



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, JULY 02, 2019
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R19-32

NEXT ORD. NO.
O19-02

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 June 18, 2019.

Correspondence

2. Jerry Williams Resignation Letter

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 June 2018.
4. Clerk/Treasurer Financial Statements for the month of May 2019.
5. Approval of Payroll Register for PPE 6/16/2019 totaling \$175,312.40.
6. Receiving the Committee/Board Minutes into the Record.

Budget/Finance Minutes of June 18, 2019.

Council Workshop Minutes of June 25, 2019.

Laurel Airport Authority Minutes of May 21, 2019.

Tree Board Minutes of June 6, 2019.

City/County Planning Board Minutes of July 19, 2018.

City/County Planning Board Minutes of June 6, 2019.

Laurel Urban Renewal Agency Minutes of May 20, 2019.

Ceremonial Calendar

Reports of Boards and Commissions

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.](#) Re-appointment of Ken Olsen to the Cemetery Commission for a two-year term ending June 30, 2021.
8. Motion to approve Council Member Klose to be absent from the City of Laurel for more than ten days (LMC 2.12.060)
- [9.](#) Resolution No. R19-32: A Resolution Of The City Council Granting Permission For A Property Owner To Utilize Decorative Concrete Within The Boulevard That Adjoins The Owner's Property Located In The City Of Laurel.
- [10.](#) Resolution No. R19-33: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Encode Corporation For Replacement Of Two Condenser Units At The Fire, Ambulance And Police Building.

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 June 18, 2019.

DRAFT

MINUTES OF THE CITY COUNCIL OF LAUREL

JUNE 18, 2019

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 6:38 p.m. on June 18, 2019.

COUNCIL MEMBERS PRESENT:

Bruce McGee	Heidi Sparks
Scot Stokes	Richard Herr
Richard Klose	Irv Wilke
	Bill Mountsier

COUNCIL MEMBERS ABSENT:

Emelie Eaton

OTHER STAFF PRESENT:

Bethany Langve, Clerk/Treasurer

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 McGee to approve the minutes of the regular meeting of June 4, 2019, as presented, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CORRESPONDENCE:

- Letter from Yellowstone County for the re-appointment of Mr. Benner and to the Laurel City/County Planning Board; Letter from Yellowstone County for the re-appointment of Mr. Klasna to the Laurel City/County Planning Board.
- Resignation letter from Ken Gomer.
- Chamber of Commerce minutes of May 10, 2019; Laurel Chamber of Commerce agenda of June 13, 2019.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims for the month of June 2019 in the amount of \$248,580.70**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 6/2/2019 totaling \$186,340.84.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Budget/Finance Committee minutes of June 4, 2019, were presented.
 - Council Workshop minutes of June 11, 2019, were presented.

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

Motion by Council Member McGee 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 seven council members present voted aye. Motion carried 7-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

DRAFT

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Chris Vogele, 306 E. 4th Street, stated he recently witnessed and emergent event near his home where an ambulance was unable to respond. He stayed with the caller while waiting for an ambulance from Billings to respond. They waited 23 minutes for the ambulance to arrive. Mr. Vogele spoke in support of full-time EMT services.

SCHEDULED MATTERS:

- **Re-appointment of Roger Giese to the City/County Planning Board for a two-year term ending June 30, 2021.**

Motion by Council Member Stokes to approve the Mayor's re-appointment of Roger Giese to the City/County Planning Board for a two-year term ending June 30, 2021, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Re-appointment of Brock Williams to the Laurel Airport Authority for a five-year term ending June 30, 2024.**

Motion by Council Member Klose to approve the Mayor's re-appointment of Brock Williams to the Laurel Airport Authority for a five-year term ending June 30, 2024, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Re-appointment of David Gauslow to the Cemetery Commission for a two-year term ending June 30, 2021.**

Motion by Council Member Mountsier to approve the Mayor's re-appointment of David Gauslow to the Cemetery Commission for a two-year term ending June 30, 2021, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Re-appointment of Richard Klose to the Cemetery Commission for a two-year term ending June 30, 2021.**

Motion by Council Member Wilke to approve the Mayor's re-appointment of Richard Klose to the Cemetery Commission for a two-year term ending June 30, 2021, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Re-Appointment of Phyllis Bromgard to the Tree Board for a three-year term ending June 30, 2022.**

Motion by Council Member Herr to approve the Mayor's re-appointment of Phyllis Bromgard to the Tree Board for a three-year term ending June 30, 2022, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Re-Appointment of Clair Killebrew to the Library Board for a five-year term ending June 30, 2024.**

Motion by Council Member Sparks to approve the Mayor's appointment of Clair Killebrew to the Library Board for a five-year term ending June 30, 2024, seconded by Council Member McGee. There was no public comment.

Motion by Council Member Herr to amend the appointment to Council Member Eaton as a representative on the Library Board, seconded by Council Member Wilke. There was no public comment on the amended motion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mountsier, and Klose voted aye. Council Members Stokes and McGee voted nay. Motion carried 5-2.

- **Resolution No. R19-22: A Resolution Of The City Council To Amend The Large Grant Request Program Pursuant To The Recommendation Of The Laurel Urban Renewal Agency.**

Motion by Council Member McGee to approve Resolution No. R19-22, seconded by Council Member Sparks.

Chris Vogele, 306 E. 4th Street, owns two businesses in the City of Laurel. He is disappointed that there are no LURA members present at this meeting. He thanked the Mayor and Council Member Herr for attending the last LURA meeting. Asked that Council view projects as an investment so that there is a return. He is unsure that this project will increase the tax base as there will not be new businesses going into that area. He asked what the return will be on this investment. This could hurt the City in the long run in terms of an increase in taxes coming back to the City.

Council Member McGee stated that the question before Council is to approve the Large Grant Increase. It is unfortunate that future considerations that are not on the table for tonight's discussion is the focus on the discussion.

Motion by Council Member Herr to amend Resolution No. R19-22 to a cap of \$175,000, seconded by Council Member Sparks.

Chris Vogele, 306 E. 4th Street, stated that raising the limit to \$225,000 is not enough, especially with the vacant storefronts along Main Street.

Council Member McGee stated that the Council has the potential to miss a great opportunity to support the business owners who fund the TIF. The future concerns are unwarranted. If in the future the Large Grant program needs to reduce their funds, those applying should understand. He stated that this should be moved back to the original ask from LURA of \$225,000.

A roll call vote was taken on the amended motion. Council Members Sparks, Herr, Wilke, and Mountsier voted aye. Council Members Klose, Stokes, and McGee voted nay. Motion failed 4-3.

There was no further public comment or council discussion. A roll call vote was taken on the motion. Council Members Herr, Wilke, Klose, Stokes, and McGee voted aye. Council Members Sparks and Mountsier voted nay. Motion carried 5-2.

- **Resolution No. R19-24: A Resolution Adopting A Safety Policy For The City Of Laurel.**

Motion by Council Member McGee to approve Resolution No. R19-24, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-25: A Resolution Approving The Agreement Between The City Of Laurel And The Laurel Airport Authority, Said Agreement Relating To Fire Protection**

Motion by Council Member Stokes to approve Resolution No. R19-25, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-26: A Resolution Approving An Agreement Between The City Of Laurel And Yellowstone Boys And Girls Ranch, Relating To Fire Protection.**

Motion by Council Member Klose to approve Resolution No. R19-26, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-27: A Resolution To Authorize The Mayor To Sign Agreements With Laurel Public Schools, District 7 And 7-70, Continuing The School Resource Officer (SRO) Program For The Laurel High School.**

Motion by Council Member Mountsier to approve Resolution No. R19-27, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-28: A Resolution To Authorize The Mayor To Sign Agreements With Laurel Public Schools, District 7 And 7-70, Continuing The School Resource Officer (SRO) Program For The Laurel Middle School.**

Motion by Council Member Wilke to approve Resolution No. R19-28, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-29: A Resolution Authorizing The Mayor To Execute Agreements With Zuercher Technologies LLC, A Tritech Software Systems Company, For Equipment And Support For The City's 911 Service.**

Motion by Council Member Herr to approve Resolution No. R19-29, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-30: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Christison's Roofing For Roof Repairs On The Jaycee Hall.**

Motion by Council Member Sparks to approve Resolution No. R19-30, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R19-31: A Resolution Authorizing The Mayor To Execute A Contract For The City Prosecutor Position Between The City Of Laurel And Attorney Teague Westrope.**

Motion by Council Member McGee to approve Resolution No. R19-31, seconded by Council Member Mountsier. Mr. Westrope introduced himself to the Council. There was no council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Chris Voge, 306 E. 4th Street, gave a reminder that the Fourth of July is just around the corner. Residents should take a moment to make sure their yards are taken care of as there are people who will be coming to town who have not been here. This is an opportunity to make a good impression.

COUNCIL DISCUSSION:

Council Member Klose requested to be placed on the next Council agenda as he will be absent for more than ten days.

The Will Smith Gallery Tournament for American League Baseball starting at 10:00 a.m. tomorrow. There will be teams from Washington, Idaho, Colorado, North and South Dakota in town.

There will be an open house at the Water Treatment Plant and the Wastewater Treatment Plant on July 22, 2019. A Ribbon cutting ceremony will take place at 6:00 p.m.

MAYOR UPDATES:

The City received a letter, see attached, from the County Election Administration noticing the City that there will not be Primary Election this year. Primary Elections are only needed when more than three people are running for one seat.

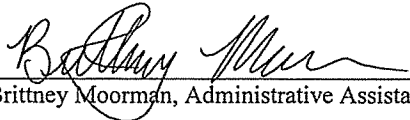
UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member McGee to adjourn the council meeting, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:22 p.m.

DRAFT


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 2nd day of July 2019.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer



Yellowstone County

Election Administrator

(406) 256-2740
(406) 254-7940 (FAX)

P.O. Box 35002
Billings, MT 59107-5002

brutherford@co.yellowstone.mt.gov

June 18, 2019

RE: Municipal Primary

Dear City Clerk,

In accordance with 13-14-115 MCA, I am writing to inform you that the September 10, 2019 Municipal Primary Election for the City of Laurel has been cancelled for all races due to the lack of candidates. The governing body may still require that a primary election be held if it passes a resolution not more than 10 days after the close of filing. Please let me know if you have any questions.

Sincerely,

Bret Rutherford

Bret Rutherford
Election Administrator
Yellowstone County

Item Attachment Documents:

2. Jerry Williams Resignation Letter

Ivie, LaVerne

From: Jerry Williams <jwilliams5285@gmail.com>
Sent: Friday, May 31, 2019 9:01 AM
To: Ivie, LaVerne
Cc: Jerry Williams
Subject: YCD board resignation

Good morning LaVerne,

Please accept this as my formal letter of resignation from the YCD board. I have learned a great deal and enjoyed being involved and meeting a bunch of great folks. I have other personal commitments that require more of my time right now. I assume you will let the planning boards know, so unless you tell me differently, I will not have any more involvement with either board.

Thanks again to you and the fellow board members!

Jerry Williams

Item Attachment Documents:

6. Receiving the Committee/Board Minutes into the Record.
 - Budget/Finance Minutes of June 18, 2019.
 - Council Workshop Minutes of June 25, 2019.
 - Laurel Airport Authority Minutes of May 21, 2019.
 - Tree Board Minutes of June 6, 2019.
 - City/County Planning Board Minutes of July 19, 2018.
 - City/County Planning Board Minutes of June 6, 2019.
 - Laurel Urban Renewal Agency Minutes of May 20, 2019.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, June 18, 2019**

Members Present: **Bruce McGee**
 Richard Klose

Scot Stokes

Others Present: **Mayor Nelson**

Bethany Langve

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 June 4, 2019 meeting. Mayor Nelson made a motion to approve the minutes of the June 4, 2019 Budget and Finance Committee meeting. Richard Klose seconded the motion, all in favor, motion passed.
- Review and approve purchase requisitions – Ambulance Department QRU. The Clerk/Treasurer passed around the current fiscal year Ambulance Department budget and explained that there were currently over \$173,000 available appropriations left in the budget. Instead of using CIP funds or trying to purchase these items out of next fiscal year's budget she felt it would be better to use this current fiscal year's available appropriations. The Committee reviewed the purchase requisition for the QRU. The Committee asked why the QRU was not being purchased from Bison Ford like the Police vehicle. The Clerk/Treasurer explained that these purchases must be in the City's possession by 06/30/19 in order to be posted in this current fiscal year, and Bison Ford did not have an available vehicle. Richard Klose made a motion to approve the Purchase Requisition from the Ambulance Department for purchase of the QRU. Scot Stokes seconded the motion, all in favor, motion passed.
- Review and approve purchase requisitions – Ambulance Department LifePak 15 Defibrillator. The Committee reviewed the purchase requisition for the LifePak 15 Defibrillator. The Clerk/Treasurer explained that this purchase may not make it to the City by 06/30/19. The Committee asked if there were any additional costs involved with trying get these purchases here by 06/30/19 and the Clerk/Treasurers said no that there were no rush shipping or any other expedited costs. Richard Klose made a motion to approve the Purchase Requisition from the Ambulance Department for purchase of the LifePak 15 Defibrillator. Bruce McGee seconded the motion, all in favor, motion passed.
- Review and approve purchase requisitions – Ambulance Department Ferno COT. The Committee reviewed the purchase requisition for the Ferno COT. The Committee commented on how powered cots like this one save back injuries lifting patients. Scot Stokes made a motion to approve the Purchase Requisition from the Ambulance Department for purchase of the Ferno COT. Richard Klose seconded the motion, all in favor, motion passed.
- Review and approve the May 2019 Journal Vouchers. The Committee reviewed the May 2019 Journal Vouchers and had no questions or comments. Bruce McGee made a motion to approve the May 2019 Journal Vouchers. Richard Klose seconded the motion, all in favor, motion passed.
- Review and approve the May 2019 Utility Billing Adjustments. The Utility Billing documents were reviewed, signed and dated. Scot Stokes made a motion to approve the May 2019 Utility Billing Adjustments. Richard Klose seconded the motion, all in favor, motion passed.

- Review and approve the May 2019 Financial Statements. The Clerk/Treasurer went over the financial statements briefly. There were no questions or comments from the Committee. Richard Klose made a motion to approve the May 2019 Financial Statements. Scot Stokes seconded the motion, all in favor, motion passed.
- Review and recommend approval to Council Claims entered through 6/14/19. Richard Klose had previously reviewed the Claims Detail report and the check register for accuracy. Richard Klose made a motion to recommend approval of the claims entered through 6/14/19. Scot Stokes seconded the motion, all in favor, motion passed.
- Review Comp/Overtime hours for pay period ending 06/02/19. There were no questions or comments regarding the Comp/Overtime report.
- Review and approve Payroll Register for pay period ending 06/02/19 totaling \$186,340.84. The two-page summary was reviewed, signed and dated. Richard Klose made a motion to approve the Payroll Register for the pay period ending 06/02/19 totaling \$186,340.84. Scot Stokes seconded the motion, all in favor, motion passed.

New Business – none

Old Business – none


Other Items –

The Committee was provided an audit letter from Olness & Associates, P.C.

The Mayor gave an update on the solid waste fund. He stated that Billings City Council recently passed an increase to their landfill fees. This will affect the City of Laurel solid waste enterprise fund as we must take all our waste to the City of Billings landfill. The City is going to have to investigate ways to increase revenues as this fund has experienced a decrease in overall net position for a few years now due to increased landfill fees. This is due to expenditures exceeding revenues annually. The Mayor stated that he is continuing to investigate ways to help the Ambulance Department. The Chief wants a full time Ambulance crew hired. The Mayor is looking at many different options and setups.

Announcements – The next Budget and Finance Meeting will be held on July 2, 2019 at 5:30pm
Bruce McGee 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
CITY COUNCIL WORKSHOP
TUESDAY, JUNE 25, 2019**

A Council Workshop was held in the Council Chambers and called to order by Council President at 6:29 p.m. on June 25, 2019.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks (6:30)
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer

Nick Altonaga, City Planner

Public Input:

There was one.

General Items

1. Re-appointment of Ken Olsen to the Cemetery Commission for a two-year term ending June 30, 2021.

There was no discussion.

Executive Review

2. Motion to approve Council Member Klose to be absent from the City of Laurel for more than ten days (LMC 2.12.060)

Council Member Klose stated he is attending the American Legion Convention. Then spending time with his wife touring the high line.

3. Resolution: A Resolution Of The City Council Granting Permission For A Property Owner To Utilize Decorative Concrete Within The Boulevard That Adjoins The Owner's Property Located In The City Of Laurel.

Josh Guptill, 401 E. 4th Street, stated he is redoing his City sidewalks. He does concrete for a living and owns his own business. He would like to put in exposed aggregate with tree rings to make it look nicer with no weeds.

Nick Altonaga, City Planner, stated that the boulevard ordinance would be redoing the ordinance soon. He stressed that variances often beget more variances. However, he is generally in support of this request. He did speak with the Public Works Director regarding this issue.

It was questioned if the water valve would be cemented over. It was clarified by the homeowner that he has spoken with the Water Department and that he does have a curb stop. He has already purchased a water monument for the curb stop that will be flush with the concrete.

It was questioned if pictures of what it currently looks like and pictures of what it will look like could be brought to Council next week. It was clarified that pictures would be provided for next weeks meeting.

It was questioned if the pending changes to the boulevard code would allow for this type of boulevard. It was clarified that the new code will be robust and allow for a variety of options for maintaining residential boulevards. This change should not lead to many future variances down the road.

4. Resolution: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Encode Corporation For Replacement Of Two Condenser Units At The Fire, Ambulance And Police Building.

Bethany Langve, Clerk/Treasurer, stated recently Encode was called out to repair the AC units on the FAP building. One unit is completely shot, the other could possibly be repaired, but for the cost of \$6,500 with no guarantee, the repair would make the unit function properly. The City can replace both for approximately \$10,000. The coolant is so old that it is not produced anymore. Both these units have been hail damaged and need to be replaced.

Council Issues

5. Update on Handicap Parking

Nick Altonaga, City Planner, handed out a concept plan that the Public Works Director had drawn up, see attached. This plan more than doubles the current parking. This is a draft and is subject to change. The Public Works Director will be calculating the costs associated with these upgrades.

It was questioned if the street curbside will remain handicap parking with everything else general parking. It was clarified that was correct. There has been discussion about how to manage this parking lot during special events. It was further clarified that the handicap parking would be handicap parking regardless of the event.

It was questioned if traffic will follow traffic flow arrows. It was clarified that was correct. It was further questioned if there will be anything to stop people from parking on the grass. It was stated there is a gate at the southern end of the parking lot that will prevent people from further parking south. There will also be large rocks to stop people from pulling over the grass.

It was questioned if the parking lot will lose two handicap spots. It was clarified that this is a draft, and the number of handicap spots can be adjusted. This plan will not reduce the current number of handicap spots.

Karl Dan Koch, 320 Colorado Avenue, stated he is excited about these changes. This is what he had requested three years ago. He thanked Council and Staff for their work on this project.

6. Ordinance Discussion

Nick Altonaga, City Planner, stated the Mayor has directed the boulevard codes would be updated to include dry scaping and xeriscaping to give more options to residents to care for their boulevards. The code will be more robust than the current code. Some of the standards date back to the mid-70s and need to be updated to meet current municipal needs. He stated that City Staff would be working with KLJ to help update the standards.

Other Items

LURA Large Grant Committee will meet June 26, 2019, at 10:00 a.m. in Council Chambers.

City/County Planning Board's July 4th meeting has been moved to July 11th at 10:00 a.m. in Council Chambers.

Park Board's July 4th meeting has been moved to July 11th at 5:30 p.m. in the Council Conference Room.

Tree Board on July 18th has been canceled.

Tree Board on August 15th has been canceled.

Tree Board on September 19th has been moved to September 12th at 9:30 a.m. in the Public Works Conference Room.

Airport Authority has moved their meetings back to the 4th Tuesday of the month starting in July.

Public Works Committee will be as scheduled.

Review of Draft Council Agendas

7. Review of Draft Council Agenda for July 2, 2019.

There were no changes.

Attendance at Upcoming Council Meeting

Council Member Klose will not be in attendance.

Announcements

Karl Dan Koch, 320 Colorado Avenue, asked when the boundaries for each of the wards were set. With the continued growth of the City may need to revisit this discussion.

The ribbon cutting ceremony for 212 will be at 1 p.m. in Riverside Park.

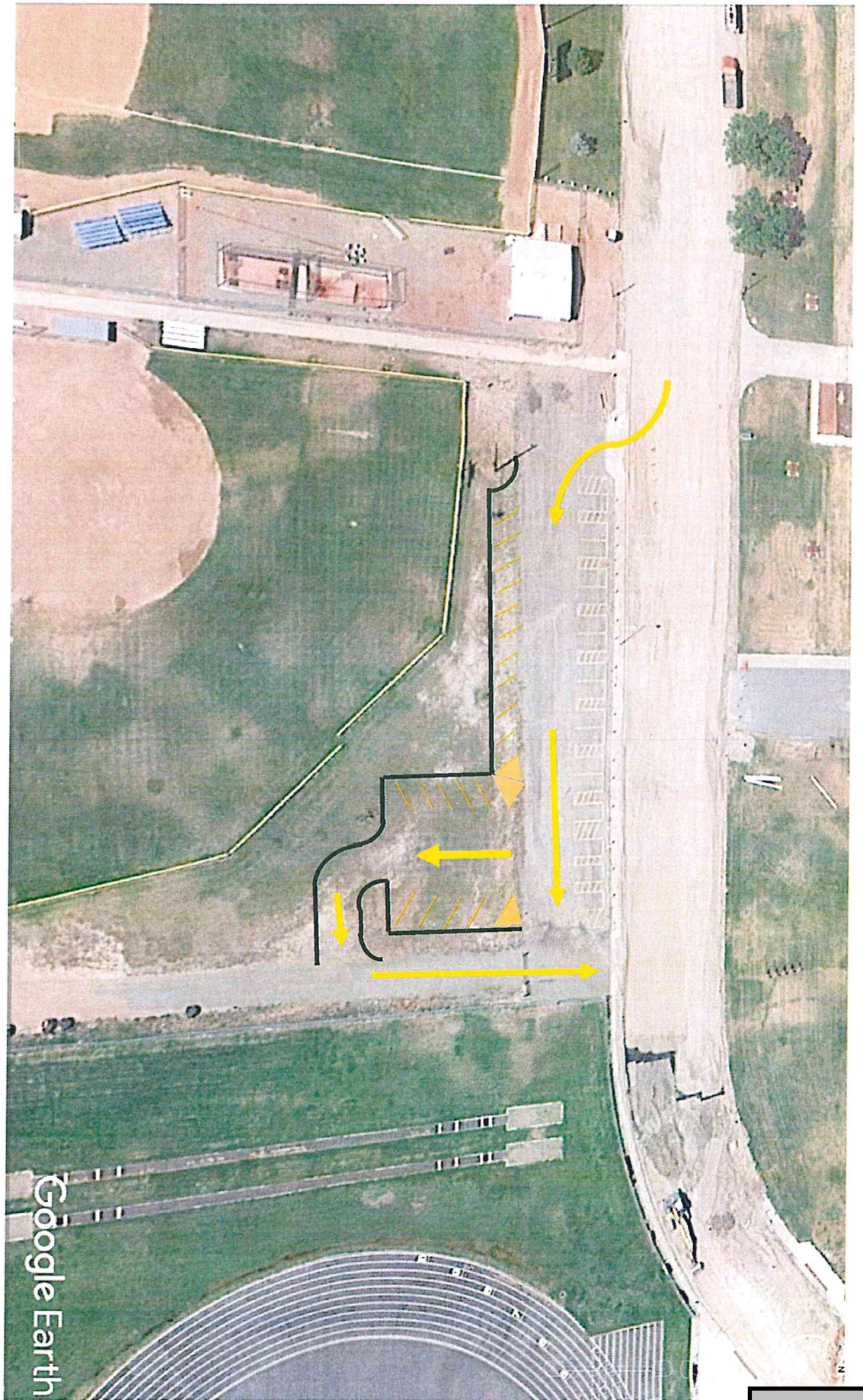
The council workshop adjourned at 6:59 p.m.

Respectfully submitted,



Brittney Moorman
Administrative Assistant

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
LAUREL AIRPORT AUTHORITY BOARD MEETING
Tuesday, May 21, 2019

A Laurel Airport Authority Board meeting was held in the Airport Pilot's Lounge and called to order by Chairman Randy Hand at 19:00.

BOARD MEMBERS PRESENT:

- ☐ Randy Hand, Chairman
- ☐ Brock Williams, Secretary
- ☐ Jim Swensgard
- ☐ Will Metz
- ☐ Shane Linse

OTHERS PRESENT:

Hardin Graham, Mark Webb

1. General Items

- a. Previous minutes approved by unanimous consent
- b. Regular occurring claims were approved

2. Reports from Craig Canfield of KLJ

- a. Craig was not present but had provided a written status report in advance, which was reviewed
- b. No substantial changes from last status report. Paul Siewert has begun work on moving the buildings, and is anticipating 6 weeks until completion.

3. New Business

- a. Engineering 5 year selection due. Randy to get letter template from FAA and send to potential firms.

- b. Discussion regarding moving meeting back to the 4th Tuesday. Seems to work better for board members, as well as for getting claims approved and paid timely. Motion to change back to 4th Tuesday starting in July approved without dissent.
- c. Assignment/New Lease for 2343 Stormont. We will issue new lease to Shane's LLC with 20/11 terms, then issue new lease to the buyer. Motion approved without dissent.
- d. Signature cards for Western Security Bank. Motion to request new signature cards to remove John Smith, and add Will and Jim. Approved without dissent.
- e. Request for new lease to build another 5 plex T-hangar at 2530 Leuthold. Need to get a correct lease document drafted. Also need Craig to calculate proper square footages for the lease.

4. Old Business

- a. MTANG. Will has spoken with Sherman Kirby and is planning to meet next week.
- b. Hardin Graham / Laurel Aviation Services LLC.
 - i. Reviewed lease changes requested by Hardin's attorney, as well as the Airport's attorney's (Ken Peterson) response. Our attorney accepted some of the proposed changes and modified some. Motion to approve lease as modified by Ken Peterson, approved without dissent.
 - ii. Meets and Bounds. Board doesn't have any problem with Hardin having this done but it will be at his expense. If Craig does the work we have no issue attaching it to the lease.

5. Public Input

Citizens may address the board regarding any item of 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 board will not take action on any item not on the agenda.

- a. Mark Webb.
 - i. Wondering what the status of the gate is, and why it is still open. Discussed that it is broken and needs to be repaired, and that there are differing opinions on how it should be handled.

- ii. He is also interested in building a 5-plex T-hangar and wondered where he would be able to do that. Discussed that a good option might be on Cory, but there were other options that would require more work (taxiway extension, etc.)

6. Other Items

none

7. Announcements

a. none

The meeting was adjourned at 20:00.

Respectfully submitted,

Brock Williams
Secretary

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

MINUTES
CITY OF LAUREL
Tree Board

06/06/2019 09:30 AM
Public Works Conference Room

A Tree Board was held in the Public Works Conference Room and called to order by LuAnne Engh at 09:30 AM on 06/06/2019.

COMMITTEE MEMBERS PRESENT:

<input checked="" type="checkbox"/> LuAnne Engh, Chairman	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Aaron Christiansen, Vice-Chairman	<input type="checkbox"/> Matt Wheeler
<input type="checkbox"/> Walter Widdis, Secretary	<input checked="" type="checkbox"/> Kurt Markegard
<input checked="" type="checkbox"/> Dale Ahrens	<input checked="" type="checkbox"/> Phyllis Bromgard

OTHERS PRESENT:

_____	_____
_____	_____
_____	_____
_____	_____

1. Public Input

- a. Meagan Hoyer and supervisor, Joe Lockwood Yellowstone County Weed District attended and explained their grant program to spray noxious weeds
- b. Meagan distributed a noxious weed field guide, a grant application (\$1,000) and the cost share program. (\$500)
- c.

2. General Items

- a. May 2019 minutes approved

- b. Lynn Peterson had her teachers write letters and Thanks You cards to Walmart and the Tree Board. LuAnne read a few good ones. Dale delivered the Walmart cards and LuAnne mailed out the other ones to our presenters. The kids did a fantastic job of explaining what they learned from the experience.
- c. Yellowstone Weed District offers two programs: 1) is a cost share program (\$500) to reimburse the city for herbicides they buy. Milestone is \$82/gallon and covers 4 acres. We have noxious weeds around South Pond and this product is safe near water. The deadline for the funds is June 30th. Megan can do the spraying for \$80/hour. Kurt and Matt will look into this.
- d. The second grant is due at the end of the year. This for larger amounts. You can only spray areas with serious noxious weeds. We may not qualify for this until more weeds are evident.
- e. Any weed eradication requires 2-3 years of consistent application.
- f. The two weeds at South Pond are Scotch Thistle and Spotted Knapweed
- g. Megan and Joe are available for more help with the applications or we can contact Jasmine Reimer, State Weed Coordinator 406-444-3140

3. New Business

- a. Downtown tree district - LURA grant - Aaron submitted the information to Kurt to in January but nothing has happened.
- b. Mike Ruggles from FWP still wants to dredge the pond so that more fish will grow and the pond will be healthier - this could be done for free if the gravel companies still need gravel for the interstate project. Kurt said he has equipment that could do the project
- c. James Prchal mentioned that a Fall work day (volunteer arborists) might be a better time to get work done on the trees at South Pond. Good time to plant, trim and get trees ready for winter.

4. Old Business

- a. Lions - the dock should be a go. The pathway is still waiting for their National association to match funds they have collected.

5. Other Items

- a. Nutting Park and Thompson are getting trees trimmed and stumps removed by Patric Riedl.
- b. Elena Park - need replacements after winter kill
- c. South Pond - trees need trimming and fertilizing

- d. Riverside Park Progress with DOJ funds - the vault toilet is installed on the river bank to be above the flood plain. It was opened for Memorial Weekend.
- e. All members should keep track of their hours. Volunteer hours equal \$23 and that is used to show money spent on trees to qualify for Tree USA. Hours are collected at the end of the year.

6. Announcements

- a. No Summer Meetings - Next meeting Sept. 12th @9:30

The Tree Board adjourned at 10:15 AM.

Respectfully submitted,

LuAnne Engh
Committee Chairman

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

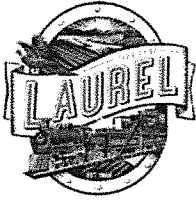
Laurel City-County Planning Board
Meeting Agenda
July 19 , 2018
10:00 a.m.

It is the mission of the Laurel City-County Planning Board to fairly review planning issues brought to this Board. This Board serves as a volunteer advisory board to the Laurel City Council, and the Yellowstone County Commissioners, the vote that is made by this Board is recommended to the appropriate Governing body for their final review.

Type of Meeting: Laurel City-County Planning Board

- I. Call to Order
- II. Roll Call
- III. Approval of minutes from the previous meeting
- IV. New Business
 - a. Public Hearing on Draft 2018 Floodplain Regulations
 - b. Recommendation to City Council of Draft 2018 Floodplain Regulations
- V. Old Business
 - a. Planner Vacancy Update
- VI. Miscellaneous
 - a. Next meeting, August 2nd , 2018
- VII. Public Comment or non-Agenda Topics
- VIII. Adjournment

The City makes reasonable accommodation for any know 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. Please call 406-628-7431 Extension 2 or write to Bethany Keeler, 1 West First Street, Laurel Montana 59044 to make your request known.



**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
THURSDAY, JUNE 06, 2019
10:00 AM
CITY COUNCIL CHAMBERS**

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

1. Roll Call

Evan Bruce
Judy Goldsby
Ron Benner
Nick Altonaga (Laurel Planning Department)

No Quorum present.

New Business

Old Business

Other Items

Announcements

2. Next Meeting: Date TBD for July

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



**MINUTES
CITY OF LAUREL
LAUREL URBAN RENEWAL AGENCY
MONDAY, MAY 20, 2019
11:00 AM
CITY COUNCIL CHAMBERS**

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

Chair called meeting to order at 11:00AM

1. Roll Call

Judy Goldsby	Daniel Klein
Don Smarsh	Linda Frickel
Janice Lehman	Steve Solberg
Dean Rankin	Michelle DeBoer
Nick Altonaga	Diane Lehm
Marvin Carter	

2. Approve Meeting Minutes: April 15, 2019

Dan motions to approve
Don seconds
Motion carries, minutes approved.

New Business

3. LURA Application: Carter-F.O.E.

Discussion about Application history: Large grant was previously applied for and denied, advised to apply for small grant this cycle. Chair explained the grant timeline. Members discussed how best to organize grant discussions and how best to provide funding for local projects.

Don makes motion to approve façade and signage grants at 50:50 match (\$1,275.00 and \$900.00).
Dean seconds motion.
Motion carries.

Members discussed the general small grant request and how funding approved by the LURA board goes to the city council.

Don motions to provide 50:50 match for the FOE small grant request at \$4,957.00.
Daniel seconds
Motion Carries.

4. LURA Application: Price VFW

Discussion of the purpose of the grant and why the VFW is applying for grant.

Dan makes motion to approve 50% match for the signage grant request of \$1,605.25.

Don seconds.

Motion carries.

5. LURA Application: Krueger-Coburn

Discussion of Krueger-Coburn grant and their application background. Members discussed previous work done on their property and how it has improved.

Dean makes motion to approve Coburn small grant for 13,385.96 at a 50% match.

Don seconds

Motion carries

6. LURA Application: Everett-Pelican

LURA Board will forward large grant applications to the large grant committee. Chair will assist in assembling a large grant committee.

7. LURA Application: White-Mountain Land Rehabilitation

Application will be reviewed by large grant committee.

Old Business

8. LURA Application: Fjelstad

City Planner presents thoughts on Small grant and how to proceed. Technical assistance grant will be recommended to city council.

Dan makes motion to approve general small grant of \$4,375.72 at 50%.

Don seconds

Motion carries.

Dean makes motion to approve the technical assistance grant of \$10,103.68 at a 1/3rd match.

Don seconds

Motion carries

Don makes motion to approve the façade grant request of \$7,663.44 at 50% match

Daniel seconds

Motion Carries

Fjelstad Large Grant application will be forwarded to the Large Grant Committee.

9. LURA Application: Dyer

Member discussion of the Dyer application. Nick will follow-up with Darrell Dyer for clarification on project costs, estimates, and work to be done.

Other Items

Chair presents update on Budget increase request and council workshop. Discussion of what was talked about and their need for clarification and scheduling and how to proceed with grant review/approval.

10. LURA Budget

Members discussed how they have had a lack of information about the bonding of future projects. Board members have wanted more communication with the city council on budget and improvement decisions. Members would like to be on the same page as the city council.

Members discussed street improvements and the possible types of bondable projects. Members discussed how the LURA grant programs have made an impact on the district and the importance of involving more people. Further discussion took place regarding the status of projects within the district such as the SE 4th Lighting Project. The elimination of traffic and street problems is a major issue for potential projects and district improvements.

Follow-up Work:

- Nick will provide updated LURA budget monthly to members.
- Nick and Judy will follow up with the mayor to get clarification on the LURA budget, bondable projects, and strategic goals for funding.

Diane Lehm from Big Sky EDA:

- Procurement technical assistance matchmaker workshop. Upcoming on 5/29/19. Session with discuss how to make bids and work on projects with the government.

Announcements

11. Next Meeting: June 17, 2019

Chair Adjourned meeting at 12:13PM.

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:

7. Re-appointment of Ken Olsen to the Cemetery Commission for a two-year term ending June 30, 2021.



CITY OF LAUREL

BOARDS, COMMISSIONS, AND COMMITTEES

REAPPOINTMENT FORM

Date: 6-19-19

Name of Member: KEVIN LSON

I presently serve on the CEMETERY and wish
(Board/Commission/Committee)
to be considered for reappointment to another term.

Signature: Kevin Lson

Date: 6-19-19

Please submit this form to: Administrative Assistant
City of Laurel
P.O. Box 10
Laurel, MT 59044

Item Attachment Documents:

9. Resolution No. R19-32: A Resolution Of The City Council Granting Permission For A Property Owner To Utilize Decorative Concrete Within The Boulevard That Adjoins The Owner's Property Located In The City Of Laurel.

RESOLUTION NO. R19-32

A RESOLUTION OF THE CITY COUNCIL GRANTING PERMISSION FOR A PROPERTY OWNER TO UTILIZE DECORATIVE CONCRETE WITHIN THE BOULEVARD THAT ADJOINS THE OWNER'S PROPERTY LOCATED IN THE CITY OF LAUREL.

WHEREAS, the owner of the property located at 401 East 4th Street, in the City of Laurel, desires to change the boulevard that adjoins his property from grass to decorative concrete; and

WHEREAS, Chapter 12.32.010 of the Laurel Municipal Code Laurel currently requires all boulevard's to be kept in grass and trees unless specific permission is granted for other purposes; and

WHEREAS, the property owner has filed a written request, in the attached letter which is hereby incorporated herein, seeking the City Council's permission to install decorative concrete to replace the existing grass along his property which will improve the appearance of his property and reduce the maintenance required for the grass; and

WHEREAS, based on the location of the request, the City Council finds no reason to deny the request since the overall purpose of the City Code will remain unaffected regardless of the exception granted the property owner.

NOW THEREFORE BE IT RESOLVED the City Council of Laurel hereby grants permission, pursuant to Chapter 12.32.010 of the Laurel Municipal Code, to the property owner at 401 East 4th Street, Laurel Montana, to change a portion of the boulevard located along 4th Street near the property from grass to decorative concrete as described in the attached letter; and

BE IT FURTHER RESOLVED, if the property owner removes the decorative concrete he/she shall return the same to grass. Tree Planting shall remain in accordance with the Laurel Municipal Code.

Introduced at a meeting of the City Council on July 2, 2019, by Council Member _____.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 2nd day of July 2019.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter Civil City Attorney

Hi, My name is Josh Guptill and live at 401 East 4th Street in Laurel. I would like to concrete in my boulevard. I have a permit and am replacing my city sidewalk and drive approach. I will put tree rings around my trees and want to improve the look of my property by pouring colored concrete in my boulevard. It will look amazing and cut down the maintenance for us keep.

Thanks

Josh Guptill







Item Attachment Documents:

10. Resolution No. R19-33: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Encode Corporation For Replacement Of Two Condensor Units At The Fire, Ambulance And Police Building.

RESOLUTION NO. R19-33

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
SIGN A CONTRACT WITH ENCODE CORPORATION FOR REPLACEMENT OF
TWO CONDENSER UNITS AT THE FIRE, AMBULANCE
AND POLICE BUILDING.**

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Contract between the City of Laurel and Encode Corporation relating to air conditioning repairs, specifically replacement of two condenser units, at the City's Police, Fire and Ambulance Building. A copy of the Contract is attached hereto, is hereby approved.

Section 2: Execution. The Mayor and the City Clerk of the City of Laurel are hereby given authority to execute the contract on behalf of the City.

Introduced at a regular meeting of the City Council on July 2, 2019, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this 2nd day of July 2019.

APPROVED by the Mayor this 2nd day of July 2019.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 2nd day of July 2019, between the City of Laurel, a municipal corporation organized and existing under the laws of the State of Montana whose address is P.O. Box 10, Laurel, Montana 59044, hereinafter referred to as "City" and Encode Corporation, a contractor licensed to conduct business in the State of Montana, whose address is 111 Florine Ln, Billings, MT 59101, hereinafter referred to as "Contractor".

SECTION ONE DESCRIPTION OF SERVICES

A. Purpose. City shall hire Contractor as an independent contractor to perform for City the services described in the Bid dated June 21, 2019, attached hereto as Exhibit "A" and by this reference made part of this contract.

B. Effective Date. This contract is effective upon the date of its execution by both Parties. Contractor shall complete the services within 60 days of commencing work. The parties may extend the term of this contract in writing prior to its termination for good cause.

C. Scope of Work. Contractor shall perform his/her work and provide services in accordance with the specifications and requirements of this contract, any applicable Montana Public Work Standard(s) and Exhibit "A".

SECTION TWO CONTRACT PRICE

Payment. City shall pay Contractor ten thousand one hundred dollars and no cents (\$10,100.00) for the work described in Exhibit A. Any alteration or deviation from the described work that involves extra costs must be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree to extra payments or charges in writing. Prior to final payment, Contractor shall provide City with an invoice for all charges.

SECTION THREE CITY'S RESPONSIBILITIES

Upon completion of the contract and acceptance of the work, City shall pay Contractor the contract price, plus or minus any additions or deductions agreed upon between the parties in accordance with Sections one and two, if any.

SECTION FOUR CONTRACTOR'S WARRANTIES AND RESPONSIBILITIES

A. Independent Contractor Status. The parties agree that Contractor is an independent contractor for purposes of this contract and is not to be considered an employee of the City for any purpose hereunder. Contractor is not subject to the terms and provisions of the City's personnel policies or handbook and shall not be considered a City employee for workers' compensation or any other purpose. Contractor is not authorized to represent the City or otherwise bind the City in any dealings, agreements or sub-contracts in any dealings between Contractor and any third parties. The City is

interested solely in the results of this contract. Contractor is solely responsible for all work and work product under this contract, including techniques, sequences, procedures, and means. Contractor shall supervise and direct the work to the best of his/her ability.

B. Wages and Employment. Contractor shall abide by all applicable State of Montana Rules, Regulations and/or Statutes in regards to prevailing wages and employment requirements. Contractor shall comply with the applicable requirements of the Workers' Compensation Act. Contractor shall maintain workers' compensation coverage for all members and employees of his/her business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA. Contractor understands that all contractors or subcontractors working on publicly funded projects are required to have withheld from earnings a license fee of one percent (1%) of the gross contract price if the gross contract price is Five Thousand Dollars (\$5,000) or more. This license fee is paid to the Montana Department of Revenue pursuant to Montana law.

C. Unless otherwise specified by the terms of this Agreement, all materials and equipment used by Contractor on the Construction Project shall be new and where not otherwise specified, of the most suitable grade for their intended uses.

D. All workmanship and materials shall be of a kind and nature acceptable to the City.

E. All equipment, materials, and labor provided to, on, or for the Contract must be free of defects and nonconformities in design, materials, and workmanship for a minimum period beginning with the commencement of the work and ending one (1) year from completion and final acceptance by the City. Upon receipt of City's written notice of a defective or nonconforming condition during the warranty period, Contractor shall take all actions, including redesign and replacement, to correct the defective or nonconforming condition within a time frame acceptable to the City and at no additional cost to the City. Contractor shall also, at its sole cost, perform any tests required by City to verify that such defective or nonconforming condition has been corrected. Contractor warrants the corrective action taken against defective and nonconforming conditions for a period of an additional one (1) year from the date of City's acceptance of the corrective action.

F. Contractor and its sureties are liable for the satisfaction and full performance of all warranties.

G. Contractor has examined the facilities and/or has made field examinations. Contractor has knowledge of the services or project sought under this Contract and he/she further understands the site conditions to be encountered during the performance of this Contract. Contractor has knowledge of the types and character of equipment necessary for the work, the types of materials needed and the sources of such materials, and the condition of the local labor market.

H. Contractor is responsible for the safety of the work and shall maintain all lights, guards, signs, temporary passages, or other protections necessary for that purpose at all times.

I. All work is performed at Contractor's risk, and Contractor shall promptly repair or replace all damage and loss at its sole cost and expense regardless of the reason or cause of the damage or loss; provided, however, should the damage or loss be caused by an intentional or negligent act of the City, the risk of such loss shall be placed on the City.

J. Contractor is responsible for any loss or damage to materials, tools, work product or other articles

used or held for use in the completion or performance of the Contract.

K. Title to all work, work product, materials and equipment covered by any payment of Contractor's compensation by City, whether directly incorporated into the Contract or not, passes to City at the time of payment, free and clear of all liens and encumbrances.

SECTION FIVE INDEMNITY AND INSURANCE

Contractor shall indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees.

SECTION SIX COMPLIANCE WITH LAWS

Contractor shall comply with all federal, state, local laws, ordinances, rules and regulations. Contractor shall either possess a City business license or shall purchase one, if a City Code requires a business license.

SECTION SEVEN NONDISCRIMINATION

Contractor agrees that any hiring of persons as a result of this contract must be on the basis of merit and qualification and further that Contractor shall not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability or national origin.

SECTION EIGHT DEFAULT

If either party fails to comply with any term or condition of this Contract at the time or in the manner provided for, the other party may, at its option, terminate this Contract and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law except for punitive damages. The Parties hereby waive their respective claims for punitive damages. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Contract.

SECTION NINE TERMINATION

Either party may terminate the contract for their convenience upon thirty days written notice sent postage prepaid, to the addresses provided herein.

SECTION TEN
GOVERNING LAW AND DISPUTE RESOLUTION

The Parties agree that the laws of the State of Montana govern this Contract. The Parties agree that venue is proper within the Courts of Yellowstone County, Montana. If a dispute arises, the Parties, through a representative(s) with full authority to settle a dispute, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third party mediator and equally share the costs of the mediator or file suit.

SECTION ELEVEN
ATTORNEY FEES

If any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either is ordered to pay, a reasonable sum for the successful party's attorney's fees and all costs charges and expenses related to the action.

SECTION TWELVE
ENTIRE AGREEMENT

This contract and its referenced attachment and Exhibit A contain the entire agreement and understanding of the parties and supersede any and all prior negotiations or understandings relating to this project. This contract shall not be modified, amended, or changed in any respect except through a written document signed by each party's authorized respective agents.

SECTION THIRTEENTH
ASSIGNMENT OF RIGHTS

The rights of each party under this Contract are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

SECTION FOURTEEN
SEVERABILITY

Each provision, section, or subsection of this Contract shall stand separate and independent of every other. In the event that a court of competent jurisdiction shall find any provision, section, or subsection of this contract to be invalid, the remaining provisions, sections, and subsections of this contract shall remain in full force and effect.

SECTION FIFTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this contract are solely for the convenience of the parties and shall not be used to explain, simplify, or aid in the interpretation of the provisions of this agreement.

SIGNED AND AGREED BY BOTH PARTIES ON THE 2nd DAY OF JULY 2019.

CITY OF LAUREL

CONTRACTOR

Thomas C. Nelson, Mayor

Encode Corporation

ATTEST:

Employer Identification Number

Bethany Langve, Clerk/Treasurer



ENERGY CONTROL DEVICES

111 Florine Ln. Billings, MT 59101 Phone (406) 245-2520 Fax (406) 245-5184
Email – encode@encodecorp.com

Presented to:
Laurel Safety Complex
25 W 1st St.
Laurel, MT. 59044

06-21-2019

Attn: Chief Stan Langve

Encode Corporation hereby proposes to provide and install (2) two new R-410a outdoor condenser units to replace the old units that have failed. One unit has a compressor out, both units have been degraded by being hauled out over last 2 years. Finally, these units use R-22 refrigerant which is being phased out by EPA policies. This project includes the install of new TX valves, re-using existing evap coils, removal and disposal of old condensers, lift, install and verify operation of new condensers.

Cost: \$10,100.00

Acceptance:
You are hereby given notice to proceed.

Signature: _____ Date: _____

Please let me know if you have any questions or we can be of service in any aspect.

Sincerely,

Daniel E. Massey

Daniel E. Massey
Vice President
Encode Corp

File: LPDCondensers – '19