



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, MARCH 24, 2020
6:30 PM
CITY COUNCIL CHAMBERS**

NEXT RES. NO.
R20-15

NEXT ORD. NO.
O20-02

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor. Once again, each speaker is limited to three minutes.

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of March 10, 2020.

Correspondence

2. Laurel Chamber of Commerce Agenda for March 12, 2020; Laurel Chamber of Commerce Minutes of February 13, 2020.

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

NOTICE TO THE PUBLIC

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

3. Claims for the month of March 2020.
4. Clerk/Treasurer Financial Statements for the month of February 2020.
5. Approval of Payroll Register for PPE 3/8/2020 totaling \$197,988.08.

Ceremonial Calendar

Reports of Boards and Commissions

6. Budget/Finance Committee minutes of March 10, 2020.
REVISED Library Board Minutes of January 14, 2020.
Library Board Minutes of February 11, 2020.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

- [7.](#) Appointment of Rick Musson to the Cemetery Commission for the remainder of a term ending June 30, 2020.
- [8.](#) Appointment of Haley Swan to the Laurel Police Department
- [9.](#) Resolution No. R20-15: Resolution Relating To \$3,055,000 Tax Increment Urban Renewal Revenue Bond (Laurel Urban Renewal District), Series 2020; Authorizing The Sale And Prescribing The Forms And Terms Thereof And The Security Therefor
- [10.](#) Resolution No. R20-16: A Resolution Of The City Council To Vacate An Alley Located Between Lots 14-18 Of Block 4 Of Hageman Subdivision And Lots 1-5 Of Block 5 Of Hageman Subdivision 1st Filing Within The City Of Laurel.
- [11.](#) Resolution No. R20-17: Resolution Awarding Hardrives Construction, Inc. The Contract For The City Of Laurel's 2020 Pavement Maintenance Project And To Authorize The Mayor To Sign Contract Documents On The City's Behalf.
- [12.](#) Resolution No. R20-18: Purchasing Policy Amendment.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

Mayor Updates

Unscheduled Matters

Adjournment

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

DATES TO REMEMBER

Item Attachment Documents:

1. Approval of Minutes of March 10, 2020.

MINUTES OF THE CITY COUNCIL OF LAUREL

MARCH 10, 2020

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:32 p.m. on March 10, 2020.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Scot Stokes Richard Herr
 Richard Klose Irv Wilke

COUNCIL MEMBERS ABSENT: Bruce McGee Don Nelson

OTHER STAFF PRESENT: Kurt Markegard, Public Works Director

Mayor Nelson led the Pledge of Allegiance to the American flag.

Mayor Nelson asked the Council to observe a moment of silence.

MINUTES:

Motion by Council Member Sparks to approve the amended minutes of the regular meeting of February 25, 2020, as presented, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.

Mayor Nelson stated this is the time and place set for the public hearing on the City of Laurel's Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.

Mayor Nelson opened the public hearing.

Mayor Nelson opened the floor for public comment and asked that Staff present the item.

Kurt Markegard, Public Works Director, read the attached staff report.

Mayor Nelson stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Nelson asked if there were any proponents.

Chuck Hendricks, 720 Lohwest Lane Billings, stated he was with EEC. EEC is the designers and developers, along with the owners. These are the same three variances that Midway Rentals a few months ago. They are putting up a metal building for the shop portion. There will be some exposed fasteners panels on that portion. The wood-framed officer portion does have some exposed fasteners as well. Have met the intent of the code will continue to stick with the western theme for SE 4th Street and will not take away from any of the surrounding areas. The building is far enough off of the interstate and E. Railroad that no one will notice that there is exposed fasteners. Will still install a 25-foot bufferyard; it will be irrigated sod. Will not plan the trees and shrubs over it. There will still be a bufferyard along the interstate, just without the trees and shrubs. The client wants to display their merchandise. Vinyl fences are not as secure. They are proposing a split rail fence, which is also

Council Minutes of March 10, 2020

a product that they carry and sell. It will go along the E. Railroad frontage. Along the western side, there is an existing chain link fence. On the east side, there is an existing barbed wire fence that will remain. Currently, the lot directly to the east is undeveloped. There are plans, and when that development is done, the owners will put up a fence that accommodates both their needs. Asking to approve these variances and will answer any questions.

Mayor Nelson asked two additional times if there were any proponents. There were no other proponents.

Mayor Nelson asked three times if there were any opponents. There were none.

Mayor Nelson asked Staff to respond to any relevant questions. There were none.

Mayor Nelson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of February 2020 in the amount of \$193,718.18.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 2/23/2020, totaling \$196,091.12.**
- **Approval of Workshop Minutes of February 4, 2020.**
- **Approval of Council Workshop Minutes of February 18, 2020.**

The Mayor asked if there was any separation of consent items. There was none.

Motion by Council Member Eaton to approve the consent items as presented, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee minutes of February 25, 2020, were presented.
- Public Works Committee minutes of February 19, 2020, were presented.
- REVISED Park Board minutes of February 6, 2020, were presented.
- City/County Planning Board minutes of February 12, 2020, were presented.
- City/County Planning Board minutes of February 26, 2020, were presented.
- Emergency Services Committee minutes of January 27, 2020, were presented.
- Library Board minutes of January 14, 2020, were presented.
- Laurel Urban Renewal Agency minutes of February 24, 2020, were presented.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

ANNOUNCEMENTS:

- Declare Vacancy on Emergency Services Committee

Mayor Nelson declared a vacancy on the Emergency Services Committee. Anyone interested in the position should submit a letter of interest.

SCHEDULED MATTERS:

- **Appointment of Makayla Kostecky to the Laurel Volunteer Fire Department**

Motion by Council Member Stokes to approve the Mayor's appointment of Makayla Kostecky to the Laurel Volunteer Fire Department, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Motion to approve Council Member Sparks to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Herr to approve Council Member Sparks to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Motion to approve Council Member Stokes to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Klose to approve Council Member Stokes to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Motion to approve Council Member McGee to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Wilke to approve Council Member McGee to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-09: A Resolution Of The City Council Adopting The laurel Transportation System Coordination Plan.**

Motion by Council Member Klose to approve Resolution No. R20-09, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-10: A Resolution Of The City Council Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.**

Motion by Council Member Sparks to approve Resolution No. R20-10, seconded by Council Member Eaton. There was no public comment.

Council Member Eaton clarified that at last week's meeting, she had stated she did not think barred wire fences were allowed in City limits. It was clarified that barbed wire fences are not permitted in residential but are permitted in commercial zoning. She apologized for the misunderstanding.

A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-11: Resolution Awarding Knife River The Contract For The City Of Laurel's East Downtown Infrastructure Improvements Project And To Authorize The Mayor To Sign All Required Contract And Related Documents On The City's Behalf.**

Motion by Council Member Eaton to approve Resolution No. R20-11, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-12: A Resolution Of The City Council Amending Policies And Procedures For The Laurel Cemetery.**

Motion by Council Member Herr to approve Resolution No. R20-12, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

DRAFT

- **Resolution No. R20-13: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding For Operation And Cost Sharing For Public Transportation Services With The Adult Resource Alliance Of Yellowstone County.**

Motion by Council Member Wilke to approve Resolution No. R20-13, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No R20-14: A Resolution Of The City Council Authorizing The Mayor To Execute A Cooperative Purchasing Memorandum Of Understanding Between The City Of Laurel And The Montana Department Of Administration To Allow The Purchase Supplies And Services From Vendors At State Prices.**

Motion by Council Member Klose to approve Resolution No. R20-14, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

A Council Member noticed that the light near their home had been changed to the new lights. It looks good.

A Council Member requested that Council discuss at the first Workshop in April an ordinance change concerning public nuisance. Mayor Nelson stated he would put that on the next Workshop agenda.

MAYOR UPDATES: None.

UNSCHEDULED MATTERS:

Mayor Nelson stated he had requested the Public Works Director to look into how the City can continue to provide City services should we have an outbreak of Covid-19. Contingency plans are in the works should anything happen.

The Public Works Director handed out two handouts, see attached. One is a flyer from Unified Health, that flyer has been placed around town. The White House and CDC recently released the second. He is continuing to make preparations at both the Water and Sewer Plants. As of tonight's meeting, there were no confirmed cases in the State of Montana; refer to the CDC's website for the most up to date information.

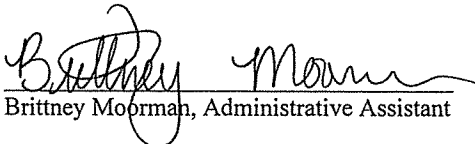
Mayor Nelson stated that the Ambulance Director has been working to stockpile things that they will need to be prepared to deal with the worst-case scenario. He reminded Council that our community could see nothing but will be prepared in the event that we do.

There was discussion various rumors Council had heard about Covid-19. The Public Works Director urged Citizens to refer back to the CDC's website for accurate up to date information.

ADJOURNMENT:

Motion by Council Member Stokes to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:10 p.m.


Brittney Moorman, Administrative Assistant

DRAFT

Council Minutes of March 10, 2020

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 24th day of March 2020.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance – EEC Inc. and Gregory Haux (Laurel Trading Post)
DATE: February 25, 2020

DESCRIPTION/LOCATION:

Gregory Haux of the Laurel Trading Post submitted a request for four variances to LMC Chapter 17.26 – Community Entryway Zoning District and Chapter 17.27 – SE 4th Street Overlay District. The affected property is located on East Railroad St. at a currently unassigned address. The parcel is zoned Highway Commercial and is within the Community Entryway Zoning District and SE 4th Street Overlay District. The applicant is requesting variances to disregard the bufferyard requirement, sight-obscuring fence requirement, and building design standards.

STAFF FINDINGS:

Applicant Data:

Owner:	Gregory H. Haux		
Legal Description:	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2B, 2C, & 2D		
Address:	E. Railroad St.		
Parcel Size:	4.99 Acres		
Existing Land Use:	Field		
Proposed Variance:	Design standards and landscaping standards within the Community Entryway Zoning District and SE 4 th Street Overlay District.		
Existing Zoning:	Highway Commercial		
Surrounding Land Uses:			
North: Zoning:	Heavy Industrial	Land Use:	Railroad
South: Zoning:	Interstate Highway	Land Use:	Interstate Highway
East: Zoning:	Highway Commercial	Land Use:	Midway Rentals
West: Zoning:	Highway Commercial	Land Use:	Fiberglass Structures Inc.

1. The variance application packet is attached and contains the application form, application cover sheet, detailed justification letter, fee receipt, a site plan, building design plans, and the public notice.
2. The application is requesting three variances to LMC 17.26 – Community Entryway Zoning District including:
 - a. 17.26.052 Development Standards Part B: Building Design Standards, Number 1,
 - b. 17.26.052 Development Standards Part C: Additional Provisions for Commercial Uses,
 - c. 17.26.054 Landscaping Standards part B.1: Bufferyard Requirements.
3. The application is requesting a variance to LMC 17.27 – SE 4th Street Overlay District including:
 - a. 17.27.060 Building Design Requirements, Part A.
4. LMC 17.26.052 Part B states:
 1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
5. LMC 17.26.052 Part C States:
 1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.
6. LMC 17.26.054 Part B States:
 - B. Landscaping.
 1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.
 - a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted

from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:

- (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
- (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
- (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs

7. LMC 17.27.060 – Building Design Standards, Part A:

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.

8. The applicant and staff discussed 17.26.052.B and the significant design and building costs and opportunity costs to future business operations if the Community Entryway Zoning District codes are fully enforced as compared to similar businesses that currently exist within the same districts. The proposed design incorporates frontage and façade details and changes in materials and textures to keep with a rustic western aesthetic.

9. In regard to 17.26.B.1, there currently exists a sanitary sewer utility line running along the southern boundary of the property which would present serious future maintenance issues and conflicts with established City of Laurel Public Works standards if a bufferyard was constructed as per code.

10. 17.26.52.C.1 requires a sight obscuring fence for businesses storing merchandise outside of an approved building. The applicant states that the facility will utilize a secure 6' chain link fence topped with 1' of barbed wire along existing frontage and install a 5' pipe rail fence to secure merchandise while simultaneously allowing highway traffic to view merchandise stored on site as well as maintain a rustic aesthetic.

11. The Highway Commercial District was established to cater to the tourist, traveler, recreationist, and general traveling public. Requirements to block highway-focused businesses from marketing merchandise goes against the stated goal of the district.

12. Upon submittal it was found that the request for variance to 17.27.060 Part A was applied for in error. A variance is not required for this code as the property is not located directly on SE 4th Street as per 17.27.060 Part B.

ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:

The Zoning Commission shall review and make determinations on variances through Laurel Municipal Code (LMC) Chapter 17.60.020:

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the

ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.

- B. The zoning commission shall not recommend that land use variances be granted:
1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 3. Unless the basis is something more than a mere financial loss to the owner;
 4. Unless the hardship was created by someone other than the owner;
 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
 7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

STAFF SUGGESTED CONDITIONS:

If the City Council recommends approval of the variance, the following conditions are suggested:

1. The proposed pipe rail fencing and existing barbed wire fencing must be securely affixed and/or anchored to the ground.
2. The proposed pipe rail fencing must not become an eye sore by way of lack of maintenance and/or repair.
3. Ensure dust and gravel control measures are in place to keep road debris off of Public right of way.
4. Lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.

PROCEDURAL HISTORY:

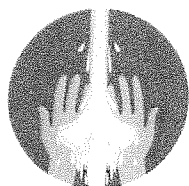
- Gregory Haux and Chuck Henrichs and Kevin Lundin of Eggart Engineering and Construction (EEC Inc.) met with the City Planner, Building Official, and Public Works Director to discuss the situation, receive comment from city staff, and understand the process to apply for a variance.
- The variance application packet was received on January 31, 2020 by the Planning Department.
- A public hearing for the variance request is scheduled to take place at the Laurel City-County Planning Board on February 26, 2020 at 5:35PM.
- A public hearing for the variance request is scheduled to take place at the Laurel City-Council Meeting on March 10, 2020 at 6:30PM.

STOP Germs



- **Wash** your hands with soap & water for at least 20 seconds.
- **Cover** your cough or sneeze with your elbow or a tissue.
- **Avoid** touching your face, eyes, nose & mouth.
- **Stay home** if you're sick.
- **Avoid close contact** with people who are sick.

HOW to Wash Your Hands



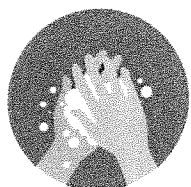
Wet

Wet hands with hot or cold running water.



Rinse

Rinse under hot or cold running water.



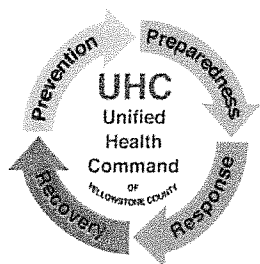
Wash

Apply soap, lather & scrub backs of hands, under nails, between fingers for 20 seconds.



Dry

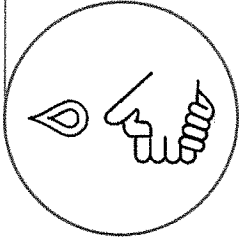
Dry hands using a paper towel or air dry.



Keeping commercial establishments safe

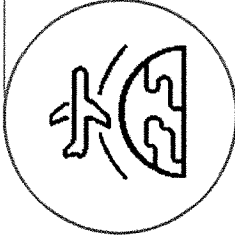
Encourage your employees and customers to...

Practice good hygiene



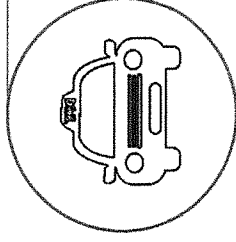
- Stop handshaking – use other noncontact methods of greeting
- Clean hands at the door, and schedule regular hand washing reminders by email
- Promote tap and pay to limit handling of cash
- Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

Avoid crowding



- Use booking and scheduling to stagger customer flow
- Use online transactions where possible
- Consider limiting attendance at larger gatherings

For transportation businesses, taxis, and ride shares

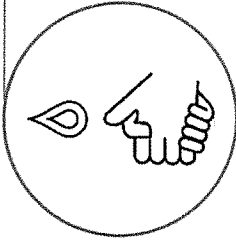


- Keep windows open when possible
- Increase ventilation
- Regularly disinfect surfaces

Keeping the workplace safe

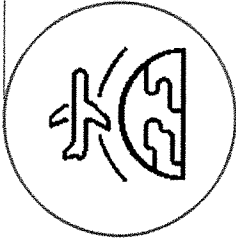
Encourage your employees to...

Practice good hygiene



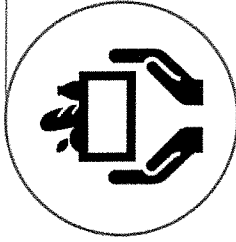
- Stop handshaking – use other noncontact methods of greeting
- Clean hands at the door and schedule regular hand washing reminders by email
- Create habits and reminders to avoid touching their faces and cover coughs and sneezes
- Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

Be careful with meetings and travel



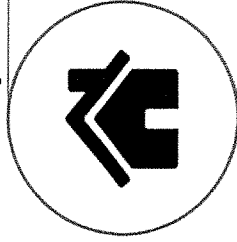
- Use videoconferencing for meetings when possible
- When not possible, hold meetings in open, well-ventilated spaces
- Consider adjusting or postponing large meetings or gatherings
- Assess the risks of business travel

Handle food carefully



- Limit food sharing
- Strengthen health screening for cafeteria staff and their close contacts
- Ensure cafeteria staff and their close contacts practice strict hygiene

Stay home if...

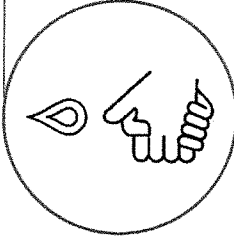


- They are feeling sick
- They have a sick family member in their home

Keeping the school safe

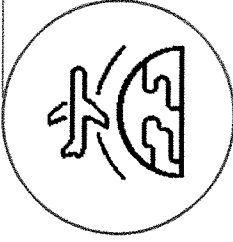
Encourage your faculty, staff, and students to...

Practice good hygiene



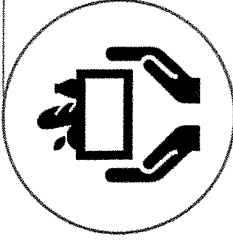
- Stop handshaking – use other noncontact methods of greeting
- Clean hands at the door and at regular intervals
- Create habits and reminders to avoid touching their faces and cover coughs and sneezes
- Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

Consider rearranging large activities and gatherings



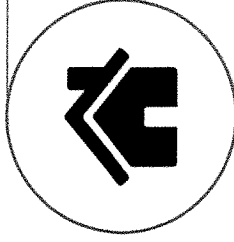
- Consider adjusting or postponing gatherings that mix between classes and grades
- Adjust after-school arrangements to avoid mixing between classes and grades
- When possible, hold classes outdoors or in open, well-ventilated spaces

Handle food carefully



- Limit food sharing
- Strengthen health screening for cafeteria staff and their close contacts
- Ensure cafeteria staff and their close contacts practice strict hygiene

Stay home if...

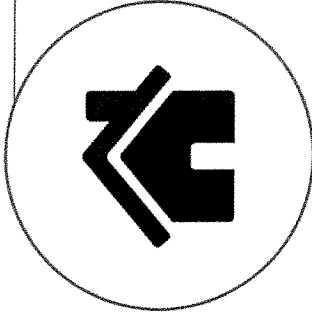


- They are feeling sick
- They have a sick family member in their home

Keeping the home safe

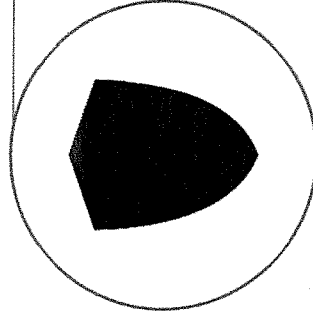
Encourage your family members to...

All households



- Clean hands at the door and at regular intervals
- Create habits and reminders to avoid touching their face and cover coughs and sneezes
- Disinfect surfaces like doorknobs, tables, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

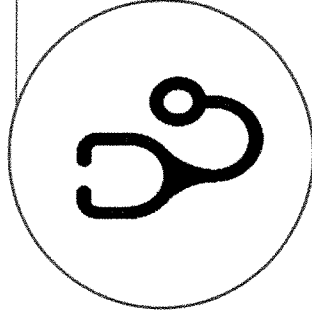
Households with vulnerable seniors or those with significant underlying conditions



Significant underlying conditions include heart, lung, kidney disease, diabetes; and conditions that suppress the immune system

- Have the healthy people in the household conduct themselves as if they were a significant risk to the person with underlying conditions. For example, wash hands frequently before interacting with the person, such as by feeding or caring for the person
- If possible, provide a protected space for vulnerable household members
- Ensure all utensils and surfaces are cleaned regularly

Households with sick family members



- Give sick members their own room if possible, and keep the door closed
- Have only one family member care for them
- Consider providing additional protections or more intensive care for household members over 65 years old or with underlying conditions

Item Attachment Documents:

2. Laurel Chamber of Commerce Agenda for March 12, 2020; Laurel Chamber of Commerce Minutes of February 13, 2020.

Agenda
Laurel Chamber of Commerce
March 12, 2020
Chamber

Moment of Silence

Presentation of minutes:

Guest Speaker –

Financial Report -

Yellowstone Checking -	\$ 87,398.11
Altana CD	\$ 8,582.11
Altana Saving	\$ 748.74
Christmas Repair Fund	\$ 2,937.59
TOTAL	\$ 99,666.55

Bills to be presented for payment: - not in budget

OLD BUSINESS

- **Job Fair-** April 20th @ LHS 3pm-6pm, let Cami know if you want a table, 3 businesses so far
- **Movies in the Park-** See attached
- **Farmers Market-** Committee met Feb 21st- see attached

NEW BUSINESS –

- **New Members – Corrals by T13 and Ark Home Loans**
- **Chamber 101 Meeting-** Jump start or re-ignite your membership during this orientation meeting. Attendees will learn about leveraging benefits to make the most of their membership. New members, established members, plus any new staff to your organization are welcome to join us. Events, committees, services and programs of the Laurel Chamber will be discussed.
- **July 4th-**
 - Vendor update: 12 crafters, 16 food trucks and 4 runners
 - Ad in the Hometown Values? \$250 for small add, \$500 for ad like the Christmas Stroll
 - **Run-** Organizations to donated profit to? We will vote on this (LMS & LHS School Pantry, Backpack program, Graduation Matters, Laurel Garden Club,)
 - Entertainment- Looking for any talent groups let me know if you have any ideas. Band? Location?

Upcoming Meetings-

- **Audit-** March 19th @ 12pm
- **Budget-** March 26th @ 12pm
- **July 4th- April 2nd@ 12pm**

Open Forum

Business After Hours –

- **March 19th-** Harmony Coffee Bar
If you would like to host an event, please contact the Chamber.

Next Meeting – April 9, 2020 Guadalajara's

Laurel Chamber of Commerce **Board Meeting Minutes**

The Meeting was held on **February 13, at Fowl Play**. In attendance were: Executive Board Members: President – Carrie Smith, VP- Beth Hoferer Treasurer – Megan Cutting, Executive secretary- Cami Nelson. Directors: Patsy Woody, Becky Watson, Kelci Lohof, Dallas Contreras, Linda Filpula, Tera Wombolt, Evan Bruce, and Billie Lehman. Chamber member: Ron Yost, Renee Studiner, Jayson Nicholson, Heidi Stevens and Jessica LeBrun.

Carrie called the meeting to order.

The minutes were approved. Moved to approve- Billie, Dallas 2nd, approved

Guest Speaker- Karen Black with Hometown Values magazine came to talk about ads in the magazine, she also expressed interested in joining the Chamber. The magazine goes out to 25,000 homes and is a great way to advertise. Tera mentioned that she gets way more of these coupons back then from any other advertisement.

The financial report was approved and bills were presented for payment.

Bills to be presented for payment: - none

Old Business

- **Annual Meeting-** We had a great turn out. Profit and loss was attached and viewed.
- **Business of the year-** The Crossings
- **Volunteer of the year-** Laurel First Responders
- **Committees-** Need a few more volunteers, sheet was passed around

New Business

- **New Members –** Monna Rae Adickes- Coldwell Banker the Brokers, All Metal Fabrications MT, Lamerton Strategic Communications
- **Movies in the Park-** Cost \$1,200; have sponsorship and food vendors. Linda motioned that we make a committee for this, Billie 2nd- approved. We will have a meeting Monday February 17th at the Chamber to work out the details
- **Job Fair-** April 20th @ LHS 3pm-6pm, let Cami know if you want a table
- **Theme for Parade-** Ideas for the parade were passed around, it was voted by a tally vote that we have “Proud to be an American”
- **July 4th –** Entertainment again this year? Karen had a few suggestions for stages that she will find contact info for. We decided to move ahead with doing an “Open Mic” type talent show
- **July 4th Run-** Need ideas of what organization to donate run profit to this year? We will vote on this next meeting. Suggestions were- Graduation Matters, Food Pantry at LHS & LMS, the backpack program.
- **Summer Assistant-** We will start advertising for this position in March. Will be June 3rd- Sept 1st. Pay? Beth motioned that we offer \$12/hour for an seasonal employee or intern, Evan 2nd–approved.

Upcoming Meetings-

- **Farmers Market-** Feb 21st @ 12pm
- **Audit-** March 19th @ 12pm
- **Budget-** March 26th @ 12pm
- **July 4th-** April 2nd@ 12pm

OPEN FORUM

- **Crossings-** Summer concert is July 2nd; Beth will get Cami the sponsorship info to send out to members. Open House March 6th 3-6pm

Business After Hours –

- February- Front Porch

Meeting Adjourned **Next meeting – March 12, 2019** **Chamber**

Item Attachment Documents:

6. Budget/Finance Committee minutes of March 10, 2020.
REVISED Library Board Minutes of January 14, 2020.
Library Board Minutes of February 11, 2020.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, March 10, 2020**

Members Present: **Emelie Eaton**
 Richard Klose

Scot Stokes

Others Present: **Mayor Nelson**

Bethany Langve

The Meeting was called to order by Chair Eaton at 5:33 pm.

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

General Items

- Review and approve the minutes of the February 25, 2020 meeting. Richard Klose made a motion to approve the minutes of the February 25, 2020 Budget and Finance Committee meeting. Mayor Nelson seconded the motion to approve the February 25, 2020 Budget and Finance Committee meeting minutes, all in favor, motion passed.
- Review and approve purchase requisition from the Ambulance Department for the purchase of a CPR training device. The Committee asked if the vendor was a sole-source vendor, and if that is why there were no other quotes attached. The Clerk/Treasurer stated that most EMS purchases like this were specialty items, but she would check with the Ambulance Director. The Committee had no additional questions or comments regarding the purchase requisition. Scot Stokes made a motion to approve the purchase requisition from the Ambulance Department for the purchase of a CPR training device. Richard Klose seconded the purchase requisition from the Ambulance Department for the purchase of a CPR training device, all in favor, motion passed.
- Review and approve the February 2020 Utility Billing Adjustments. The Committee reviewed the February 2020 utility billing adjustments and had no questions. Emelie Eaton made a motion to approve the February 2020 Billing Adjustments. Scot Stokes seconded the motion to approve the February 2020 Billing Adjustments, all in favor, motion passed.
- Review and approve the January 2020 Month End Balance Sheet. The Committee reviewed the January 2020 Month End Balance Sheet and had no questions. Richard Klose made a motion to approve the January 2020 Month End Balance Sheet. Scot Stokes seconded the motion to approve the January 2020 Month End Balance Sheet, all in favor, motion passed.
- Review and recommend approval to Council Claims entered through 03/06/2020. Emelie Eaton reviewed the Claims Detail report and the Check Register for accuracy. There was a question regarding payment to Great West Engineering for the SED Basins. The Clerk/Treasurer stated that Great West Engineering was completing the operating manual for the SED Basins. The Committee also commented on the purchase of “Abandoned Vehicle” stickers. They were happy to see these being purchased. The Committee asked how the collections for the Ambulance department was going. The Clerk/Treasurer stated she would report on that at the next meeting. Emelie Eaton made a motion to recommend approval to Council the claims entered through 03/06/2020, Richard Klose seconded the motion, all in favor, motion passed.

- Review and approve Payroll Register for pay period ending 02/23/2020 totaling \$196,091.12. The two-page summary was reviewed, signed and dated. Richard Klose made a motion to approve the payroll register for pay period ending 02/23/2020 totaling \$196,091.12. Scot Stokes seconded the motion, all in favor, motion passed.

New Business – None

Old Business – None

Other Items

- Review the Comp/Overtime Report for pay period ending 02/23/2020. The Committee reviewed the report and had no questions or comments.
- A new claims review schedule was decided upon. Here is the new schedule:
4/14/2020 – Emelie Eaton 5/12/2020 – Bruce McGee
4/28/2020 – Richard Klose 5/26/2020 – Bruce McGee
- The Clerk/Treasurer stated that the proposals are back from the banks for the EDII bond. She is happy with the proposal chosen and is excited to bring it before Council.
- The Mayor stated that the ambulance had a total of 29 calls last week and only had 3 missed calls. He is sending out emails to everyone regarding COVID-19. He will not be having a meeting with DES, but he has talked to KC Williams and KC has sent the Mayor a bulletin to share with staff. The Mayor stated that we currently have no cases of COVID-19 in Yellowstone County, but he wants to be proactive and protect the elderly and people with underlying health issues.

Announcements –

- The next Budget and Finance Meeting will be held on Tuesday March 23, 2020 at 5:30pm
- Scot Stokes will be reviewing claims for the next meeting

Respectfully submitted,

Bethany Langve
Clerk/Treasurer

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

MINUTES
CITY OF LAUREL
Library Board

01/14/2020

06:05 PM

Laurel Library

COMMITTEE MEMBERS PRESENT:

X Dixie Feller, Board Chair
Bill Hanson, Vice-Chairman
X Nancy Schmidt, Secretary
Emilie Eaton

X Arthur Vogeles
X Samantha Barnhart – via phone
X Clair Killebrew – Foundation Liaison

OTHERS PRESENT:

1. **Public Input**

Citizens may address the committee regarding any item of city business not on the agenda. The duration for an individual speaking under Public Comment is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.

- a. No one addressed the Board.

2. **General Items**

- a. Arthur motioned the Library Board minutes for December 2019 be accepted as presented, Samantha seconded the motion; motion passed.
- b. The library foundation received a letter of appreciation from Yellowstone Boys and Girls Ranch about the books donated to them in the past couple years. Arthur explained that YBGR staff are using the donations to create a library for residents/students and as life experiences information. Those books that haven't sold after 3 or 4 sales will continue to be donated to YBGR.
- c. A letter from AFSCME Local 316 was delivered to the library by Hannah Nash, AFSCME Field Representative. Library staff have unanimously voted to join the union. A meeting will be scheduled later to discuss changes to the collective bargaining agreement (CBA).
- d. Circulation Report -Traffic: down 17.6%; circulation: all items circulated totaled 4,4366 (including 510 eBooks), book circulation was up 3.4%, media circulation was up 18.1%, eBook checkouts for this month was 13.9% of total book circulation, we circulated 916 items to partners and 140 items from other libraries; computers: internet use was down 37.1%, children's use was down 37.5%, wi-fi use: unavailable because of software issues; patron cards: city

registrations made up 60.5% of library users, county patrons 36% and non-resident registered patrons 4.1%. There were 52 tech assists in December.

3. New Business

- a. With the quick approach of the 2020 Census the State Library is offering training for library staff to help deal with issues that may come up when patrons use the library to fill out their census information. Library staff will be setting up two specific computers for census participation.
- b. OFFLINE Conference is being held in Helena this year. After reviewing the training being offered, Nancy decided that most of the topics have already been offered at either the Chico Fall Retreat or were being offered at MLA in April.
- c. MLA Annual Conference is being held in Missoula this year April 1st-4th. Trustees and staff that want to attend need to let Nancy know soon so that she can reserve the motel rooms at the conference rates.
- d. Just a quick reminder that the spring Federation meeting will be held in Laurel on Saturday, March 14th at the library. Lunch and snacks will be served. All staff and trustees are encouraged to attend.
- e. There have been many changes around the library in the last few weeks. We are experiencing growing pains because of lack of space. One area that has changed the most is where we have our copier. Mike's workspace was being crowded with patrons using the extra computer, so we moved that to the southwest corner of the circ area and we moved the copier to the wall next to the movies. The circular shelf with music is now over by the YA section. Don't be surprised if we make more changes in the future to help accommodate our growing library.
- f. Community Room use has also increased significantly over the last few years. We now have guitars lessons scheduled 4 days per week, violin on Mondays, Moms Group on Thursdays, book club meets on the second Tuesday, Bunco groups meet on the third Tuesday and Thursday of each month, Library Board on the second Tuesday, and various patrons request the use of the room for private meetings. Homeschool groups or Christian schools bring students to the library regularly as part of their studies. It may be time to start thinking about expanding the library to include a couple small study/activity rooms, a medium meeting room, a storage room, and a staff break room.

4. Old Business

- a. Nancy presented the latest statement for the Foundation to Clair Killebrew for her approval. Any items purchased through the foundation will be included in the statistics of expenses for the next year.

- b. Invoices were reviewed for December 2019 expenses. There were no questions concerning the current expenses.
- c. The library needs a new network key to count traffic on the Wi-Fi. One has been ordered and will be installed shortly after we receive it. Next month we should have a count of WIFI users.

5. Other Items

a. Upcoming Items:

There are three library staff that have too many vacation hours accrued for this year. We will be working hard at taking time off before the end of March, so we don't lose our time. Personal time will need to be scheduled and taken by the end of June.

6. Announcements

- a. Next regular meeting is Tuesday, February 11, 2020 at 6:00 pm in the Community Room of the Laurel Public Library.

Bill motioned to adjourn the meeting at 7:20pm, Arthur seconded the motion; motion passed.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Secretary for the Board

NOTE: This meeting is open to the public. This meeting is for information and discussion of listed agenda items.

MINUTES
CITY OF LAUREL
Library Board
02/11/2020 06:01 PM
Laurel Library

COMMITTEE MEMBERS PRESENT:

X Dixie Feller, Board Chair	X Arthur Vogelee
X Bill Hanson, Vice-Chairman	X Samantha Barnhart – via phone
X Nancy Schmidt, Secretary	X Clair Killebrew – Foundation Liaison
Emilie Eaton	

OTHERS PRESENT:

1. Public Input

Citizens may address the committee regarding any item of city business not on the agenda. The duration for an individual speaking under Public Comment is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.

- a. No one addressed the Board.

2. General Items

- a. Bill motioned the Library Board minutes for January 2020 be accepted as presented and corrected, Arthur seconded the motion; motion passed.
- b. The library was given two individual \$50 donations from our patron Ray Wells in appreciation for the help he has received from our library. Dixie will send a Thank You note in appreciation of the donations.
- c. Circulation Report - Traffic: down 9.5%; circulation: all items circulated totaled 4,361 (including 525 eBooks), book circulation was down 13.4%, media circulation was down 5.8%, eBook checkouts for this month was 14.8% of total book circulation, we circulated 928 items to partners and 158 items from other libraries; computers: internet use was up 15.4%, children's use was down 63.2%, wi-fi use : up 73.1%; patron cards: city registrations made up 69.55% of library users, county patrons 28.2% and non-resident registered patrons 2.36%. There were 46 tech assists in January.

3. New Business

- a. Just a quick reminder that the spring Federation meeting will be held here in Laurel on Saturday, March 14th, 2020. It is tentatively scheduled for 10:00 am – 3:00 pm. Guitar lessons will have to cancel for the day or take place in the main

part of the library. Lunch and snacks will be provided by the Federation. The church won't be able to provide lunch, so we'll see if we can get a mixture of sandwiched and wraps from Subway. Dixie wants to support local businesses as much as possible. Everyone is welcome to attend the Federation meeting.

- b. Motel rooms have been reserved in Missoula for MLA Conference attendance. There are three rooms reserved for 5 attendees. Dixie and Arthur will pay for their own rooms while the other rooms are being paid for by the library. Next year MLA is being held in Billings.
- c. The qualifications for the ELSA Award (Excellent Library Service Agreement) have been submitted to the State Library. We will find out at MLA in April if we get recognition for the award. Looking at the qualifications for the award, there shouldn't be any question in whether we qualify or not for ELSA.
- d. Spectrum has submitted a proposal to bundle our phone with internet service. Right now, we are paying \$126 per month to CenturyLink for the phone and \$145 to Spectrum for internet. By combining voice and internet through Spectrum we will be saving about \$67 per month. Samantha motioned that we move forward with combining the internet and voice services through Spectrum, Arthur seconded the motion. Motion passed.

4. Old Business

- a. The Foundation has paid for service on the copier and supplies from The Library Store. There were no questions about these expenditures.
- b. Invoices submitted for payment in February 2020 were reviewed. There were no questions or concerns about the submitted expenses. Top two items in the folder were those paid by the Foundation. Arthur motioned that we accept the invoice expenditures as presented, Bill seconded the motion; motion passed.
- c. The 2020 Census is coming up very quickly. The library will be helping with filling out the forms online. Montana State Library is giving all libraries extensive training in how the census should be filled out and how to answer questions that patrons may have about why we fill these out and where the information goes. We are setting up two, possibly three, computers for patrons to use exclusively for filling out census information. Census Day falls on April 1, during MLA, so the State Library is creating a Census Week to encourage residents to fill out their forms. There will also be more information presented at MLA.

5. Other Items

- a. Upcoming Items:

The Summer Reading Program will include 'The Lego Guy' and the Zoo.

There is a trustee training, Board Best Practices, being offered by the State Library in April 28th, 2020 at Billings Public Library.

6. Announcements

- a. Next regular meeting is Tuesday, March 10, 2020 at 6:00 pm in the Community Room of the Laurel Public Library.

Arthur motioned to adjourn the meeting at 6:51 pm, Bill seconded the motion; motion passed.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy L Schmidt".

Nancy L Schmidt
Secretary for the Board

NOTE: This meeting is open to the public. This meeting is for information and discussion of listed agenda items.

Item Attachment Documents:

7. Appointment of Rick Musson to the Cemetery Commission for the remainder of a term ending June 30, 2020.

January 30, 2020

Mayor Tom Nelson
City of Laurel

RE: Laurel Police Commission
Laurel Cemetery Commission

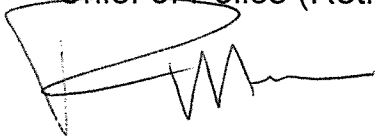
Dear Mayor Nelson,

I am interested in serving the citizens of the City of Laurel by sitting on two commissions. I worked for the City of Laurel from June 1, 1982 to October 31, 2018. June 1, 1982 to February 13, 1983 I worked in the Public Works Department. From February 14, 1983 until October 31, 2018 I served in the Police Department, my last 20 years was as the Chief of Police.

I believe that my years of experience in Police Administration I would be an asset to the ~~Police Commission and the~~ Cemetery Commission.

Please consider my letter of interest.

Rick Musson
Chief of Police (Retired)

A handwritten signature in black ink, appearing to be 'Rick Musson', with a stylized, jagged underline.

Item Attachment Documents:

8. Appointment of Haley Swan to the Laurel Police Department



Laurel Police Department

215 W. 1st Street Laurel, Mt. 59044 • Phone 406-628-8737 • Fax 406-628-4641

Chief of Police Stanley J Langve

March 19, 2020

TO: Mayor Tom Nelson

Re: Conditional job offer / Patrolman

On January 17th, 2020 a vacancy was created at the Laurel Police Department with the resignation of an Officer. On January the 21st, 2020 I posted the vacant position internally. I received no bids for the position. I sent invitations to apply for individuals listed on the Montana Law Enforcement testing Consortium who had expressed interest in working for the Laurel Police Department. I then advertised the position to Montana law enforcement agencies, inviting P.O.S.T. certified officers to apply. I received 14 completed applications.

On March 17th the Laurel Police Commission and members of the Laurel Police Department conducted 11 interviews and Bpad exercises. Based upon the cumulative interview and Bpad scores, Haley Swan was the top candidate. Haley has been interested in a law enforcement career from an early age. She received her Bachelor of Science, Criminal Justice degree from MSU Billings in December of 2017. As part of that degree program, Haley interned with the Laurel Police Department from May to August of 2017. Haley has been employed with the Montana Women's Prison as a Correctional Officer since March of 2018. Haley is not only excited to begin her law enforcement career but is excited that it is with the Laurel Police Department. It is my recommendation that Haley Swan be offered a conditional offer of employment and appointed to the Laurel Police Department



Chief Stanley J Langve
Laurel Montana Police Department
215 West 1st Street
Laurel, MT 59044
Office (406) 628-8737

Item Attachment Documents:

9. Resolution No. R20-15: Resolution Relating To \$3,055,000 Tax Increment Urban Renewal Revenue Bond (Laurel Urban Renewal District), Series 2020; Authorizing The Sale And Prescribing The Forms And Terms Thereof And The Security Therefor

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Laurel, Montana (the "City"), hereby certify that the attached resolution is a true copy of Resolution No. R20-15, entitled: "RESOLUTION RELATING TO \$3,055,000 TAX INCREMENT URBAN RENEWAL REVENUE BOND (LAUREL URBAN RENEWAL DISTRICT), SERIES 2020; AUTHORIZING THE SALE AND PRESCRIBING THE FORMS AND TERMS THEREOF AND THE SECURITY THEREFOR" (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a meeting on March 24, 2020, and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Council members voted in favor thereof:

_____;

voted against the same: _____; abstained from
voting thereon: _____; or were
absent: _____.

WITNESS my hand and seal officially this 24th day of March, 2020.

City Clerk-Treasurer

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[Not a part of the Resolution; for convenience of reference only.]

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RESOLUTION NO. R20-15

RESOLUTION RELATING TO \$3,055,000 TAX INCREMENT URBAN RENEWAL REVENUE BOND (LAUREL URBAN RENEWAL DISTRICT), SERIES 2020; AUTHORIZING THE SALE AND PRESCRIBING THE FORMS AND TERMS THEREOF AND THE SECURITY THEREFOR

BE IT RESOLVED by the City Council (the “Council”) of the City of Laurel, Montana (the “City”), as follows:

Section 1. Definitions, Authorizations and Findings.

1.01. Definitions. The terms defined in this Section 1.01 shall for all purposes of this Resolution have the meanings herein specified, unless the context clearly otherwise requires:

Accountant means a Person engaged in the practice of accounting as a certified public accountant, whether or not employed by the City.

Act means Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended or supplemented.

Additional Bonds means any Bonds issued pursuant to Sections 4.01 through 4.03.

Bond Account means the account so designated in the Tax Increment Debt Service Account.

Bond Counsel means any firm of nationally recognized bond counsel experienced in matters relating to tax-exempt financing, selected by the City.

Bond Register means the register maintained for the purpose of registering the ownership, transfer and exchange of the Bonds of any series.

Bonds means the Series 2020 Bond and any Additional Bonds.

Business Day means, with respect to the Bonds of any series, any day other than a Saturday, Sunday or other day on which the Registrar for such series of Bonds is not open for business.

City means the City of Laurel, Montana, or its successors.

Code means the Internal Revenue Code of 1986, as amended.

Construction Account means the account so designated in the Tax Increment Capital Project Account.

Council means the City Council of the City or any successor governing body thereof.

Defeasance Obligations means obligations for payment of the principal of and interest on which the United States has pledged its full faith and credit and which are not subject to

redemption or prepayment other than at the option of the holder thereof, or an acceptable government money market fund containing such obligations.

District means the Laurel Urban Renewal District, created and established pursuant to the Act and the Ordinance, as such district may be enlarged or reduced in accordance with the Act and this Resolution.

Fiscal Year means the period commencing on the first day of July of any year and ending on the last day of June of the next calendar year, or any other twelve-month period authorized by law and specified by this Council as the City's Fiscal Year.

Independent means, when used with respect to any specified Person, such a Person who (i) is in fact independent; (ii) does not have any direct financial interest or any material indirect financial interest in the City, other than the payment to be received under a contract for services to be performed by such Person; and (iii) is not connected with the City as an officer, employee, promoter, trustee, partner, director, underwriter or person performing similar functions. Whenever it is herein provided that any Independent Person's opinion or certificate shall be furnished, such Person shall be appointed by the City and such opinion or certificate shall state that the signer has read this definition and that the signer is Independent within the meaning hereof.

Interest Account means the subaccount so designated in the Bond Account.

Interest Payment Date means, with regard to any Installment Payment Bond, a Payment Date of an installment of interest on any of such Bonds and with regard to any Bond that is a Term Bond or Serial Bond, the Stated Maturity of an installment of interest on any of such Bonds.

Installment Payment Bond means a Bond that is neither a Serial Bond nor a Term Bond that is payable in installments of principal and interest.

Ordinance means Ordinance No. 007-11, adopted by the Council on November 20, 2007, as amended by Ordinance Nos. 008-09, 09-04 and 012-01, adopted by the Council on October 21, 2008, April 21, 2009 and March 6, 2012, as such may be further amended or supplemented in accordance with the Act and this Resolution.

Original Purchaser means, with respect to any series of Bonds, the Person who purchases such series of Bonds from the City when first issued. The Original Purchaser of the Series 2020 Bond is Western Security Bank, Division of Glacier Bank in Billings, Montana.

Outstanding means, with reference to Bonds, as of the date of determination, all Bonds theretofore issued and delivered under this Resolution except:

(i) Bonds theretofore cancelled by the City or delivered to the City cancelled or for cancellation;

(ii) Bonds and portions of Bonds for whose payment or redemption money or Defeasance Obligations (as provided in Section 9.04) shall have been theretofore

deposited in trust for the Owners of such Bonds; provided, however, that if such Bonds are to be redeemed, notice of such redemption shall have been duly given pursuant to this Resolution or irrevocable instructions to call such Bonds for redemption at a stated Redemption Date shall have been given by the City; and

(iii) Bonds in exchange for or in lieu of which other Bonds shall have been issued and delivered pursuant to this Resolution;

provided, however, that in determining whether the Owners of the requisite principal amount of Outstanding Bonds have given any request, demand, authorization, direction, notice, consent or waiver hereunder, Bonds owned by the City shall be disregarded and deemed not to be Outstanding.

Owner means, with respect to any Bond, the Person in whose name such Bond is registered in the Bond Register.

Payment Date means an Interest Payment Date or a Principal Payment Date.

Person means any individual, corporation, partnership, joint venture, limited liability company, limited liability partnership, association, joint stock company, trust, unincorporated organization or government or any agency or political subdivision thereof.

Plan means the City of Laurel Urban Renewal Plan adopted by the Council on November 20, 2007, including all amendments thereof adopted in accordance with the Act, the Ordinance and this Resolution.

Principal Account means the subaccount so designated in the Bond Account.

Principal and Interest Requirements means, with respect to any Bonds and for any Fiscal Year or other specified period, the amount required to pay the principal of and interest on such Bonds during such Fiscal Year or other period, determined on the assumption that each Serial Bond is to be paid on its Stated Maturity and each Term Bond is to be paid on the Sinking Fund Payment Dates according to the mandatory redemption requirements established for such Term Bond by the applicable section of this Resolution or any Supplemental Resolution.

Principal Payment Date means, in the case of an Installment Payment Bond, a Payment Date on which an installment payment of principal is due; in the case of a Serial Bond, a Stated Maturity of principal, and in the case of a Term Bond, a Sinking Fund Payment Date.

Project means the 2020 Project and any other urban renewal project undertaken under the Act in or for the benefit of the District.

Redemption Date when used with respect to any Bond to be redeemed means the date on which it is to be redeemed.

Redemption Price when used with respect to any Bond to be redeemed means the price at which it is to be redeemed.

Registrar means the Person, if any, appointed by the City to act as bond registrar, transfer agent and paying agent for a series of Bonds. With respect to the Series 2020 Bond, the Registrar shall be appointed as set forth in Section 3.04.

Serial Bonds means Bonds which are not Term Bonds.

Series 2020 Bond means the City's Tax Increment Urban Renewal Revenue Bond (Laurel Urban Renewal District), Series 2020, issued in the original aggregate principal amount of \$3,055,000.

Sinking Fund Payment Date means a date set forth in any applicable provision of a Supplemental Resolution for the making of a mandatory principal payment for the redemption of a Term Bond.

State means the State of Montana.

Stated Maturity when used with respect to any Serial Bond or Term Bond, means.

Subordinate Obligations means any bonds, notes or obligations of the City issued on a subordinate basis to the Bonds as to the Tax Increment pursuant to Section 4.04.

Supplemental Resolution means any resolution supplemental to this Resolution adopted pursuant to Section 8.

Tax Increment means the amount received by the City pursuant to the Act from the extension of levies of Taxes (expressed in mills) against the incremental taxable value (as defined in the Act) of all Taxable Property, and shall include entitlement share and reimbursement amounts received from the State with respect to property in the District, payments in lieu of Taxes attributable to the incremental taxable value and all payments received by the City designated as replacement revenues for lost Tax Increment, as provided in Section 7.08.

Tax Increment Capital Project Account means the account so designated in the Tax Increment Accounts.

Tax Increment Debt Service Account means the account so designated in the Tax Increment Accounts.

Tax Increment Development Account means the account so designated in the Tax Increment Accounts.

Tax Increment Accounts means the accounts established pursuant to Section 5.

Taxable Property means all real and personal property located in the District and subject to Taxes, including land, improvements and equipment.

Taxes means all taxes levied on an ad valorem basis by any Taxing Body against the Taxable Property (exclusive of the six mill levy for university purposes levied by the State), and shall include all payments in lieu of taxes received by the City with respect to Taxable Property.

Taxing Body means the City; Yellowstone County, Montana; Laurel Elementary School District No. 7-70, Yellowstone County, Montana; Laurel High School District No. 7, Yellowstone County, Montana; the State; and any other political subdivision or governmental unit which may hereafter levy Taxes against property within the District.

Term Bond means any Bond for the payment of the principal of which mandatory payments are required by this Resolution or Supplemental Resolution to be made at times and in amounts sufficient to redeem all or a portion of such Bond prior to its Stated Maturity.

2020 Project shall have the meaning set forth in Section 1.04.

1.02. Rules of Construction. Unless the context otherwise requires or except as otherwise expressly provided:

(a) All references in this Resolution to designated sections and other subdivisions are to the designated sections and other subdivisions of this Resolution as originally adopted.

(b) The words “herein,” “hereof” and “hereunder” and other words of similar import without reference to any particular section or subdivision refer to this Resolution as a whole and not to any particular section or other subdivision unless the context clearly indicates otherwise.

(c) The terms defined in this Resolution include the plural as well as the singular.

(d) All accounting terms not otherwise defined herein have the meanings assigned to them in accordance with generally accepted accounting principles applicable to governmental entities.

(e) All computations provided herein shall be made in accordance with generally accepted accounting principles applicable to governmental entities consistently applied.

(f) “Or” is not intended to be exclusive, but is intended to contemplate or encompass one or more or all of the terms or alternatives conjoined.

1.03. Authorization. Under the Act, the City is authorized to create urban renewal areas, prepare and adopt an urban renewal plan therefor and amendments thereto, undertake urban renewal projects therein, provide for the segregation and collection of tax increment with respect to property taxes collected in such areas, issue its bonds to pay the costs of such projects and to refund bonds previously issued under the Act and pledge to the repayment of the bonds the tax increment and other revenues derived from projects undertaken within the urban renewal area.

1.04. Prior City Actions. In accordance with the Act, the City determined that blighted property is located within the District, and that the rehabilitation, redevelopment or a combination thereof is necessary for the public health, safety, morals or welfare of the residents of the City, and the Council created the District and adopted the Plan which provides for the segregation and collection of tax increment with respect to the District. The District and the Plan have been duly and validly created and adopted in strict accordance with applicable provisions of the Act and are in full force and effect.

As set forth in the Plan, tax increment financing is to be used to further the goals and objectives in the Plan, which include improving the pedestrian environment by adding well-designed streetscape and sidewalks and having state of the art, updated utilities and infrastructure.

As authorized by the Plan and pursuant to Resolution No. R20-06, adopted February 11, 2020, following a duly noticed public hearing, this Council determined to undertake an urban renewal project in the District, consisting of design, engineering and construction of various public infrastructure improvements within the District, generally consisting of reconstruction of Washington, Idaho and Ohio Avenues, East First and East Fourth Streets, generally bound by Wyoming and Alder Avenues, Main and East Fourth Streets, including sidewalks, curb and gutter, pedestrian ramps, driveway approaches and new asphalt pavement; replacement of existing water mains, including valves, fittings, fire hydrants and other appurtenances; replacement of existing sanitary sewer main; installation of a new storm drain system, including inlets, manholes and appurtenances; and related improvements (collectively, the “2020 Project”) and declared its intention to issue tax increment bonds payable from Tax Increment for the purpose of financing all or a portion of the costs of the 2020 Project.

1.05. Estimated Costs of the 2020 Project. The total cost of the 2020 Project is estimated as follows:

Construction Costs	\$2,487,572.50
Contingency	252,427.50
Engineering	315,000.00
Total	<u>\$3,055,000.00</u>

Costs of the 2020 Project in excess of the proceeds of the Series 2020 Bond, including costs of issuance of the Series 2020 Bond, will be payable from funds the City has on hand and available therefor.

1.06. Available Tax Increment. The City received Tax Increment of \$771,922 in Fiscal Year 2019 and expects to receive Tax Increment of approximately \$771,922 in Fiscal Year 2020 and thereafter. The maximum Principal and Interest Requirements on the Series 2020 Bond is \$180,239.12. Accordingly, Council hereby finds and determines that the estimated Tax Increment to be received by the City will be sufficient to pay the maximum Principal and Interest Requirements on the Series 2020 Bond.

1.07. Findings and Determinations. It is hereby found, determined and declared by this Council as follows:

- (a) no persons will be displaced from their housing by the 2020 Project;
- (b) the Plan and the 2020 Project conform to the comprehensive plan or parts thereof of the City as a whole;
- (c) the Plan and the 2020 Project will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment in the District by private enterprise;
- (d) a sound and adequate financial program will exist for the financing of the 2020 Project, which program includes the City's use of Series 2020 Bond proceeds;
- (e) the 2020 Project is in the best interests of the City;
- (f) the 2020 Project is authorized under the Plan and constitutes an urban renewal project within the meaning of the Act;
- (g) the estimated Tax Increment to be received by the City, as set forth in Section 1.06, and pledged to the payment of the Series 2020 Bond will be sufficient to pay the principal thereof and interest thereon when due; and
- (h) it is in the best interests of the City to issue and sell the Series 2020 Bond to finance the costs of the 2020 Project as provided in this Resolution.

1.08. Authorization and Sale of Series 2020 Bond. This Council hereby determines that it would be in the best interests of the City to sell its Tax Increment Urban Renewal Revenue Bond (Laurel Urban Renewal District), Series 2020 (the "Series 2020 Bond"), in a negotiated sale to Western Security Bank, a division of Glacier Bank (the "Original Purchaser"), as authorized by Section 7-15-4301(1)(a) of the Act. The Original Purchaser has agreed to purchase the Series 2020 Bond at the purchase price of \$3,055,000, subject to the terms and conditions hereof.

1.09. Findings and Determinations. All acts, conditions and things required by the Constitution and laws of the State, including the Act, in order to pledge the Tax Increment to the payment of the Bonds, to make the Series 2020 Bond valid and binding special, limited obligations of the City in accordance with their terms and in accordance with the terms of this Resolution have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required.

Section 2. The Bonds.

2.01. General Title. The general title of the Bonds of all series shall be "Tax Increment Urban Renewal Revenue Bonds (Laurel Urban Renewal District)," with appropriate additions for refunding Bonds and to distinguish Bonds of each series from Bonds of other series.

2.02. General Limitations; Issuable in Series. The aggregate principal amount of Bonds that may be authenticated and delivered and Outstanding under this Resolution is not limited, except as provided in Section 4 and except as may be limited by law.

The Bonds may be issued in series as from time to time authorized by the City.

The Bonds are special, limited obligations of the City. The Bonds are not general obligations of the City and neither the general credit nor the taxing power of the City, Yellowstone County or the State is pledged to the payment of the Bonds or the interest thereon. Principal of, premium, if any, and interest on the Bonds (except to the extent expressly payable out of proceeds of the Bonds) are payable solely from the Tax Increment or other sources which may be pledged to the payment of any series of Bonds. Yellowstone County and the State shall in no event be liable for the payment of the principal of, premium, if any, or interest on the Bonds or the performance of any pledge of any kind whatsoever that may be undertaken by the City with respect thereto. Neither the Bonds nor any of the agreements or obligations of the City contained herein or therein shall be construed to constitute an indebtedness of the City, Yellowstone County or the State within the meaning of any constitutional or statutory provisions whatsoever.

If any Payment Date or Redemption Date shall be on a day which is not a Business Day, then payment of principal of, premium, if any, or interest due on such day may be made on the next succeeding Business Day, with the same force and effect as if made on such Payment Date or Redemption Date (whether or not such next succeeding Business Day occurs in a succeeding month), and no interest shall accrue for the intervening period.

2.03. Terms of a Particular Series. Each series of Bonds (except the Series 2020 Bond, which is created by Section 3) shall be created by a Supplemental Resolution and pursuant to Section 4. The City may, at the time of the creation of any series of Bonds or at any time thereafter make, and the Bonds of that series may also contain, provision for a sinking, amortization, improvement or other analogous fund. All Bonds of the same series shall be substantially identical except as to denomination and the differences specified herein or in a Supplemental Resolution between interest rates, Stated Maturities and redemption provisions.

2.04. Form and Denominations. The form of the Bonds (other than the Series 2020 Bond, as to which specific provision is made in Section 3) shall be established by the Supplemental Resolution creating such series.

The Bonds of any series shall be issuable as fully registered Bonds, in such denominations as shall be provided in the Supplemental Resolution creating such series (other than the Series 2020 Bond, as to which specific provision is made in Section 3).

2.05. Execution and Delivery. Each Bond shall be executed on behalf of the City by the officials of the City specified in a Supplemental Resolution (other than the Series 2020 Bond, as to which specific provision is made in Section 3). The signature of any official may be facsimile, if permitted by applicable law. Bonds bearing the manual or facsimile signatures of individuals who were at any time the proper officials of the City shall bind the City, notwithstanding that such individuals or any of them have ceased to hold such offices prior to the delivery of such Bonds or did not hold such offices at the date of such Bonds.

At any time and from time to time, the City may deliver Bonds executed by the proper officers of the City to the Registrar for authentication, and the Registrar shall authenticate and

deliver such Bonds as specified in a Supplemental Resolution (other than the Series 2020 Bond, as to which specific provision is made in Section 3).

Section 3. The Series 2020 Bond.

3.01. Payment Terms. The Series 2020 Bond shall be issued in the maximum principal amount of \$3,055,000, shall be dated, as originally issued, and be registered as of its date of delivery and shall be issued as a single, fully registered bond. Principal of the Series 2020 Bond, together with interest thereon at the rate of 3.38% per annum, shall be payable in semi-annual installments of principal and interest due on each January 1 and July 1 (each, a Payment Date), commencing July 1, 2020 and concluding January 1, 2045, unless earlier prepaid or redeemed, in the amounts and on the respective dates set forth in Schedule I to the form of the Series 2020 Bond. Interest on the Series 2020 Bond shall be calculated on the basis of a 360-day year composed of twelve 30-day months. The Series 2020 Bond is an Installment Payment Bond.

3.02. Record Dates. Principal and interest on the Series 2020 Bond shall be payable to the Owner of record thereof as such appears on the Bond Register as of the close of business on the fifteenth day of the month immediately preceding each Payment Date, whether or not such day is a business day.

3.03. System of Registration. The City shall appoint, and shall maintain, a Registrar for the Series 2020 Bond. This Section 3.03 shall establish a system of registration for the Series 2020 Bond as defined in the Model Public Obligations Registration Act of Montana, Montana Code Annotated, Title 17, Chapter 5, Part 11, as amended (the “Registration Act”). The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Bond Register. The Registrar shall keep at its principal office a Bond Register in which the Registrar shall provide for the registration of ownership of Series 2020 Bond and the registration of transfers and exchanges thereof.

(b) Transfer. Upon surrender for transfer of the Series 2020 Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, a new Series 2020 Bond of the same series and a like aggregate principal amount, interest rate and payment schedule or maturity as requested by the transferor. The Registrar may, however, close the books for registration of the transfer of any Series 2020 Bond or portion thereof selected or called for redemption.

(c) Exchange. Whenever the Series 2020 Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver a new Series 2020 Bond of the same series and a like aggregate principal amount, interest rate and payment schedule or maturity, as requested by the registered owner or the owner’s attorney in writing.

(d) Cancellation. The Series 2020 Bond surrendered upon any transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of.

(e) Improper or Unauthorized Transfer. When the Series 2020 Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Series 2020 Bond or separate instrument of transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name the Series 2020 Bond is at any time registered in the Bond Register as the absolute Owner of such Series 2020 Bond, whether such Series 2020 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, premium, if any, and interest on such Series 2020 Bond and for all other purposes, and all such payments so made to any such registered Owner or upon the Owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Series 2020 Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of the Series 2020 Bond (except upon a partial redemption of the Series 2020 Bond pursuant to Section 3.05), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Series 2020 Bond. In case the Series 2020 Bond shall become mutilated or be lost, stolen or destroyed, the Registrar shall deliver a new Series 2020 Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of such mutilated Series 2020 Bond or in lieu of and in substitution for such Series 2020 Bond lost, stolen or destroyed, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Series 2020 Bond lost, stolen or destroyed, upon filing with the Registrar of evidence satisfactory to it that such Series 2020 Bond was lost, stolen or destroyed, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. The Series 2020 Bond so surrendered to the Registrar shall be cancelled by it and evidence of such cancellation shall be given to the City. If the mutilated, lost, stolen or destroyed Series 2020 Bond has already matured or such Series 2020 Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Series 2020 Bond prior to payment.

3.04. Initial Bond Registrar. The City hereby appoints the City Clerk-Treasurer as the initial Registrar for the Series 2020 Bond. The City reserves the right to appoint a bank, trust company or financial institution as successor registrar, transfer agent or paying agent, as authorized by the Registration Act, and the City agrees to pay the reasonable and customary charges of the Registrar for the services performed.

3.05. Optional Prepayment and Redemption. The Series 2020 Bond is subject to prepayment and redemption at the option of the City on April 15, 2030 and any date thereafter, with 30 days' prior written notice to the registered owner of the Series 2020 Bond, in whole or in part, at a price of the principal amount being prepaid and redeemed plus interest thereon through the date of prepayment or redemption, without premium or penalty. Following each prepayment, the registered owner of the Series 2020 Bond will reamortize the debt service over the then-remaining term. So long as the Series 2020 Bond is held by one registered owner, upon partial prepayment, there shall be no need to exchange a new bond for the unredeemed portion of the existing bond; provided that, if the debt service of the Series 2020 Bond is reamortized as provided above in this Section, the debt service schedule attached as Schedule I to the Series 2020 Bond shall be replaced by the debt service schedule reflecting the reamortization of the principal then outstanding in substantially equal semi-annual installments of principal and interest.

3.06. Execution and Delivery of Series 2020 Bond. The Series 2020 Bond shall be forthwith prepared for execution under the direction of the City Clerk-Treasurer, at the expense of the City, and shall be executed on behalf of the City and authenticated as provided in Section 2.05. When the Series 2020 Bond has been fully executed and authenticated, it shall be delivered by the Registrar to the Original Purchaser thereof upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Original Purchaser thereof shall not be obligated to see to the application of the purchase price.

3.07. Form of Series 2020 Bond. The Series 2020 Bond shall be in substantially the form set forth in Exhibit A hereto (which is hereby incorporated herein and made a part hereof), with such appropriate variations, omissions and insertions as are permitted or required by the Resolution.

3.08. Transcript Certification. The officers of the City are directed to furnish to the Original Purchaser of the Series 2020 Bond and to Bond Counsel certified copies of all proceedings and information in their official records relevant to the authorization, sale and issuance of the Series 2020 Bond, and such certificates and affidavits as to other matters appearing in their official records or otherwise known to them as may be reasonably required to evidence the validity and security of the Series 2020 Bond, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations and recitals of the City as to the correctness of all facts stated therein and the completion of all proceedings stated therein to have been taken.

3.09. Application of Bond Proceeds. The City shall deposit the proceeds of the sale of the Series 2020 Bond in the Construction Account in the Tax Increment Capital Project Account to be used to pay costs of the 2020 Project.

Section 4. Additional Bonds.

4.01. General Provisions. In addition to the Series 2020 Bond, whose issuance and delivery is provided for in Section 3, Additional Bonds may at any time and from time to time be issued, sold and delivered by the City but only upon compliance with the conditions of

Sections 4.02 and 4.03, whichever may be applicable, and upon filing with the City Clerk-Treasurer the following:

(i) A Supplemental Resolution authorizing the issuance of such series of Additional Bonds and the sale thereof to the Original Purchaser or Purchasers named therein for the purchase price set forth therein.

(ii) A certificate executed by the Mayor and the City Clerk-Treasurer stating that upon the issuance of such series of Additional Bonds, no default hereunder has occurred and is continuing which would not be cured upon the issuance of such series of Additional Bonds and application of the proceeds thereof.

Any Additional Bonds shall be dated, shall bear interest at a rate or rates, shall have Stated Maturities, and may be subject to redemption at such times and prices and on such terms and conditions, all as may be provided by the Supplemental Resolution authorizing their issuance. All Additional Bonds issued pursuant to Sections 4.02 and 4.03 shall be payable and secured ratably and equally and on a parity with the Series 2020 Bond and any Additional Bonds theretofore issued, entitled to the same benefits and security of this Resolution.

4.02. Additional Bonds To Pay the Cost of Projects. Additional Bonds may be issued under this Section 4.02 subject to the conditions provided in Section 4.01 and this Section 4.02, for the purpose of providing funds, with any other funds available and committed therefor, for paying the cost of one or more Projects and any expenses in connection with such financing, provided that, prior to the execution and delivery of any series of Additional Bonds under this Section 4.02, there shall be filed with the City Clerk-Treasurer:

(i) A certificate executed by the Mayor and the City Clerk-Treasurer stating: (A) the estimated cost of the Projects being financed thereby, including an allowance for contingencies and all fees, expenses and financing costs, (B) the amount, if any, which will be required to be credited to the Bond Account to pay interest on the Additional Bonds prior to collection of sufficient Tax Increment available therefor, (C) the amount of Tax Increment received by the City in the last completed Fiscal Year, (D) the amount of the maximum Principal and Interest Requirements on the Outstanding Bonds and the Additional Bonds proposed to be issued for any future Fiscal Year during the term of the Outstanding Bonds, and (E) that the principal amount of such Additional Bonds is sufficient to provide for the payment of all estimated costs of Project to be financed thereby and credits to the Bond Account as set forth above; and

(ii) a certificate executed by the Mayor and the City Clerk-Treasurer stating that the Tax Increment received by the City in the last completed Fiscal Year, which may in the City's discretion be adjusted as provided in the next sentence, was equal to at least 120% of the maximum Principal and Interest Requirements for any future calendar year (during the term of the Outstanding Bonds) with respect to Outstanding Bonds and the Additional Bonds proposed to be issued. For this purpose, the Tax Increment received by the City in the last

completed Fiscal Year may be adjusted by adding 90% of any increase in Tax Increment which would have resulted from applying the aggregate tax rates of the Taxing Bodies effective for the last completed Fiscal Year to the then-current taxable value of the District as of the date of calculation, including any projects which have been completed or are underway in the District, whether or not the taxable values of which, in whole or in part, are included in the certified actual taxable value (as defined in the Act) of the District. Any adjustments to the Tax Increment made in accordance with this paragraph will be based on information supplied by developers or owners of the projects or their representatives and in consultation with the Montana Department of Revenue.

This Council shall approve and confirm the findings and estimates set forth in the above-described certificates in the Supplemental Resolution authorizing the issuance of the Additional Bonds.

4.03. Additional Bonds for Refunding Purposes. Additional Bonds may be issued under this Section 4.03, at one time or from time to time, subject to the conditions provided in Section 4.01 and this Section 4.03, for the purpose of providing funds, with any other funds available and committed therefor, for paying at, or redeeming prior to, their Stated Maturities any Outstanding Bonds, including the payment of any redemption premium thereon and interest which will accrue on such Bonds to any Redemption Date or the Stated Maturities thereof, and any expenses in connection with such financing. Such Additional Bonds shall be designated substantially as the Bonds to be refunded, with the addition of the term “refunding”.

Prior to the execution and delivery of any series of Additional Bonds under this Section 4.03, there shall be filed with the City Clerk-Treasurer:

- (i) such documents as shall be required to show that provisions have been duly made in accordance with this Resolution for the redemption of all of the Outstanding Bonds to be refunded; and

- (ii) either (a) a certificate executed by the Mayor and City Clerk-Treasurer stating that the proceeds (excluding accrued interest but including any premium) of the Additional Bonds plus any moneys to be withdrawn from the Bond Account for such purpose, together with any other funds deposited for such purpose, will be not less than an amount sufficient to pay the Redemption Price on the Outstanding Bonds to be refunded, or (b) a report of an Independent Accountant to the effect that from such proceeds there shall be deposited in trust, Defeasance Obligations which do not permit the redemption thereof at the option of the issuer, the principal of and the interest on which when due and payable (or redeemable at the option of the holder thereof) will provide, together with any other moneys which shall have been deposited in trust irrevocably for such purpose, but without reinvestment, sufficient moneys to pay such principal, redemption premium and interest.

If Additional Bonds are issued to refund Subordinate Obligations issued pursuant to Section 4.04, the conditions for the issuance of Additional Bonds pursuant to Section 4.02 must be satisfied in lieu of this Section 4.03.

4.04. Subordinate Obligations. Except as provided in Sections 4.01, 4.02 and 4.03, no bonds, notes or other evidence of indebtedness of the City will be issued under or secured by the provisions of this Resolution and made payable from the Tax Increment Accounts, unless the pledge and appropriation of Tax Increment for the payment and security of such bonds, notes or other evidence of indebtedness is expressly subordinated to the pledge and appropriation made for the benefit and security of the Series 2020 Bond and all Additional Bonds issued and to be issued under and secured by this Resolution in accordance with Sections 4.01, 4.02 and 4.03. In the event of the issuance of any such Subordinate Obligations, the principal, redemption premium and interest thereon will be made payable from one or more additional accounts created within the Tax Increment Accounts for that purpose, and the balance of funds at any time on hand in any such accounts shall be available and shall be transferred whenever needed to meet the current requirements of the Bond Account.

Section 5. The Tax Increment Accounts.

5.01. Bond Proceeds and Tax Increment Pledged and Appropriated. The City hereby establishes on its books and records three accounts designated as the Tax Increment Capital Project Account, the Tax Increment Debt Service Account and the Tax Increment Development Account (collectively, the "Tax Increment Accounts"). The Tax Increment Accounts shall be maintained as separate and special bookkeeping accounts on the official books and records of the City until all Bonds have been fully paid, or the City's obligation with reference to all Bonds has been discharged as provided in this Resolution.

All proceeds of Bonds and all other funds hereafter received or appropriated for purposes of the Projects are appropriated to the Tax Increment Accounts (except amounts otherwise appropriated in a Supplemental Resolution or received from Additional Bonds issued to refund Outstanding Bonds pursuant to Section 4.03). All Tax Increment is irrevocably pledged and appropriated and shall be credited as received to the Tax Increment Debt Service Account. Outstanding Bonds shall be secured by a first pledge of and lien on all of the Tax Increment and all other moneys from time to time in the Tax Increment Accounts in the manner and to the extent provided in this Section 5. The City shall not issue any obligation or security superior to or on a parity with the Series 2020 Bond, payable or secured, in whole or in part, from or by the Tax Increment other than Additional Bonds issued pursuant to Sections 4.01, 4.02 or 4.03, until all of the Bonds have been paid or discharged as provided herein. The Tax Increment Accounts shall be subdivided into separate accounts as designated and described in Sections 5.03 to 5.06.

5.02. Tax Increment Receipts. All Tax Increment received by the City and credited to the Tax Increment Debt Service Account, as required in Section 5.01, shall be credited as received as follows: (a) first, to the Interest Account, until the balance on hand in the Interest Account is at least equal to all interest on Bonds due and payable from the Interest Account within the next six full calendar months; (b) second, after any credit to the Interest Account required by the preceding clause, to the Principal Account, until the balance on hand in the Principal Account is at least equal to all principal of and premium, if any, on Bonds due and

payable from the Principal Account (including amounts due and payable on a Sinking Fund Payment Date) within the next twelve full calendar months for Bonds with principal payable annually and within the next six full calendar months for Bonds with principal payable semiannually; and (c) third, after any credit to the Interest Account or the Principal Account required by the preceding clauses, to the Tax Increment Development Account.

5.03. Construction Account. For each Project there shall be a separate Construction Account within the Tax Increment Capital Project Account, to be used only to pay allowed costs as incurred, which under accepted accounting principles are costs of the particular Project, including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands and easements, interest accruing on Bonds during the period of construction of a Project financed thereby and for a period of time thereafter authorized by the Act and deemed necessary by this Council, if and to the extent that amounts on hand in the Interest Account are not sufficient for payment of such interest, reimbursement of any loans or advances made from other City funds, and all other expenses incurred in connection with the acquisition, construction and financing of the Project. To the Construction Account shall be credited as received all proceeds of Bonds issued to finance such Project, except amounts otherwise appropriated in a Supplemental Resolution or received from Additional Bonds issued to refund Outstanding Bonds pursuant to Section 4.03 and all other funds appropriated by the City for the Project, and all income received from the investment of the Construction Account. Upon completion of any Project and payment of the cost thereof, the City may transfer any money then remaining in the Construction Account for that Project to the Interest Account or the Principal Account and used to pay or redeem Bonds or portions thereof.

5.04. Bond Account. The Bond Account is hereby established as a special account within the Tax Increment Debt Service Account. There are hereby established within the Bond Account two separate subaccounts, designated as the Interest Account and the Principal Account.

(a) Interest Account. There shall be credited to the Interest Account the following amounts: (i) from the Tax Increment as received by the City, the amount specified in clause (a) of Section 5.02; and (ii) any amount specified in any Supplemental Resolution to be credited to the Interest Account.

On or before each Interest Payment Date, the City shall withdraw from the Interest Account an amount sufficient to pay the interest due on the Bonds on such Interest Payment Date, and shall use such amount to pay, or make provision with the Registrar for the payment of, interest of the Bonds on such Interest Payment Date.

If on any Interest Payment Date the balance in the Interest Account is not sufficient to pay the total amount of principal due on such Interest Payment Date, the City shall transfer any money then on hand in any account established to pay a Subordinate Obligation, the Tax Increment Development Account, the Construction Account, or the Principal Account, in the order listed and in an amount equal to such deficiency, to the Interest Account.

All income derived from the investment of amounts in the Interest Account shall be credited as received to the Interest Account.

(b) Principal Account. There shall be credited to the Principal Account the following amounts: (i) from the Tax Increment as received by the City, the amount specified in clause (b) of Section 5.02; and (ii) any amount specified in a Supplemental Resolution to be credited to the Principal Account.

Amounts on hand in the Principal Account shall be used on any Interest Payment Date to make up a deficiency in the Interest Account, if and to the extent required by the third subparagraph of paragraph (a) of this Section 5.04.

On or before each Principal Payment Date, the City shall withdraw from the Principal Account an amount sufficient to pay the principal due on the Bonds on such Principal Payment Date, and shall use such amount to pay, or make provision with the Registrar for the payment of, principal of the Bonds on such Principal Payment Date.

If on any Principal Payment Date the balance in the Principal Account is not sufficient to pay the total amount of principal due on such Principal Payment Date, the City shall transfer any money then on hand in any account established to pay a Subordinate Obligation, the Tax Increment Development Account, or Construction Account, in the order listed and in an amount equal to such deficiency, to the Principal Account.

All income derived from the investment of amounts in the Principal Account shall be credited as received to the Principal Account.

5.05. Tax Increment Development Account. There shall be credited to the Tax Increment Development Account any and all Tax Increment remaining after the required credits to the Bond Account and any investment income and other moneys in any of the accounts within the Tax Increment Accounts in excess of the requirements of said accounts and which the City determines in its discretion to transfer to the Tax Increment Development Account. Money from time to time on hand in the Tax Increment Development Account shall be transferred to the Bond Account as provided by Section 5.04 and may be used for any authorized purpose in accordance with the Act and other applicable State law.

5.06. Investments. The City Clerk-Treasurer shall cause all moneys from time to time in the Tax Increment Accounts to be deposited as received with one or more depository banks duly qualified in accordance with the provisions of Montana Code Annotated, Section 7-6-201, as amended, and shall cause the balances in such accounts, except any part thereof covered by federal deposit insurance, to be secured by the pledge of bonds or securities of the kinds required by law, and no money shall at any time be withdrawn from such deposit accounts except for the purposes of the Tax Increment Accounts as defined and authorized by this Resolution. The funds to the credit of the several accounts within the Tax Increment Accounts may be commingled in one or more deposit accounts. The balance on hand in any of the accounts of the Tax Increment Accounts may at any time be invested and reinvested in Qualified Investments as provided below, maturing and bearing interest payable at the times and in the amounts estimated

to be required to provide cash when needed for the purposes of the respective accounts. Income from the investment of the moneys in the various accounts shall be credited thereto. Subject to the provisions of law now or hereafter controlling investment of such funds, money on hand in any of the accounts of the Tax Increment Accounts may be invested in any of the following Qualified Investments, but no others:

- (a) direct obligations of or obligations guaranteed by the United States of America;
- (b) bank time deposits or certificates of deposit secured by obligations and securities described in clause (a) above; and
- (c) the short-term investment pool administered by the Board of Investments of the State or any successor investment pool created pursuant to Montana law.

Section 6. Tax Covenants and Certifications.

6.01. Security for the Series 2020 Bond. The City shall not enter into any lease, use or other agreement or arrangement with any non-governmental Person relating to the use of the 2020 Project or security for the payment of the Series 2020 Bond which might cause the Series 2020 Bond to be considered a “private activity bond” or “private loan bond” within the meaning of Section 141 of the Code. No “impermissible agreement” as defined in Section 1.141-4(e)(4)(ii) of the Regulations, has been or will be entered into by the City in respect of the Tax Increment or otherwise to secure the Series 2020 Bond.

6.02. General Covenant. The City covenants and agrees with the Owners from time to time of the Series 2020 Bond that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Series 2020 Bond to become includable in gross income for federal income tax purposes under the Code and applicable Regulations, and covenants to take any and all actions within its powers to ensure that the interest on the Series 2020 Bond will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

6.03. Arbitrage Certification. The Mayor and the City Clerk-Treasurer, being the officers of the City charged with the responsibility for issuing the Series 2020 Bond pursuant to this Resolution, are authorized and directed to execute and deliver to the Original Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2020 Bond, it is reasonably expected that the proceeds of the Series 2020 Bond will not be used in a manner that would cause the Series 2020 Bond to be “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations.

6.04. Arbitrage Rebate Exemption.

- (a) The City hereby represents that the Series 2020 Bond qualifies for the exception for small governmental units to the arbitrage rebate provisions contained in Section 148(f) of the Code. Specifically, the City represents:

- (i) Substantially all (not less than 95%) of the proceeds of the Series 2020 Bond (except for amounts to be applied to the payment of costs of issuance) will be used for local governmental activities of the City.
- (ii) The aggregate face amount of all “tax-exempt bonds” (including warrants, contracts, leases and other indebtedness, but excluding private activity bonds) issued by or on behalf of the City and all subordinate entities thereof during 2020 is reasonably expected not to exceed \$5,000,000. To date in 2020, the City has issued no tax-exempt bonds, and in the calendar years 2015 through 2019, the City issued no tax-exempt bonds except for its Special Improvement District No. 119 Bond, Series 2019, Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2018, Special Improvement District Bond (Special Improvement District No. 118), Series 2017, Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2016, and Special Improvement District No. 117 Bond, Series 2016.

(b) If notwithstanding the provisions of paragraph (a) of this Section 6.04, the arbitrage rebate provisions of Section 148(f) of the Code apply to the Series 2020 Bond, the City hereby covenants and agrees to make the determinations, retain records and rebate to the United States the amounts at the times and in the manner required by said Section 148(f).

6.05. Information Reporting. The City shall file with the Secretary of the Treasury, not later than August 15, 2020, a statement concerning the Series 2020 Bond containing the information required by Section 149(e) of the Code.

6.06. “Qualified Tax-Exempt Obligation.” Pursuant to Section 265(b)(3)(B)(ii) of the Code, the City hereby designates the Series 2020 Bond as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code. The City has not designated any obligations in 2020, other than the Series 2020 Bond, under Section 265(b)(3). The City hereby represents that it does not anticipate that obligations bearing interest not includable in gross income for purposes of federal income taxation under Section 103 of the Code (including refunding obligations as provided in Section 265(b)(3) of the Code and including “qualified 501(c)(3) bonds” but excluding other “private activity bonds,” as defined in Sections 141(a) and 145(a) of the Code) will be issued by or on behalf of the City and all “subordinate entities” of the City in 2020 in an amount greater than \$10,000,000.

Section 7. Other Covenants of City.

7.01. Punctual Payment. Subject to the extent of the availability of Tax Increment, the City will duly and punctually pay or cause to be paid the principal of, premium, if any, and interest on the Bonds in accordance with the terms of this Resolution and any applicable Supplemental Resolution and of the Bonds, and it will faithfully observe and perform all of the

conditions, covenants and requirements of this Resolution and all Supplemental Resolutions and of the Bonds. Nothing herein contained shall prevent the City from making advances of its own moneys however derived to any of the uses or purposes referred to herein, nor shall be deemed or constitute a pledge or appropriation of funds or assets of the City other than those expressly pledged or appropriated hereby. The City further covenants that it will promptly deposit or cause to be deposited all Tax Increment it receives into the Tax Increment Debt Service Account, as set forth in Section 5.

7.02. Accumulation of Claims of Interest. In order to prevent any accumulation of claims for interest after maturity, the City will not, directly or indirectly, extend or consent to the extension of the time for the payment of any claim for interest on any of the Bonds and will not, directly or indirectly, be a party to or approve any such arrangements by purchasing or funding said claims for interest or in any other manner. In case any such claim for interest shall be extended or funded, whether or not with the consent of the City, such interest so extended or funded shall not be entitled, in case of default hereunder, to the benefits of this Resolution, except subject to the prior payment in full of the principal of all of the Bonds then outstanding and of all claims for interest which shall not have been so extended or funded.

7.03. Against Encumbrances. The City will not encumber, pledge or place any charge or lien upon any of the Tax Increment superior to or on a parity with the pledge and lien herein created for the benefit of the Bonds.

7.04. Books and Accounts; Financial Statements. The City will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the City, in which complete and correct entries shall be made of all transactions relating to the Tax Increment and the Tax Increment Debt Service Account and the Tax Increment Development Account. Such books of record and accounts shall be at all times during business hours subject to the inspection of the Owners of not less than ten percent (10%) of the principal amount of Outstanding Bonds, or their representatives authorized in writing.

7.05. Further Assurances. The City will adopt, make, execute and deliver any and all such further resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention or to facilitate the performance of this Resolution, and for the better assuring and confirming unto the Owners of the rights and benefits provided in this Resolution.

7.06. Amendment of Ordinance. Except to authorize additional Projects, the City will not amend or modify the Ordinance or reduce the size of the District if an effect thereof will be to materially and adversely affect the security of the Outstanding Bonds.

7.07. Increase in Base Taxable Value. The City shall not increase the base taxable value (as defined in the Act) of the District pursuant to Section 7-15-4287 of the Act so long as any Bonds are Outstanding.

7.08. Pledge of Replacement Revenues. In the event the Constitution or laws of the State are amended to abolish or substantially reduce or eliminate real or personal property taxation and State law then or thereafter provides to the City an alternate or supplemental source or sources of revenue specifically to replace or supplement reduced or eliminated Tax Increment,

then the City pledges, and covenants to appropriate annually, subject to the limitations of then applicable law, to the Bond Account from such alternate or supplemental revenues an amount that will, with money on hand in the Bond Account, be sufficient to pay the principal of, premium, if any, and interest on the Outstanding Bonds payable in that Fiscal Year.

7.09. Owners' Rights. No Owner of any Bond issued and secured under the provisions of this Resolution shall have the right to institute any proceeding, judicial or otherwise, for the enforcement of the covenants herein contained, without the written concurrence of the Owners of not less than 25% in aggregate principal amount of all Outstanding Bonds; but the Owners of such aggregate principal amount of Outstanding Bonds may, either at law or in equity, by suit, action or other proceedings, protect and enforce the rights of all Owners of Bonds and compel the performance of any and all of the covenants required herein to be performed by the City and its officers and employees. The Owner of a majority in aggregate principal amount of all Outstanding Bonds shall have the right to direct the time, method and place of conducting any proceedings for any remedy available to the Owners or the exercise of any power conferred on them, and the right to waive a default in the performance of any such covenant, and its consequences, except a default in the payment of the principal of or interest on any Bond when due. Nothing herein shall impair the absolute and unconditional right of the Owner of each Bond to receive payment of the principal of and interest on any Bond as such principal and interest respectively become due, and to institute suit for the enforcement of any such payment. In the event of default in any such payment, any court having jurisdiction of the action may appoint a receiver to administer the Tax Increment Accounts and to collect and segregate and apply the Tax Increment and other revenues pledged thereto as provided by this Resolution or any Supplemental Resolution and the Act.

Section 8. Supplemental Resolutions.

8.01. General. Notwithstanding Section 8.02, the City reserves the right to adopt Supplemental Resolutions to this Resolution from time to time and at any time, for the purpose of curing any ambiguity or of curing, correcting or supplementing any defective provision contained herein, or of making such provisions with regard to matters or questions arising hereunder as the City may deem necessary or desirable and not inconsistent with this Resolution, and which shall not adversely affect the interests of the Owners of Bonds issued hereunder, or for the purpose of adding to the covenants and agreements herein contained, or to the Tax Increment herein pledged, other covenants and agreements thereafter to be observed and additional revenues or income thereafter appropriated to the Tax Increment Accounts, or for the purpose of surrendering any right or power herein reserved to or conferred upon the City, or for the purpose of authorizing the creation and issuance of a series of Additional Bonds, as provided in and subject to the conditions and requirements of Section 4. Any such Supplemental Resolution may be adopted without the consent of the Owner of any of the Bonds issued hereunder.

8.02. Consent of Owners. With the consent of the Owners of a majority in principal amount of Outstanding Bonds affected thereby as provided in Section 8.04, the City may from time to time and at any time adopt a Supplemental Resolution for the purpose of amending this Resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof or of any Supplemental Resolution, except that no Supplemental Resolution

shall be adopted at any time without the consent of the Owners of all Outstanding Bonds affected thereby, if it would extend the time of payment of interest thereon, would reduce the amount of the principal thereof or redemption premium thereon, would give to any Bond or Bonds any privilege over any other Bond or Bonds (except for the privilege accorded Bonds over Subordinate Obligations), would reduce the sources of Tax Increment or other revenues or income appropriated to the Tax Increment Accounts, or would reduce the percentage in principal amount of such Bonds required to authorize or consent to any such Supplemental Resolution.

8.03. Notice. Notice of a Supplemental Resolution to be adopted pursuant to Section 8.02 shall be mailed by first-class mail, postage prepaid, or given by such other means as required by a securities depository, if applicable, to the Owners of all Outstanding Bonds at their addresses appearing in the Bond Register and shall become effective only upon the filing of written consents with the City Clerk-Treasurer, signed by the Owners of the requisite principal amount of Outstanding Bonds affected thereby. Any written consent to the Supplemental Resolution may be embodied in and evidenced by one or any number of concurrent written instruments of substantially similar tenor signed by Owners thereof in person or by agent duly appointed in writing, and shall become effective when delivered to the City Clerk-Treasurer. Any consent by the Owner of any Bond shall bind that Owner and every future Owner of the same Bond with respect to any Supplemental Resolution adopted by the City pursuant to such consent; provided that any Owner may revoke his consent with reference to any Bond by written notice received by the City Clerk-Treasurer before the Supplemental Resolution has become effective. In the event that unrevoked consents of the Owners of the requisite principal amount of Bonds have not been received by the City Clerk-Treasurer within one year after the publication of notice of the Supplemental Resolution, the Supplemental Resolution and all consents theretofore received shall be of no further force and effect.

8.04. Manner of Consent. Proof of the execution of any consent, or of a writing appointing any agent to execute the same, shall be sufficient for any purpose of this Resolution and shall be conclusive in favor of the City if made in the manner provided in this Section 8.04. The fact and date of the execution by any Person of any such consent may be proved by the affidavit of a witness of such execution or by the certification of any notary public or other officer authorized by law to take acknowledgment of deeds, certifying that the Person signing it acknowledged to him the execution thereof. The fact and date of execution of any such consent may also be proved in any other manner which the City may deem sufficient; but the City may nevertheless, in its discretion, require further proof in cases where it deems further proof desirable. The ownership of any Bonds shall be proved by the Bond Register.

Section 9. Defeasance or Discharge.

9.01. General. When the liability of the City on all Bonds issued under and secured by this Resolution and all interest thereon has been discharged as provided in this Section 9, all pledges, covenants and other rights granted by this Resolution to the Owners of such Bonds shall cease.

9.02. Maturity. The City may discharge its liability with reference to all Bonds and interest thereon which are due on any date by depositing with the Registrar on or before the date a sum sufficient for the payment thereof in full; or if any Bond or interest thereon shall not be

paid when due, the City may nevertheless discharge its liability with reference thereto by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

9.03. Redemption. The City may also discharge its liability with reference to any Bonds which are called for redemption on any date in accordance with their terms, by depositing with the Registrar on or before that date an amount equal to the principal, redemption premium, if any, and interest which are then due thereon; provided that notice of such redemption has been given or irrevocably provided for as provided in this Resolution.

9.04. Escrow. The City may also at any time discharge its liability in its entirety with reference to any Bond subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or Defeasance Obligations which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal, redemption premiums, if any, and interest to become due on such Bond at its Stated Maturity or Payment Date or, if such Bond is prepayable and notice of redemption thereof has been given or irrevocably provided for as provided in this Resolution, to such earlier Redemption Date.

Section 10. Repeals and Effective Date.

10.01. Repeal. All provisions of other resolutions and other actions and proceedings of the City and this Council that are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

10.02. Effective Date. This Resolution shall take effect immediately upon its passage and adoption by this Council.

PASSED AND APPROVED by the City Council of the City of Laurel, Montana, this
24th day of March, 2020.

Mayor

Attest: _____
City Clerk-Treasurer

EXHIBIT A

UNITED STATES OF AMERICA
STATE OF MONTANA
COUNTY OF YELLOWSTONE

CITY OF LAUREL

TAX INCREMENT URBAN RENEWAL REVENUE BOND
(LAUREL URBAN RENEWAL DISTRICT), SERIES 2020

No. R-1 \$3,055,000.00

Interest	Final Payment	Date of
<u>Rate</u>	<u>Date</u>	<u>Original Issue</u>
3.38%	January 1, 2045	April 15, 2020

REGISTERED HOLDER: WESTERN SECURITY BANK, DIVISION OF GLACIER
BANK

PRINCIPAL AMOUNT: THREE MILLION FIFTY-FIVE THOUSAND DOLLARS AND
NO/100

FOR VALUE RECEIVED, CITY OF LAUREL, MONTANA (the “City”), a duly organized municipal corporation, acknowledges itself to be specially indebted and hereby promises to pay to the registered owner specified above or registered assigns, solely from the Tax Increment Debt Service Account, on each Payment Date specified on the attached Schedule I, the dollar amount corresponding to that Payment Date as set forth on such Schedule I, all subject to the provisions hereinafter described relating to the redemption of this Bond prior to maturity or final payment date. This Bond bears interest at the rate per annum specified above from the date of original issue specified above, or from such later date to which interest hereon has been paid or duly provided for, until the final installment payment date specified above or an earlier date on which this Bond shall have been duly called for redemption. Principal of and interest on this Bond are payable in semi-annual installments of principal and interest due on each January 1 and July 1, commencing July 1, 2020, in accordance with the payment installment schedule attached hereto as Schedule I, as such schedule may be amended from time to time as described hereinafter. The owner of record of this Bond is the owner appearing as such in the bond register as of the close of business on the 1st day (whether or not a business day) of the month immediately preceding a Payment Date. Interest on and principal of this Bond are payable by check or draft drawn by the Bond Registrar. Interest on this Bond shall be calculated on the basis of a 360-day year composed of twelve 30-day months. The City Clerk-Treasurer shall initially serve as the Bond Registrar for this Bond.

This Bond is one of a duly authorized issue of Bonds of the City designated as “Tax Increment Urban Renewal Revenue Bond (Laurel Urban Renewal District)” (collectively, the “Bonds”), issued and to be issued in one or more series under, and all equally and ratably secured

by Resolution No. _____, adopted by the City Council on March 24, 2020 (the “Resolution”), to which Resolution (copies of which are on file with the City) reference is hereby made for a description of the nature and extent of the security, the respective rights thereunder of the Owners of the Bonds and the City and the terms upon which the Bonds are to be issued and delivered. Capitalized terms used herein but not otherwise defined shall have the respective meanings given such terms in the Resolution. This Bond constitutes an issue that evidences a loan from the Original Purchaser to the City in the aggregate principal amount of \$3,055,000 (the “Series 2020 Bond”) for the purpose of paying a portion of the costs of the 2020 Project.

The Series 2020 Bond is issued pursuant to and in full compliance with the Constitution and laws of the State of Montana, particularly Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the “Act”), and pursuant to the Resolution. The Series 2020 Bond is payable solely, and equally and ratably with Additional Bonds that may be issued hereafter, from Tax Increment received by the City, except that under certain conditions as described in the Resolution, the Series 2020 Bond may be payable from replacement revenues, if any, provided in the event of the abolition or substantial elimination of property taxation in Montana. By the Resolution, the City has pledged the Tax Increment received by the City to the Tax Increment Debt Service Account.

The Series 2020 Bond is not a general obligation of the City and the City’s general credit and taxing powers are not pledged to the payment of the Series 2020 Bond or the interest thereon. The Series 2020 Bond shall not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitations.

The Series 2020 Bond is subject to prepayment and redemption at the option of the City on April 15, 2030 and any date thereafter, with 30 days’ prior written notice to the registered owner of the Series 2020 Bond, in whole or in part, at a price of the principal amount being prepaid and redeemed plus interest thereon through the date of prepayment or redemption, without premium or penalty. Following each prepayment, the registered owner of the Series 2020 Bond will reamortize the debt service over the then-remaining term.

Notice of redemption, if required by the Resolution, will be mailed at least 30 days prior to the designated redemption date to the registered owner of the Series 2020 Bond to be redeemed, but no defect in or failure to give such notice shall affect the validity of the proceedings for the redemption of the Bond not affected by such defect or failure. The Bond or portions thereof so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption have been duly deposited.

If provision is made for the payment of principal of and interest on this Series 2020 Bond in accordance with the Resolution, this Series 2020 Bond shall no longer be deemed Outstanding under the Resolution, shall cease to be entitled to the benefits of the Resolution, and shall thereafter be payable solely from the funds provided for payment.

The Resolution permits, with certain exceptions as therein provided, the amendment thereof and the modification of the rights and obligations of the City and the Owners of the Bond at any time without the consent of any Owners or with the consent of the Owners of a majority in aggregate principal amount of the Bond at the time Outstanding (as defined in the Resolution)

which are affected by such modifications. The Resolution also contains provisions permitting Owners of a majority in aggregate principal amount of the Bonds of all series at the time Outstanding, on behalf of all the Owners of all Bonds, to waive compliance by the City with certain provisions of the Resolution and certain past defaults under the Resolution and their consequences. Any such consent or waiver by the Owner of this Bond shall bind that Owner and every future Owner of this Bond and of any Bond issued in lieu hereof, whether or not notation of such consent or waiver is made upon this Bond.

The Owner of this Bond shall have no right to enforce the provisions of the Resolution, or to institute action to enforce the covenants therein or take any action with respect to a default under the Resolution or to institute, appear in or defend any suit or other procedure with respect thereto except as provided in the Resolution.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange, the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the Person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar shall be affected by any notice to the contrary.

This Series 2020 Bond has been designated by City as a “qualified tax-exempt obligation” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Montana and ordinances and resolutions of the City to be done, to exist, to happen and to be performed in order to make this Bond a valid and binding special, limited obligation of the City in accordance with its terms have been done, do exist, have happened and have been performed as so required; that this Bond has been issued by the City in connection with an urban renewal project (as defined in the Act); that the City, in and by the Resolution, has validly made and entered into covenants and agreements with and for the benefit of the Owners from time to time of all Bonds issued thereunder, including covenants that it will pledge, appropriate and credit the Tax Increment derived from the District to the Tax Increment Debt Service Account of the City; that Additional Bonds may be issued and made payable from the Tax Increment Debt Service Account on a parity with the Series 2020 Bond upon certain conditions set forth in the Resolution, but no obligation will be otherwise incurred and made payable from the Tax Increment unless the lien thereof shall be expressly made subordinate to the lien of the Series 2020 Bond on the Tax Increment; that all provisions for the security of the Owners of the Series 2020 Bond as set forth in the Resolution will be punctually and faithfully

performed as therein stipulated; and that the issuance of the Series 2020 Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Registrar by the manual signature of an authorized representative.

IN WITNESS WHEREOF, the City of Laurel, Montana, by its City Council, has caused this Bond to be executed by the signatures of the Mayor and City Clerk-Treasurer.

CITY OF LAUREL, MONTANA

Mayor

(SEAL)

City Clerk-Treasurer

Dated:_____

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned herein.

CITY OF LAUREL, MONTANA,
as Registrar, Transfer Agent, and
Paying Agent

By_____
City Clerk-Treasurer

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants
in common

UTMA.....Custodian.....
(Cust) (Minor)

TEN ENT -- as tenants
by the entireties

JT TEN -- as joint tenants
with right of
survivorship and
not as tenants in
common

under Uniform Gifts to
Minor Act.....
(State)

Additional abbreviations may also be used.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____
_____ the within Bond and all rights thereunder, and hereby
irrevocably constitutes and appoints _____ attorney to transfer the within
Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

PLEASE INSERT SOCIAL SECURITY
OR OTHER IDENTIFYING NUMBER
OF ASSIGNEE:

NOTICE: The signature to this assignment
must correspond with the name as it appears
upon the face of the within Bond in every
particular, without alteration, enlargement
or any change whatsoever.

SIGNATURE GUARANTEED

—

Signature(s) must be guaranteed by an
“eligible guarantor institution” meeting the
requirements of the Registrar, which
requirements include membership or
participation in STAMP or such other
“signature guaranty program” as may be
determined by the Registrar in addition to or
in substitution for STAMP, all in accordance

with the Securities Exchange Act of 1934, as amended.

SCHEDULE I

AMORTIZATION SCHEDULE							
Period	Beginning Balance	Payment	Principal	Interest	Cumulative Principal	Cumulative Interest	Ending Balance
4/15/2020	\$ 3,055,000.00	\$0.00	\$0.00	\$ -	\$0.00	\$ -	\$ 3,055,000.00
7/1/2020	\$ 3,055,000.00	\$90,119.56	\$68,320.44	\$ 21,799.12	\$68,320.44	\$ 21,799.12	\$ 2,986,679.56
1/1/2021	\$ 2,986,679.56	\$90,119.56	\$39,644.68	\$50,474.88	\$107,965.11	\$ 72,274.01	\$ 2,947,034.89
7/1/2021	\$ 2,947,034.89	\$90,119.56	\$40,314.67	\$49,804.89	\$148,279.78	\$ 122,078.90	\$ 2,906,720.22
1/1/2022	\$ 2,906,720.22	\$90,119.56	\$40,995.99	\$49,123.57	\$189,275.77	\$ 171,202.47	\$ 2,865,724.23
7/1/2022	\$ 2,865,724.23	\$90,119.56	\$41,688.82	\$48,430.74	\$230,964.59	\$ 219,633.21	\$ 2,824,035.41
1/1/2023	\$ 2,824,035.41	\$90,119.56	\$42,393.36	\$47,726.20	\$273,357.95	\$ 267,359.41	\$ 2,781,642.05
7/1/2023	\$ 2,781,642.05	\$90,119.56	\$43,109.81	\$47,009.75	\$316,467.76	\$ 314,369.16	\$ 2,738,532.24
1/1/2024	\$ 2,738,532.24	\$90,119.56	\$43,838.37	\$46,281.19	\$360,306.13	\$ 360,650.35	\$ 2,694,693.87
7/1/2024	\$ 2,694,693.87	\$90,119.56	\$44,579.23	\$45,540.33	\$404,885.36	\$ 406,190.68	\$ 2,650,114.64
1/1/2025	\$ 2,650,114.64	\$90,119.56	\$45,332.62	\$44,786.94	\$450,217.98	\$ 450,977.62	\$ 2,604,782.02
7/1/2025	\$ 2,604,782.02	\$90,119.56	\$46,098.74	\$44,020.82	\$496,316.73	\$ 494,998.43	\$ 2,558,683.27
1/1/2026	\$ 2,558,683.27	\$90,119.56	\$46,877.81	\$43,241.75	\$543,194.54	\$ 538,240.18	\$ 2,511,805.46
7/1/2026	\$ 2,511,805.46	\$90,119.56	\$47,670.05	\$42,449.51	\$590,864.59	\$ 580,689.69	\$ 2,464,135.41
1/1/2027	\$ 2,464,135.41	\$90,119.56	\$48,475.67	\$41,643.89	\$639,340.26	\$ 622,333.58	\$ 2,415,659.74
7/1/2027	\$ 2,415,659.74	\$90,119.56	\$49,294.91	\$40,824.65	\$688,635.17	\$ 663,158.23	\$ 2,366,364.83
1/1/2028	\$ 2,366,364.83	\$90,119.56	\$50,127.99	\$39,991.57	\$738,763.17	\$ 703,149.79	\$ 2,316,236.83
7/1/2028	\$ 2,316,236.83	\$90,119.56	\$50,975.16	\$39,144.40	\$789,738.32	\$ 742,294.20	\$ 2,265,261.68
1/1/2029	\$ 2,265,261.68	\$90,119.56	\$51,836.64	\$38,282.92	\$841,574.96	\$ 780,577.12	\$ 2,213,425.04
7/1/2029	\$ 2,213,425.04	\$90,119.56	\$52,712.68	\$37,406.88	\$894,287.64	\$ 817,984.00	\$ 2,160,712.36
1/1/2030	\$ 2,160,712.36	\$90,119.56	\$53,603.52	\$36,516.04	\$947,891.16	\$ 854,500.04	\$ 2,107,108.84
7/1/2030	\$ 2,107,108.84	\$90,119.56	\$54,509.42	\$35,610.14	\$1,002,400.58	\$ 890,110.18	\$ 2,052,599.42
1/1/2031	\$ 2,052,599.42	\$90,119.56	\$55,430.63	\$34,688.93	\$1,057,831.21	\$ 924,799.11	\$ 1,997,168.79
7/1/2031	\$ 1,997,168.79	\$90,119.56	\$56,367.41	\$33,752.15	\$1,114,198.62	\$ 958,551.26	\$ 1,940,801.38
1/1/2032	\$ 1,940,801.38	\$90,119.56	\$57,320.02	\$32,799.54	\$1,171,518.63	\$ 991,350.81	\$ 1,883,481.37
7/1/2032	\$ 1,883,481.37	\$90,119.56	\$58,288.72	\$31,830.84	\$1,229,807.36	\$ 1,023,181.64	\$ 1,825,192.64
1/1/2033	\$ 1,825,192.64	\$90,119.56	\$59,273.80	\$30,845.76	\$1,289,081.16	\$ 1,054,027.40	\$ 1,765,918.84
7/1/2033	\$ 1,765,918.84	\$90,119.56	\$60,275.53	\$29,844.03	\$1,349,356.69	\$ 1,083,871.43	\$ 1,705,643.31
1/1/2034	\$ 1,705,643.31	\$90,119.56	\$61,294.19	\$28,825.37	\$1,410,650.88	\$ 1,112,696.80	\$ 1,644,349.12
7/1/2034	\$ 1,644,349.12	\$90,119.56	\$62,330.06	\$27,789.50	\$1,472,980.94	\$ 1,140,486.30	\$ 1,582,019.06
1/1/2035	\$ 1,582,019.06	\$90,119.56	\$63,383.44	\$26,736.12	\$1,536,364.38	\$ 1,167,222.42	\$ 1,518,635.62
7/1/2035	\$ 1,518,635.62	\$90,119.56	\$64,454.62	\$25,664.94	\$1,600,819.00	\$ 1,192,887.36	\$ 1,454,181.00
1/1/2036	\$ 1,454,181.00	\$90,119.56	\$65,543.90	\$24,575.66	\$1,666,362.90	\$ 1,217,463.02	\$ 1,388,637.10
7/1/2036	\$ 1,388,637.10	\$90,119.56	\$66,651.59	\$23,467.97	\$1,733,014.49	\$ 1,240,930.99	\$ 1,321,985.51
1/1/2037	\$ 1,321,985.51	\$90,119.56	\$67,778.00	\$22,341.56	\$1,800,792.50	\$ 1,263,272.54	\$ 1,254,207.50
7/1/2037	\$ 1,254,207.50	\$90,119.56	\$68,923.45	\$21,196.11	\$1,869,715.95	\$ 1,284,468.65	\$ 1,185,284.05
1/1/2038	\$ 1,185,284.05	\$90,119.56	\$70,088.26	\$20,031.30	\$1,939,804.21	\$ 1,304,499.95	\$ 1,115,195.79
7/1/2038	\$ 1,115,195.79	\$90,119.56	\$71,272.75	\$18,846.81	\$2,011,076.96	\$ 1,323,346.76	\$ 1,043,923.04
1/1/2039	\$ 1,043,923.04	\$90,119.56	\$72,477.26	\$17,642.30	\$2,083,554.22	\$ 1,340,989.06	\$ 971,445.78
7/1/2039	\$ 971,445.78	\$90,119.56	\$73,702.13	\$16,417.43	\$2,157,256.35	\$ 1,357,406.49	\$ 897,743.65
1/1/2040	\$ 897,743.65	\$90,119.56	\$74,947.69	\$15,171.87	\$2,232,204.04	\$ 1,372,578.36	\$ 822,795.96
7/1/2040	\$ 822,795.96	\$90,119.56	\$76,214.31	\$13,905.25	\$2,308,418.35	\$ 1,386,483.61	\$ 746,581.65
1/1/2041	\$ 746,581.65	\$90,119.56	\$77,502.33	\$12,617.23	\$2,385,920.68	\$ 1,399,100.84	\$ 669,079.32
7/1/2041	\$ 669,079.32	\$90,119.56	\$78,812.12	\$11,307.44	\$2,464,732.80	\$ 1,410,408.28	\$ 590,267.20
1/1/2042	\$ 590,267.20	\$90,119.56	\$80,144.04	\$ 9,975.52	\$2,544,876.84	\$ 1,420,383.80	\$ 510,123.16
7/1/2042	\$ 510,123.16	\$90,119.56	\$81,498.48	\$ 8,621.08	\$2,626,375.32	\$ 1,429,004.88	\$ 428,624.68
1/1/2043	\$ 428,624.68	\$90,119.56	\$82,875.80	\$ 7,243.76	\$2,709,251.12	\$ 1,436,248.64	\$ 345,748.88
7/1/2043	\$ 345,748.88	\$90,119.56	\$84,276.40	\$ 5,843.16	\$2,793,527.53	\$ 1,442,091.79	\$ 261,472.47
1/1/2044	\$ 261,472.47	\$90,119.56	\$85,700.68	\$ 4,418.88	\$2,879,228.20	\$ 1,446,510.68	\$ 175,771.80
7/1/2044	\$ 175,771.80	\$90,119.56	\$87,149.02	\$ 2,970.54	\$2,966,377.22	\$ 1,449,481.22	\$ 88,622.78
1/1/2045	\$ 88,622.78	\$90,120.51	\$88,622.79	\$ 1,497.72	\$3,055,000.00	\$ 1,450,978.95	\$ (0.00)

Item Attachment Documents:

10. Resolution No. R20-16: A Resolution Of The City Council To Vacate An Alley Located Between Lots 14-18 Of Block 4 Of Hageman Subdivision And Lots 1-5 Of Block 5 Of Hageman Subdivision 1st Filing Within The City Of Laurel.

RESOLUTION NO. R20-16

A RESOLUTION PROVIDING NOTICE OF THE CITY COUNCIL'S INTENT TO CONSIDER VACATING AN ALLEY LOCATED BETWEEN LOTS 14-18 OF BLOCK 4 OF HAGEMAN SUBDIVISION AND LOTS 1-5 OF BLOCK 5 OF HAGEMAN SUBDIVISION 1ST FILING WITHIN THE CITY OF LAUREL.

WHEREAS, the owner of the above properties petitioned the city to vacate the alley that splits his/her property in order to create one contiguous piece of property; and

WHEREAS, vacating the alley will allow a more effective and orderly development of the area which is supported by the City Planning Director; and

WHEREAS, the City of Laurel published notice of the City's intent to act on the application at its March 24, 2020 council meeting as required by MCA § 7-14-4114; and

WHEREAS, pursuant to MCA § 7-14-4114, notice stating the applicant's request and date and time at which the Council will consider the application was published in the Laurel Outlook on April 14, 2020; and

WHEREAS, it has been determined by the City Council of the City of Laurel that it will consider if such action is in the best interest of the City of Laurel and the inhabitants thereof if vacating the alley will cause no detriment to the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, the City shall provide notice to the public of its intention to consider vacating the alley described herein as follows:

1. That the alley located between Lots 14-18 of Block 4 of Hageman Subdivision and Lots 1-5 of Block 5 of Hageman Subdivision 1st Filing, within the City of Laurel, is hereby vacated, subject to the following condition of approval:
 - a) Applicant shall provide access to any existing public or private infrastructures and utilities currently installed and existing on the alley in perpetuity.
 - b) Applicant will provide the Yellowstone County Clerk and Recorder with a lot line aggregation by deed for the lot line separating parcels B00453, B00453A and B00451.
2. That ½ of the vacated alley shall be returned and/or conveyed to the adjacent property owner pursuant to MCA § 76-3-305.

BE IT FURTHER RESOLVED, that the Clerk cause to be published, according to law (MCA 7-14-4114), a notice to the effect that a Resolution of Intent to Vacate has been duly and regularly passed, said notice to state that the City Council shall consider adopting a resolution vacating the above-described alley at the regular meeting on April 14, 2020, following the publication of the notice.

Introduced at a regular meeting of the City Council on March 24, 2020, by Council Member

PASSED and APPROVED by the City Council of the City of Laurel, Montana,
this 24th day of March 2020.

APPROVED by the Mayor this 24th day of March 2020.

CITY OF LAUREL

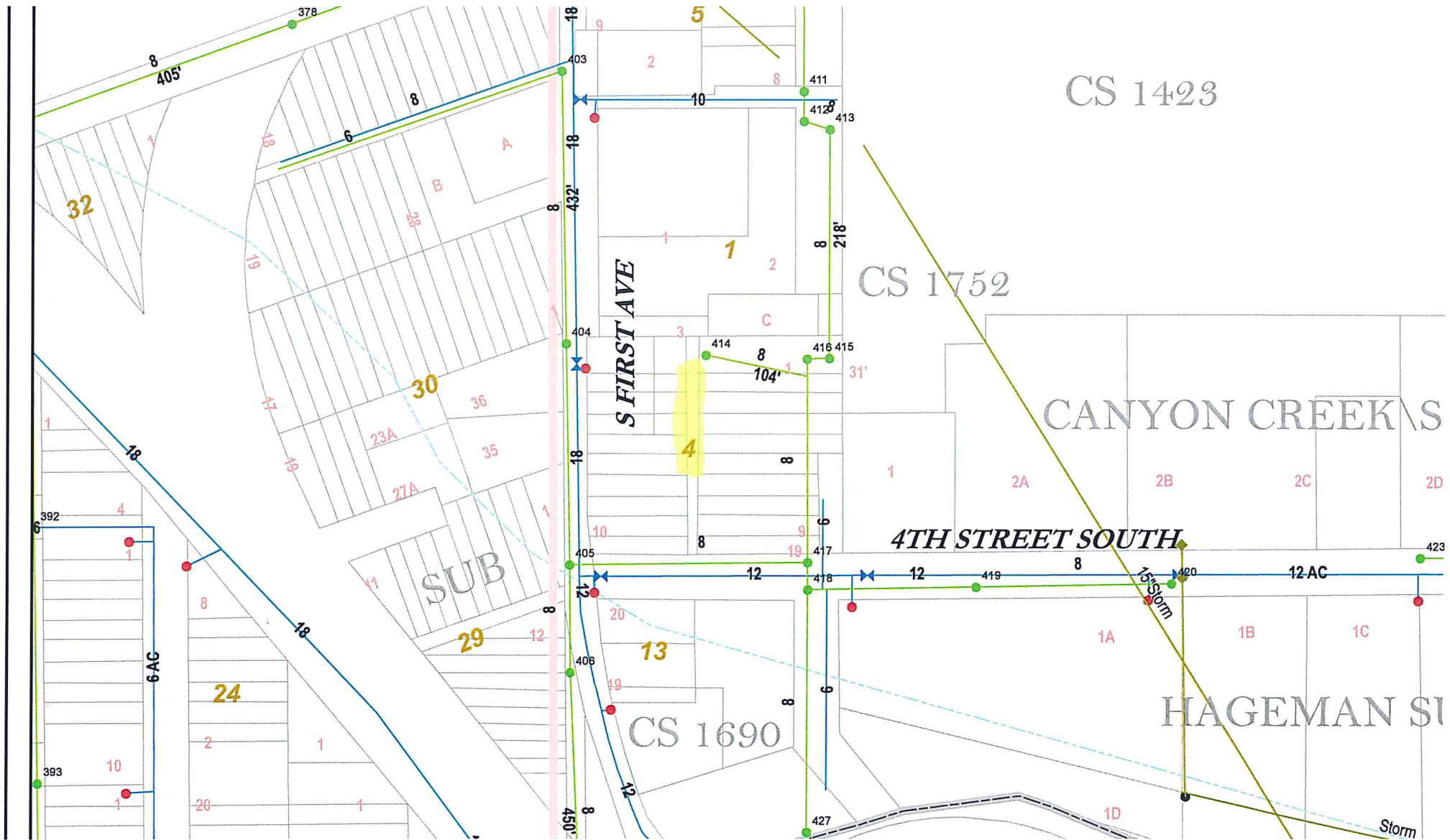
Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney



CITY HALL
115 W. 1ST ST.
PUB. WORKS: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the Director of
Public Works

March 13, 2020

Nick Altonaga, City Planner

RE: Vacation of Certain Lands between lots 14-18 of Block 4 of Hageman Subdivision and lots 1-5 of Block 4 of Hageman Subdivision 1st Filing.

The City of Laurel has no known infrastructure in the alley between lots 14-18 and lots 1-5 of Hageman Subdivision 1st Filing. All unknown public or private infrastructure currently in place shall be continued into perpetuity. The owner of said lots must allow for the removal of solid waste from their property and in a location mutually agree upon.

I have attached a map that can be used for the exhibit and a map of the City's Water, Sewer, and Storm Water facilities in the area.

Sincerely,

Kurt Markegard
Public Works Director

Attachments: Exhibit Map
 Utility Map

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

March, 13, 2020

Regarding the Vacation of Certain Lands between Lots 14-18 of Block 4 of Hageman Subdivision and Lots 1-5 of Block 5 of Hageman Subdivision 1st Filing.

Mayor Nelson and City Council,

The Planning Department supports the abandonment of the alleyway between Lots 14-18 of Block 4 of the Hageman Subdivision and Lots 1-5 of Block 5 of the Hageman Subdivision 1st Filing. The existing alleyway is surrounded by a single property owner and its abandonment will create a contiguous set of parcels that will allow more effective development. The Community Entryway Zoning District mandates continuous curbing around the perimeter of a parcel within the overlay district. If not abandoned, a continuous curb around the alleyway would block internal and external connectivity and restrict traffic flow for the currently planned development.

One requirement to place on the surrounding property owners is that access should be allowed to any existing public or private infrastructure and utilities currently in place in perpetuity. The Planning Department supports the abandonment of this alleyway because it will ease the burden of development and will allow for proper internal site circulation and connectivity for the existing parcels.

Thank you for your consideration.

Nicholas Altonaga

Planning Director

Item Attachment Documents:

11. Resolution No. R20-17: Resolution Awarding Hardrives Construction, Inc. The Contract For The City Of Laurel's 2020 Pavement Maintenance Project And To Authorize The Mayor To Sign Contract Documents On The City's Behalf.

RESOLUTION NO. R20-17

RESOLUTION AWARDING HARDRIVES CONSTRUCTION, INC. THE CONTRACT FOR THE CITY OF LAUREL'S 2020 PAVEMENT MAINTENANCE PROJECT AND TO AUTHORIZE THE MAYOR TO SIGN CONTRACT DOCUMENTS ON THE CITY'S BEHALF.

WHEREAS, the City of Laurel planned and publicly advertised the project known as the 2020 Pavement Maintenance Project, and the City received responsive bids from qualified contractors; and

WHEREAS, the City's Engineers, KLJ, and City Staff considered the bids received and recommends the City Council award the project and that the contract is in the City's best interest; and

WHEREAS, Hardrives Construction, Inc. submitted a bid of \$495,000 and both KLJ and the City Staff have determined the bid is in the best interest of the City. The Bid documents are attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Laurel, Montana, finds that the City has followed its procurement policies and state law requiring competitive bidding; and

BE IT FUTHER RESOLVED the City Council hereby awards the contract and project to Hardrives Construction, Inc. for its bid price of \$495,000. The Mayor and City Clerk are authorized to sign all necessary documents, agreements or contracts on the City's behalf consistent with this resolution.

Introduced at a regular meeting of the City Council on March 24, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 24th day of March 2020

APPROVED by the Mayor this 24th day of March 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney



March 13, 2020

Kurt Markegard
City of Laurel
115 W. 1st Street
Laurel, MT 59044

Re: 2020 Pavement Maintenance Project – Recommendation of Award

Dear Kurt:

Bids for the 2020 Pavement Maintenance project were received March 13, 2020. Two bids were opened and read aloud, with base bid amounts of \$419,370.00 and \$439,827.00. The alternate bid items for milling and overlaying Roundhouse Dr. were \$75,630.00 and \$75,150.00. The bids were checked for mathematical accuracy and no discrepancies were found.

The low bidder is Hardrives Construction. The total bid amount is \$495,000.00 for the overall project. We recommend the contract base bid and alternate 1 be awarded to Hardrives Construction, accordingly. Enclosed is the Notice of Award (NOA) for the City's approval and a Certified Bid Tabulation. Please sign, date and return four (4) original NOA forms; upon receipt, we will work with Hardrives Construction to route final Contracts for the City's approval.

If you have any questions or concerns, please contact me at (406) 245-5499.

Sincerely,

KLJ

A handwritten signature in blue ink, appearing to read 'Ryan E. Welsh', written over a light blue circular stamp.

Ryan E. Welsh, PE
Project Engineer

Enclosure(s): Notice of Award
Tabulation of Bids

Project #: 1904-01874

cc: file

TABULATION OF BIDS

2020 Pavement Maintenance - KLJ#1904-01874

CITY OF LAUREL, MONTANA

March 13, 2020



Base Bid				Engineers Opinion of Cost		Harddrives Construction		Knife River	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
101	Mobilization	1	LS	\$55,000.00	\$55,000.00	\$15,000.00	\$15,000.00	\$46,635.00	\$46,635.00
102	Taxes, Bonds & Insurance	1	LS	\$25,000.00	\$25,000.00	\$5,702.40	\$5,702.40	\$2,000.00	\$2,000.00
103	Construction Traffic Control	1	LS	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$24,100.00	\$24,100.00
104	Crack route & Seal	41500	LF	\$4.00	\$166,000.00	\$1.00	\$41,500.00	\$1.32	\$54,780.00
105	CHFRS-wP Asphalt seal & Chip Coat - 3/8" Gradation	25720	SY	\$3.00	\$77,160.00	\$2.15	\$55,298.00	\$2.10	\$54,012.00
106	SS-1 or SS-1h Asphalt Tack Coat Fog Seal	3344	GAL	\$2.50	\$8,360.00	\$3.40	\$11,369.60	\$3.75	\$12,540.00
107	4" Asphalt Concrete Pavement Patching - Type B - Surface Course	3000	SY	\$60.00	\$180,000.00	\$61.00	\$183,000.00	\$38.36	\$115,080.00
108	Mastic Fill	33	TON	\$4,264.55	\$140,730.00	\$2,500.00	\$82,500.00	\$3,960.00	\$130,680.00
Total of Base Bid				\$677,250.00		\$419,370.00		\$439,827.00	
Alternative 1									
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
109	Asphalt Mill (-1/2" @ 2%)	7500	SY	\$2.50	\$18,750.00	\$2.20	\$16,500.00	\$1.71	\$12,825.00
110	Asphalt Overlay	630	TON	\$120.00	\$75,600.00	\$83.50	\$52,605.00	\$87.00	\$54,810.00
111	Adjust Manhole	9	EA	\$1,200.00	\$10,800.00	\$400.00	\$3,600.00	\$600.00	\$5,400.00
112	Adjust Water Valve	9	EA	\$650.00	\$5,850.00	\$325.00	\$2,925.00	\$235.00	\$2,115.00
Total Alternative Items					\$111,000.00	\$75,630.00		\$75,150.00	

Total All Bid Items	\$	788,250.00	\$	495,000.00	\$	514,977.00
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This represents a true tabulation of bids opened and read on March 13, 2020.

Ryan Welsh
Project Engineer
Date: March 13, 2020



* Indicates a mathematical correction made following the bid opening.

Notice of Award

Date: _____

Project: 2020 Pavement Maintenance Project

Owner: City of Laurel

Owner's Contract No.:

Contract: As described in the Bid Documents

Engineer's Project No.: 1904-01874

Bidder: Hardrives Construction Inc.

Bidder's Address: 4800 Helfrick Rd.

Billings, MT 59102

You are notified that your Bid dated March 13, 2020 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for 2020 Pavement Maintenance Project Base Bid and Alternate 1.

The Contract Price of your Contract is Four Hundred Ninety-Five Thousand Dollars and No Cents (\$495,000.00).

4 copies of the proposed Contract Documents accompany this Notice of Award.

You must comply with the following conditions precedent within fifteen [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner four (4) fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract Security [Bonds] as specified in the Instructions to Bidders (Article 20) and General Conditions (Paragraph 5.01).
3. Other conditions precedent: (none)

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

City of Laurel

Owner

By: _____

Authorized Signature

Title

Copy to Engineer

Item Attachment Documents:

12. Resolution No. R20-18: Purchasing Policy Amendment.

RESOLUTION NO. R20-18

CITY OF LAUREL'S EMERGENCY FINANCIAL CONTINUITY OPERATIONS PLAN

WHEREAS, in response to the ongoing COVID-19 pandemic, the Mayor declared a State of Emergency for the City of Laurel in order to implement mitigation measures and activate all City of Laurel Emergency Operation Plans; and

WHEREAS, the President of the United States and Montana's Governor continue to issue additional guidelines and restrictions on public meetings, groups and gatherings designed to slow the rate of infection throughout the United States; and

WHEREAS, the continuing restrictions may make it impossible for the City of Laurel to continue to provide essential public services since conducting day to day business is becoming more difficult, if not impossible, in light of the severity and length of the restrictions; and

WHEREAS, in order to protect the health, safety, and welfare of the citizens and employees of the City of Laurel, the City Council and Mayor have designed and approved an alternative procedure to enable the City to continue operations and to continue to conduct day to day business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the following Financial Procedure may be utilized to continue City Operations until the Mayor terminates the Emergency Declaration issued on March 16, 2020:

Authorizing/verification of City Claims and Payroll. All claims and payroll reports must be authorized by a signature from the following:

- Mayor and Clerk/Treasurer.
- If the Mayor is not available, the Council President and Clerk/Treasurer.
- If the Council President is not available, the Council Vice-President and Clerk/Treasurer.
- If the Council Vice-President is not available, any Council Member and Clerk/Treasurer.
- If there are no Council Members available, the City Attorney and Clerk/Treasurer.
- If the Clerk/Treasurer is not available, the Deputy Clerk may sign.

Approving Purchase Requisitions. Purchase requisitions (\$5,000.00 to \$79,999.99) that MUST be approved when the Budget and Finance Committee is unable to meet due to COVID-19, must be unanimously agreed upon and authorized by a signature from the following:

- Mayor and Council President.
- If the Council President is not available, the Mayor and the Council Vice-President.
- If the Council Vice-President is not available, the Mayor and any Council Member.
- If there are no Council Members available, the Mayor and the City Attorney.

If unavailable, the Mayor may authorize the Council President to sign all documents in his absence.

If unavailable, the City Clerk/Treasurer may authorize the Deputy Clerk to sign all documents in her absence.

BE IT FURTHER RESOLVED, that all actions taken under the Emergency Financial Operations Plan will be reviewed by the Mayor, and retroactively approved by the City Council after the Emergency Declaration is terminated by the Mayor.

Introduced at a regular meeting of the City Council on March 24 2020, by Council Member

_____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this 24th day of March 2020.

APPROVED by the Mayor this 24th day of March 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney