



**OFFICE OF THE CITY CLERK
COUNCIL ACTION FORM**

SUBJECT: January 23, 2023 MINUTES

Council Meeting Date: February 13, 2023

Vote: APPROVED 9-0, Choriki and Tidswell Absent/Excused

**Shaw, Gulick, Neese, Owen, Joy, Choriki, Tidswell,
Purinton, Boyett, Rupsis, Mayor Cole**

**MINUTES
OF THE BILLINGS CITY COUNCIL
REGULAR BUSINESS MEETING
January 23, 2023**

The Billings City Council met in regular session in the Council Chambers located on the second floor of the Police Facility, 220 North 27th Street, Billings, Montana, at 5:30 P.M.

CALL TO ORDER: Mayor Cole

PLEDGE OF ALLEGIANCE: Mayor Cole

INVOCATION: Councilmember ~~Shaw~~ Gulick

ROLL CALL:

Present: Councilmember Ed Gulick, Ward I
Councilmember Roy Neese, Ward II
Councilmember Jennifer Owen, Ward II
Councilmember Denise Joy, Ward III
Councilmember Danny Choriki, Ward III
Councilmember Daniel Tidswell, Ward IV
Councilmember Pam Purinton, Ward IV – Via Zoom
Councilmember Mike Boyett, Ward V
Councilmember Tom Rupsis, Ward V
Mayor William Cole

Absent/

Excused: Councilmember Kendra Shaw, Ward I - Tardy (6:10 P.M.)

Staff

Present: Chris Kukulski, City Administrator
Kevin Iffland, Assistant City Administrator
Gina Dahl, City Attorney
Denise Bohlman, City Clerk
Wyeth Friday, Planning Director
Nicole Cromwell, Zoning Coordinator
Michael Whitaker, Parks, Recreation and Public Lands Director
Mike Pigg, Parks Superintendent
Debi Meling, Public Works Director
Chris Hertz, Staff Engineer
Jeff Roach, Aviation and Transit Director
Rich St. John, Police Chief

MINUTES:

- January 9, 2023

Moved by Councilmember Boyett

Seconded by Councilmember Tidswell

APPROVED 10-0, Councilmember Shaw absent/tardy

COURTESIES:

- Mayor Cole announced the former James Battin Federal Courthouse building, also known as the Stillwater Building and future City Hall, was approved to be included on the National Register of Historic Places.
- Councilmember Rupsis announced that he, Councilmembers Shaw and Purinton, and staff completed the Diversity, Equity and Inclusion Training, sponsored by the Billings Chamber.

PROCLAMATIONS:

- There were no proclamations.

COUNCIL REPORTS:

- Mayor Cole announced the Policy Coordinating Committee (PCC) approved the Billings Bypass Corridor Study and the Community Traffic Safety Plan.
- Councilmember Neese stated the Council's Legislative Committee would change their rules to reflect weekly meetings during the legislative session; when the agenda needed to be provided; the process for reviewing bills; responding to legislators about bills; and reporting to Council.
- Councilmember Choriki stated there was a group of people who were trying to reverse the ban on using traffic cameras to enforce traffic laws and they would be meeting at the second-floor conference room at the Billings Public Library on January 26th.

ADMINISTRATOR REPORTS – CHRIS KUKULSKI

- Introduced the new Aviation / Transit Director, Jeff Roach.
- Identified and explained how LC3388 shifts taxes from property owners to users of the services.
- No ex-parte communications received after 3:00 p.m. concerning items on the agenda.

PUBLIC COMMENT on "NON-PUBLIC HEARING" Agenda Items: 1, 3b, 4a, 4b, 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.)

The following individuals gave public comment:

- **Dale Parkin, Billings, Montana**, was impressed with the City's traffic flow and requested reflectors be installed where there are no streetlights.
- **Larry McComas, 1119 12th Street West, Billings, Montana**, asked Council to approve

Regular Agenda Item 4a.

- **Dave Kalberg, 2718 Virginia Lane, Billings, Montana**, in reference to Regular Agenda Item 4a, asked Council to oppose the Virginia Lane sidewalk project and explained the effects if it were installed. He suggested a crosswalk be painted on Virginia Lane, because sidewalks were not needed on both sides of the streets.
- **Tom Cleasby, Property Owner of 1503-1502 21st Street West, Billings, Montana**, in reference to Regular Agenda Item 4a, asked Council to reject proposed sidewalk installation across from Rose Park and suggested crosswalks to lead to the sidewalks on the Rose Park side of the street instead or wait until costs of construction go down.
- **Alice Slagowski, 1515 21st Street West, Billings, Montana**, in reference to Regular Agenda Item 4a, asked Council to reject proposed sidewalk installation along 21st Street West.

There were no further speakers.

1. **CONSENT AGENDA** -- Separations: 1D, 1N2

Councilmember Choriki separated Item 1D, for discussion.

Councilmember Purinton separated 1N2, stating she would abstain from the vote as she had personal interest in payments to be made.

Motion: I move to approve the items of the Consent Agenda as submitted, with exception of 1D and 1N2.

Moved by Councilmember Boyett

Seconded by Councilmember Gulick

APPROVED 10-0, Councilmember Shaw absent/tardy

A. **2023 City-County Special Investigations Unit (CCSIU) Agreement** with Yellowstone County.

Moved by Councilmember Boyett

Seconded by Councilmember Gulick

APPROVED 10-0, Councilmember Shaw absent/tardy

B. **Air Service Consulting Agreement** with Mead and Hunt, Inc. for a five-year period.

Moved by Councilmember Boyett

Seconded by Councilmember Gulick

APPROVED 10-0, Councilmember Shaw absent/tardy

C. **Purchase** six new vehicles and two large area mowers for Parks, Recreation and Public Lands Department.

Councilmember Neese asked about excess PD1 fund reserves and the levying of funds. City Administrator, Chris Kukulski, indicated the Finance Director would provide that information in the upcoming weekly report.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

- D. **Purchase** Explosive Ordnance Disposal (EOD) armored transport vehicle for Police Department Bomb Squad from LENCO Armored Vehicles.

Councilmember Choriki noted the trend for using more weaponry was worrisome. Councilmember Boyett commented that as a retired Sheriff's deputy, he would have welcomed such equipment and urged Council to support the purchase. Police Chief St. John provided examples for when such equipment had saved officers' lives and explained the functions of the equipment.

Moved by Councilmember Neese
Seconded by Councilmember Boyett
APPROVED 9-1, Councilmember Choriki opposed, Councilmember Shaw absent/tardy

- E. **2022 Domestic Violence Grant Award** to the Police Department Domestic Violence Investigator Program.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

- F. **FY21 Railroad Trespassing Enforcement Grant** to the Police Department.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

- G. **Recreational Trails Program (RTP) Grant and Trail Stewardship Grant Program (TSGP) Applications** for a trail through Rose Park.

Councilmember Rupsis asked that a presentation be added to a future Work Session agenda to explain the grants program and its operation since implementation.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

- H. **Donation** to the Police Department K9 program from Scheels.

Mayor Cole acknowledged Scheels for the generous donation and the recent ballistics vests provided to the Billings Police Department by Scheels and other contributors. Police Chief St. John also thanked Scheels for the vests.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

I. **Final Plat** of High Sierra Subdivision, 17th Filing. ***Quasi-Judicial**

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

J. **Final Plat** of High Sierra Subdivision, 18th Filing. ***Quasi-Judicial**

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

K. **Final Plat** of High Sierra Subdivision, 19th Filing. ***Quasi-Judicial**

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

L. **Final Plat** of High Sierra Subdivision, 21st Filing. ***Quasi-Judicial**

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

M. **Resolution 23-11094** establishing legislative priorities for the 2023 Montana State Legislature's 68th Session.

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

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

1. December 19, 2022

Moved by Councilmember Boyett
Seconded by Councilmember Gulick
APPROVED 10-0, Councilmember Shaw absent/tardy

2. December 27, 2022

Moved by Councilmember Joy
Seconded by Councilmember Boyett
APPROVED 9-0, Councilmember Purinton abstained, Councilmember Shaw absent/tardy

REGULAR AGENDA:

2. PUBLIC HEARING AND SPECIAL REVIEW 995: a special review to locate a carwash facility at the intersection of Blue Creek Road, an arterial street and Santiago Boulevard, a local street, in a Corridor Mixed Use 1 (CMU1) zone district. Zoning Commission recommends conditional approval, including the requested variations, and adoption of the findings of the 9 review criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

****Quasi-Judicial***

Nicole Cromwell, Zoning Coordinator, gave a presentation and explained the 9 review criteria and the standards of review, along with the history of the property's zoning and time requirements. Ms. Cromwell reviewed the Zoning Commission's findings for conditional approval. She also reviewed the topography of the area and the proposed building plans. Traffic trip generation statistics were also shared.

Council and Ms. Cromwell discussed the 20 conditions; traffic trends and queuing; clear vision obstructions; floodplain grading of the property; and fence maintenance.

Councilmember Neese clarified that Condition No. 3 indicated the date of building design was September 22, 2022 and should have been September 16, 2022.

Council and Debi Meling, Public Works Director, discussed sidewalks and students' safety along Santiago Boulevard. Ms. Meling recommended sidewalks be installed on both sides of Santiago Boulevard. She verified the City owned the property to the north and the owner of the storage sheds to the south was under a waiver. Sidewalk installation could be required on both sides of the street. Also discussed was curbs and gutters and water drainage.

Councilmember Neese inquired about placing a condition for softer lighting during non-operational hours, using CPTED requirements to increase security.

The following individuals spoke during the public hearing:

- **Scott Aspenlieder, Performance Engineering, 608 North 29th Street, Billings, Montana**, agent for the applicant, spoke about the challenges of the property; the timing of the construction; and sidewalk placement for students' safety.
- **Cecil Werven, 4511 Shasta Lane, Billings, Montana**, spoke in opposition and inquired about Santiago Boulevard's designation as a corridor street. He noted there were 25 car wash facilities in Billings. Twenty car washes gained access from an arterial street and the remaining 5 gained access from a collector street, but none gained access from a local or City street. He noted that Santiago Boulevard's construction did not meet standards as it had no curbs, gutters, proper grading or striping.
- **Wendy Stiff, 4507 Bowman Drive, Billings, Montana**, spoke in opposition and indicated there were 50 business types that were acceptable to the current zoning that did not require 7 variances or a special review.
- **Roxy Shilhanek, 4431 Bowman Drive, Billings, Montana**, spoke in opposition and indicated due to the City's growth the number of garbage trucks on Blue Creek Road had increased significantly, increasing hazards to an area with only one way into and one way out of the subdivision.
- **Heather Haynes, 4439 Bowman Drive, Billings, Montana**, spoke in opposition and expressed concern about the hilly contours of the area for accesses. She objected to sidewalk installation that would lead to the highway as the highway was unsafe and the children would be instructed to avoid that route even if sidewalks were installed.

- **Michelle Johnson, 2705 Blue Creek Road, Billings, Montana**, spoke well of the City's staff involved in the Special Review, but opposed the approval of the Special Review. Her concerns were about ice formation, clear vision, and crime.
- **Janice and John Fordham, 6700 Jellison Road, Billings, Montana, (via Zoom)** spoke in favor of the Special Review because it would add convenience and benefit the community.
- **Meaghan Pimley 2755 Torrey Pines Dr., Billings, Montana, (via Zoom)**, owner of the property and applicant, spoke in favor of the Special Review. She noted changes had been made to address some of the neighbors' concerns since the denial of the zone change.
- **Charles Stiff, 4507 Bowman Drive, Billings, Montana**, spoke in opposition stating the Special Review did not meet any of the criteria for passage.

No further public testimony was given.

Council continued discussions with the agent about the size of vehicles and trailers that could access the car wash. Council and staff discussed conditions, i.e. road improvements before project construction, staging, and escrowing funds for future sidewalk installation.

Motion: Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission's recommendation for conditional approval, including the requested variances, and adoption of the findings of the 9 review criteria, I move to approve Special Review 995.

Moved by Councilmember Choriki
Seconded by Councilmember Joy

Councilmember Choriki indicated development was needed in order to address some of the problems in the area.

Councilmember Joy acknowledged safety concerns and indicated sidewalks and lighting enhanced safety and the developer was required to provide both.

Councilmember Neese asked for a **friendly amendment to the motion** to include a correction to the Zoning Commission's Condition No. 3, indicating the date of building design was September 22, 2022, and should have been September 16, 2022. Councilmembers Choriki and Joy agreed to the friendly amendment.

Councilmember Gulick acknowledged the property was difficult to develop for various reasons, but understood that development was necessary to provide community improvements, i.e. sidewalks. He did not agree that a car wash on the property was compatible, and it was a forced use. He would not support the motion, citing Criteria No. 9 for the opposition.

Amendment to Motion: I move to add Condition No. 21, to include CPTED lighting principles – dimmed lighting during non-operational hours.

Moved by Councilmember Neese
Seconded by Councilmember Owen

Council and staff discussed CPTED concepts and implementation to new development.

APPROVED 11-0

Councilmember Purinton considered making a motion that would require the developer to install a sidewalk on the north side of Santiago Boulevard. She decided against it after a discussion with staff could not provide clear boundaries for a beginning and an ending to the sidewalk. Councilmember Neese encouraged staff to carefully review stormwater distribution on this property to eliminate the risk of flooding.

Councilmember Purinton was concerned with review Criteria Nos. 6 and 7; safety and welfare and “adequate” access roads. She opposed the motion for approval.

Councilmember Rupsis supported installing sidewalks through the Missing Sidewalks Program. He supported the motion.

Amended Motion: Having conducted a public hearing, considered written and spoken public testimony, and review of the Zoning Commission’s recommendation for conditional approval, including the requested variances, and adoption of the findings of the 9 review criteria, and adding Condition No. 21, to include CPTED lighting principles -- dimmed lighting during non-operational hours, I move to approve Special Review 995.

APPROVED 8-3, Councilmembers Gulick, Tidswell and Purinton Opposed

Recess called at 8:23 P.M. Reconvened at 8:39 P.M.

3. SID 1421:

- a. **PUBLIC HEARING AND RESOLUTION 23-11095** creating Special Improvement District (SID) 1421 for Cypress Point, Opal Lane, and Greenbriar Road. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Debi Meling, Public Works Director, explained the project and provided the project’s timeline for construction, etc., for the 15-year SID.

No public testimony was given.

Motion: Having conducted a public hearing, considered written and spoken public testimony, I move to approve a resolution creating Special Improvement District (SID) 1421, as recommended by staff.

Moved by Councilmember Purinton
Seconded by Councilmember Gulick
APPROVED 11-0

- b. **PROFESSIONAL SERVICES CONTRACT** with WWC Engineering for SID 1421. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Debi Meling, Public Works Director, provided information about the selection process for the contract.

Motion: I move to approve the Professional Services Contract with WWC Engineering for SID 1421, as recommended by staff.

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

4. WO 23-02: MISSING SIDEWALK PROGRAM.

- a. **RESOLUTION 23-11096** ordering improvements identified in WO 23-02: Missing Sidewalk Program. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Debi Meling, Public Works Director, explained the 3 components that comprised the City's concrete program. She reminded Council of the resolution passed in 2018 that established the policy for construction and repair of curb, gutter and sidewalk and the State law that permitted the City to require sidewalks anywhere in the City. She explained the notification to property owners' process. She reviewed the improvements identified for the year and associated costs. She noted that the City paid for ADA ramps on corners and improvements along non-addressed side of corner lots, but property owners were assessed for drive approaches on non-addressed side of their lot. She reviewed property owners' options to get the work completed.

Council and staff discussed in-house concrete work rather than relying on contractors; the use of gas tax monies for the projects; and setting a policy to offset costs to property owners that may experience a hardship.

Motion: I move to approve a resolution ordering improvements identified in WO 23-02: Missing Sidewalk Program, as recommended by staff.

Moved by Councilmember Shaw
Seconded by Councilmember Gulick

Councilmember Gulick encouraged Council to consider adding hardship relief for which property owners could apply to the policy in the future.

Amendment to Motion: I move to remove the 5 properties from 21st Street West (Tax ID A06542 through A06547) from the Missing Sidewalk Program.

Moved by Councilmember Rupsis
Seconded by Councilmember Boyett

Councilmember Rupsis explained the area did not appear to have a critical need and he preferred reconsidering it in another year or so.

Councilmember Purinton agreed and added the residents were elderly and if they had sidewalks they would be required to remove snow, which was an additional burden to the financial burden.

Council and staff discussed the 5 properties were identified for the project due to excessive jaywalking and unsafe crossings. Removal of the properties from the resolution would not affect the bids or contracts overall.

Councilmembers Joy, Shaw, Choriki and Mayor Cole would not support the amendment. Councilmember Neese acknowledged that staff recommended the properties for improvements and it was in keeping with the policy.

Councilmember Rupsis stated the properties' costs were nearly double of the others that were identified for improvements and it was too much of a financial burden on those property owners.

Councilmember Purinton noted that Council had the authority to pull properties / schedules if they wished to and she supported the amendment.

Amendment to Motion FAILED 5-6, Councilmembers Shaw, Gulick, Neese, Joy, Choriki and Mayor Cole opposed

Original Motion APPROVED 8-3, Councilmembers Neese, Owen and Tidswell opposed

- b. **BID AWARD: WO 23-02: Missing Sidewalk Project.** (Opened 11/22//22) Recommend Schedules 1 and 2 - J & J Concrete, Inc.; Schedules 3, 4,5 and 6 - Askin Construction. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

No presentation was given and there was no discussion.

Motion: I move to approve the bid award for WO 23-02: Missing Sidewalk Project, as recommended by staff.

Moved by Councilmember Gulick
Seconded by Councilmember Shaw

Amendment to Motion: I move for the removal of Schedule 4 which included the 21st Street West improvements from the project.

Moved by Councilmember Rupsis
Seconded by Councilmember Tidswell

Councilmember Rupsis explained he wanted the 5 properties in that area to be rebid for a better price or to find another way to install the missing sidewalks on those properties.

Council and staff discussed costs; the likelihood of future increases; items that may have led to an increase; and approving the project, but not the funding for it.

Amendment to Motion FAILED 4-7, Councilmembers Shaw, Gulick, Neese, Joy, Choriki, Purinton and Mayor Cole opposed

Original Motion APPROVED 11-0

- 5. **RESOLUTION 23-11097** setting Municipal Court Judge salary. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

Gina Dahl, City Attorney, recommended Council add Paragraph 4 to the Resolution to include an effective date, either retroactive or upon adoption or a date certain in the future.

Motion: I move to approve a resolution setting Municipal Court Judge salary at 90% of the District Court Judge's salary with an effective date of July 1, 2023.

Moved by Councilmember Owen
Seconded by Councilmember Neese

Councilmember Owen explained the effective date was not a big factor because the point of the resolution was to prepare for an additional judge and create parity for the 2 positions. She spoke about the need to review the entire court's needs in a holistic manner and bring in a third party analyst.

Substitute Motion: I move to approve a resolution setting Municipal Court Judge salary at 100% of the District Court Judge's salary with an effective date of July 1, 2023.

Moved by Councilmember Joy
Seconded by Councilmember Choriki

Councilmember Joy acknowledged the workload of the Municipal Court's staff and encouraged full funding.

Councilmember Neese spoke about the CPSM report and indicated the same type of analysis needed to be done with the Municipal Court. He would not support the substitute motion. If the analysis indicated the salary should be at 100%, then Council could consider an increase at that time.

Councilmember Purinton agreed.

Councilmember Joy recalled that the CPSM report made no mention or had no correlation to salaries. Councilmember Shaw agreed.

Councilmember Owen explained her concern for funding an additional judge position and the anticipated additional moving costs to the new building. She wanted better data.

Substitute Motion FAILED 3-8, Councilmembers Gulick, Neese, Owen, Tidswell, Purinton, Boyett, Rupsis and Mayor Cole opposed

Original Motion APPROVED 9-2, Joy and Choriki opposed

6. LOCAL GOVERNING AUTHORITY APPOINTMENTS. Staff recommends Council nominate and approve 2 Councilmembers to the Local Governing Authority.

Motion: I move to nominate and appoint the position of Mayor and Deputy Mayor to serve on behalf of the City on the Local Governing Authority.

Moved by Councilmember Neese
Seconded by Councilmember Purinton

APPROVED 10-1, Councilmember Choriki 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 individuals gave public comment:

- **Jaqueline Garcia, 836 Dorothy Lane, Billings, Montana,** was pleased the Municipal Judges' salaries were kept at 90%. She spoke about the importance of public safety and the public's involvement to improve public safety.
- **Amber Dunn, 832 Dorothy Lane, Billings, Montana,** spoke about drug and safety issues on Dorothy Lane.
- **Wesley Dunn, 832 Dorothy Lane, Billings, Montana,** spoke about the new recreation center and using the money to build a new jail.
- **Sean Callahan, 836 Dorothy Lane, Billings, Montana,** spoke about using meth test swabs on shopping carts at area grocery stores to determine the amount of residue contamination on them that could possibly be transferred to unsuspecting shoppers and children.

There were no further speakers.

COUNCIL INITIATIVES:

Amended Motion: I move to allocate \$10,000 from ~~the~~ a fund to be recommended by staff and later approved by City Council PSML Prevention Fund to assist staff in creating a Traffic Safety Oversight Committee to include City representatives and other existing stakeholders. Tasks for this fiscal year may includes: *(Underlined information indicates friendly amendments made by Mayor Cole.)*

- Organize basic structure;
- Do a public health education campaign on impaired driving;
- Do a public health education campaign on understanding the relationship of impact on one’s body and the amount and dose size of cannabis consumed;
- Present a budget and plan for growing the City’s efforts in this area for FY2024.

Moved by Councilmember Choriki
Seconded by Councilmember Gulick

Wyeth Friday, Planning Director, identified the stakeholders who would be involved in the committee.

Councilmember Purinton expressed concern about using Public Safety funds and asked if other stakeholders were contributing financially to the effort.

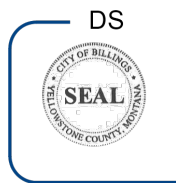
Council and staff discussed funding, the 2 mills for Public Safety, and Council Contingency funds.

Councilmember Shaw called the question.

APPROVED 8-3, Councilmembers Purinton, Neese and Owen opposed

Amended Motion APPROVED 9-2, Councilmembers Neese and Purinton opposed

ADJOURN: 10:30 P.M.



CITY OF BILLINGS

DocuSigned by:
 BY: William A. Cole
 William A. Cole, Mayor

ATTEST:

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

Certificate Of Completion

Envelope Id: 0090522A851348FEBADE4FF69678AFF8	Status: Completed
Subject: Please DocuSign: APPROVED MINUTES 1.23.2023	
Source Envelope:	
Document Pages: 13	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Stamps: 1
Enveloped Stamping: Enabled	Envelope Originator:
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	Denise R. Bohlman bohlmand@billingsmt.gov IP Address: 161.7.21.24

Record Tracking

Status: Original 2/13/2023 2:11:51 PM	Holder: Denise R. Bohlman bohlmand@billingsmt.gov	Location: DocuSign
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Signer Events

William A. Cole
coleb@billingsmt.gov
Mayor
Security Level: Email, Account Authentication (None)

Signature


DocuSigned by:
William A. Cole
2CA11D5423334EE...
Signature Adoption: Pre-selected Style
Using IP Address: 72.175.160.94

Timestamp

Sent: 2/14/2023 8:31:20 AM
Viewed: 2/14/2023 8:50:26 AM
Signed: 2/14/2023 8:50:53 AM

Electronic Record and Signature Disclosure:
Accepted: 12/3/2020 8:46:12 AM
ID: 235dd76e-a3c9-4e23-89f5-aedaeb3b241a

Denise R. Bohlman
bohlmand@billingsmt.gov
City Clerk
City of Billings
Security Level: Email, Account Authentication (None)

DocuSigned by:
Denise R. Bohlman
D503C2218DC34F0...

Signature Adoption: Pre-selected Style
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Signed: 2/14/2023 8:58:55 AM

Electronic Record and Signature Disclosure:
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Toni Keehner
keehnert@billingsmt.gov
Deputy City Clerk
City Clerk
Security Level: Email, Account Authentication (None)

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Carbon Copy Events	Status	Timestamp
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Electronic Record and Signature Disclosure:
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	2/14/2023 8:31:20 AM
Certified Delivered	Security Checked	2/14/2023 8:58:44 AM
Signing Complete	Security Checked	2/14/2023 8:58:55 AM
Completed	Security Checked	2/14/2023 8:58:58 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Carahsoft OBO City of Billings:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: kampal@billingsmt.gov

To advise Carahsoft OBO City of Billings of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at kampal@billingsmt.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Carahsoft OBO City of Billings

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to kampal@billingsmt.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

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To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to kampal@billingsmt.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

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- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Carahsoft OBO City of Billings as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Carahsoft OBO City of Billings during the course of your relationship with Carahsoft OBO City of Billings.