F. **Acceptance** of 2025 Domestic Violence Grant Award to the Police Department for the Domestic Violence Investigator Program and **Authorization** for the Police Chief to sign all required grant materials. **APPROVED 11-0**
- G. **Acceptance** of State Homeland Security Program FY 2024 Grant Award for the Information Technology Department. **APPROVED 11-0**
- H. **Second/Final Reading Ordinance 24-5894** expanding the boundaries of Ward I - Annexation 24-03. **APPROVED 11-0**
- I. **Second/Final Reading Ordinance 24-5895** for Zone Change 1054 - Montana National Guard Project - Hwy 3. **APPROVED 11-0**
- J. **Bills for the Weeks of:**
 - 1. September 23, 2024 - **APPROVED 11-0**
 - 2. September 30, 2024 - **APPROVED 10-1, ASPENLIEDER ABSTAINED**

REGULAR AGENDA:

- 2. **THOMAS ROMINE PROPERTY - 58th Street West and Rimrock Road. JOINT PUBLIC HEARING FOR ANNEXATION 24-04 and ZONE CHANGE 1057:**
 - a. **RESOLUTION 24-11243 APPROVING ANNEXATION 24-04:** a portion of Lot 27A of the Sunny Cove Fruit Farms Subdivision. Staff recommends conditional approval. ***Quasi-Judicial**

FAILED 4-7, NEESE, OWEN, KENNEDY, ASPENLIEDER, TIDSWELL, BOYETT AND MAYOR COLE OPPOSED (*Due to the failure to approve the annexation, all remaining agenda items on this subject property were removed.*)

- b. ~~**FIRST READING ORDINANCE FOR ZONE CHANGE 1057:**~~ a portion of Lots 6A-1 and 27A of the Sunny Cove Fruit Farms Subdivision, generally located at 58th Street West and Rimrock Road. Zoning Commission recommends approval and adoption of the 10 review criteria. ***Quasi-Judicial**
 - c. ~~**ANNEXATION AGREEMENT**~~ with Thomas Romine. Staff recommends approval.
 - d. ~~**PUBLIC HEARING AND FIRST READING ORDINANCE**~~ expanding the boundaries of Ward IV to include recently annexed property in Annexation 24-04. Staff recommends approval.
- 3. **PUBLIC HEARING AND FIRST READING ORDINANCE** adopting 2021 International Fire Code (IFC). Staff recommends approval. **APPROVED 11-0 with edit in Section 14-301(b) – 107 FEES is NOT adopted.**

4. **TAX INCREMENT FINANCING ASSISTANCE** from the South Billings Boulevard Tax Increment Finance District to Tropicana Inn-Vestments 2.0, LLC, for Montana Trailhead Inn partial demolition - 5500 Midland Road. South Billings Urban Renewal Association (SBURA) Board recommends approval. **APPROVED 11-0**
5. **SECOND/FINAL READING ORDINANCE 24-5896** amending Sections 23-100 through 23-1100, Billings, Montana City Code (BMCC), Subdivision Regulations, to conform to State Legislation passed in 2023 and local changes provided by City Council, Planning, Engineering, Parks and Fire Department staff. Planning Board and staff recommends approval. **APPROVED 8-3 NEESE, KENNEDY AND TIDSWELL OPPOSED**
6. **CITY ADMINISTRATOR'S** Annual Performance Evaluation and ~~APPROVAL~~ of Employment Contract. and Compensation Consideration. **(Compensation to be considered 60 days after the completion audit of the utility billing matter or in 6 months, whichever comes first.)**

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: None

ADJOURN: 9:25 P.M.