



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, OCTOBER 08, 2019
6:30 PM
CITY COUNCIL CHAMBERS**

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 September 24, 2019 City Council Meeting.

Correspondence

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.*

2. Claims for the Month of October 2019.
3. Clerk/Treasurer Financial Statements for the Months of July and August 2019.
4. Approval of Payroll Register for Pay Period Ending 09/22/2019 totaling \$183,585.35.

Ceremonial Calendar

5. Fire Prevention Week Proclamation

Reports of Boards and Commissions

6. Review the Following Minutes:
 - Laurel Airport Authority Minutes of August 27, 2019
 - Budget and Finance Committee Minutes of September 3, 2019
 - Emergency Services Minutes of July 29, 2019.
 - Emergency Services Minutes of August 26, 2019.

- Library Board Minutes of August 13, 2019.

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 Duane Rehling to the Laurel Volunteer Fire Department.
8. Resolution No. R19-75 A Resolution Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Relating To Site Survey, Engineering And Design Services Related To Other Related Work To The Creation Of A Campground Within Riverside Park.
9. Resolution No. R19-76 A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Castlerock Excavating, Inc. For Hydrant Removal and Replacement For The City Of Laurel.
10. Resolution No. R19-77 A Resolution Approving a Contract Between The City Of Laurel And Star Service, Inc. For The Replacement Of Screw Pump "A" At The Wastewater Treatment Plant.
11. Resolution No. R19-78 A Resolution Accepting Easement Agreement from Diefenderfer Family Trust.
12. Resolution No. R19-79 A Resolution Resetting The December 24, 2019 City Council Meeting To December 23, 2019.

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.

Item Attachment Documents:

1. Approval of Minutes of September 24, 2019 City Council Meeting.

MINUTES OF THE CITY COUNCIL OF LAUREL

SEPTEMBER 24, 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 6:30 p.m. on September 10, 2019.

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

Emelie Eaton	Bill Mountsier
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OTHER STAFF PRESENT:

Bethany Langve, Clerk/Treasurer

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

Mayor Nelson asked the everyone present to observe a moment of silence.

ROLE CALL OF THE COUNCIL

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of September 10, 2019, as presented, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

1. Granting A Variance From The City's Zoning Ordinance To Allow An Outdoor Computer Controlled Variable Message Sign Within A Residential District.

Mayor Nelson stated this is the time and place set for the public hearing for Granting a Variance from the City's Zoning Ordinance to Allow an Outdoor Computer Controlled Variable Message Sign Within a Residential District.

Mayor Nelson opened the public hearing and asked staff to present the item.

Public Works Director, Kurt Markeguard, presented the item. He briefly went over the items included in the Council packet.

Mayor Nelson opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Nelson asked one (1) time if there were any proponents.

Roy Voss, 1024 13th Ave. came forward as a proponent for this item. He stated that he is a board member at the church requesting the variance. The sign is not capable of animation and will not have any flashing or scrolling. The sign will be shut-off during late night hours as not to disturb the neighbors. It will only have lit messages for the community that will be changed as needed.

Mayor Nelson asked two (2) additional times if there were any proponents. There were none.

Mayor Nelson asked three (3) times if there were any opponents. There were none.

Mayor Nelson stated that he would not have staff respond to questions as there were none.

Mayor Nelson closed the first public hearing.

2. Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards.

Mayor Nelson stated this is the time and place set for the public hearing for Granting a Variance from the City's Zoning Ordinance to Disregard the Bufferyard Requirement, Sight-Obscuring Fence Requirement and Building Design Standards.

Mayor Nelson opened the public hearing and asked staff to present the item.

Public Works Director, Kurt Markeguard, presented the item. He briefly went over the items included in the Council packet.

Mayor Nelson opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Nelson asked one (1) time if there were any proponents.

Chuck Henricks, 922 Westgate Dr, stated that he is with EEC. EEC is the engineering firm for the project. They are asking for the variance for multiple reasons. This is a pre-engineered building as it has multiple overhead doors. There are exposed fasteners, but you will not notice them unless you are parked next to the building. The bufferyard is still going to be there, however this variance request is to allow the business to not have to plant trees. The fence request is to allow the public to see the products.

Mayor Nelson asked two (2) additional times if there were any proponents. There were none.

Mayor Nelson asked three (3) times if there were any opponents. There were none.

Mayor Nelson stated that he would not have staff respond to questions as there were none.

Mayor Nelson closed the second public hearing.

CONSENT ITEMS:

- **Claims for the month of September 2019 in the amount of \$792,369.37.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Clerk/Treasurer Financial Statements for the month of August 2019.**
- **Approval of Payroll Register for PPE 9/8/2019 totaling \$206,503.39.**

The mayor asked if there was any separation of consent items. Council Member McGee stated the Financial Statements for the month of August 2019 would need to be separated from the consent agenda, as the auditors have requested some changes be made to the month end close process and this will affect the financial reports. The Clerk/Treasurer will bring July and August 2019 to the next Budget and Finance meeting.

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

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- **Review reports from Boards and Commissions.**
 - Laurel Chamber of Commerce Minutes of August 08, 2019.
 - City-County Planning Board minutes of September 5, 2019.
 - Budget and Finance Committee minutes of September 10, 2019.
 - Laurel Urban Renewal Agency minutes of September 19, 2019.

There were no questions or comments regarding the presented minutes.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

3. Appointment of Joe Lowther and Austin Hirsch to the Laurel Volunteer Ambulance Department.

Motion by Council Member Klose to approve the appointment of Joe Lowther and Austin Hirsch to the Laurel Volunteer Ambulance Department, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

4. Appointment of Michelle DeBoer as an advisory member to the Laurel Urban Renewal Agency.

Motion by Council Member Stokes to approve the appointment of Michelle DeBoer as an advisory member to the Laurel Urban Renewal Agency, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

5. Resolution No. R19-69 A Resolution Granting A Variance From The City's Zoning Ordinance To Allow An Outdoor Computer Controlled Variable Message Sign Within A Residential District.

Motion by Council Member Sparks to approve Resolution No. R19-69, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

6. Resolution No. R19-70 A Resolution Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards.

Motion by Council Member Herr to approve Resolution No. R19-70, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

7. Resolution No. R19-71 A Resolution Authorizing The Award of Grants From The Tax Increment Financing District Funds Pursuant To The LURA Small Grant Request Program For Eligible Applicants And Improvements.

Motion by Council Member Stokes to approve Resolution No. R19-71, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

8. Resolution No. R19-72 Resolution No. R19-72 A resolution Approving a Contract Between The City Of Laurel And the Montana Department Of Justice Natural Resource Damage Program.

Motion by Council Member Wilke to approve Resolution No. R19-72, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

9. Resolution No. R19-73 A Resolution Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Relating To The Development Of Design Standards For Public Improvements.

Motion by Council Member Sparks to approve Resolution No. R19-73, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

10. Resolution No. R19-74 A Resolution Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Relating To The Assembling Of City Infrastructure Data Into A Single Source, Which Can Be Used To Track And Manage Assets.

Motion by Council Member Klose to approve Resolution No. R19-74, seconded by Council Member Sparks. There was no public comment, Council commented that future costs associated with upgrades still needed to be investigated. Council also wanted to know how utilities would be located if the internet was down, or there was a total loss of power. A vote was taken on the motion, and all six council members present voted aye. Motion carried 6-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: Financial Statements for the Month of August 2019.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION: None.

MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member McGee to adjourn the council meeting, seconded by Council Member Herr. There was no public comment or council discussion. A vote was taken on the motion, and 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 7:08 p.m.

Bethany Langve, Clerk-Treasurer

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 8th day of October 2019.

Thomas C. Nelson, Mayor

Attest:

Kelly Strecker, Deputy Clerk

Item Attachment Documents:

5. Fire Prevention Week Proclamation

Fire Prevention Week Proclamation

WHEREAS, the city of Laurel, Montana is committed to ensuring the safety and security of all those living in and visiting Laurel; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed 2,630 people in the United States in 2017, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 357,000 home fires; and

WHEREAS, the majority of US fire deaths (4 out of 5) occur at home each year; and

WHEREAS, the fire death rate per 1000 home fires reported to US fire departments was 4 percent higher in 2017 than in 1980; and

WHEREAS, when the smoke alarm sounds Laurel's residents may have less than two minutes to escape to safety; and

WHEREAS, Laurel's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Laurel's residents should make a home escape plan, drawing a map of each level of the home, showing all doors and windows; and

WHEREAS, Laurel's residents should practice the home fire escape plan with everyone in the household, including visitors; and

WHEREAS, Laurel's residents should practice the home fire escape drill at least twice a year, during the day and at night; and

WHEREAS, Laurel's residents should teach children to escape on their own in case adults can't help them; and

WHEREAS, Laurel's residents should make sure everyone in the home knows how to call 9-1-1 or the local emergency number from a cell phone or a neighbor's phone; and

Fire Prevention Week Proclamation

WHEREAS, Laurel's residents should practice using different ways out; and

WHEREAS, Laurel's residents in a real emergency should get low and go under the smoke to get out quickly; and

WHEREAS, Laurel's residents should get out and stay out, never going back inside the home for people, pets, or things; and

WHEREAS, Laurel's residents are responsive to public education measures and are able to take action to increase their safety from fire, especially in their homes; and

WHEREAS, the 2019 Fire Prevention Week™ theme, "Not Every Hero Wears a Cape. Plan and Practice Your Escape!™" effectively serves to remind us that we need to take personal steps to increase our safety from fire.

THEREFORE, I Thomas C Nelson, Mayor of Laurel Montana, do hereby proclaim October 6–12, 2019, as Fire Prevention Week throughout this city, and I urge all the people of Laurel to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of Laurel's fire and emergency services during Fire Prevention Week 2019.

Item Attachment Documents:

6. Laurel Airport Authority Minutes of August 27, 2019

MINUTES
LAUREL AIRPORT AUTHORITY BOARD MEETING
Tuesday, August 27, 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

OTHERS PRESENT:

Hardin Graham, Craig Canfield, Rich McKamy

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

2. Reports from Craig Canfield of KLJ
 - a. Runway Project
 - i. Substantial Completion walkthrough with Siewert was today. He has some clean-up to do. Riverside will finish fine grading and spreading top soil, then seed and fertilize in September. Craig expects the project and all closeout paperwork to be completed by the end of September.
 - b. CIP
 - i. Need update to Capital Improvement Plan by mid October. Craig provided a draft. Board to review draft and provide feedback on priorities prior to next meeting.

3. New Business

- a. Engineering 5 year selection due. Still pending.
- b. Rich McKamy wondering what it will take to get the gate fixed. Discussion regarding how the gate always breaks in winter due to snow buildup and should be replaced with a vertical lift / scissor gate. Randy to investigate getting it fixed temporarily.
- c. Leases. Motion made to send a letter to all hangar owners stating that we are going to enter into new leases for all hangars to be consistent with IRS regulations for 20/11 year terms. If someone wants to stay under their old lease they can elect to do that. Motion approved unanimously.
- d. Hardin Graham / Laurel Aviation Services LLC. Lease document has been approved by the attorney and reviewed by the board. Motion (Jim/Brock) to approve Randy as Chairman to execute the lease as presented and reviewed upon closing of the transaction by Laurel Aviation Services. Motion approved unanimously. Closing is anticipated to occur August 30, but may be push back into the next week.
- e. SRE Building finishes. Shane or Randy to investigate concrete floor and get budgetary numbers. Need decision on overhead doors, as well as a record storage/warm room/office in the building.

4. Old Business

- a. Three leases/assignments are pending:
 - i. Linse to Nate and Doug Allen for 2343 Stormont
 - ii. Miller/Kinmen to Lane Hillier for 244 Stormont
 - iii. Del and Sharon Dinstel for 2415 DeFrance

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. none received

6. Other Items

none

7. Announcements

- a. none

The meeting was adjourned at 20:20.

Respectfully submitted,

Brock Williams
Secretary

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

Item Attachment Documents:

7. Budget and Finance Committee Minutes of September 3, 2019

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, September 24, 2019**

Members Present: **Bruce McGee** **Scot Stokes**
 Richard Klose

Others Present: **Mayor Nelson** **Bethany Langye**

The Meeting was called to order by Vice Chair McGee at 5:35pm.

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 September 10, 2019 meeting. Bruce McGee made a motion to approve the minutes of the September 10, 2019 Budget and Finance Committee meeting. Scot Stokes seconded the motion to approve the September 10, 2019 Budget and Finance Committee meeting minutes, all in favor, motion passed.
- Review and approve purchase requisitions – Repairs to the Transit Bus. The Clerk/Treasurer presented the Committee with a purchase requisition for repairs to the transit bus. She explained that the transit bus was taken in for a turbo air leak, however multiple items were found to be needing repairs. The turbocharger did need to be replaced, along with the alternator, the recirculating cooler, the exhaust line and multiple belts and seals. The bus was not safe to drive until the repairs were completed. The Committee asked how many miles were on the transit bus, and the estimate showed 68,726. The Committee stated that Christian Brothers has a Mercedes-Benz mechanic on its staff and the next time the bus needs repairs to call them for a possible quote. Bruce McGee made a motion to approve the purchase requisition for repairs to the transit bus. Scot Stokes seconded the motion to approve the purchase requisition for repairs to the transit bus, all in favor, motion passed.
- Review and approve the August 2019 Financial Statements. The Clerk/Treasurer explained that since the auditors review of previously submitted financial statements, they've requested changes be made to the way the monthly reconciliations are done. The Clerk/Treasurer is going to redo July and August monthly reconciliations and bring those to the Budget and Finance Committee for review along with the July and August 2019 Financials. She will bring all of those to the October 8th meeting if the Committee approves. The Committee approved of the Clerk/Treasurer bringing the corrected versions to the October 8th meeting.
- Review and recommend approval to Council Claims entered through 09/20/19. Richard Klose had previously reviewed the Claims Detail report and the check register for accuracy. He had signed, dated and returned all reports to the Clerk/Treasurer prior to the meeting. Scot Stokes made a motion to recommend approval to Council the claims entered through 09/20/19, Richard Klose seconded the motion, all in favor, motion passed.
- Review and approve Payroll Register for pay period ending 09/08/19 totaling \$206,503.39. The two-page summary was reviewed, signed and dated. Bruce McGee made a motion to approve the Payroll Register for the pay period ending 09/08/19 totaling \$206,503.39, 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 09/08/2019. The Committee reviewed the comp/overtime report for pay period ending 09/08/2019 and asked if Rock the Block was over. The Committee stated that yes Rock the Block had ended. The Clerk/Treasurer stated that she would have her Accounts Payable Clerk bill for the event.
- The Clerk/Treasurer stated that the auditors had been at City Hall for three days. The visit went very well, and they were very thorough in going over payroll, benefits and cash. To the Clerk/Treasurer's knowledge there were no significant findings and she learned a lot. The auditors will return in the future to complete the audit and the full report will be presented to the Council at that time.
- The Mayor stated that he had nothing for now.

Announcements –

- The next Budget and Finance Meeting will be held on October 8, 2019 at 5:30pm
- Emelie Eaton 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.

Item Attachment Documents:

8. Emergency Services Minutes of July 29, 2019.

**MINUTES
CITY OF LAUREL
EMERGENCY SERVICES COMMITTEE
MONDAY, JULY 29, 2019**

An Emergency Services Committee Meeting was held in the Council Chambers and called to order by Committee Chair Bruce McGee at 6:03 p.m. on July 29, 2019.

COMMITTEE MEMBERS PRESENT:

<input checked="" type="checkbox"/> Bruce McGee, Chair	<input checked="" type="checkbox"/> Richard Klose
<input type="checkbox"/> Irv Wilke	<input checked="" type="checkbox"/> Bill Mountsier
<input type="checkbox"/> Pat Kimmet	<input checked="" type="checkbox"/> Taryn Massa
<input type="checkbox"/> Richard Dawes	

OTHERS PRESENT:

Mayor Nelson
Brent Peters, Fire Chief
Stan Langve, Police Chief

Public Input: None.

General Items:

1. Review and approve the minutes of the Emergency Services Committee meeting of April 29, 2019.

Motion by Council Member Mountsier to Approve the minutes of the Emergency Services Committee meeting of April 29, 2019, seconded by Council Member Klose. A vote was taken on the motion, and all four committee members present voted aye. Motion carried 4-0.

The Chair explained that there was no quorum at the May 20, 2019 meeting so there were no minutes to approve.

New Business:

2. Recommendation to Council to Place the Ambulance Department Under the Direction of the Fire Department

The Chair explained that he wanted the Mayor to express his plans for the Ambulance and Fire Departments, to the Committee, before any other discussions took place. He stated that the role of the Committee would be to make a recommendation to Council or not make a recommendation to Council on this matter. The Mayor stated that he wasn't sure why this was on the Emergency Services Committee agenda. The Chair stated that it was on the agenda because it was briefly mentioned in a previous meeting and not discussed.

The Mayor thanked the Chair and stated that late last year or early this year he had a meeting with the CAO, Fire Chief and Assistant Fire Chief when the term Fire/EMS personnel was mentioned. He stated that he liked that idea and found it intriguing. The Mayor looked into it more and investigated it, not only in Montana but what other communities were doing period. The more he looked into it the more it made sense to have a combined Fire/EMS service. He then met for three hours with the City Manager, Fire Chief and the HR Director of Livingston about their combined Fire/EMS service and then he had a two-hour meeting with the Fire Chief of Columbus about their combined Fire/EMS service. The Fire Chief of Columbus stated the opportunity for the combined staff to field EMS calls due to the frequency of fire calls. As we move forward as a City into 2nd and

eventually 1st Class the Mayor feels it is prudent for the City to start working on this process now. It is going to take a long time until we have any type of full-time service, but we can start moving toward that and start supplementing our volunteers. Both Livingston and Columbus supplement their volunteers with full-time staff. In the meantime, the Mayor is looking into a short-term contract with AMR to get some staff now. For the past two years the City has been running as a combined department, but we still don't have the staff to answer calls. Hiring a full-time Ambulance Department, to try to answer all calls, is a lot of personnel and a lot of money. The thought was to look at hiring a full-time Fire/EMS Chief who can then start putting the combined Fire/EMS department together. The Committee asked the Mayor if the City had been operating illegally because the Fire and Ambulance Departments had been operating together under the memo released by the previous CAO, Heidi Jensen. The Mayor stated that the City has not been operating illegally but has been operating outside the scope of what is proper. He clarified that there was never a resolution, combining the departments, passed by Council. The memo gave notice they were going to be combined in the future and there was going to be follow-up in 30 days and then nothing else ever occurred. The Committee asked if they wanted to take no action at this time they could do so. The Mayor stated that they could and that he had been asked to not combine the departments at this time since they are not combined by resolution. The Mayor stated that at this time the Fire Chief is not overseeing the Ambulance Department. The Committee asked who was overseeing the Ambulance Department and the Mayor stated that Riley Hutchens was currently overseeing the Ambulance Department. The Mayor stated that there are going to be a lot of difficult changes the City will go through as it grows, and at points there will be painful decisions and changes made. The Mayor does feel that the decision and changes are for the benefit of the community. Right now, there are a large percentage of calls that are not responded to. The Committee commended the Mayor on his efforts.

After hearing the Mayor speak the Committee decided to take no action on this item, at this time.

The Committee asked if Riley Hutchens could begin attending the Emergency Services Committee meetings. The Chair will make sure that Riley receives the agenda going forward and the invite.

3. Update from Chief Peters

Chief Peters handed out the June report to the Committee and apologized that the Fire and Ambulance reports were still combined at that time. He briefly went through the number of fire, motor vehicle accident, falls alarm, medical assists, other calls for the month. There were a total of 38 calls and 1,080 hours of volunteer time. He also stated that they had 22 fire driver calls for the month of June. He stated that the new extrication tools were due to arrive Wednesday. They are battery operated and he is hoping to set up a time to demonstrate those for the Council. He wants the Council to be able to see the difference between the hydraulic tools the department has used for so many years and the new battery-operated ones. Also, on Wednesday there will be a presentation by CHS for the money that went into the tools. The Clerk/Treasurer helped with Pat Kimmet getting a grant for \$50,000 for these tools. The grant is \$10,000 a year for the next 5 years. CHS wants to do a little presentation so the Chief is trying to get all his firemen that work at CHS together for the presentation of the money. The Chief stated that the department just purchased a 2004 F-250 in order to downsize what they currently use as a support vehicle. Currently they are using a 1976 beer truck. The support vehicle carries the cascade system that refills the SCBAS. They will be able to take all the equipment out of the old beer truck and put it into the new truck. They purchased the truck from Cornerstone so it is already equipped with the boxes and has plenty of storage. The Chief just received a call that the department will be participating again this year in the severity staffing with DNRC. This is for the wildland fire season. DNRC pays to have firefighters staffed at the station eight or twelve hours a day during wildland fire season. Last year Laurel staffed three

firefighters and this year they will staff five, if they are able. It is a great opportunity for the City, as the firefighters do a lot of work while they are staffed at the station waiting. Also, being a part of the taskforce allows the department to respond anywhere in Yellowstone County and part of Stillwater County. It also allows the taskforce to respond here if anything should happen near Laurel. They used to staff taskforces up at the Airport but now they staff firefighters throughout the County. This should start Friday. The Committee asked the Chief to clarify the difference between the new extrication equipment and the old equipment. The Chief explained that the old extrication tools run off of hydraulics. So, there are lines that run from the power plant to the extrication tools and firefighters can trip over them, and they can leak. If one of the tools fails, the crew is dead in the water and has no back-up. The new tools are all battery operated and they weigh about the same as the old ones. When the firefighters must do an extrication at a distance, they can just take the tools and go. They new tools are more powerful than the old ones. They run off a 110-volt battery. The batteries can be purchased anywhere because they are not special order. The system can run on AC or DC power as well. The Committee then asked the Chief if he has noticed an improvement in wildland fires using the taskforce. The Chief stated that this was the 3rd year Laurel has participated in the taskforce. He has seen the taskforce respond to fires near Laurel and a reduction in the damage wildfires have done. Before he would have to call the DES coordinator and then he would have to call DNRC. Now he can call DNRC directly and that cuts down the time. Laurel has responded as far as Custer to help fight wildland fires. The Committee thanked the Chief and his volunteers for their time and dedication.

3. Update from Chief Langve

Chief Langve stated that the department is over 5,000 calls for the year and over 600 incidents for the year. He stated that the felonies are increasing with the summer months. The transient activity is increasing as well. He stated that the 3rd and 4th of July went well. The reserves stepped in and did what they could to help out. He stated that the department is looking into recruiting more reserves and get some quality reserves into the department. Chief stated that he was happy to bring closure to the Miranda Fenner case last week. He stated it was a long hard week for everyone, but he hoped it could bring some closure to the family and the community. He stated that there is one more unsolved case in the City that is being worked on. He stated that the partnership with the other area law enforcement agencies is invaluable and he hopes to continue that relationship. The Committee stated that they hoped the solving of the Fenner case could bring some closure to the department. The Chief stated that it certainly would. He stated that when a case is unsolved the officers are always looking at cases and it is always in the back of your mind. He stated that he felt bad that Captain Mark Guy couldn't be present for the solving of that case. He stated he started working for the department shortly after the Fenner death and he saw all the time and effort Captain Guy put into that case. The Committee asked how the Chief was looking into getting more reserves. The Chief stated that he was working with the reserve coordinator to make the program better. The reserves don't get anything for their time and efforts so how do we make the program better? How do we keep them invested? He is exploring options. The Mayor asked if the departments had problems with their radios and the repeater. He had heard that both departments had dead spots with their transmissions. The Fire Chief stated that they had some issues in the Molt area. The Police Chief stated that he had talked with Industrial Communications about moving the repeater and increasing the wattage to try to solve the issues. Industrial Communications is going to do some repeater testing in the fall and give the City some options. The Police Chief stated that he is also looking at some digital options as an upgrade to the analog we currently have. The Police Chief stated that there are spots in town where the portable radios do not work as it is a dead spot.

4. Safety Mill Levy Discussion

Chairperson McGee stated that this has come up before, but it is essential now to pass a safety mill levy. The Chair asked the Mayor if he would like to speak about the mill levy. The Mayor stated that he has talked with other Cities and towns in Montana that have had success in passing emergency services mill levies. It seems to him that if they the mill levy is targeted more on one area of emergency services; they seem to be more successful. When the City went out three years ago some of the citizens had questions regarding paying taxes for services and then having the ambulance out in the County responding. The Mayor wants to meet with DES and the County Commissioner to discuss this issue in more detail. Everyone that the Mayor has talked to, regarding drafting an emergency mill levy, has advised to start early and get community members to be active in supporting the levy. The Council and City Staff cannot encourage voters to vote for or against the levy. They can only educate the public on the mill levy. The Mayor feels that it would be good to try for an ambulance only mill levy. The previous mill levy was for all three emergency services departments. The Committee is very excited about this mill levy if it solves the problem of calls going unanswered. The Mayor stated that it will, or the City will not go out for the levy. The Mayor stated that he is in the process of having a plan put together to show how the money would be used and what it would go towards. The Committee stated that at some point the question needs to be answered if the solution will be to hire an outside company like AMR or if it is to hire our own staff. The Committee stated that the citizens need to understand and know what they are voting for. If this levy will accomplish calls being answered, then the Committee feels that this levy has a great chance of passing. One member of Council wants this levy to pass so badly that he would resign his seat on Council if it meant this levy would pass. The Clerk/Treasurer stated that her understanding was that until the levy gets passed by Council via resolution the Council and City Staff could do and say what they want. Once the resolution is passed the Council and City Staff can not influence voters in any way. The Mayor stated he would check with the City Attorney on that to be sure so that nobody gets in trouble. The Committee is excited to work on this and they will work with the Mayor to start putting together a cost analysis. The Mayor stated that a citizen sub-committee would be helpful to promote the mill levy. The sub-committee would have to take care of all money related to the promotion of the mill levy. The City could pay for a factual sheet or document but nothing that would promote the levy. The Clerk/Treasurer will get a timeline from Bret Rutherford because he needs it so that his legal team must review it. The Mayor would like the levy to be on its own ballot. The Mayor stated that the City could have a special mail in election ballot whenever they wanted. The Clerk/Treasurer would check with the Yellowstone County Election Office to make sure.

Other Items

5. Discussion regarding Park Board's changing park hours in the parks.

The Park Board will be bringing forward, to Council, changing the park hours. The Committee isn't sure if this will have any affect on the Emergency Services Committee, but they are aware this issue is going to be discussed at a future Council meeting.

6. Removing a member from the Committee.

The question was asked by the Committee on how a member could be removed for not attending. One member has not attended for over a year, doesn't live in town any longer, and cannot be reached. The Committee would like to replace him and wants to know how. The Mayor stated that the Committee could reduce its size by changing the Ordinance. To remove a member the Committee would need to make a recommendation to Council.

Announcements

7. Next Emergency Services meeting will be held on August 26, 2019, at 6:00pm

Motion by Council Member Mountsier to adjourn, seconded by Committee Member Massa. A vote was taken on the motion. All five committee members present voted aye. Motion carried 4-0.

The Emergency Services Committee adjourned at 6:56 p.m.

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.

Item Attachment Documents:

9. Emergency Services Minutes of August 26, 2019.

**MINUTES
CITY OF LAUREL
EMERGENCY SERVICES COMMITTEE
MONDAY, AUGUST 26, 2019**

An Emergency Services Committee Meeting was held in the Council Chambers and called to order by Committee Chair Bruce McGee at 6:01 p.m. on August 26, 2019.

COMMITTEE MEMBERS PRESENT:

<input checked="" type="checkbox"/> Bruce McGee, Chair	<input type="checkbox"/> Richard Klose
<input checked="" type="checkbox"/> Irv Wilke	<input checked="" type="checkbox"/> Bill Mountsier
<input type="checkbox"/> Pat Kimmet	<input checked="" type="checkbox"/> Taryn Massa
<input type="checkbox"/> Richard Dawes	

OTHERS PRESENT:

Riley Hutchens, Ambulance Director
Stan Langve, Police Chief

Public Input: None.

General Items:

1. The minutes from the July 29, 2019 meeting were not transcribed to date so they were not ready to be approved.

New Business:

2. Update from Fire Chief:

The Fire Chief was not present.

3. Update from Police Chief:

Chief Langve stated that the total calls from the last meeting were 889 calls for service, a little over 100 of those were for Police service. There were quite a few for vandalism and the department believes they have found the culprits for those acts. There were 181 traffic stops done last month. One of the signs in the alley is up near Pennsylvania and 8th Street. The other sign will go up shortly and the Chief hopes this will help alleviate that problem. Officer Booth will go to the academy on the 8th and Officer Sedgewick goes in January. Dispatcher Sell is back and will work as tolerated. Now that they can hire an additional full-time dispatcher, he is hoping it will be another longtime hire. This will put them at six full-time dispatchers. He received a notice from MDT and it seems there may be some ramp work starting in September. A site survey was done for the new 911 system, with a go live date of late November. The Committee asked if the MDT interchange work has caused additional calls for the Police Department. The Chief replied that the only additional calls were for the truck traffic.

4. Update from Ambulance Director:

Riley stated this is the first time he is attending because he does have a full-time dispatcher job in Billings. He is happy to report that recently he has been able to bring on eight new ambulance volunteers. He is moving forward with advanced life support for Laurel. All of the EMTs in Laurel are equipped with narcotics needed to practice within their scope. When they implemented ALS last year it wasn't done fully because the department wasn't able to bring on controlled substances. There are currently two ALS Paramedics on the department, and he is looking to add a third in October. He is also looking at training the current EMTs. As far as coverage goes, he doesn't have

the answer to that. He feels that the City Government didn't invest in the department and he is happy that they are doing so now. He wants to urge that fact that this isn't a problem, but it is a crisis and he wants to see this fixed. He understands that this isn't a full-time staffed solution, but it relies heavily on the volunteers. 84% of the calls the department takes is basic life support, so he doesn't feel that the City needs a paramedic on staff 24/7. He wants to ensure that the volunteers are maintained and retained. He wants to make sure that they are supported by the staff. He is willingly to support whatever plan is implemented. Riley wants to make sure that we have properly trained staff in place and that we are hiring the correct staff. He is the current EMT instructor and currently he doesn't have enough time to teach another course. In order to retain these individuals, they must have buy in. They must feel they are essential. The Government needs to be open with communication and have discussions with everyone regarding where the ambulance department is. The Committee thanked Riley for his continued support of the ambulance department.

Dave Wilson administrator at Laurel Health and Rehab spoke in support of the ambulance service.

Old Business:

5. Emergency Mill Levy

The Committee had a conversation regarding the Emergency Safety Mill Levy. The Committee discussed how to start. What MCA rules how the Council and City Staff can conduct themselves with the levy. The Clerk/Treasurer stated that the City was going to apply for a SAFER grant in Spring of 2020. Replacement costs are going to be a starting point for the levy. After the 2020 Census the City is looking at a possible 4 annexations. If that happens the City could possibly be a Class 2 city. A Class 2 City must have a partial paid Fire Department. Fire/EMTs will be part of the partial paid Fire Department. The Mill Levy is going to have to focus on equipment and replacing that equipment. Riley is going to have to work on that. The Committee discussed how this mill levy was going to affect the County. If the City is paying for the service how is the ambulance department going to answer calls in the County? The Committee discussed having a subcommittee of no more than seven members to address items and bring things back to the main Committee. The Committee would like an action plan drafted and the laws that pertain to the levy activities.

Announcements

6. Next Emergency Services meeting will be held on September 23, 2019, at 6:00pm

Motion by Council Member Wilke to adjourn, seconded by Committee Member Massa. A vote was taken on the motion. All five committee members present voted aye. Motion carried 4-0.

The Emergency Services Committee adjourned at 7:25 p.m.

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.

Item Attachment Documents:

11. Re-appointment of Duane Rehling to the Laurel Volunteer Fire Department.



LAUREL FIRE/EMS

215 WEST 1ST STREET • LAUREL, MT • 59044
OFFICE 406.628.4911 • FAX 406.628.2185

City of Laurel
PO Box 10
Laurel, Mt. 59044

September 19, 2019

City of Laurel Mayor and City Council members,

On September 18, 2019 the Laurel Volunteer Fire Department accepted the reinstatement letter for Duane Rehling by a unanimous vote.

Mr. Rehling had resigned from the Laurel Fire/ EMS in 2017 due to family medical issues. Life has once again gave him the opportunities and he wishes to continue serving the great city of Laurel. Duane is a 19 year veteran of the Department and held several leadership and committee positions.

Please accept Mr. Rehling's reinstatement back to the Department.

Brent S. Peters
Fire Chief, Laurel Fire Department

Item Attachment Documents:

12. Resolution No. R19-75 A Resolution Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Relating To Site Survey, Engineering And Design Services Related To Other Related Work To The Creation Of A Campground Within Riverside Park.

RESOLUTION NO. R19-75

A RESOLUTION APPROVING A TASK ORDER AUTHORIZING KADRMAS, LEE & JACKSON, INC. FOR SERVICES INCLUDING SITE SURVEY, ENGINEERING AND DESIGN SERVICES RELATED TO PREVIOUSLY AUTHORIZED WORK TOWARD THE CREATION OF A CAMPGROUND WITHIN RIVERSIDE PARK.

WHEREAS, the City of Laurel previously executed an Agreement for Professional Services with Kadrmass, Lee & Jackson, Inc. (“KLJ”) on December 5, 2017, via Resolution No. R17-69; and

WHEREAS, the City of Laurel requires engineering services for the City of Laurel’s Riverside Park Campground as described in the attached Task Order with is incorporated herein by reference; and

WHEREAS, the services to be provided and cost for such services are fully described in the attached Task Order and the services rendered shall not exceed \$61,150 without further authorization and written approval by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, the attached Task Order authorizing the services to be performed by KLJ for the City of Laurel is hereby approved and the Mayor is hereby authorized to execute the attached Task Order on the City’s behalf.

Introduced at a regular meeting of the City Council on October 8, 2019, by Council Member ____.

PASSED and APPROVED by the City Council of the City of Laurel this 8th day of October 2019.

APPROVED by the Mayor this 8th day of October 2019.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter, Civil City Attorney

Task Order: City of Laurel Planning Services

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated December 5, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- A. Effective Date of Task Order: October 8, 2019
- B. Owner: City of Laurel
- C. Engineer: Kadrmas, Lee & Jackson, Inc. (dba "KLJ")
- D. **Specific Project (title): Riverside Park Campground**
- E. Specific Project (description): Site survey, engineering and design services related to other related work to the creation of a Campground within Riverside Park.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:
Set forth in Part 1—Basic Services of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.
- B. Resident Project Representative (RPR) Services
- C. Designing to a Construction Cost Limit – Not Used
- D. Other Services – Not Used
- E. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:
Set forth in Part 2—Additional Services of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

Planning services shall be completed within the timelines found in the applicable local regulations or Montana Law. It is anticipated that services will be provided "on-call" throughout the duration of the Agreement, upon request of Owner.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1)	\$ 61,150.00	Hourly not to Exceed (Rates in Exhibit C, Appendix 2)
2. Additional Services (Part 2)	\$ (tbd)	Hourly (Rates in Exhibit C, Appendix 2)

*Based on a []-month continuous construction period.

~~Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.~~

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order: None

8. Other Modifications to Agreement and Exhibits:

9. Attachments:

Exhibit A – Engineer's Services for Task Order

Exhibit A, Appendix 1 – Engineer's Estimated Fee

Exhibit C, Appendix 2 – Engineer's Standard Hourly Rates

10. Other Documents Incorporated by Reference:

December 5, 2017 Agreement between Owner and Engineer for Professional Services, Task Order Edition

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is October 8, 2019.

OWNER: City of Laurel

ENGINEER: Kadrmas, Lee & Jackson, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Engineer License or Firm's
Certificate No. (if required): PEL-EF-LIC-37
State of: Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Kurt Markegard

Name: Matt Corcoran

Title: Director of Public Works

Title: Project Manager

Address: PO Box 10
Laurel, MT 59044

Address: PO Box 80303
Billings, MT 59108

E-Mail
Address: kmarkegard@laurel.mt.gov

E-Mail
Address: matt.corcoran@kljeng.com

Phone: 406-628-4796

Phone: 406-245-5499

Engineer's Services for Task Order: City of Laurel Planning Services

PART 1—BASIC SERVICES

A1.01 Topography and Boundary Survey Phase

- A. Obtain property boundary and survey data of the project site for developing existing site conditions and topography. This will include survey management, survey research, boundary survey, topographic survey and utilities survey.
- B. Develop a base map indicating existing conditions of the project site for use in developing design drawings.

A1.02 Schematic Design Phase

- A. Consult with Owner to define and clarify Owner's requirements, including objectives and constraints, space, capacity and performance requirements, flexibility, expandability, and any budgetary limitations, and identify available data, information, reports, facilities plan, and site evaluations.
- B. Advise Owner of any need for Owner to obtain, furnish, or otherwise make available to Engineer additional relevant data and information, for Engineer's use in providing engineering design services.
- C. Prepare a schematic layout drawing of proposed campground depicting locations of roadways, campsites and two restroom buildings and other campground amenities. The proposed layout shall utilize existing gravel roadways as much as possible.
- D. Attend one (1) Owner Review Meeting with Owner and other external parties to review the schematic design and accept comments on the design.
- E. Review Preliminary Cost Estimates, as developed by others and update as needed based on schematic layout.

A1.03 Design Development & Construction Documents Phase

- A. Detailed Site Layout & Grading
 - 1. Site layout to include limited design of roadways, RV pads, paths, parking pads, sidewalks, restroom location, paths, and other amenities.
 - 2. Detailed grading plans including building floor elevations and spot elevations and slopes to indicate specific construction grading requirements (e.g., doorway entries, sidewalks, sidewalk stairs, accessibility ramps, curbs, and drainage flow). (CD Phase Only)

B. Utility Design

1. Not included. Campsites will be primitive sites with no utilities.

C. Stormwater Management Plan & Design

1. Prepare an erosion control plan for the site per City or State of Montana site plan requirements.

D. Landscape Plan

1. Landscape design and planting schedule within the project area is anticipated to include:
 - a. New shade tree plantings for the campground and park area.
 - b. Seeding/turfing plan for all disturbed areas of the site within the limits of the design effort.

E. Technical Specifications

1. Front End and Technical specifications will be provided in a Project Manual for the items of Work included under Engineer's Services.

F. Review Agency Coordination

1. The Engineer will serve as main contact between Owner and the review agencies for submittal and approval of proposed site layout plan.

G. Owner/Architect Coordination

1. The Engineer anticipates attending up to three (3) one hour coordination meetings, either in-person or via an electronic meeting format, during the Design Development Phase and Construction Documents Phases. The Engineer will attend additional meetings for an additional fee to be billed at the Engineer's standard hourly rate.
2. Engineer's fee assumes that no major revisions will be made to the site plan after the kickoff of the Final Design plans and the Owner/Architect's acceptance of the Preliminary Design documents.

H. Other Items to be Noted

1. Owner or Architect will be responsible for securing designs of gas, telecommunication and any other utilities not described as part of Engineer's services.
2. Engineer's fee does not include submittal, review, recording, permitting, system development, or other fees; these fees are to be paid by Owner or Contractor.
3. Scope does not include drafting, obtaining, or recording any easements, common use agreements, variances, or permits unless specifically stated above.
4. The number of bid packages Work designed or specified by Engineer upon which the Engineer's compensation has been established under this Agreement is one (1). Preparing additional Contract

Documents for alternate bids requested by Owner for the Work or a portion thereof other than provided under Basic Services is available as an additional service.

5. Scope does not include study and report phase services, marketing exhibits, environmental studies, traffic impact analysis, permitting, permit application materials, requests for zoning change or any deviation or variance from local standards or zoning regulations, or any entitlements services such as lot modifications, platting, easements, etc.
6. Scope does not include the following design services: structural design, mechanical engineering services or pumping systems, geotechnical engineering, surveying or services to aid in the completion of geotechnical recommendations, or other services not listed in the Scope above.

A1.04 *Bidding or Negotiating Phase*

- A. Provide construction documents to the Owner for bidding purposes.
- B. Provide assistance in the course of one (1) bid for the components of project included in the Engineer's design.
 1. Includes review of material substitution requests that don't require design changes.
- C. Provide the technical information necessary to issue up to two (2) addendum, as appropriate, to clarify the bidding documents covered by the Engineer's design.
- D. Scope does not include assistance in connection with Bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services or making revisions to drawings for "or equal" items.

A1.05 *Construction Phase*

- A. Provide part time construction observation and administration for up to sixty (60) hours.
- B. Provide construction staking of subgrade, and finished grade for gravel and sidewalk surfaces. Fee assumes up five (5) trips by a 2-man survey crew.

PART 2—ADDITIONAL SERVICES

A2.01 *Additional Services Requiring an Amendment to Task Order*

- A. *Advance Written Authorization Required:* During performance under a Task Order, Owner may authorize Engineer in writing to furnish or obtain from others Additional Services of the types listed below. Unless expressly indicated above or in the specific Task Order to be included Basic Services, the following services are not included as part of Basic Services and will be paid for by Owner as Additional Services, using the basis of compensation for Additional Services, as indicated in the specific Task Order.
 1. Preparation of applications and supporting documents (in addition to those furnished under Basic Services) for private or governmental grants, loans, or advances in connection with a specific

project; and preparation or review of environmental assessments and impact statements, or other environmental-related field work and permitting tasks.

2. Services to make measured drawings of existing conditions or facilities, to conduct tests or investigations of existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by Owner or others.
 3. Assistance to Owner in training Owner's staff.
 4. Services required as a result of Owner's providing incomplete or incorrect information to Engineer.
 5. Providing renderings or 3-D (artistic) models for Owner's use.
 6. Furnishing services of Consultants for other than Basic Services.
 7. Providing data or services of the types described in Exhibit B, when Owner retains Engineer to provide such data or services instead of Owner furnishing the same.
 8. Services during out-of-town travel required of Engineer, upon request of Owner, necessary to complete Basic Services.
 9. Preparing to serve or serving as a consultant or witness for Owner in any litigation, arbitration, mediation, lien or bond claim, or other legal or administrative proceeding.
 10. Overtime work requiring higher than regular rates.
 11. Provide assistance in responding to the presence of any Constituent of Concern at any project site, in compliance with current Laws and Regulations.
 12. Other additional services performed or furnished by Engineer not otherwise provided for in this Agreement.
- B. *Advance Written Authorization Not Required:* Engineer shall advise Owner in advance that Engineer will immediately commence to perform or furnish the Additional Services of the types listed below. For such Additional Services, Engineer need not request or obtain specific advance written authorization from Owner. Engineer shall cease performing or furnishing such Additional Services upon receipt of written notice from Owner. Unless expressly indicated above or in the specific Task Order to be included Basic Services, the following services are not included as part of Basic Services and will be paid for by Owner as Additional Services, using the basis of compensation for Additional Services, as indicated in the specific Task Order.
1. None

This is **Appendix 2 to EXHIBIT C**, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated [December 5, 2017].

Standard Hourly Rates Schedule

The following standard hourly rates are subject to review and adjustment per Exhibit C. Hourly rates for services as of the Effective Date of the Task Order are:

Archaeologist I	\$75.00	GIS Technician	\$75.00
Archaeologist II	\$85.00	Government Relations Specialist I	\$90.00
Archaeologist III	\$125.00	Government Relations Specialist II	\$120.00
Archaeologist IV	\$140.00	Government Relations Specialist III	\$150.00
Archaeologist Technician	\$75.00	Hydrogeologist	\$200.00
Archaeologist V	\$150.00	Landscape Architect I	\$100.00
Architect I	\$100.00	Landscape Architect II	\$110.00
Architect II	\$110.00	Landscape Architect III	\$130.00
Architect III	\$130.00	Landscape Architect IV	\$145.00
Architect IV	\$150.00	Planner I	\$100.00
Architectural Historian	\$120.00	Planner II	\$120.00
CADD Technician I	\$85.00	Planner III	\$140.00
CADD Technician II	\$100.00	Project Assistant I	\$70.00
CADD Technician III	\$110.00	Project Assistant II	\$75.00
CADD Technician IV	\$120.00	Project Assistant III	\$95.00
Engineer I	\$100.00	Project Assistant IV	\$105.00
Engineer II	\$110.00	Project Assistant V	\$115.00
Engineer III	\$140.00	Right-of-Way Agent I	\$80.00
Engineer IV	\$170.00	Right-of-Way Agent II	\$115.00
Engineer Technician II	\$110.00	Right-of-Way Agent III	\$130.00
Engineer Technician III	\$125.00	Right-of-Way Agent IV	\$150.00
Engineer Technician IV	\$145.00	Right-of-Way Agent V	\$170.00
Engineer V	\$200.00	Structural Engineer I	\$100.00
Engineering Technician I	\$95.00	Structural Engineer II	\$110.00
Environmental Planner I	\$90.00	Structural Engineer III	\$130.00
Environmental Planner II	\$110.00	Structural Engineer IV	\$155.00
Environmental Planner III	\$130.00	Structural Engineer V	\$175.00
Environmental Planner IV	\$150.00	Survey IV	\$165.00
Environmental Planner V	\$170.00	Survey Technician	\$85.00
Environmental Technician	\$75.00	Survey V	\$190.00
GIS Analyst I	\$80.00	Surveyor I	\$95.00
GIS Analyst II	\$100.00	Surveyor II	\$110.00
GIS Analyst III	\$130.00	Surveyor III	\$130.00
GIS Analyst IV	\$145.00	Visual Designer	\$100.00

Exhibit C - Appendix 2 – Standard Hourly Rate Schedule

EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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Item Attachment Documents:

13. Resolution No. R19-76 A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Castlerock Excavating, Inc. For Hydrant Removal and Replacement For The City Of Laurel.

RESOLUTION NO. R19-76

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH CASTLEROCK EXCAVATING, INC. FOR HYDRANT REMOVAL AND REPLACEMENT FOR THE CITY OF LAUREL.

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

Section 1: Approval. The contract between the City of Laurel and Castlerock Excavating, Inc. relating to hydrant removal and replacement services for the City of Laurel, copy 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 October 8, 2019, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this 8th day of October 2019.

APPROVED by the Mayor this 8th day of October 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 8th day of October, 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 Castlerock Excavating, Inc., a contractor licensed to conduct business in the State of Montana, whose address is 6765 Trade Center Avenue, Billings MT 59105, 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 quote, 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 30 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 Twelve Thousand Ninety Seven Dollars and Fifty Two Cents (\$12,097.52) 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 regard to wage and employment requirements. Contractor shall comply with the applicable requirements of the Workers' Compensation Act of Montana. 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. Prior to the commencement of work, Contractor shall furnish City with copies showing one of the following: (1) proof of registration as a registered contractor under Title 39, Chapter 9, MCA; (2) a binder for workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana; or (3) proof of exemption from workers' compensation granted by law for independent contractors.

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 THIRTEEN
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 8th DAY OF OCTOBER 2019.

CITY OF LAUREL

CONTRACTOR

Thomas C. Nelson, Mayor

Castlerock Excavating, Inc.

ATTEST:

Employer Identification Number

Bethany Langve, Clerk/Treasurer

EXHIBIT A



Castlerock Excavating, Inc.

6765 Trade Center Ave

Billings, MT 59105

Phone: 406-294-5144

Quote To:

City of Laurel

Job Name:

E. Main and Colorado Ave. hydrant replacement

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
101	Mobilization	1.00	LS	552.48	552.48
102	Hydrant Removal and Replace	1.00	LS	11,545.04	11,545.04
GRAND TOTAL					\$12,097.52

NOTES:

-excludes inlet repair, asphalt repair, concrete removal/replace, and temporary water.

-6.5' burry hydrant to be installed. Hydrant burry line may be above or below finish concrete level.

General Conditions

- Work not mentioned above will not be considered part of this proposal.
- Castlerock Excavating, Inc is a Certified Montana DBE
- This proposal is to be constructed in accordance with Montana Public Works and all associated addendums & City of Billings Modifications.
- All scheduling of the work needs to be pre-approved by Castlerock Excavating, Inc.
- We have excluded quality assurance testing & geotechnical material testing services, all handling / disposal of hazardous / contaminated materials, all construction related permits & fees (except dewatering permit), & erosion control permits and measures.
- We have not included bond. Please add 3% for bond if required. Insurance is included.

Item Attachment Documents:

14. Resolution No. R19-77 A Resolution Approving a Contract Between The City Of Laurel And Star Service, Inc. For The Replacement Of Screw Pump "A" At The Wastewater Treatment Plant.

RESOLUTION NO. R19-77

A RESOLUTION ACCEPTING THE QUOTE SUBMITTED BY STAR SERVICE, INC. TO REPLACE SCREW PUMP “A” AT THE WASTEWATER TREATMENT PLANT, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH STAR SERVICE, INC. FOR SUCH SERVICES.

WHEREAS, the City of Laurel requested three quotes for service, from qualified companies, pursuant to the City’s Purchasing Policy; and

WHEREAS, the City opened the quotes received and considered the quotes submitted by qualified companies and has determined that it is in the best interest of the City to select the successful company that appeared most qualified, available and the most affordable; and

WHEREAS, the City Staff is recommending the Council select Star Service, Inc. as the company to provide the services sought by the City through the three-quote process.

NOW, THEREFORE, BE IT RESOLVED by the City Council, of the City of Laurel, Montana, that the City Council hereby accepts the quote submitted by Star Service, Inc.; and

BE IT FURTHER RESOLVED, the City Council hereby authorizes the Mayor to execute a contract for the services and costs provided in the quote on the City’s behalf.

Introduced at a regular meeting of the City Council on October 8, 2019, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 8th day of October 2019.

APPROVED by the Mayor this 8th day of October 2019.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney



2611 Gabel Road
Billings, MT 59102-7329
406 245 5499
KLJENG.COM

September 23, 2019

Kurt Markegard
City of Laurel
115 W. 1st Street
Laurel, MT 59144

Re: WWTP Screw Pump "A" Replacement Project

Dear Kurt:

Three quotes for the WWTP Screw Pump "A" Replacement Project were received on September 20, 2019. These quotes are for the removal of the existing screw pump, the preparation of the existing pump trough and the installation of the new screw pump. The City of Laurel is providing the screw pump and related mechanical equipment for this project. The first quote was \$59,800.00 received from Star Service, Inc., the second was for \$82,000.00 received from Dick Anderson Construction, and the third was for \$64,645.00 received from COP Construction. We have attached a copy of the Quote Tabulation for your records.

This pump replacement is being considered an emergency and this was not a public bid, therefore bid bonds were not required. All quotes complied with the prepared Quote Package provided to the contractors and all three contractors had visited the site to familiarize themselves with the project.

Star Service Inc. submitted the lowest responsive quote and we recommend the City enter into an agreement with Star Service Inc. in the amount of \$59,800.00, for the replacement of the screw pump. Star Service Inc. will provide a signed Agreement and Certificate of Insurance for the project. Since the City pre-purchased the equipment and the contractors were pre-qualified, the City choose not to require performance or payment bonds for this project.

If you have any questions or concerns, please contact me at (406) 247-2913.

Sincerely,

KLJ

A handwritten signature in blue ink, appearing to read 'Doug Whitney', written over a light blue horizontal line.

Douglas C. Whitney, PE
Project Manager

Attachment(s): Quote Tabulation
Project #: 1804-00347, Task 6
cc: Tim Reiter – City of Laurel

TABULATION OF QUOTES

WWTP SCREW PUMP "A" REPLACEMENT KLI#1804-00347 Task 6
 CITY OF LAUREL, MONTANA
 September 20, 2019



Item	Description	Qty	Unit	Star Service, Inc.		Dick Anderson Construction, Inc.		COP Construction, LLC	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
N/A	Quote	1	LS	\$ 59,800.00	\$ 59,800.00	\$ 82,000.00	\$ 82,000.00	\$ 64,645.00	\$ 64,645.00
Total of Base Bid				\$	59,800.00	\$	82,000.00	\$	64,645.00

This represents a true tabulation of quotes received on September 20, 2019.
 These quotes are for the removal of the existing screw pump, preparation of the pump trough and installation of the City supplied replacement pump.


 Douglas C. Whitney, PE
 Project Manager
 Date: September 23, 2019

**SECTION 00300
QUOTE**

PROJECT IDENTIFICATION:

WWTP Screw Pump "A" Replacement
Laurel, MT
KLJ PROJECT: 1804-00347 Task 6

ARTICLE 1 - REPRESENTATIONS

1.01 In submitting this Quote, the Contractor represents, as set forth in the Agreement, that:

- A. Contractor has examined the Documents, any other related data, and the following Addenda, receipt of all which is hereby acknowledged:

<u>Addendum No.</u>	<u>Addendum Date</u>
N/A	N/A
_____	_____
_____	_____

- B. Contractor has visited the site and become familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, and performance of the Work.

ARTICLE 2 - BIDDER'S CERTIFICATION

2.01 Bidder certifies and acknowledges:

- A. That no official of Owner, Engineer or any member of such official's immediate family, has direct or indirect interest in the pecuniary profits or Contracts of Bidder.
- B. That Owner reserves the right to reject any or all Quotes.
- C. That Contractor understands that the award will be made by Owner on the basis, in Owner's sole and absolute judgment, will best serve the interest of Owner.

ARTICLE 3 - BASIS OF QUOTE

- 3.01 Contractor will complete the Work in accordance with the Contract Documents for the price shown on the following bid form:

LUMP SUM PRICE, for

The removal of the existing and installation of the new Screw Pump "A" along with the upper and lower bearings, drive assembly and motor along with any incidentals including, but not limited to channel grouting and electrical reconnections. Owner will provide the replacement pump, upper and lower bearings, drive assembly and motor.

\$ 59,800.00
(Figures)

\$ FIFTY-NINE THOUSAND EIGHT HUNDRED DOLLARS AND NO/100'S
(Words)

ARTICLE 4 - TIME OF COMPLETION

- 4.01 Contractor agrees that the work will be substantially completed within 14 calendar days of the delivery of the screw pump and appurtenances. The anticipated delivery date of the screw pump and appurtenances is the week of October 28, 2019.
- 4.02 Contractor accepts the provisions stated in the Agreement (Section 00500) as to liquidated damages and the stated amount in the event of failure to complete the Work within the times specified in the Agreement.

ARTICLE 5 - QUOTE SUBMITTAL

SUBMITTED on 9/20/19
(Date)

Montana Contractor's Registration # 1373

Employer's Tax ID No. 81-0286737

Name: Star Service, Inc.
(Corporation Name)

State of Incorporation: Montana

Type (General Business, Professional, Service, Limited Liability): General Business

By: Mike Jones
(Signature of person authorized to sign)

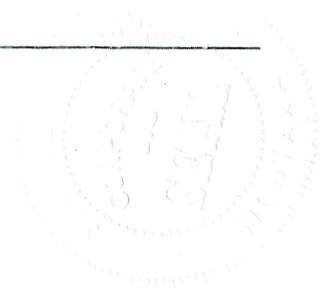
Title: Secretary/Treasurer

Attest: [Signature]
(Signature)

Business Address: PO Box 1560 / 26 South 24th Street Billings, MT

Phone No.: (406) 259-3754 FAX No: (406) 259-2420

Date of Qualification To Do Business Is: 1961



(Corporate Seal)

END OF SECTION

Item Attachment Documents:

15. Resolution No. R19-78 A Resolution Accepting Easement Agreement from Diefenderfer Family Trust.

RESOLUTION NO. R19-78

A RESOLUTION ACCEPTING AN EASEMENT FROM THE DIEFENDERFER FAMILY TRUST FOR THE PURPOSE OF CREATING A PERPETUAL EASEMENT AND RIGHT-OF-WAY OVER, ACROSS, UNDER, AND THROUGH THE DESCRIBED PROPERTY FOR THE CONSTRUCTION AND/OR INSTALLATION OF PUBLIC IMPROVEMENTS WITHIN THE MIDWAY RENTALS COMMERCIAL PROPERTY.

WHEREAS, the City of Laurel and Montana Law requires the creation of certain public easements and rights-of-way within new commercial construction for the purpose of the installation and construction of public improvements including roads, water, wastewater and sewer systems which benefit the citizens and residents of the area; and

WHEREAS, the development of the commercial construction known as Midway Rentals currently requires the developer to construct public improvements that will cross property owned by the Diefenderfer Family Trust; and

WHEREAS, the Diefenderfer Family Trust, by and through its Trustee's authorized and approved the attached Easement Agreement in favor of the City of Laurel for the construction of certain public infrastructure as provided therein; and

WHEREAS, the attached Easement Agreement contains the terms, conditions and location of the affected property and is hereby incorporated as part of this Resolution as provided therein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the City Council hereby accepts the Easement attached hereto pursuant to the terms and conditions contained therein.

Introduced at a regular meeting of the City Council on October 8, 2019, by Council Member

_____.

PASSED and APPROVED by the City Council of the City of Laurel this 8th day of October, 2019.

APPROVED by the Mayor this 8th day of October, 2019.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney

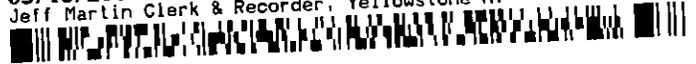
R19-78 Accept Easement from the Diefenderfer Family Trust

Return to:
Steve Diefenderfer
3619 Flagstone Dr.
Billings, MT 59102

EASE

3896482

09/16/2019 02:28 PM Pages: 1 of 4 Fees: 28.00
Jeff Martin Clerk & Recorder, Yellowstone MT



PERPETUAL RIGHT-OF-WAY EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this 12th day of September, 2019, the undersigned **DIEFENDEFER FAMILY TRUST**, with the address of 3619 Flagstone Drive, Billings, Montana 59102, hereinafter called "Grantor," hereby grants and conveys unto the **CITY OF LAUREL**, a municipal corporation and political subdivision of the State of Montana, of the address of 115 West First Street, Laurel, Montana 59044, hereinafter called "Grantee," a perpetual easement and right-of-way over, across, under, and through the following described tracts of real property in Yellowstone County, Montana:

A strip of land 40 feet in width centered on the common lot line of Lot 1B, Block 1, Entertainment Park Subdivision and Lot 1A, Block 1, Entertainment Park Subdivision (as recorded under document #3793829 at the office of the Yellowstone County Clerk and Recorder), from the north lot line of said Lots 1A and 1B, south for 350' to the center of a 43.5 foot radius cul-de-sac, inclusive of said 43.5 foot radius cul-de-sac and a strip of land 20 feet in width commencing from the intersection of the south end of said 43.5 foot radius cul-de-sac with the common lot line of said Lot 1A and 1B, thence S38° 28' 30" E, a distance of 74.5 feet to an existing storm drain & sanitary sewer easement as is shown on (EXHIBIT "A") attached to this document.

This perpetual easement to Grantee is for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing and replacing sanitary sewers and/or water lines over, across, under and through the said real property, together with the right of free ingress and egress at all times for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing and replacing said sanitary sewers and/or water lines and appurtenances, and adding additional sanitary sewer and/or water lines.

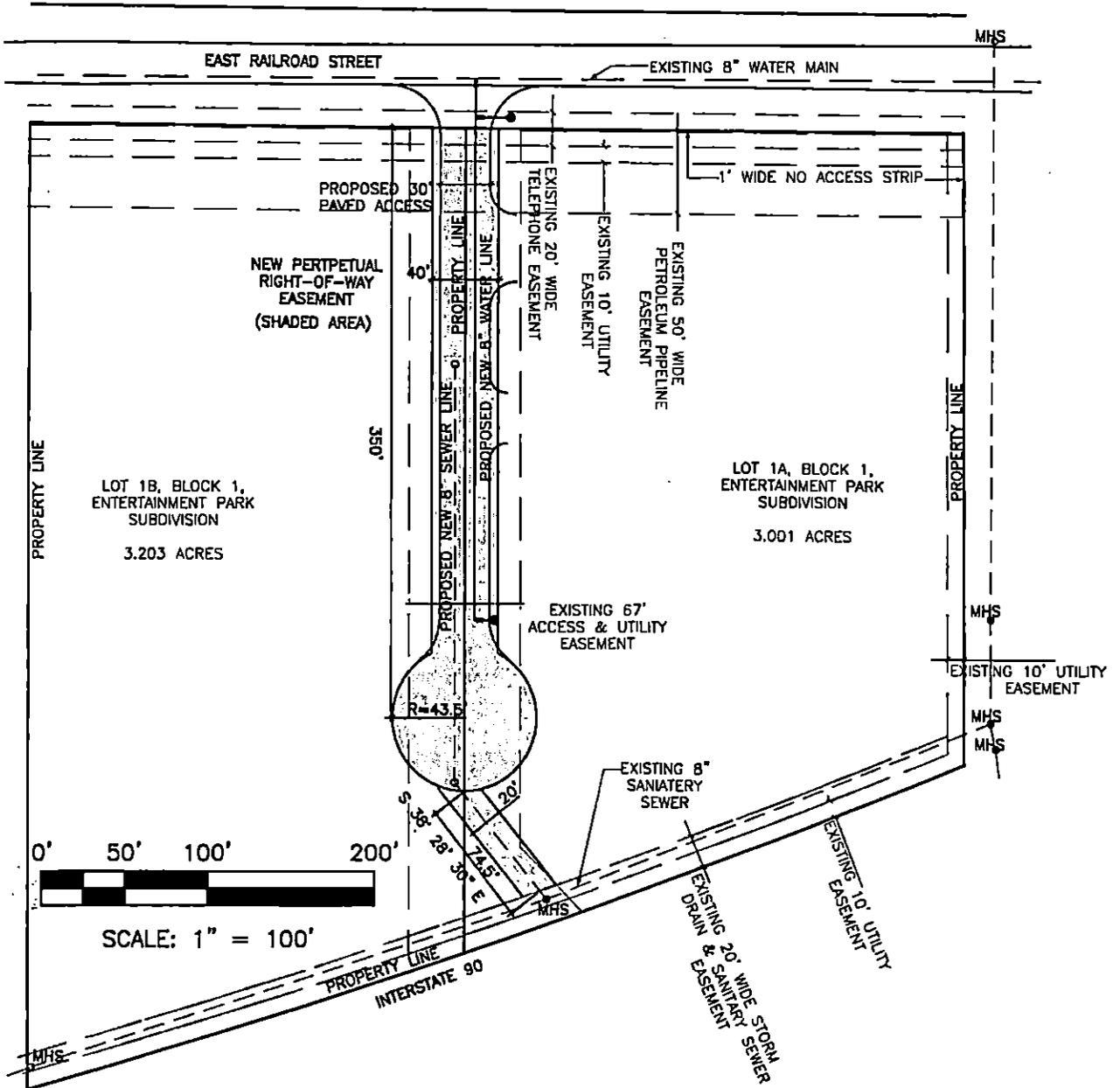
Grantor shall continue to have the right to use and enjoy the above-described property, except as to the rights herein granted, subject to the following restrictions:



- (a) Grantor and its successors agree not to construct, nor cause to be constructed, within the easement right-of-way, any type of building or structure, such as, but not limited to, houses, garages, sheds, kennels, fences, nor any other fixed objects of any kind, shape or form, except as may be licensed by Grantee.
- (b) Grantor agrees not to plant, nor cause to be planted within the easement right-of-way any trees, bushes, shrubs, hedges, nor any other plantings of a similar nature, except as may be licensed by Grantee.
- (c) Grantor agrees that authorized representatives of the City of Laurel can freely travel within the easement right-of-way with their equipment in the performance of their duties at any time, day or night, regardless of outside weather conditions.
- (d) Grantor agrees to obtain the permission of the Public Utilities Department or Grantee prior to placing or removing any fill dirt within the easement right-of-way and, in addition, in the event such permission is granted, the Grantor agrees to perform any work necessary to modify the existing sanitary sewers and/or water lines and appurtenances, which work may be required prior to placing or removing any fill dirt within the easement right-of-way and all such work shall be done at the Grantor's expense and without expense to the City.
- (e) Grantor agrees that the sole responsibility of the City of Laurel for any surface restoration due to any construction, replacement, repair or service work to the sanitary sewer and/or water lines by the City of Laurel shall be limited to trench backfill compaction and placement of backfill material to existing grade by the City of Laurel.
- (f) **HOLD HARMLESS AGREEMENT:**
 - 1. Grantor agrees that the owner or owners of the above-described property shall at all times fully relieve and save harmless the City of Laurel and its authorized representatives for any and all damages of property that may be caused within said easement right-of-way, such as, but not limited to, ruts or deep tracks in lawns, gardens, or flower beds, broken or crushed shrubs, bushes, hedges, trees or any other type of plantings; crushed, cracked, split or otherwise damaged, irrigation piping and appurtenances; and any other damage to any other type of object, material or equipment located within the easement right-of-way which cannot, with a minimum of human effort and within a few minutes time period, be removed from the easement right-of-way by authorized representatives of the City of Laurel in exercise of any of their rights under this easement right-of-way.
 - 2. Grantor agrees the owners of the above-described real property shall reimburse the City of Laurel for any and all damage claims paid



EXHIBIT "A" PERPETUAL RIGHT-OF-WAY EASEMENT



Item Attachment Documents:

16. Resolution No. R19-79 A Resolution Resetting The December 24, 2019 City Council Meeting To December 23, 2019.

RESOLUTION NO. R19-79

**A RESOLUTION OF THE CITY COUNCIL RESETTING THE DECEMBER 24,
2019 COUNCIL MEETING TO DECEMBER 23, 2019.**

WHEREAS, City Council Meetings of the Laurel City Council are scheduled for the second and fourth Tuesdays of each month; and

WHEREAS, the City Council has the discretion to reset meetings due to conflicts that arise pursuant to LMC 2.10.030; and

WHEREAS, the City Council has determined it is in the City's best interest to change the date of the City Council Meeting scheduled for Christmas Eve, December 24, 2019, to December 23, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, the City Council Meeting of the City Council of the City of Laurel, Montana currently scheduled at City Hall for Tuesday, December 24, 2019 at 6:30 p.m. is hereby reset to Monday, December 23, 2019 at 6:30 p.m. at City Hall. Notice of the change shall be posted at City Hall and sent to the Laurel Outlook.

Introduced at a meeting of the City Council on October 8, 2019, by Council Member _____.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 8th day of October 2019.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter Civil City Attorney