



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 26, 2023
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R23-81

NEXT ORD. NO.
O23-03

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 5, 2023.
- [2.](#) Approval of Minutes of September 12, 2023.

Correspondence

- [3.](#) Beartooth RC&D Correspondence

Council Disclosure of Ex Parte Communications

Public Hearing

4. Ordinance O23-03: An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code.

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.*

5. Claims entered through September 22, 2023.
6. Approval of Payroll Register for retro pay totaling \$20914.69.
7. Approval of Payroll Register for PPE 9/17/2023 totaling \$ 228,945.03.
- [8.](#) Council Workshop Minutes of September 5, 2023.
- [9.](#) Council Workshop Minutes of September 19, 2023.

Ceremonial Calendar

Reports of Boards and Commissions

- [10.](#) Budget/Finance Committee Minutes of September 12, 2023.
- [11.](#) Tree Board Minutes of August 3, 2023.
- [12.](#) Tree Board Minutes of September 7, 2023.
- [13.](#) Park Board Minutes of September 7, 2023.
- [14.](#) Public Works Committee Minutes of July 17, 2023.
- [15.](#) Public Works Committee Minutes of August 21, 2023.
- [16.](#) Public Works Committee Minutes of September 18, 2023.
- [17.](#) Emergency Services Committee Minutes of August 28, 2023.

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

18. Appointment of Ryland Ratcliff to the Laurel Police Department.
- [19.](#) Resolution No. R23-81: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The 5th-7th Avenue Sewer Line Replacement By And Between The City Of Laurel And KLJ Engineering, Inc.
- [20.](#) Ordinance O23-03: An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

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

Council Discussion

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

Mayor Updates

Unscheduled Matters

Adjournment

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

DATES TO REMEMBER

File Attachments for Item:

1. Approval of Minutes of September 5, 2023.

MINUTES OF THE CITY COUNCIL OF LAUREL

September 5 2023

A special meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 8:05 p.m. on September 5, 2023.

COUNCIL MEMBERS PRESENT:	Emelie Eaton	Heidi Sparks
	Michelle Mize	Richard Herr
	Casey Wheeler	Irv Wilke
	Richard Klose	Jodi Mackay

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT:

Michele, Braukmann, Civil City Attorney
Brittney Harakal, Council Administrative Assistant
Kelly Strecker, Clerk/Treasurer
Stan Langve, Police Chief
Kurt Markegard, Planning Director

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

MINUTES: None.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Public Hearing: Budget and Tax Resolution for Fiscal Year 23-24.

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Kelly Strecker, Clerk/Treasurer, briefly reviewed the attached budget message.

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

Mayor Waggoner asked three (3) times if there were any proponents. There were none.

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

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

Council questioned if the roof repair was part of the Library Fund. It was clarified that the roof repair was budgeted in the General Fund. The City received several quotes. Donahue lowered their bid to be able to do the work.

Council questioned if the City Judge was also receiving a raise. It was clarified that the Judge's wage is based on a matrix set by resolution. The matrix does include a raise. A Council Member requested that the Judge also receive the 4% raise like other elected officials received and asked that the matrix structure be revised moving forward. A Council Member noted that the pay scale is set for the term of office and should not be revised until the next election cycle.

Mayor Waggoner stated that he chose not to receive a raise this year as he did not want to do this job for the money. He reminded the Council that the Judge is a part-time Judge just like he is a part-time Mayor. She is compensated as a part-time Judge.

Civil Attorney Braukmann clarified that she can create a resolution if Council indicates what they want to see brought forward. The Judge has almost outgrown the established matrix.

Council Minutes of September 5, 2023

It was further questioned what percentage increase the matrix included, if it is on par with what others are receiving, and if the Judge had made a formal request.

The Judge's compensation is consistent with comparable non-attorney elected Judges within the State.

The Judge's wage will be brought forward on the next Workshop.

Council questioned if there was any additional room in the Court budget to accommodate an increase to the Judge's wage. It was clarified that Court is part of the General Fund, and a budget amendment would only be needed if the General Fund as a whole overspent.

A Council Member noted they did not receive their budget book until they walked into tonight's meeting. It was clarified that budget books were available in Council boxes last Friday.

Council asked for clarification on the mills the Laurel Airport Authority receives from the City. It was clarified that we are required to give them their mills.

Council noted that there was \$25,000 budgeted in the City Hall budget; it was questioned if that was for the Court remodel project. It was clarified that it was for the remodel project.

Council questioned what purchases from donations with the Fire budget meant. It was clarified that the budgeted amount for donations had been received.

Council noted that there seemed to be a significant percentage increase in the City Shop OT budget. It was clarified that last year, they spent \$3; this year, they are budgeting \$100.

Council questioned all the resolutions they vote on annually. It was clarified that those are the assessments the City places on the tax rolls. They do not go into the General Fund. Those assessments are used to pay the bills associated with each assessment.

Council questioned who determines how much each of those assessments is. It was clarified that they look at the previous year's expenses and estimate what is needed for this year's expenses. Street Maintenance is assessed by the square footage of the lot and capped at \$1600. The City needs to look if the cap is something they would like to do away with. Sidewalks done in an SID are assessed by frontage. Sidewalks done through the replacement program simply finance the replacement through their taxes.

Council questioned whether they still receive a light district assessment if they do not have lighting in their area. It was clarified that you do not receive a light district assessment if you are not within one block of a street light.

Council questioned how the delinquent water/sewer/garbage assessments are determined. It was clarified that at the beginning of July, a letter is sent out giving unpaid water/sewer/garbage charges to be paid within 30 days, or a lien will be placed on their taxes. We do not place a lien on the next owner if a property is sold.

CONSENT ITEMS: None.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Resolution No. R23-55:** A resolution approving and adopting the Final Budget for the City of Laurel for the fiscal year 2023-2024.

Motion by Council Member Sparks to approve Resolution No. R23-55, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-56:** A resolution levying taxes for general and specific purposes for the City of Laurel, Montana, for the fiscal year beginning July 1, 2023.

Motion by Council Member Herr to approve Resolution No. R23-56, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-57:** A resolution levying and assessing all of the property embraced within Special Improvement Lighting District No. 2 of the City of Laurel, Montana, for the entire cost of maintenance and electrical current for the fiscal year 2023-2024.

Motion by Council Member Wilke to approve Resolution No. R23-57, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-58:** A resolution levying and assessing all of the property embraced within Special Improvement Lighting District No. 3 of the City of Laurel, Montana, for the entire cost of maintenance and electrical current for the fiscal year 2023-2024.

Motion by Council Member Mackay to approve Resolution No. R23-58, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-59:** A resolution levying and assessing all of the property embraced within Street Sweeping District No. 1 of the City of Laurel, Montana, for the purpose of the sweeping of streets in the downtown or Business District for the fiscal year 2023-2024.

Motion by Council Member Klose to approve Resolution No. R23-59, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-60:** A resolution levying and assessing the cost of street maintenance and/or improvements for Street Maintenance District No. 1 that constitutes all streets and alleys embraced within the City of Laurel, Montana, for fiscal year 2023-2024.

Motion by Council Member Wheeler to approve Resolution No. R23-60, seconded by Council Member Wilke. There was no public comment.

Council asked for clarification on when the discussion on the cap could take place. It was clarified at any Council Workshop.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-61:** A resolution levying and assessing the cost of street improvements for Special Improvement District No. 113 within the City of Laurel, Montana, for fiscal year 2023-2024.

Motion by Council Member Mize to approve Resolution No. R23-61, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-62:** A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 115 within the City of Laurel, Montana, for fiscal year 2023-2024.

Motion by Council Member Eaton to approve Resolution No. R23-62, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-63:** A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 116 within the City of Laurel, Montana, for fiscal year 2023-2024.

Motion by Council Member Sparks to approve Resolution No. R23-63, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-64: A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 117 within the City of Laurel, Montana, for fiscal year 2023-2024.**

Motion by Council Member Herr to approve Resolution No. R23-64, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-65: A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 118 within the City of Laurel, Montana, for fiscal year 2023-2024.**

Motion by Council Member Wilke to approve Resolution No. R23-65, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-66: A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 119 within the City of Laurel, Montana, for fiscal year 2023-2024.**

Motion by Council Member Mackay to approve Resolution No. R23-66, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-67: A resolution levying and assessing the annual cost of sidewalk improvements for residential properties pursuant to the City's Residential Sidewalk Replacement Program within the City of Laurel, Montana, for fiscal year 2023-2024.**

Motion by Council Member Klose to approve Resolution No. R23-67, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-68: A resolution levying and assessing a special tax against certain property in the City of Laurel for delinquent water charges.**

Motion by Council Member Wheeler to approve Resolution No. R23-68, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-69: A resolution levying and assessing a special tax against certain property in the City of Laurel for delinquent sewer charges.**

Motion by Council Member Mize to approve Resolution No. R23-69, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-70: A resolution levying and assessing a special tax against certain property designated as garbage districts in the City of Laurel, Montana, for the removal of garbage and refuse.**

Motion by Council Member Eaton to approve Resolution No. R23-70, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-71: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Donahue Roofing And Siding, LLC.**

Mayor Waggoner stated that the City is trying to get insurance to cover the roof replacement.

DRAFT

Council Minutes of September 5, 2023

Motion by Council Member Sparks to approve Resolution No. R23-71, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

9/11 Ceremony on September 11, 2023, at 11 a.m. at the Montana State Firemen's Memorial.

Park Board will meet this Thursday, September 7, 2023, at 5:30 p.m. in Council Chambers.

MAYOR UPDATES:

Fall Festival is this weekend, Saturday September 9, 2023.

There was another vandalism at one of the City's parks. Chief Langve is pursuing all leads. This vandalism is very similar to the previous. The cost of repairs is beginning to add up. There is a cash reward. Chief Langve is working with a high-tech camera company to be able to visualize our parks better.

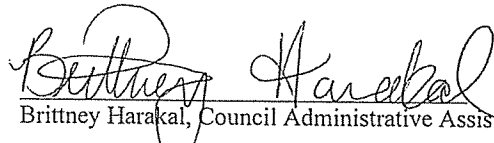
Work will begin next week on the splash park. It will be the largest in the State. The City is looking at the cost to add additional lighting and cameras to protect this asset.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Herr to adjourn the council meeting, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 9:22 p.m.


Brittney Harakal, Council Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 26th day of September 2023.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

File Attachments for Item:

2. Approval of Minutes of September 12, 2023.

MINUTES OF THE CITY COUNCIL OF LAUREL

September 12, 2023

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 Dave Waggoner at 6:28 p.m. on September 12, 2023.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Michelle Mize Richard Herr
 Casey Wheeler Irv Wilke
 Richard Klose Jodi Mackay

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Michele, Braukmann, Civil City Attorney
 Brittney Harakal, Council Administrative Assistant
 Justin Baker, Union 316 President
 Sheri Phillips, Court Clerk
 Jill Folts, Court Clerk
 Kurt Markegard, Planning Director
 Kelly Strecker, Clerk/Treasurer

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

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of August 22, 2023, as presented, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CORRESPONDENCE:

- Police Department Correspondence August 2023

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through September 8, 2023.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 8/20/2023 totaling \$223,989.04.**
- **Approval of Payroll Register for PPE 9/3/2023 totaling \$241,288.61.**
- **Council Workshop Minutes of August 12, 2023.**
- **Special Council Workshop Minutes of August 22, 2023.**

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

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of August 22, 2023.

Council Minutes of September 12, 2023

- Emergency Services Committee Minutes of July 24, 2023.
- Park Board Minutes of June 8, 2023.
- Park Board Minutes of July 6, 2023.
- Public Works Committee Minutes of June 19, 2023.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Resolution No. R23-72: A Resolution Of The City Council Cancelling The November 7, 2023 General Election Of Certain Municipal Officers.**

Motion by Council Member Sparks to approve Resolution No. R23-72, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-73: A Resolution Of The City Council Declaring Certain City Of Laurel Property (Firearms And Related Equipment) As "Surplus" Available For Sale Or Trade To The Public Or Other Governmental Entities Or Vendors.**

Motion by Council Member Herr to approve Resolution No. R23-73, seconded by Council Member Wilke. There was no public comment.

Council asked if they would be notified when the auction is live. It was clarified that they will be notified once it is live.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-74: A Resolution Of The City Council Approving Rutt Variance Request LZV-23-01.**

Motion by Council Member Mackay to approve Resolution No. R23-74, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-75: A Resolution Of The City Council Authorizing The Additional Extension Of Approval Of Application For Special Review For J. Johnson Properties Pursuant To Resolution Nos. R22-07 And R23-05.**

Motion by Council Member Wheeler to approve Resolution No. R23-75, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-76: A Resolution Of The City Council Authorizing The Placement Of A Stop Sign On The Corner Of Cedar Avenue And S. 4th Street.**

Motion by Council Member Mize to approve Resolution No. R23-76, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-77: A Resolution Of The City Council Authorizing The Placement Of A Stop Sign On The Corner Of Idaho Avenue And E. 6th Street.**

Motion by Council Member Eaton to approve Resolution No. R23-77, seconded by Council Member Wilke. There was no public comment.

A Council Member asked why this sign was already placed when Council was voting on it tonight. Mayor Waggoner clarified that he was unaware the sign had been placed but would follow up.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-78: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Randall Contracting.**

Motion by Council Member Sparks to approve Resolution No. R23-78, seconded by Council Member Wilke.

Justin Baker, 14 Baker Drive Park City, Union 316 President, read the attached letter into the record.

A Council Member noted that they felt this request's process was wrong. They felt a recess should have been made at the last Workshop to tour the location. They also noted that City Council Members met with the Court and should have voiced those discussions during Ex Parte.

Council questioned whether additional safety concerns, such as the windows, would be raised.

Motion by Council Member Klose to table discussion until the next Workshop and have a tour of this building to see the changes that are suggested, seconded by Council Member Wilke. There was no public comment.

Council asked if they could tour the building now. It was clarified that a motion would need to be made to recess.

Motion by Council Member Mize to recess and tour the building now, seconded by Council Member Mackay. There was no public comment or Council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Klose, Wheeler, Mize, and Eaton voted aye. Motion carried 8-0.

Council recessed at 6:52 p.m.

Motion by Council Member Sparks to reconvene, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

Council reconvened at 7:05 p.m.

It was questioned which motion is now in front of the Council. Civil Attorney Braukmann clarified that we now go back to the main motion.

Mayor Waggoner asked if there was any additional Council Discussion.

Council thanked the Court Clerks for the tour of their area.

Council also noted they did not feel the current Courtroom would be large enough for Council meetings. It was clarified that Council would still meet in the current Council Chambers.

It was questioned if the City has met its requirements for space for the Court. It was clarified that, as it stands, the City has met its requirements.

It was questioned if there is any liability in not moving the Court. It was clarified that there is a risk of litigation if the issues are not addressed.

It was questioned what the cost of this move would be. It was clarified that the cost for both the construction and the cabling is just over \$23k. This project addresses the safety, privacy, and HIPAA concerns.

Council noticed the computer screens are facing towards the window.

A Council Member noted that this project is similar in price to the Clerk/Treasurer's office project. Another Council Member noted these projects are not similar in nature, and it is not a fair comparison.

Council asked if this project had been budgeted for. It was clarified that it was within the budget.

A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Wheeler, Mize, and Eaton voted aye. Council Member Klose voted no. Motion carried 7-1.

- **Resolution No. R23-79: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Tel Net Systems, Inc.**

Motion by Council Member Herr to approve Resolution No. R23-79, seconded by Council Member Wilke. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Wheeler, Mize, and Eaton voted aye. Council Member Klose voted no. Motion carried 7-1.

- **Resolution No. R23-80: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Prorover.**

Mayor Waggoner stated this work has been completed. These trees were struck by lightning during a recent storm and needed immediate removal.

Motion by Council Member Eaton to approve Resolution No. R23-80, seconded by Council Member Wilke. There was no public comment.

It was questioned if a local tree removal service had been contacted. It was clarified that Prorover has done tree removal for the City for many years. He is reasonably priced and is able to work the City in very quickly.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Ordinance No. O23-03: An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code. (First Reading)**

Motion by Council Member Wilke to adopt Ordinance No. O23-03, seconded by Council Member Sparks. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Klose, Wheeler, Mize, and Eaton voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

The Public Works Committee's next meeting is Monday, September 18th at 6:00 p.m. in Council Chambers.

Friday, September 15, 2023, is POW/MIA Recognition Day. At 10:30 in Thomson Park, there will be a ceremony.

The first presentation on the EMS Mill Levy will be this Friday at 10:15 at the Front Porch to the Small Business Association.

MAYOR UPDATES:

Mayor Waggoner presented Kelly Strecker with a certificate recognizing her work as a Clerk/Treasurer.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Mackay to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:27 p.m.

DRAFT


Brittney Harakal, Council Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 26th day of September 2023.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer



MONTANA STATE COUNCIL 9, AFL-CIO
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
36 S. Last Chance Gulch Suite 11 * Helena, MT 59601 * (406) 442-1192

September 12, 2023

Laurel City Council Members | City Hall | 115 W 1st St | Laurel, MT 59044

RE: Court Clerks and Court Relocation

Your Honors,

I have asked Union President Justin Baker to please read and provide this letter to the body as I have previous commitments that could not be rescheduled.

Thank you for your consideration of the City Court move to its original location within City Hall. Originally the court clerks approached union leadership regarding the safety and privacy concerns they were working under in the current court's location.

Mayor Dave Waggoner and Civil Attorney Michele Braukmann listened carefully to the extensive list of concerns presented by the two court clerks in a meeting with myself. The Mayor and Civil Attorney then took immediate action to begin addressing the security and safety issues, as well as tackling the privacy and confidentiality concerns that were discussed. The Court move that is under consideration by this Council is a direct result of the Mayor's solution to the numerous concerns voiced by the two union employees.

Both Court Clerks and Civil Attorney Braukmann provided a deep dive into the long list of issues during last week's Council meeting, so no need to reiterate their expert statements here. However, as a guest in the City of Laurel buildings, I can speak to the physical limitations and safety concerns of the current space, and I would strongly encourage all Council members to please take a tour of the current Court location.

This move will significantly impact the working conditions and safety of both Union Court employees, as well as the public, legal, and law enforcement personnel that utilize the Court.

I have provided my personal contact information below. Please do not hesitate to reach out if you have any questions or require further information.

Thank you for your consideration and support of crucial City infrastructure updates.

On behalf of Local 316 Court Union Members
Hannah Nash, Field Representative | AFSCME Council 9
(406) 951-0560 | HannahNash@gmail.com

Lee A. Saunders
President

Elissa McBride
Secretary-Treasurer

COUNCIL MEMBERS

Tim Twardoski
Member-County

Hillary Gilreath
City-Bozeman

Hannah Nash
Field Representative

John Wiser
Field Representative

COUNCIL STAFF

Fran Schweigert
Executive Director

Don Nelson
Director

Debbie Saltenberger
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City-County-State

Britton Frisbie
Vice President
City-County-State

Tony Snyder
Vice President
Bozeman

Walter Hennessey
Vice President
At Large



File Attachments for Item:

3. Beartooth RC&D Correspondence

3 South 1st Street Roberts, MT



1:00 pm	<u>Meeting Called to Order</u>	Chair	
	Pledge of Allegiance, Introduction of Members and Guests	Chair, All	
	Review Board Minutes	Chair, All	Action
	<u>Congressional Updates</u>		
	Josiah Porcel (Sen. Tester)		Information
	Tory Kolkhorst (Sen. Daines)		
	Emily Schneller (Rep. Rosendale)		
	<u>Treasurer/Financial Reports</u>		
	1. Treasurer Update	Hauge/Knight	Information
	2. RC&D Financials		Action
2:30 PM	3. RLF Financials		Action
	4. RMAP		Information
	Resolution for USDA-IRP		Action
	EPA Policy Updates	Knight Head	Action
	<u>Staff Reports – Program/Project updates</u>		
	1. Food/Ag Program – Joel Bertolino	Bertolino	Information
	2. Revolving Loan Fund – Nan Knight	Knight	Information
	3. Economic Development/ CRDC – Jacy Head	Head	Information
	4. Operations Support- Myrna Lastusky	Lastusky	Information
	<u>Regional Roundup</u> – <i>News and updates from regional members on projects and activities in key CEDS categories.... (see topics on next page)</i>	Roe et al	Information
2:30 PM	<u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u>		
	<i>November 23rd, 2023- Big Timber/ Columbus, MT</i>		Information
	Adjourn		

Regional Roundup

CEDS SWOT

Our goals for the Roundup are to find out what's happening in the area, keep the conversations focused, inform the others attending the meeting, and to tie it all back to and reinforce the importance of the CEDS. Please help us identify the projects in their area that fit into our CEDS categories:

- Infrastructure
 - Housing
 - Transportation
 - Broadband
- Economy
 - Upturns or downturns in industry sectors
 - New business openings (or closures)
- Communication
 - Marketing and outreach
- Services
 - Health care
- Natural Resources
 - Agriculture
 - Energy
- Human Capital
 - Workforce
 - Education

NOTES:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

Beartooth RC&D

Beartooth RC&D Area, Inc. Board of Director's Meeting MINUTES July 20, 2023

12:30	<u>Lunch</u>		
1:00 pm	<u>Meeting Called to Order</u> Pledge of Allegiance, Introduction of Members and Guests Review Board Minutes <u>Congressional Updates</u> Josiah Porcel (Sen. Tester) Tory Kolkhorst (Sen. Daines) Emily Schneller (Rep. Rosendale) <u>Treasurer/Financial Reports</u> 5. Treasurer Update 6. RC&D Financials 7. RLF Financials 8. RMAP <u>Staff Reports – Program/Project updates</u> 5. Food/Ag Program – Joel Bertolino 6. Revolving Loan Fund – Nan Knight 7. Economic Development/ CRDC – Jacy Head 8. Operations Support- Myrna Lastusky <u>Regional Roundup</u> – <i>News and updates from regional members on projects and activities in key CEDS categories.... (see topics on next page)</i> <u>Next Beartooth RC&D Area, Inc. Board of Directors Meeting</u> September 21st, 2023- Red Lodge, MT Adjourn	Chair Chair, All Chair, All Hauge/Knight Bertolino Knight Head Lastusky Roe et al	 Action Information Information Action Action Information Information Information Information Information Information Information
2:30 PM			

**Beartooth RC&D
Board Meeting Minutes
July 20, 2023 – 12:30 pm
Beartooth RC&D**

Members Present:

Joel Bertolino, BRCD
Nan Knight, BRCD
Jacy Head, BRCD
Myrna Lastusky, BRCD
Brent Moore, City of Red Lodge
Dan Lowe, Big Horn Conservation District
Commissioner Don Jones, Yellowstone County
Commissioner Scott Miller, Carbon County
Tina Toyne, Big Horn County / City of Hardin
Bob Van Oosten, Stillwater Conservation District
Ryan VanBallegooyen, Billings Job Service
Commissioner Melanie Roe, Sweet Grass County
Stephanie Ray, Stillwater County
Bonnie Gray, City of Joliet
Lorene Hintz, BSED
Kayla Vokral, SBA
Danny Choriki, Billings City Council
Tory Kolkhorst, Sen. Daines' Office
Emily Schneller, Rep. Rosendale's Office
Jeff McDowell, Two Rivers Authority
Kaylyn Roberts, Sen. Tester's Office

Guests:

Representative Kerri Seekins-Crowe, State of Montana

12:30 Board Appreciation Luncheon

Meeting Called to Order: Chair VanBallegooyen called the meeting to order.

Pledge of Allegiance, Introduction of Members and Guests

- MT Rep. Kerri Seekins-Crowe represents District 21.

Review March Board Minutes (Action): Scott Miller motioned to approve the minutes, Danny Choriki seconded. Motion carried.

Congressional Updates:

- **Kaylyn Roberts (Sen. Tester) – Kaylyn's emailed updates**
 - Senator Tester recently had a bill signed into law to Approve Veterans Construction Projects at Fort Harrison VA. This was a part of the Fiscal Year 2023 Major Medical Facility Authorization Act.
 - Senator Tester secured \$780,000 to support Montana's wildland fire management and operational response. The funding will be coming from Tester's bipartisan Infrastructure Investment and Jobs Act (IIJA). This will include funding for special pay supplements,

training for wildland firefighths, collaborative fuels management, and burned area rehabilitation activities.

- During the train derailment, Region Field Director Josiah Porcel went and toured the train derailment.
- Senator Tester secured \$7 million for Carbon County Flood Recovery, to replace three bridges, listed below, which were all washed out due to the flood.
 - \$2,567,760.89 to replace the Meeteetse Trail Bridge
 - \$2,276,429.77 to replace the East Side Bridge South
 - \$2,091,977.33 to replace the East Side Bridge North
- Senator Tester recently announced to offer a bipartisan amendment to the must-pass defense bill to assess the Chinese spy balloon threat and use of American technology.

- **Tory Kolkhorst (Sen. Daines)**

- Sen. Daines is calling for passage of the largest reform bill in decades to streamline the permitting process and increase tribal engagement. Crow Tribe is a supporter.
- Bi-partisan bill to settle final Indian Water Rights settlement (Fort Belknap Indian Water Rights Act).
 - Don asked if the Fort Belknap Act included Salish and Kootenai. Tory said that one has already been dealt with.
- Amendments to NDAA to bolster national security/support MT service members.
- Working to make the pay raise for wildland firefighters permanent.
- Support Governor Gianforte's efforts to address low water levels in Flathead Lake.
- Montana Sportsmen Conservation Act: Better forest management, public access, improve conservation of public land.
- Sanction Chinese companies and those responsible for spy balloon.
- Approves recent SCOTUS decisions – ended student loan bailout and removing racial discrimination from college admissions.
- Different rules from EPA that would shut down baseload fuel-powered plants in U.S. – Senator is fighting against that.

- **Emily Schneller (Rep. Rosendale)**

- Rep. Rosendale released Farm Bill priorities survey. You can access it on his website.
- EPA rule – Congressman released comments on that as well as BLM conservation rule.
- Visited train derailment site 2 weeks ago – still pulling asphalt out of river.
- Grizzly legislation – not much movement. Passed committee a couple months ago. More and more clear how necessary it is with all the griz movement in new areas.
 - Lorene asked what they think is causing it? Growing in number and moving to new locations. They were endangered for so long that their comeback has far surpassed goal numbers.
- Next month – Congress in recess, so Rep. Rosendale will be in the state quite a bit.

Treasurer/Financial Reports: Nan Knight (RC&D Financials / RLF Financials / RMAP) (Action)

- Working with Carbon County Meats on a grant and a loan.
- Potentially seeking new IRP loan fund. The next round to submit is September 30th. It will involve requesting that the board raise the maximum loan amount from \$250K to \$400K.
- Submitted another SSBCI from a start-up in Yellowstone.
- Closed on 1 loan in Yellowstone and will be closing one in Big Horn County next month.

- Also working with potential new owners of the Y-Stop in Roberts – a mercantile/restaurant/ possible gas station/campground.
- Ryan reminded everyone that the -\$32,344 at the bottom of p. 17 is simply due to the pass-through funds.
- Brent asked if the fiscal year is Jan-Dec – yes. What is savings account for? For things that come up like car repair, etc. to have some money on hand for Beartooth incidentals.
- **Melanie Roe moved to accept RC&D and RLF financials as presented. Scott Miller seconded. Motion carried.**

RMAP (Rural Microentrepreneur Assistance Program):

- Working out great. Up to \$50K microloans to loan in rural communities.
- Closed on first one last month in Worden.
- On top of the loan money, there is a technical assistance grant that we can utilize to provide assistance, training, etc. to small businesses.
 - We were awarded \$12,500 in TA money this year that BRCD can provide or contract out to provide the needed training.

Staff Reports – Program/Project Updates

Joel Bertolino, Food & Ag Director

- 2-year cycle for FADC funding. Participated in a RFP process in the State, went to Great Falls for a review of those proposals. Nan went with Joel. Were awarded \$120K for 2 years.
- Collaborating with MMEC and SBDC. Send clients back and forth with them.
- VAPG
 - S-Ranch Meats – helped apply for \$250K grant to expand their business.
 - Oswald Meats – reapplied for \$250K this year; narrowly missed it last year.
- GTA
 - Speedy & Flo’s Sweet Corn – Tina and Myrna were part of that application.
 - J&D Meats – also interested in a RMAP loan.
 - Yellowstone Pasta – former chef at Jake’s who is developing a fresh pasta business; he is interested in applying. Pretty unique business.
 - Kayla said you can find his pasta at Town and Country in Billings.
 - Undammed Distilling – will help with a grant this fall.
- Fertilizer grant - \$2 million grant was turned down. They will still proceed with expansion.
- Greycliff Mill: Last fall had finished cheese-making area. Also have pizza making, flour mill, sewing, Air BnB (silo rental), apple orchard . . .
- Recently visited Wild Bison Ranch outside Belfry; brought along Lane Gobbs on that visit.
- CTAP Lead Service Line program – trying to get the ball rolling. Last week they said they’ll be sending info out in the next couple weeks.
 - Mel asked if the DOC is competing with us for the money? Joel said we are the only EDD that applied for the funds; mostly engineering firms applied. He said they are likely to make some revisions on it.
 - Brent said Interstate was selected. They have a website up, and a community can apply for assistance. Interstate will provide the TA to those who need it.
 - Nan said yes, Beartooth can’t provide some of the actual lead service line work, but we can help with public outreach and other technical assistance.

Jacy Head, Economic Development Director

- Working to complete BSTF feasibility study for Stillwater County Industrial Park – needs to be completed by September.
- RCDI grants are moving forward with Tina Toyne and Angela Getchell.
 - Working on housing entity with Angela and Carbon County.
- Submitting many reports this month
 - Both RCDI quarterly reports
 - CRDC quarterly report
 - EDA PPG – questionnaire to evaluate what we are doing
 - BSTF Q2 report
- Helping Hands Food Bank is moving forward – Draft Phase 2 report should be done by Aug. 2. Petroleum release/contamination was identified and are deciding next steps.
- Rocky Fork Inn – another Brownfields site in Red Lodge that took a beating from the flood. Working with City Planner Courtney Long to do some assessments there – structural assessment, and if it is deemed structurally-unsound, will assess while demo happens. Hope to turn into a greenspace.
- Beartooth received \$460,000 Brownfields Assessment Grant. Award date doesn't start until Oct. 1, but Jacy is working on all the paperwork. QEP, QAPPs, etc. to complete.
- Jacy will attend EPA Brownfields Conference in Detroit in Aug – expenditure covered by grant.
- EIG EDA Case Study on Poverty was finally approved and released – covers the poverty in Big Horn County and the impacts of it.
 - EIG asked Jacy to be a panelist to the IEDC conference in Dallas in September & are providing funding for her to attend.

Myrna Lastusky, Operations Support:

- Montana Community Foundation \$15,000 grant – we have disbursed almost all of the funds to businesses and organizations throughout the region. Lot of great projects happening.
- Wrote grant request to Sibanye-Stillwater Mine to fund a Meeting Owl for meetings that have both Zoom and in-person. Sibanye granted us \$1500, which is almost half of the needed funds. Wrote grant apps to Town Pump and Walmart Community Foundation, also, and we are awaiting word on those. Checked into First Interstate Bank's grant program, but they have allocated all their funds for this year.
- Created a Success Board in the office to celebrate some of the great things happening at BRCD.
- Beki Brandborg of GL Development has asked for a LOS for Mitchell Court, their new project in Billings. It is right next to the south side Jackson Court affordable housing they just completed. If others are willing to write LOS, let Myrna know.

Regional Roundup:**Commissioner Scott Miller, Carbon County:**

- Over July 4th, Red Lodge rodeo kicked off new bleachers. Record 7,000 people the first night, then 6,000, then 7,000. They are the 55th PRCA ranking of rodeos.
- Some drama with Airport Board and City of Red Lodge. Should be resolved very soon. Commissioners are working with the City Council.
- Bridger: Gas station/truck stop being built. Will have a restaurant. Broke ground a few days ago. Where the old Maverik used to be. More jobs coming to Bridger.
- Made it past June 13th without any disasters!

Commissioner Don Jones, Yellowstone County:

- Metra will be done with infrastructure work by time of fair.
 - Air Show is the same weekend as the fair – busy place!
 - New general manager shows up Aug. 7th.
- Still in budget – final numbers will come in September.
- Don commented on the 7,000 number of Red Lodge rodeo – very impressive
- Coke plant is coming along pretty well.
 - Kayla: More and more of the pop-up walls. Several other huge buildings coming up that will be storage.
 - Danny: On the other side of I-90 is another Atlanta firm. Coke will be a bottling plant; the other one will be a transfer station for trucks.
- Pacific Steel and Recycling: building a landfill out on 89 (Shepherd-Acton Road). They have a lot of “fluff” that comes out, and it’s cheaper for them to build their own landfill.

Tina Toyne, Big Horn County/City of Hardin Economic Development Director:

- Traveled a LOT in April, May, June.
- Little Big Horn Days at end of June. Had rodeo first night, but the 2nd night the road washed out, had some flooding.
- Hailstorm in Hardin that left a lot of damage.
- Native Days – part of grandstand collapsed.
- Good downtown celebration for July 4th.
- Working with J&D Meats and S-Ranch to provide different grant opportunities.
- Brenda Maas from Visit SE MT and Tina visited J&D Meats.
- Participated in talks with Crow tribal members for Big Sky Passenger Rail Authority. Good discussion. Hope to move forward in their collaboration to bring back BSPRA.
- City of Hardin & Tina applied for TA from HUD and were awarded participation in that.
- Lodge Grass IGA is up for sale. Looking at a co-op option and met with MCDC, but the next day one of the owners said there is a possible buyer. Hoping for that!
- Waiting to hear back on the GTA grant for Speedy and Flo’s Sweet Corn.

Lorene Hintz, SBDC Director:

- Work with BSTF-Job Creation. Got the last one funded, and it will be the last since the program is ending. ☹
- PTAC has secured \$230 million in funding for different businesses. They are very busy helping businesses that work with government contracting.
 - K: The air show that is coming is part of Navy Week, which is a great opportunity for PTAC. Aug. 9th there are different trainings and then many agencies coming for people who want to contract with military/government. If you have anyone who could do this, they should sign up. Kinda like speed dating.
- The Rec Center is hopefully getting on the ballot. Many seniors in City of Billings who realize taxes are going to go up, but it’s important for bringing business to town, etc.
- Every year one SBDC counselor is voted in as State Star. Last year Lorene received it, and this year Kayla did. Hooray!

Kayla Vokral, SBDC Business Advisor:

- Big Sky EDA awarded a \$1 million Brownfield grant.

- Lorene and Kayla are very busy. Their year is Jan-Dec, and so far this year 6 businesses have started and they have helped clients receive \$4.6 million in funds.
- Rock31 – launched first barista in incubator space.
- Full capacity at office. 58 paying members, plus shared workspace members daily.
 - Tory asked what the waiting list is like for workspace?
 - Kayla: the shared ones turn over occasionally, but the private offices don't turn over very often. No time limits on how long someone can rent it.
 - Can also do virtual mailbox option, book conference rooms, etc.
 - Lorene said a lot of businesses are using the conference spaces; full almost every day!
- Used RLF funds to purchase a salon in Laurel.
- Partnered with Beartooth on a food truck loan.
- New marketing manager with BSED.
- Rocky Vista Medical school opening was last week.

Rep. Kerri Seekins-Crow, MT District 21:

- For anyone interested in workforce development, our team is working on welding programs, re-entry with prisons, better hand-offs, and CDLs – trying to figure out how to do a better job in finding workforce.

Commissioner Melanie Roe, Sweet Grass County:

- If you haven't commented yet on Sibanye-Stillwater– deadline is Aug. 9th. If the amendment to their Environmental Impact Statement is not approved, they won't be able to continue operating past 2025.
 - Melanie will send Myrna the info for anyone who is willing to make public comment and/or send LOS. If they don't get the permit, mining will cease in 2025, which would be a huge hit to the entire state's economy.
- Sweet Grass Fest in June.
- Weekly PRCA rodeo won't be held anymore. It was a struggle to get it all to work.
- Doing an airport expansion. Lot of jet air traffic and hope to make parking area bigger.
- Frosty Freeze/Coffees is doing very well. A few places to eat breakfast now, but finding help is still an issue.
- Most of the campgrounds are open now.
- Fair is next week.

Stephanie Ray, Stillwater County Director of Community & Economic Development:

- Train derailment – cleanup and rebuilding has gone pretty quickly.
- Fair week in Stillwater.
- New Civic Center. \$8 million facility can be used for weddings and other events. Will host Brewfest, Montana Silver Smith anniversary, fairs, etc. Can compete on pulling business into Stillwater.
- Meadery coming to Stillwater County in a month – Honey Mead tasting room.
- Courthouse project for ADA compliance.
- Beaver Creek windfarm.
- Park City stormwater program.
- New gravel pit.
- Most public assistance projects from the flood are completed.
- Finish wastewater project in Absarokee.
- Law & Justice Center is shovel-ready.
- Road to Mine is now open.

- Site selected for Industrial Park – hope to see additional business recruitment.

Bob VanOosten, Stillwater Conservation District:

- Interesting year with the flooding.
- Received grant from NRCS for EWP money – about \$7 million. Also running it in Carbon.
- 310 inspections.
- Many people building expensive cabins right on the edge of the Stillwater River, so when flooding happens, this is an issue. Federal flood insurance only covers a small portion.
- Repeated flooding has made the river very volatile. There will be a lot of changes in the next few years.
- Received \$3 million through Forest Service for road repair, bridge repair, and work to keep a creek in.

Jeff McDowell, Two Rivers Authority: No report; Tina covered it well.

Danny Choriki, Billings City Council:

- Family Justice Alliance is doing a study on how to implement a Family Justice Center in Billings. For people dealing with domestic violence, this will be easier to navigate. Will hopefully free up resources for preventing the cycle of violence.
- City approved half-million dollars to study/implement a mobile city jail specifically for those awaiting arraignment in municipal court.
- The Parks Bond passed the next-to-last step. Approved staff to write the language for the bond; when that comes back, it's the final step. \$2 million pledged by Par Montana.
- Increase of bed tax to be used for maintenance of rec center.
- NADC bought the Shrine. In August they will announce plans for moving Indian Healthcare Clinic there. That will fill it to 50%.
- Downtown Housing group has decided to focus on property between Billings Gazette and up to 6th Avenue. One thing they want to add is housing. Adding residential between the medical corridor and downtown will connect the two and bring in professionals.
- City approved recycling cardboard starting this fall.
- If anyone wants to create a co-op to bring the Pickle Barrel back to Billings, let Danny know! He loves what the MCDC is doing – great way for Montanans to invest in MT and keep money in MT.

Brent Moore, Interstate Engineering / City of Red Lodge:

- We have 2-year term mayors. Some are advocating for a City Manager form of government (in regards to earlier discussion on Red Lodge).
- Large storm water project going now.
- The pool has been a great addition. Also offer swim lessons for kids.
- Pea cannery was bought by a NYC artist who is renovating it for his own studio. Thanks to Beartooth for funding some of the past studies on that.
- County has 3 bridges under construction right now. County had \$6.8 million obligated toward those.
- East Rosebud – temporary bridge is being put in to regain access. County and Interstate were there because they applied for a grant to help with that. There were 40 grant apps, and one reviewer said they were ranked #1. Hoping to have that award for Carbon County to fix the road from Roscoe up to East Rosebud.

Edie Vogel (Not present but sent her updates), Yellowstone Conservation District

- Our new website is live and we invite you to check it out: yellowstoneconservationdistrict.org
- We recently applied for a dept. of Ag grant for eradicating woody species on Cove Ditch in Yellowstone and Stillwater Counties. We were unsuccessful in getting funded, as the dept. decided to focus on river corridors, but will look to another grant source in the near future to keep the project going. Lobbyist Ray Beck worked to get \$250,000 in funding for woody invasives, successful applicants included Yellowstone Co. Weed District, Musselshell co. and City of Billings.
- My role at YCD is working on developing an expanded Education program with resources available to schools/organizations for conservation education. We are looking forward to applying for some grants and creating these new outreach opportunities for YCD.
- As always, we have had a very busy season with 310 permits/opportunities that the board is working on.
- A new Aquatic Invasive Species cleaning station has been implemented at Lake Elmo.

Exciting news at Lake Elmo!

A CD3 watercraft cleaning station is in place at the boat ramp. This waterless cleaning station provides users the tools they need to clean, drain, and dry their watercraft to prevent the spread of aquatic invasive species. And, it is FREE to use!

The cleaning station was graciously donated to FWP from
[Yellowstone Conservation District](http://YellowstoneConservationDistrict.org).

Check it out next time you're out paddling at Lake Elmo.

For more information on the cleaning station, visit:

<https://www.cd3systems.com/>

Next Beartooth RC&D Board Meeting: September 21, 2023 in Red Lodge

Meeting adjourned at 2:33 pm.

Revolving Loan Fund Books- June 2023

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>	
Big Horn	2	\$179,141.23	
Stillwater	1	\$146,389.89	
Yellowstone	11	\$762,637.95	
Carbon	3	\$223,589.35	
<u>Sweet Grass</u>	<u>2</u>	<u>\$151,525.49</u>	Total:
19		\$1,463,283.91	

- one RMAP approved and funded in Yellowstone county, Two more in the pipeline.
- Roberts Café funded with SSBCI, working on another for a start-up business.
- loan in Hardin will close in August.
- Looking at applying for another IRP in September with board approval.

Bank Balances as of June 30, 2023 Total available for lending

Bank of Joliet- RMAP to be drawn down)	\$ 150,059.18	\$ 150,059.18	\$300,000 (still waiting
Bank of Joliet – RMAP LOAN LOSS	\$ 10,645.87	\$ 0.00	
Bank of Joliet-CDBG	\$ 111,604.95	\$ 46,604.95	
Bank of Joliet- IRP	\$ 187,079.36	\$ 147,079.36	
Bank of Joliet-Fromberg	\$ 31,406.21	\$ 31,406.21	
FIB – SSBCI 2.0	\$ 148,618.00	<u>\$ 0.00</u>	
	Available:	\$ 375,149.70	

Beartooth 2023 Budget

2023 Income	2023	
	Budget	Actual
AG-FOOD AND AG CENTER	45,000	22,471
Specialty Crop Block	35,000	8,372
BOARD - EDA SPONSOR DUES	56,979	43,399
BOARD-INTEREST INCOME	400	
BOARD-FOUNDATION MONEY	3,300	3,641
RLF-STAFF REIMBURSE	15,000	
RLF-ORIG FEES	5,000	500
CRDC	71,000	49,505
EDA - GRANT	70,000	35,000
BSTF ADMIN \$	4,000	
RCDI (Big Horn)	2,500	2,863
RCDI (Red Lodge)	4,000	205
Pass- Through		35,599
	312,179	201,555
Expenses for 2023		
TOTAL STAFF EXPENSE	244,441	120,291
COMMUNICATIONS	7,000	3,692
EQUIPMENT & VEHICLE	6,000	2,696
CONTRACTUAL	25,000	90,664
SUPPLIES	7,000	1,814
TRAVEL	7,500	3,034
OTHER	11,500	11,707
EXPENSE TOTAL	308,441	233,898
		-32,344

Statement Ending: 06/30/2023

Checking

Account: \$76,085.17

Savings

Account: \$65,073.30

Building

Account: \$4,488.53

Revolving Loan Fund Books- August 2023

Loan Client Review

<u>County</u>	<u># of loans</u>	<u>\$ Loaned out</u>	
Big Horn	2	\$176,832.99	
Stillwater	1	\$144,938.45	
Yellowstone	12	\$891,049.76	
Carbon	3	\$370,629.62	
<u>Sweet Grass</u>	<u>2</u>	<u>\$148,235.77</u>	Total:
	20	\$1,731,686.59	

- One Yellowstone county loan paid off.
- One new SSBCI loan in Yellowstone county for a start-up business.
- loan in Hardin moved to October for closing.
- Looking to applying for another IRP in September with board approval.

Bank Balances as of August 31, 2023 Total available for lending

Bank of Joliet- RMAP to be drawn down)	\$ 150,728.49	\$ 150,728.49	\$300,000 (still waiting
Bank of Joliet – RMAP LOAN LOSS	\$ 2,500.00	\$ 0.00	
Bank of Joliet EDA	\$ 8,627.73	\$ 8,627.73	
Bank of Joliet-CDBG	\$ 69,232.95	\$ 69,232.95	
Bank of Joliet- IRP	\$ 198,388.94	\$ 92,888.94	
Bank of Joliet-Fromberg	\$ 31,406.21	\$ 31,406.21	
	Available:	\$ 352.884.32	

Restricted Accounts		Principal amounts paid back	
FIB – SSBCI 2.0	\$ 148,621.00	\$ 508.23	BOJ-
SSBCI 2.0		\$ 79,651.50	

Beartooth 2023 Budget

2023 Income	2023	
	Budget	Actual
AG-FOOD AND AG CENTER	45,000	33,706
Specialty Crop Block	35,000	25,116
BOARD - EDA SPONSOR DUES	56,979	43,382
BOARD-INTEREST INCOME	400	419
BOARD-FOUNDATION MONEY	3,300	3,641
RLF-STAFF REIMBURSE	15,000	
RLF-ORIG FEES	5,000	2,093
CRDC	71,000	67,466
EDA - GRANT	70,000	55,000
BSTF ADMIN \$	4,000	
RCDI (Big Horn)	2,500	3,810
RCDI (Red Lodge)	4,000	1,125
Pass- Through		71,078
	312,179	306,836
Expenses for 2023		
TOTAL STAFF EXPENSE	244,441	160,807
COMMUNICATIONS	7,000	4,829
EQUIPMENT & VEHICLE	6,000	3,326
CONTRACTUAL	25,000	108,924
SUPPLIES	7,000	1,862
TRAVEL	7,500	3,243
OTHER	11,500	7,951
EXPENSE TOTAL	308,441	290,942
		15,893

Statement Ending: 08/31/2023

Checking Account: \$95,505.51

Savings Account: \$65,073.30

Building Account: \$4,488.53

Beartooth RC&D Staff Project Updates

September 2023

FOOD AND AG DEVELOPMENT CENTER PROJECTS

Beartooth FADC

Beartooth FADC activities have September 6th for a face to face meeting with Department of Ag staff to discuss some changes to the GTA grant program and potential funding through their new Resilient Food Infrastructures Program and a grant that was put together by the State Department of Ag for funding technical assistance for the USDA Rural Energy for America program.

Growth Through Ag Projects and USDA Projects

Beartooth FADC has worked with several businesses on Growth Through Ag and USDA VAPG grants some of these will have an opportunity to be granted funding and we will continue to assist them in completing their business expansion projects. –

S Ranch Meats

Location- Custer, MT

Contact- Hannah Knutson

S ranch meats is a family owned and operated beef business. The ranch operates a 6000 head ranch and developed a USDA meat processing plant in Hardin, MT. They have developed their own line of packaged meats sold at local restaurants and through Facebook and word of mouth marketing. Beartooth FADC has been worked with USDA VAPG specialists to assist the business in applying for \$250,000.00 in operating funds to expand their direct to consumer branded beef business. They have not been selected for the funding this round.

Oswald Farms

Location- Joliet, MT

Contact- Melissa Oswald

Oswald Farms operates a generational ag operation that raises cattle feeds them, has them processed at a local USDA plant and sells their own branded beef products to local restaurants and locally through Facebook. They have developed their own retail location to sell their meat products and other local foods and it is located near the intersection of highway 310 and 312 both heavily traveled roads. Beartooth FADC has been working with USDA personnel with the business to apply for a Value Added Producer Grant for \$250,000.00 to expand their direct to consumer beef business. Oswald Farms application has been selected for funding these operating funds will help them grow their direct beef sales business and their new retail store.

Speedy and Flo's Sweet Corn

Location- Hardin, MT

Contact-Flo Ramirez

Beartooth FADC worked with Tina Toyne of Big Horn County Economic Development to assist Flo Ramirez and his wife. They started growing fresh produce and sweet corn for local sales over ten years ago on a one-and-a-half-acre garden plot. Their business has grown and they now raise 25 acres of sweet corn and have a 4-acre garden, they sell all of their fresh produce at locations in Hardin, several in Billings, Joliet, Miles City and Absarokee as well as in northern Wyoming. Beartooth FADC and Tina Toyne assisted them on developing a GTA Marketing Development Assistance Grant for custom made bags for their fresh produce that will have their logo and Facebook information for their customers. The application for GTA marketing assistance was successful and they are interested in developing another application this fall.

J&D Meats

Contact- Jon Schneider

Location- Hardin, MT

Beartooth FADC was invited by Tina Toyne of Big Horn County Economic Development to visit with J&D Meats a small meat processing operation that has a retail front selling fresh meats and lunches in Hardin. The business was purchased in 2021 after years of operating as Buds Catering and has been refurbished. The business is looking to continue to grow and is interested in the USDA RMAP micro entrepreneur funding through our revolving loan funding. Beartooth will work with Tina Toyne to set up a time to visit further about the RMAP funding.

Yellowstone Pasta

Location- Billings, MT

Contact-Henry Kennah

Henry is a former chef for Jakes in Billings that started making fresh pasta using Montana hard red durum wheat. He was referred to us by our partners Kayla and Lorene at SBDC who are assisting him with business planning. Beartooth FADC met with Henry and discussed his equipment needs for expanding his business and the Growth Through Ag grant and loan program. He is reviewing the guidelines and plans on working with Beartooth FADC on an application in October.

Undammed Distilling

Location-Billings, MT

Contact- Allen Hodges

Allen Hodges started Undammed Distilling in Billings approximately two years ago and utilizes Montana ingredients in his spirits, he is looking to expand his business. Beartooth FADC met with him to discuss the Growth Through Ag funding opportunity for equipment and hope to assist him with an application this fall.

Beartooth staff has been in communication with Greycliff mill in Big Timber to discuss funding sources for their value added ag operation. The value added business mills local grains used in the breads that are served at their restaurant and coffee shop, they plan to use local milk to make a line of cheeses and grow sweet corn, beans, apples and berries which will be utilized to be sold fresh and in jams.



On Going Projects

Montana Prime Meats

Contact- Lamont Herman

Location- Big Horn County and Billings, MT

Beartooth FADC assisted Montana Prime Meats with the development of a GTA grant in 2021 and have continued to follow up with the business, they opened a retail outlet to sell their beef and lamb products raised on the Herman Ranch in Big Horn County and it has developed a following. They are now looking for funding to expand their offerings to include fresh cuts of Beef and Lamb. Beartooth Staff visited their business to discuss the potential use of the RMAP funding for their expansion project. Beartooth FADC continues to work with Lamont on his business expansion.



Yellowstone Valley Farm

Contact-Reuben Stahl

Location-Laurel

Reuben Stahl has a family greenhouse business growing basil and selling to FSA and Sysco, he would like to add another greenhouse to keep up with increased demand this last year. Beartooth staff visited Yellowstone Valley Farms and discussed the Rural Energy for America Program for funding to improve the energy efficiency of his greenhouse operations to lower the businesses energy bills. Beartooth RC&D will be assisting Reuben with developing a GTA grant and possibly a USDA REAP application for his greenhouse expansion.



Primitive Meats

Contact- Kelsey Grice

Location- Worden, MT

Kelsey Grice and her husband are looking for funding assistance through the GTA grant to help them with construction costs and equipment for their start up meat processing business. This Business also applied for an ARPA Value Added Ag Grant, Beartooth FADC put the business in contact with a local engineering firm to discuss the plans for their plant. Their application was approved for \$150,000.00, Beartooth FADC has been in contact with the owners now plan to start construction of their plant this summer or fall.

Becky's Berries- Absarokee, MT

Contact- Becky Stahl

Location-Absarokee

Beartooth FADC has been assisting Becky with locating specialized assistance in recipe development for a new line of products she is currently working on. They have now completed their recipes for a line of mustards and we are now helping them on developing a process for filling and packaging the products. Beartooth FADC has worked with MMEC to get resources to visit Becky to talk about the equipment and design for implementing this new process.

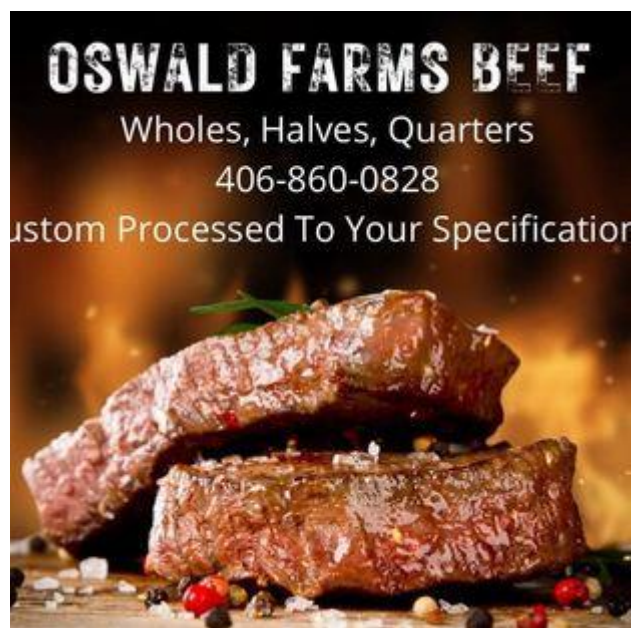
Beartooth FADC Outreach

-Helping Hands Food Bank and Community Garden- Hardin, MT

- Special K Ranch - Columbus, MT

- Yellowstone Valley Farms- Laurel, MT

-Oswald Farms – Rockvale, MT



- Economic Development/ CRDC / EDA PPG / EPA Brownfields
 - BSTF- this will be changed to the Montana Growth Fund; program guidelines are being updated and changed too
 - Stillwater County Industrial/Business Park Feasibility Study – another project extension has been requested to MT DOC, awaiting approval
 - USDA BHC RCDI Grant – training continues with Tina Toyne
 - USDA RLACF RCDI Grant- training and communication continues with Angela Getchell; recent meeting with USDA Director, Steve Troendle, regarding the grant’s scope of work and its eligibility
 - Next reporting period will include:
 - USDA RCDI Quarter reports (2)- will be submitted in October 2023
 - CRDC Quarter report- will be submitted in October 2023
 - EDA Partnership Planning Grant report- questionnaire completed with Myrna
 - BSTF Quarter report- will be submitted at the end of October 2023
 - Helping Hands Food Bank in Hardin- Phase II will be revised based on EPA’s comment, then presented to DEQ and EPA again for a quick review
 - Former Rocky Fork Inn site in Red Lodge- Structural assessment occurred on August 30th; the inspection occurred on the 31st; the Phase I assessment was conducted on September 8th.
 - Community-Wide Brownfield Assessment Grant- attended the Brownfields Conference in Detroit (Aug. 8-11th); working through the Pre-Award Compliance Review of Beartooth RC&D and updating policies and procedures to comply with EPA’s standards
 - EIG/EDA case study for Big Horn County- speaking at IEDC Conference in Dallas (Sept. 17-20th) on EIG’s panel regarding this study; the panel session will be covering advancing economic development in persistent-poverty areas
 - MCF-MT Disaster Recovery Fund grant- majority of funds distributed; Myrna can give a better update on recipients and amounts awarded
 - DOC-Business Attraction – attending monthly check-in meetings
 - EDA Economic Recovery Corps Program- applied to this program but we were not selected
 - Home Buyer Course in Red Lodge- on Sept. 16th at 122 Hauser Avenue South (RLACF); 9am-4pm; Enrollment fee: \$50; Contact: Angela Getchell; phone: (406)202-2238
 - Additional Clients that were worked with:
 - One Health
 - Red Lodge Fire Rescue Foundation
 - Don Kinney
 - Sandstone School
 - Cow Camp BBQ & Mercantile
 - Little Big Horn Camp
 - Moore Industries

Frequently Used Acronyms

BIA – Bureau of Indian Affairs
BLM – Bureau of Land Management
BRCD – Beartooth RC&D
BSEDA – Big Sky Economic Development Association
BSTF – Big Sky Trust Fund
CDBG – Community Development Block Grant
CRDC – Certified Regional Development Corporation
CEDS – Comprehensive Economic Development Strategy
CTEP – Community Transportation Endowment Program
EDA – Economic Development Administration
EDD – Economic Development District
FADC- Food and Ag Development Center
GIS – Geographic Information Systems
GPS – Global Positioning System
GTA- Growth Through Ag Grant and Loan
HOME – Montana Home Investment Partnerships Program
HUD – US Department of Housing and Urban Development
IRP – Intermediary Relending Program
LESA – Land Evaluation Site Assessment
MBOI – Montana Board of Investments
MDOA- Montana Department of Agriculture
MDOC – Montana Department of Commerce
MDOL – Montana Dept. of Labor
MDOT – Montana Dept. of Transportation
MDFWP – Montana Dept. of Fish, Wildlife and Parks
MEDA – Montana Economic Developers Association
MMEC- Montana Manufacturing Extension Center
NADO – National Association of Development Organizations
NHS – Neighborhood Housing Services
NRCS – Natural Resource Conservation Service
RBDG – Rural Business Development Grant
RC&D – Resource Conservation & Development
RCDI – Rural Community Development Initiative
RD – Rural Development (a division of USDA)
RCPP- Regional Conservation Partnership Program
REAP- Rural Energy for America Program
RLF – Revolving Loan Fund
RMAP- Rural Micro entrepreneur Assistance Program
SBA – Small Business Administration
SBDC – Small business Development Center
SSBCI- State Small Business Credit Initiative
TIFD – Tax Increment Finance District
TSEP - Treasure State Endowment Program
USDA – United States Department of Agriculture
USFS – United States Forest Service
LSL- Lead Service Lines

File Attachments for Item:

8. Council Workshop Minutes of September 5, 2023.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, SEPTEMBER 05, 2023**

A regular Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 6:30 p.m. on September 5, 2023.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Michelle Mize	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Casey Wheeler	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Jodi Mackay

OTHERS PRESENT:

Michele Braukmann, Civil City Attorney
Kelly Strecker, Clerk/Treasurer
Stan Langve, Police Chief
Brittney Harakal, Administrative Assistant
Kurt Markegard, Planning Director
Sheri Phillips, Court Clerk
Jill Folts, Court Clerk

Public Input:

There were none.

General Items

1. Laurel Skate Park Presentation

Misty Evans, 906 1st Avenue, and Amanda Wilson, 1026 6th Avenue, briefly presented Council with their idea for a skate park within Laurel.

The skate park would not just be big bowls but rather a plaza with seating areas to allow kids of all ages to participate. They have met with the Park Board, but that was a few years ago, and there are many new faces. They aim to raise \$500k and donate the park back to the City. They would like to have the skate park located at Thomson Park. They are asking for the City's support and approval of the location.

It was questioned if they are a 501 3c. They clarified that they are doing the fundraising through the Laurel Community Foundation.

The Park Board Chair requested that they give their presentation to the Park Board this Thursday.

It was questioned how much space they would need to complete this project. It was clarified that they are requesting approximately 10,000 sqft of space.

They have contacted the Tony Hawk Foundation and can apply for a grant of up to \$15k. They believe they may have approximately \$100k in donations once a location has been established. Many large donors did not want to commit if a location had not been identified fully.

Council noted that the proposed skate park location would be near the slash park, which is geared toward small children. Do teens and little kids mix well? It was clarified that skaters are good kids and will often show younger kids how to skate. They would also like a handicap-accessible portion of the proposed skate park. They do plan to host competitions once the park is completed.

It was questioned if there were any liability concerns. It was clarified that MMIA has had no issues with skate parks.

Executive Review

2. Resolution - A Resolution Of The City Council Declaring Certain City Of Laurel Property (Firearms And Related Equipment) As “Surplus” Available For Sale Or Trade To The Public Or Other Governmental Entities Or Vendors.

This auction will be for court-ordered disposition of evidence. Right now, they anticipate approximately 200 lots. There will be some City property included in the sale.

3. Resolution - A Resolution Of The City Council Approving Rutt Variance Request LZV-23-01.

The Planning Director briefly reviewed the attached report.

Council noted that there was outdoor storage in the area. It was questioned whether this was the same location. It was clarified that it was the same location.

It was questioned whether this building would meet the design requirements. It was clarified that the property is located within the Central Business District and is meant to be commercial. Once the variance is approved, the architectural designs will be reviewed during the building permit process.

4. Resolution - A Resolution Of The City Council Authorizing The Additional Extension Of Approval Of Application For Special Review For J. Johnson Properties Pursuant To Resolution Nos. R22-07 And R23-05.

This resolution is an extension for Luckie Louis. There was a special review for alcohol sales. They anticipate construction to be done in October. There was a delay regarding the approval of the outdoor space.

It was questioned if they planned on extending their building. It was clarified that the footprint of the building will not change.

The patio is allowed in LMC; however, to create a structure over the patio is not allowed within 20 feet of the right of way.

5. Resolution - A Resolution Of The City Council Authorizing The Placement Of A Stop Sign On The Corner Of Cedar Avenue And S. 4th Street.

At last month's Public Works Committee, the public raised their concerns regarding the speeding on S. 4th Street. There was a recommendation to install a stop sign at Cedar Avenue.

It was questioned if the City is still looking at installing speed bumps. It was clarified that they did meet with the contractor and determined that the plastic kind that anchors into the asphalt would be the most cost-effective method. Those will be installed upon the completion of the road.

6. Resolution - A Resolution Of The City Council Authorizing The Placement Of A Stop Sign On The Corner Of Idaho Avenue And E. 6th Street.

A Council Member noted that the stop sign at the corner of E. 6th Street and Idaho Avenue had been installed last week.

Mayor Waggoner stated he would get clarification from the Public Works Director.

7. Resolution - A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Randall Contracting.

Court Clerks Phillips and Folts spoke regarding their safety concerns with their present space; see attached handout. The Court was moved out to its current location in 2004. At the time, it was meant to be a temporary move.

It was questioned where this project was budgeted. It was clarified that this project is budgeted for under City Hall maintenance.

Council noted that currently, there are over \$400k in uncollected fines. This is unacceptable.

It was clarified that those are fines in collections with the State of Montana. If a person with fines leaves the State of Montana, they are uncollectable. The State does collect from tax returns. The recent tax rebate brought in a large sum.

Council noted that one of the issues was the door swinging in the wrong direction. It was questioned if the door could be reversed to open in the opposite direction. It was clarified that they had attempted to change the door direction but had not successfully changed that.

It was questioned if the V-shaped wall would be removed. It was clarified that the French doors will be removed, and their window will be placed in the opening. The back room will become an archive room. The Mayor's Office will become the Judge's Office. The current Courtroom will become the Conference Room.

It was questioned where meetings like the Public Works Committee or Budget/Finance Committee will meet. It was clarified that if a meeting is after regular working hours, they can meet in Council Chambers; if it is during the day, they can meet in the new conference room space.

It was questioned what will happen when the auditors are here. It was clarified that the auditors will be in the new conference room space.

A Council Member noted that the Court was located here before 2004, and they could make it work with the Council's needs. These are safety-type issues that need to be addressed.

It was questioned if the mold had been taken care of. It was clarified that there was remediation in 2004. It was further questioned if the new leak had also caused a mold risk. It was clarified that the leak had not been found yet, as it happens when the roof ices up in the winter.

The Court Clerks invited the Council to tour their area this week.

Civil Attorney Braukmann stated that this is an important issue to address, and she recommends the changes that need to occur. The Court Clerks have discussions with defendants and attorneys that the judge should not be privy to.

Council noted that looking into a panic alarm would be good as well. It was clarified that there had been discussions about installing a panic alarm for all of City Hall.

It was questioned if the roof repair is included in this proposal. It was clarified that the roof repair is not included in this proposal.

It was questioned if reducing the amount of reserves allowed the funds to be used for this project. It was clarified that this was correct. Last year, we kept a 50% reserve; this year, we are at a 39% reserve. Most cities run between 27% and 39% for their reserves. The Clerk/Treasurer also moved money around to increase the interest we receive.

It was questioned if reserves are accessible to the City. It was clarified that reserves are available for emergencies. To do a project like this, there needs to be budget authority. It will be paid for out of the Court budget if anything additional is needed.

It was questioned if the Court meets five days a week. It was clarified that they hold Court throughout the week except on Fridays.

8. Resolution - A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Tel Net Systems, Inc.

This item was discussed with the previous item. The Court is on the State network.

9. Ordinance - An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code.

The State recently adopted the 2021 International Fire Code. The City has six months to follow suit. The City is working on getting people trained to do inspections throughout the City.

The State takes a few years to adopt the new codes. The last one adopted by the State was in 2012.

Council Issues

Council asked for an update on the lease for the Lions. It would clarified that it will be brought back to a Workshop.

Other Items

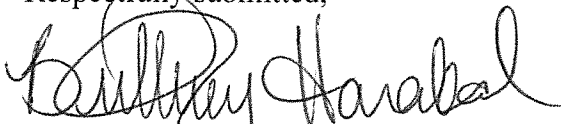
The City received word after the 5:00 p.m. deadline for write-in candidates that it may cancel two ward elections. Wards 3 and 4 are running unopposed and can be canceled now. This resolution will be on next week's City Council agenda.

Attendance at Upcoming Council Meeting

Announcements

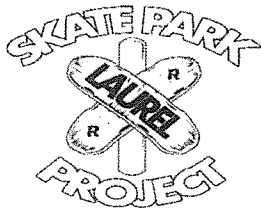
The council workshop adjourned at 7:55 p.m.

Respectfully submitted,



Brittney Harakal
Administrative Assistant

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



Dear business director,

Thank you for taking the time to read what is in store for the Laurel community in the near future. We are very excited to have you and your team be a part of this adventure. The word is on the street and running through the community like wildfire. As many of you have already heard we are in the infancy stages of fund raising for the new, family orientated, skate park and pump track. We sincerely hope this letter answers any of the questions that you have been kicking around and wanting to ask.

We are an organization that is working towards the new public skate park and pump track in Laurel. There are many young adults and parents in our town along with the surrounding communities that are passionate about skateboarding and bicycling but have nowhere to do it safely. We feel that these athletic drives should be supported by a safe and visible place. This will be an area where they can exercise, socialize, and develop skills that will be useful throughout their lives. Our organization is dedicated to the process of making this happen!

We are working through the Laurel Montana Community Foundation, P.O. Box 1138 Laurel, MT 59044. They are a 501c4 nonprofit. Businesses and community leaders are excited as well as hundreds of individuals. Our community is clearly eager to see this project succeed. You will be part of that excitement by supporting our community with a donation. Please go to our website to see what is happening! www.laurelcommunity.org/laurel-skate-park/

We would like to thank you for partnering with your community. It will not be possible without your generous donations. If you have any questions regarding our organization, fund management policy, and or the project itself, please feel free to contact Amanda Wilson at 406-694-2544 | Dnawilson08@gmail.com

OBJECTIVES:

- Be transparent
- Raise \$500,000.00 dollars
- Retain community involvement
- Continue working with the Laurel city management for a dedicated park space
- Be resolute to have completion of park by 2025

MISSION STATEMENT:

Laurel Skate Park Project's mission is to build a visible place to spend time with family and friends and allow opportunity for youth to advance to their potential while building a healthy, more active community.

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

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Planning Board and Zoning
Commission

ZONING COMMISSION REPORT LZV-23-01
Rutt Variance Request
August 24, 2023

Background:

On July 30, 2023, Jon Rutt submitted a variance request on behalf of his business (Culligan) to expand the storage/warehousing component of the business to vacant property located at 614 West First Street. Historically, the Laurel Central Business District (CBD) allowed for storage/warehousing, but the Code was modified, and storage was removed as a conforming use in the District. The property was acquired on October 30, 2015.

Legal Description:

YOUNGS SECOND SUBDIVISION, S09, T02 S, R24 E, BLOCK 6, EAST 90 FT LTS 11-15 (17).

Applicable Sections Laurel Zoning Regulations, Title 17 LMC.

17.04.030 - Scope.

- A. This title applies to all lands in the incorporated limits of the city; and any additional territory authorized by either state statutes or the county commissioners.
- B. In their interpretation and application, the provisions of this title may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity and welfare;
- C. This title is not intended to abrogate or annul any building permit, certificate of occupancy, variance or other lawful permit issued prior to the effective date of the ordinances codified in this title.

17.08.720 - Lot, record.

"Record lot" means land designated as a separate and distinct parcel on a legally recorded subdivision plat or in a legally recorded deed filed in the records of Yellowstone County, Montana.

17.08.740 - Lot, zoning.

"Zoning lot" means a tract of land occupied or to be occupied by a principal building and its accessory buildings, together with such open spaces and yards as are required under the provisions of this title, having not less than the minimum area required by this title for a zoning lot in the district in which such land is situated and having its principal frontage on a street or a permanent, exclusive, nonobstructed easement of access or right-of-way to a street, not less than twenty feet wide. A "zoning lot" need not necessarily coincide with a "record lot" as herein defined.

17.08.790 - Nonconforming use.

The use of a building or other structure or of a tract of land which does not conform to the use or regulations of this title for the district in which it is located, either at the effective date of the ordinance codified in this title, or as a result of subsequent amendments which may be incorporated into this title.

17.08.880 - Principal use.

"Principal use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

17.08.1200 - Variance.

"Variance" means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone.

17.20.020 - Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	A	A	A	A	A	A	A	A	A
Airports	A								A
Alcoholic beverages manufacturing and bottling (except below):							A	A	
1,500 to 5,000 31-gallon barrels per year				SR	SR	SR	A	A	
Less than 1,500 gallon barrels per year				A	A	A	A	A	
Ambulance service			A	A	A	A	A	A	
Antique store				A	A	A	A		
Appliance - (household) sales and service			A	A	A	A	A		

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Assembly halls and stadium					SR	SR	SR		SR
Assembly of machines and appliances from previously prepared parts					SR	SR	SR		SR
Auction house, excluding livestock				SR	SR	A	A	A	
Auction, livestock	SR								
Automobile sales (new and used)				A	A	A	A		
Automobile - commercial parking enterprise				A	A	A	A	A	
Automobile and truck repair garage				A	A	A	A	A	
Automobile service station			A	A	A	A	A	A	
Automobile wrecking yard								SR	
Bakery products manufacturing					SR	A	A	A	
Bakery shops and confectioneries			A	A	A	A	A		
Banks, savings and loan, commercial credit unions			A	A	A	A	A		
Barber and beauty shops			A	A	A	A	A		
Bed and breakfast inns	A		A		A	A			
Bicycle sales and repair			A	A	A	A	A		
Blueprinting and photostating			A	A	A	A	A		
Boarding and lodging houses	A		A		A	A			
Boat building and repair						A	A	A	
Boat sales new and used					A	A	A	A	

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Boiler works (manufacturing servicing)								A	
Boiler works (repair and servicing)							A	A	
Book and stationery store			A	A	A	A	A		
Bottling works							A	A	
Bowling alleys				A	A	A	A		
Brick, tile or terra cotta manufacture								A	
Bus passenger terminal buildings local and cross country				A	A	A	A		
Bus repair and storage terminals						A	A	A	
Camera supply stores			A	A	A	A	A		
Camps, public					SR	A			A
Car washing and waxing					A	A	A		
Car wash - coin operated			A	A	A	A	A		
Cement, lime and plastic manufacture								A	
Ceramics shop		SR	A	A	A	A	A		
Chemical and allied products manufacture								A	
Child care facilities	A		A		A	A			
Churches and other places of worship including parish houses and Sunday school building	A	SR	A	A	A	A	A	A	
Clinic, animal	A		A	A	A	A	A		
Clinics, medical and dental		SR	A	A	A	A	A		

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Clothing and apparel stores			A	A	A	A	A		
Coal or coke yard								A	
Cold storage					A	A	A		
Colleges or universities			A	A	A	A			A
Commercial recreation areas			SR	A	A				A
Commercial food products, storage and packaging						SR	A	A	
Communication towers (commercial)	A	A	A	A	A	A	A	A	SR
Concrete mixing plants and manufacturing of concrete products							A	A	
Construction contractors:									
Office			A	A	A	A	A	A	
Open storage of construction materials or equipment						SR	A	A	
Community residential facilities:									
Adult foster family care home	A		A		A	A			
Community group home	A		A		A	A			
Halfway house	A		A		A	A			
Youth foster home	A		A		A	A			
Youth group home	A		A		A	A			
Nursing, homes, convalescent homes, orphanages, and charitable institutions	A		A		A	A			
Crematorium						SR	A	A	SR

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Creameries, dairy products manufacturing							A	A	
Creosote manufacturing or treatment plants								A	
Department stores				A	A	A	A		
Drug stores			A	A	A	A	A		
Dry kiln								A	
Dwellings: single-family Manufactured home	A	A	A	A	A				
Class A, Class B, Class C									
two family			A	A	A				
multiple family			A	A	A				
row housing			SR	SR	SR				
Eating and drinking establishments:									
Cocktail lounge, restaurants, bars and taverns				SR	SR	SR	SR		
Restaurants (without the sale of alcoholic beverages)				A	A	A	AA		
Drive-in restaurants					SR	SR	SR		
Extractive industries - excavations of sand and gravel		SR					SR		
Farm implements, sales and service						A	A	A	
Fat rendering or production of fats and oils								SR	
Feedlots - livestock	A							SR	
Feed and seed processing and cleaning for retail purposes									
Feed and seed - farm and garden retail sales					A	A	A		

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Fertilizer manufacturing								SR	
Fertilizer wholesale sales						SR	SR	A	
Fertilizer - retail sales					A	A	A		
Florist, wholesale sales	SR				A	A	A		
Florist, retail sales			A	A	A	A	A		
Flour mills							SR	SR	
Food products manufacturing, storage and processing						SR	SR	A	
Food stores (retail only)				A	A	A	A		
Food stores (retail only) - 3000 sq. ft.			A	A	A	A	A		
Foundry								A	
Frozen food lockers					A	A	A		
Fuel oil, gasoline and petroleum products bulk storage or sale						A	A	A	
Furnace repair and cleaning					A	A	A	A	
Furniture and home furnishings, retail sales			A	A	A	A	A		
Furriers, retail sales and storage			A	A	A	A	A		
Gambling establishments				A	A	A	A		
Garbage, offal and animal reduction or processing							SR		
Garbage and waste incineration								SR	
Gas storage								SR	

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Gases or liquified petroleum gases in approved portable metal containers for storage or sale						A	A	A	
Grain elevators	A					SR	SR	A	
Greenhouses	A				A	A	A	A	
Hardware, appliance and electrical supplies, retail sales				A	A	A	A		
Hatcheries	A						SR	SR	
Heliports				SR		SR	SR	SR	SR
Hobby and toy stores			A	A	A	A	A		
Hospitals (for the care of human patients)			A	A	A	A		A	
Hospital, animal		A		SR	SR	A	A	A	
Hotels				A	A	A			
Industrial chemical manufacture except highly corrosive, flammable or toxic materials								SR	
Irrigation equipment sales and service					A	A	A	A	
Jails and penal institutes									A
Janitor service				A	A	A	A		
Jewelry and watch sales			A	A	A	A	A		
Kennels - commercial	A				SR	A	A		
Laboratories for research and testing						SR	A	A	
Landfills - reclamation or sanitary									A
Laundries, steam and drycleaning plants							A	A	

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Laundries, steam pressing, drycleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size			A	A	A	A	A		
Laundries, pick up stations			A	A	A	A	A		
Laundries, self-service coin operated			A	A	A	A	A		
Libraries, museums, and art galleries			A	A	A	A	A		A
Lock and gunsmiths			A	A	A	A	A		
Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain				A	A	A			
Lumber yards, building materials, storage and sales						A	A	A	
Machine shops						SR	A	A	
Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created						SR	A	A	
Heavy manufacturing not otherwise mentioned or blending or mixing plants						SR	SR		
Meat processing - excluding slaughter plants						SR	A		
Meat processing, packing and slaughter								SR	
Medical marijuana cultivation facility or cultivation facility							A	A	
Medical marijuana dispensary or dispensary							A		
Metal fabrication						SR	SR	A	
Motorcycle sales and repair				A	A	A	A		

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Mortuary			A	A	A	A	A		
Motels and motor courts				A	A	A			
Music stores			A	A	A	A	A		
Office building, professional government and private office buildings in which no activity is carried on catering to retail trade and no stock of goods is maintained for sale	SR	SR	A	A	A	A	A	A	SR
Office equipment, supplies and service			A	A	A	A	A		
Optician and optical supplies and sales			A	A	A	A	A		
Oxygen manufacturing and/or storage								A	
Paint and body shops				A	A	A	A	A	
Paint and retail sales			A	A	A	A	A		
Parking, public		SR	A	A	A	A	A	A	A
Parks, playgrounds, playfields and golf courses, community center buildings - operated by public agency, neighborhood or homeowner's association	A	SR							A
Pawn shops				A	A	A	A		
Pet shops			A	A	A	A	A		
Photographic studios		SR	A	A	A	A	A		
Planing or saw mills								A	
Post-secondary school	A	A	A	A	A	A			A
Prefabricated building materials assembly and manufactures						SR	A	A	
Preschool	A	SR	SR	SR					

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Printing, publishing, reproduction and lithography				A	A	A	A	A	
Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners					A	A	A	A	
Public utilities service installations	SR	SR	SR	A	A	A	A	A	SR
Public utilities storage yard						A	A	A	SR
Radio and TV broadcasting stations				A	A	A	A	A	
Radio and TV tower						A	A	A	SR
Railroad yard							A	A	
Real estate office			A	A	A	A	A		
Rental service store and yard					A	A	A		
Repair and servicing of industrial equipment and machinery						A	A	A	
School, commercial			A	A	A	A			A
Scrap yards - storage and processing								A	
Secondhand stores and/or antique store				A	A	A	A		
Sheet metal shops and processing							A	A	
Shoe repair				A	A	A	A	A	
Sign manufacturing, painting and maintenance						A	A	A	
Sign									
Billboards	SR					SR	SR	SR	
On premises	A	SR	A	A	A	A	A	A	

Table 17.20.010

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Off premises	SR			SR	SR	SR	SR	SR	
Slaughterhouse	SR							SR	
Sporting goods sales				A	A	A	A		
Storage, compartmentalized storage for commercial rent							SR	SR	
Storage and warehouse and yards							SR	A	
Stone cutting, monuments manufacturing and sales							SR	A	
Sugar and sugar beet refining								SR	
Swimming pools or beaches, public									A
Taxi stands				A	A	A	A		
Theaters, cinema, opera houses				A	A	A			
Drive-in theaters						SR			
Tire recapping and retreading						A	A	A	
Trailer and recreational vehicle sales area					A	A	A		
Travel trailer park (transient)						SR			
Truck terminals, repair shops, hauling and storage yards						A	A	A	
Water and sewage treatment plant	A								A
Wholesale and jobbing establishments						SR	A	A	
Woodworking shops, millwork						SR	A	A	
Zoo, arboretum	SR								A

17.08.1200 - Variance.

"Variance" means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone.

17.60.020 - Land use variances issuance and denial—Determination procedure.

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.
- B. The zoning commission shall not recommend that land use variances be granted:
 - 1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 - 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 - 3. Unless the basis is something more than a mere financial loss to the owner;
 - 4. Unless the hardship was created by someone other than the owner;
 - 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 - 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
 - 7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

17.76.030 - Planning director—Powers and duties.

- A. The planning director shall supervise and facilitate the processing of applications for amendments to the official zoning map, special review applications, and requests for variances. Further, it shall be his responsibility to present any applications or requests to the appropriate board or commission.
- B. It shall further be the responsibility of the planning director to aid the various boards, commissions and departments in transmitting recommendations, records and reports to the city council and to otherwise promote procedural regularity in the administration of this title.
- C. The planning director shall not have authority to act in any final reviewing capacity and any question as to interpretation or enforcement shall be determined by the appropriate board, commission or department.

Process:

- The Application and supporting Information was submitted on July 30, 2023
- The application was heard by the Planning Board and Zoning Commission on August 16, 2023.

- The Application is forwarded to the City Council with a “DO APPROVE” recommendation based on the following findings and conclusions:

Standard of Review:

- The Zoning Commission Finds that the application and supporting documentation are sufficient for review;
- The Zoning Commission Finds that the history of the ownership, expansion of the business, and the Laurel Municipal Code as amended are relevant to this situation;
- The Zoning Commission Finds that the denial of the variance request would constitute an unnecessary and unjust invasion of the right of property. This is based on the fact that there are a number of other businesses in the CBD that have a warehousing/storage component that cross lot boundaries;
- The Zoning Commission Finds that the grant relates to a condition or situation special and peculiar to the applicant. This is based on the history of the growth and expansion of the business at the location and crossing lot and public right-of-way boundaries;
- The Zoning Commission Finds that the basis is something more than a mere financial loss to the owner as the standard if applied to all similar properties in the CBD it would have devastating impacts on all of the owners in CBD – The regulations should be amended to correct this injustice;
- The Zoning Commission Finds that the hardship was created by someone other than the owner. In fact, the change to the LMC was initially intended to prohibit mini storage warehousing not storage associated with a conforming business in the CBD. Unfortunately, the text of the regulations does not support the stated intent of the amendment.
- The Zoning Commission Finds that the variance is within the spirit, intent, purpose and general plan of this title. The intent of the LMC is to ensure compatible land uses that are mutually beneficial. The Zoning Change that prohibiting storage/warehousing in the CBD associated with a conforming business was an UNINTENDED consequence.
- The Zoning Commission Finds that the variance would not affect adversely or injure or result in injustice to others. In fact, approval of the variance restores rights enjoyed by others in the CBD that are would be denied this owner;
- The Zoning Commission Finds that the property owner DID NOT own the property prior to the amendment of the Regulations prohibiting warehousing/storage. The Zoning was changed in 2015 and the property was acquired in 2016. It was noted that the property has been used as accessory to the conforming business for several years and the issue only identified when a new structure was proposed to house the ongoing use of the property for storage.

- Conclusions:

- The Laurel Planning Staff and/or Contracted Staff have complied with their duties and authorities under the LMC.
- The Zoning Commission has conducted a Public Hearing on the Application, weighed the evidence, prepared Findings and Conclusions as required by the LMC.
- The Zoning Commission concludes that the **Preponderance of Evidence** associated with the Rutt Variance Request LZV-23-01 rises to the level of the DO APPROVE recommendation and forwards same to the Laurel City Council for FINAL DECISION.

Respectfully submitted,

Judy Goldsby, President
Laurel – Yellowstone Planning Board and Zoning Commission

April 24, 2023

Court Clerk Courtroom/Office Concerns

Courtroom:

Judge and Clerks sit very close to each other, unable to get out safely. (steps).

Door into archive room opens the wrong way. Have to pull instead of push.

Defendant is right on top of us.

No where to run, no where to hide. Courtroom is so small that there would be no time to react if someone started to get out of control. We have had a defendant with a gun, and deal with violent offenders on a regular basis. Threats have been made to both the Judge and staff. We have asked for Officer presence but if they are unavailable.....

No panic buttons

Setting up and taking down tables and chairs. Unable to even put tables up at some of the hearings due amount of defendants/cases. This makes it difficult for attorneys to have someplace to put their case files.

Seating is close to bench, Clerks have no clear path to get to the office.

Unable to seat everyone at some sessions. We have had to make people leave the room and wait in the hall due to this. What is capacity?

If defendants bring service animals or are handicapped, we have to seat less people.

~~We understand that we will have to be holding jury trials here, we need some guidance as to how to set up a jury trial safely in this room.~~ N/A

Noise from DMV clients in main City Hall lobby and staff traffic.

Office:

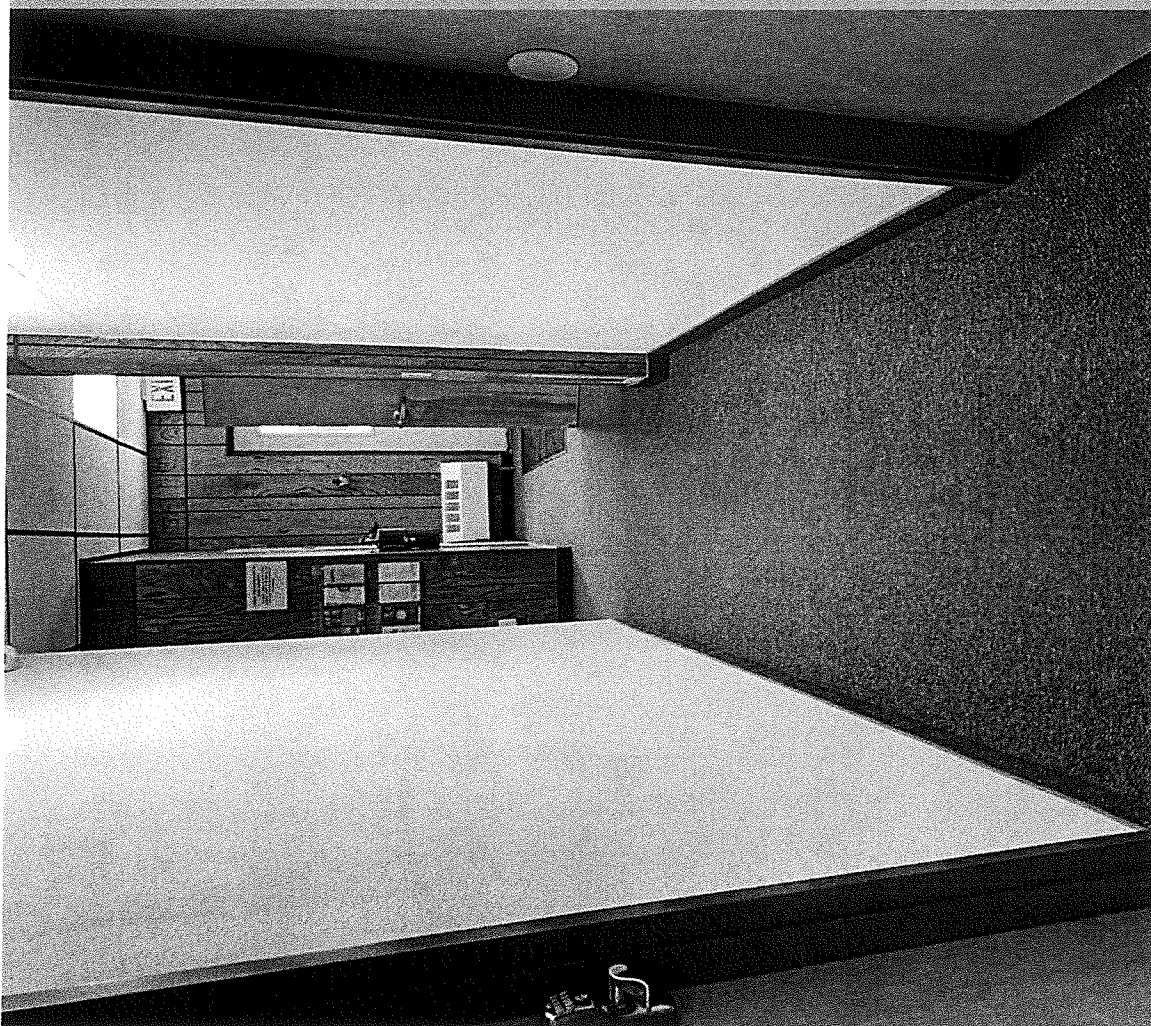
We sit with our backs to the window. It is a very uncomfortable position to be in.

Sharing a foyer with DMV, no privacy for our defendants and gets very loud at times. Some of our clients are going through very emotional cases and speak very quietly making it hard for us to hear them. They also do not want to air their personal business to a crowd.

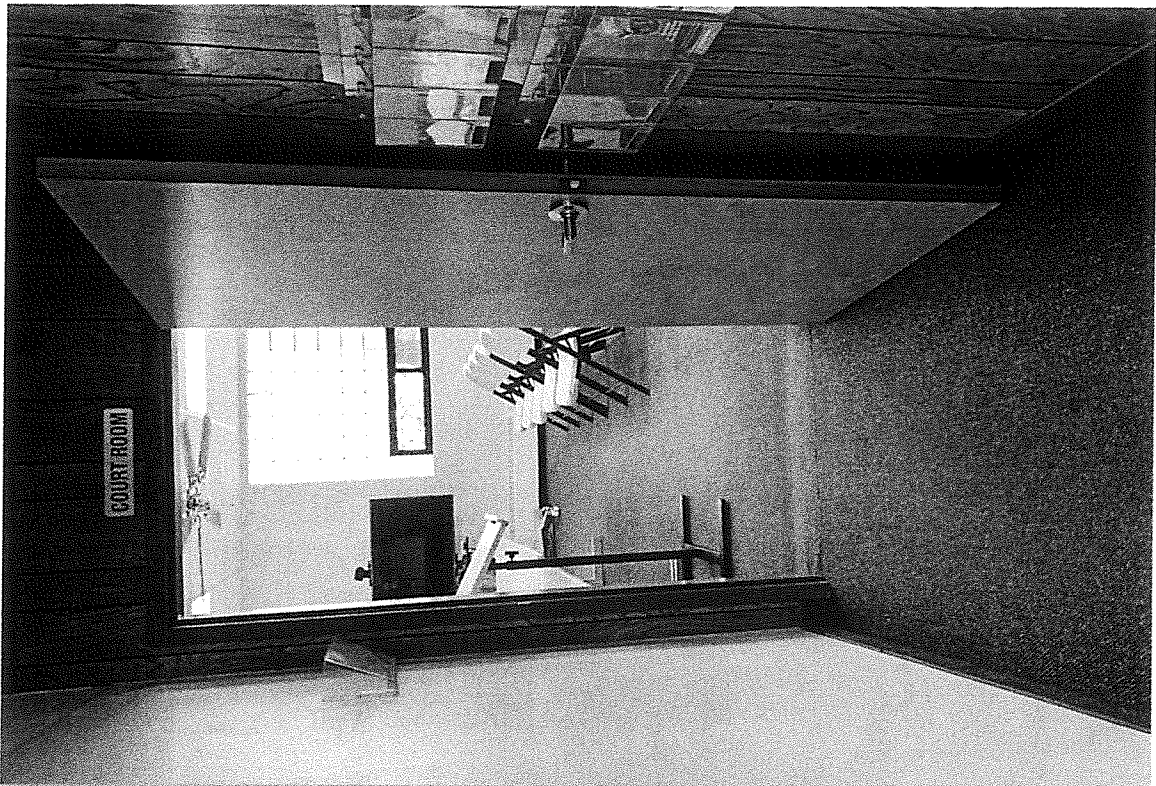
Our court clients have to wait in line in the foyer with DMV customers as only 3 people are allowed in the DMV/Court lobby. On court days, we have to go out and question people whether they are here for court.

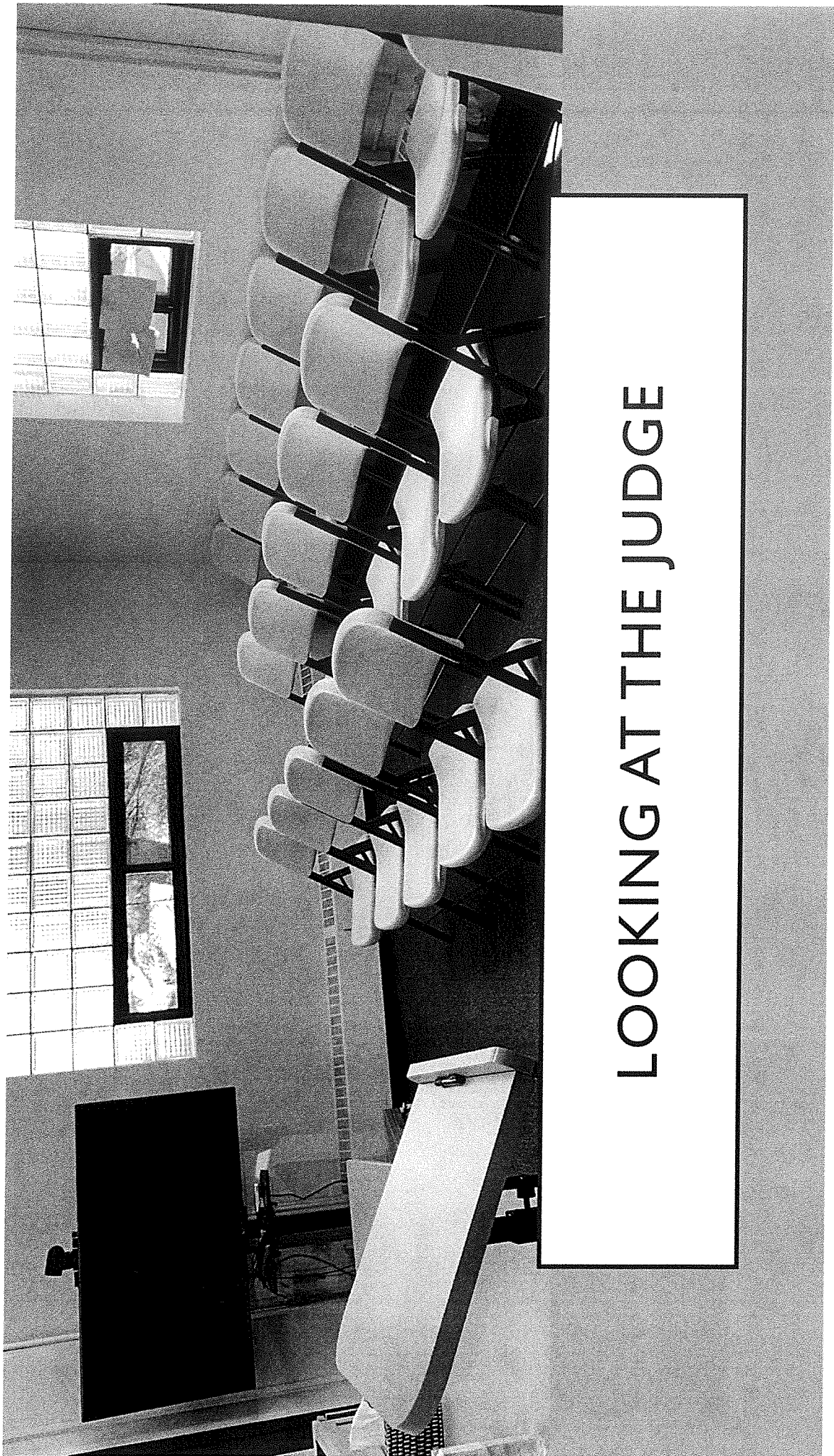
We have to be very aware of our surroundings, we take great care not to discuss phone calls re: cases if the Judge is here. Her office has no door or full wall.

WALKING TO COURTROOM

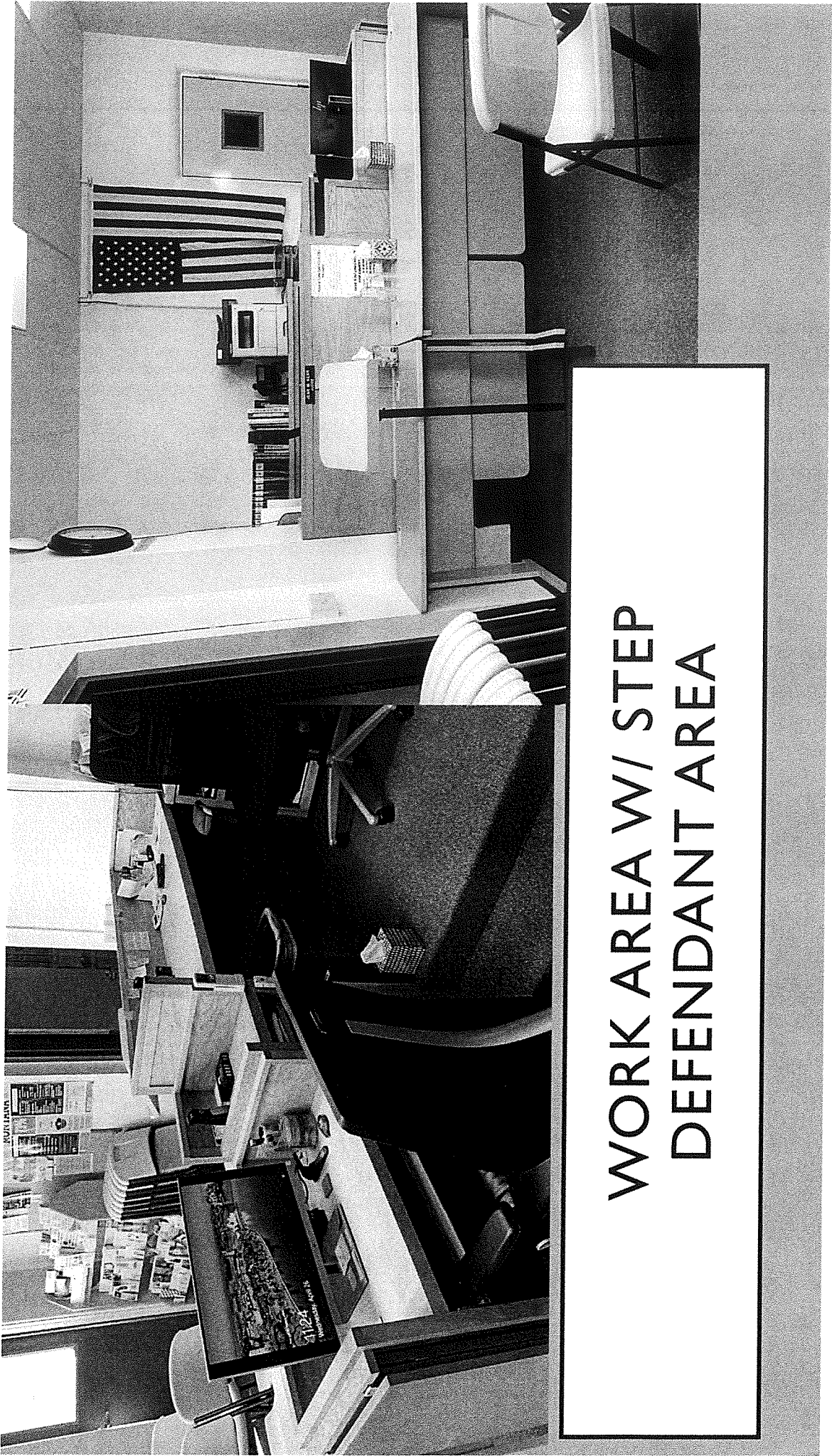


WALKING INTO COURTROOM

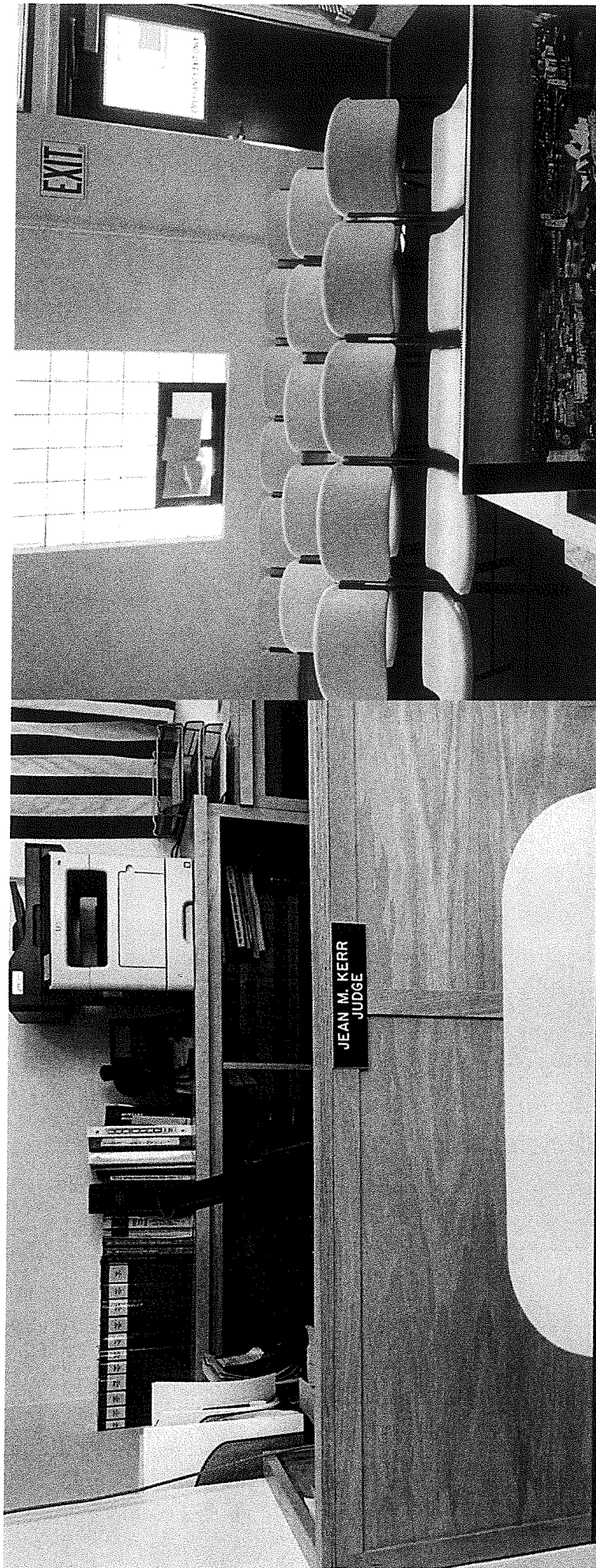




LOOKING AT THE JUDGE



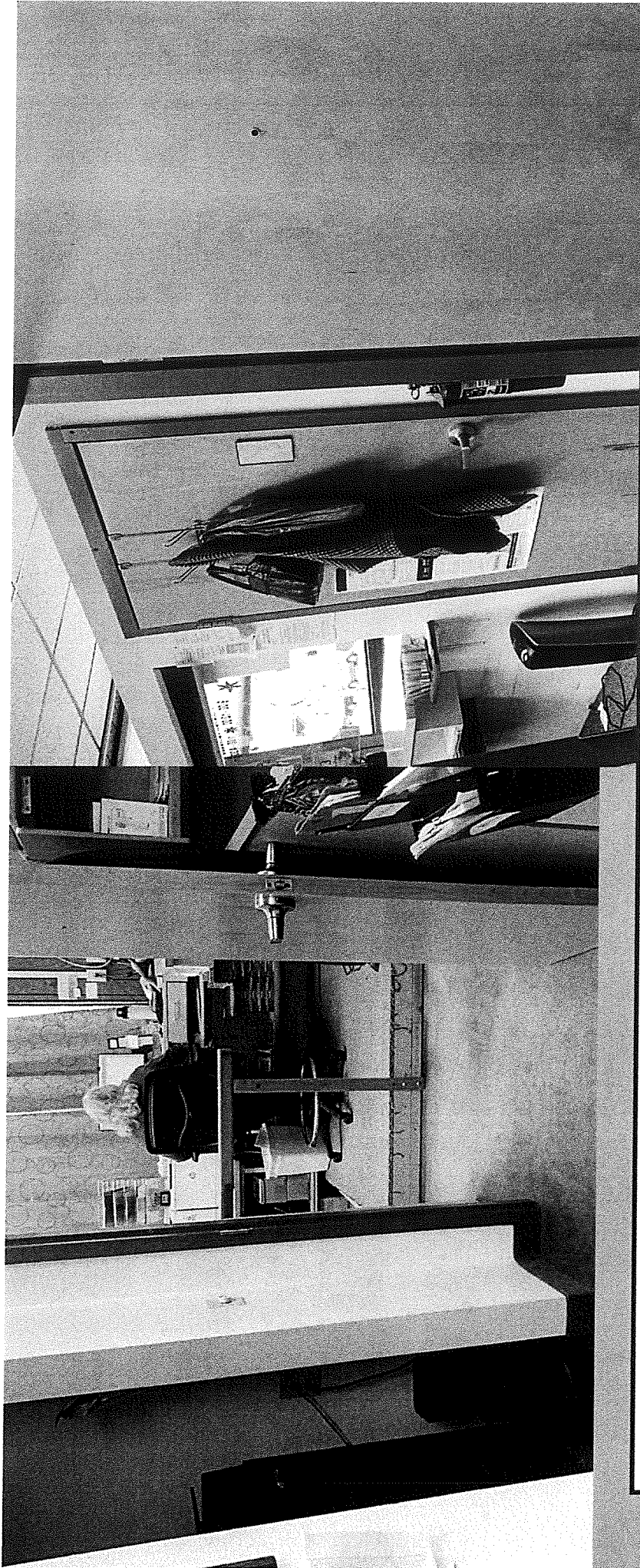
WORK AREA W/ STEP DEFENDANT AREA



DEFENDANT CLOSE TO JUDGE & CLERKS

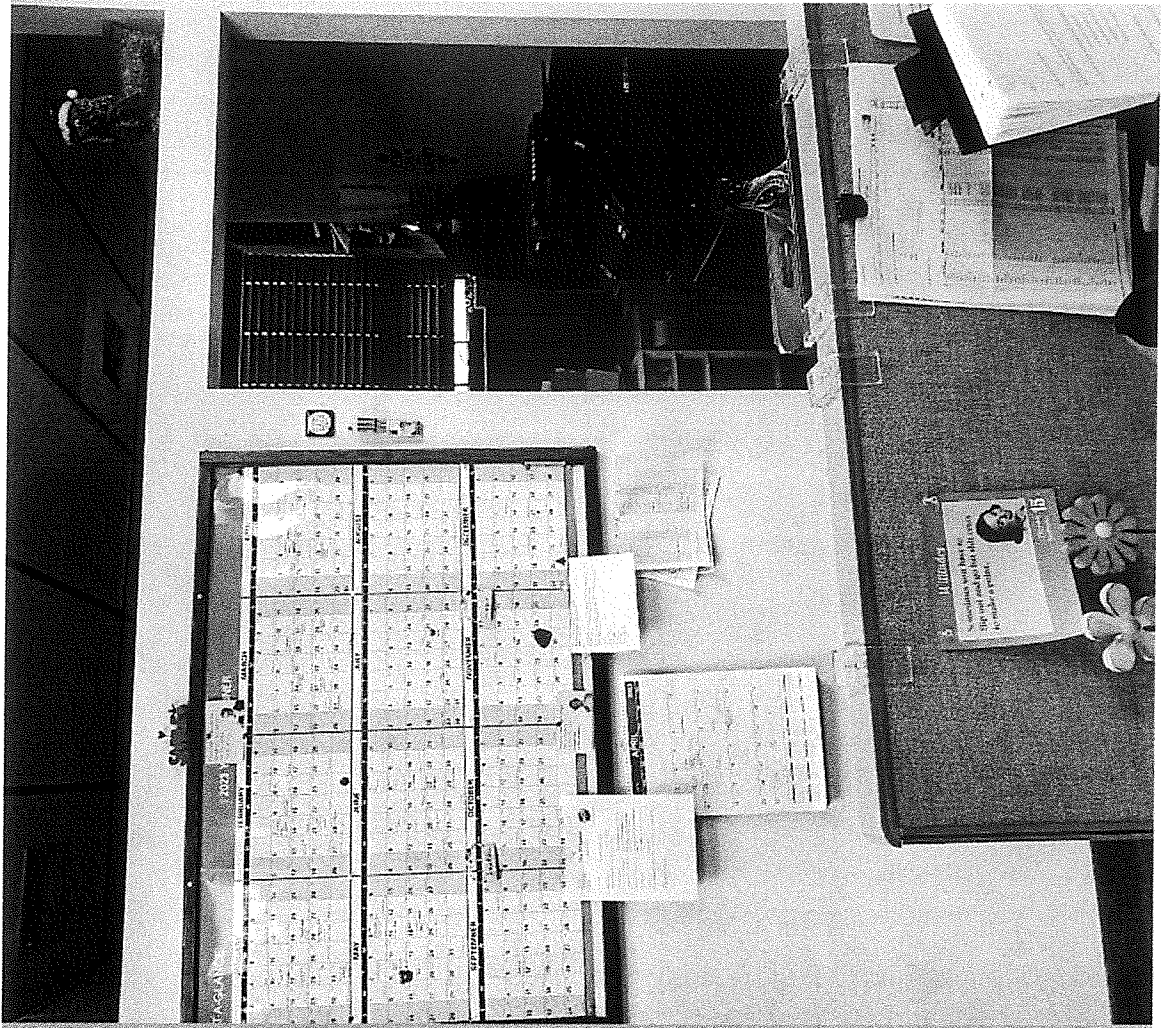
WORK AREA BY PUBLIC WINDOW





PROXIMITY OF DMV

NO DOOR, NO WALLS



File Attachments for Item:

9. Council Workshop Minutes of September 19, 2023.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, SEPTEMBER 19, 2023**

A regular Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 6:29 p.m. on September 19, 2023.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Michelle Mize	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Casey Wheeler	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Jodi Mackay

OTHERS PRESENT:

Michele Braukmann, Civil City Attorney
Kelly Strecker, Clerk/Treasurer
Brittney Harakal, Administrative Assistant
Kurt Markegard, Planning Director

Public Input:

There were none.

General Items

1. Owl Cafe Presentation

An error was on the agenda; the Laurel Senior Center members were present to discuss their remodeling project.

Bea Ann Melichar, a volunteer at the Laurel Senior Center, briefly reviewed the attached letter.

Civil Attorney Braukmann noted there will be an EMS Mill Levy presentation at the Laurel Senior Center on September 29, 2023, at 11:45 a.m.

Executive Review

2. Resolution - A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The 5th-7th Avenue Sewer Line Replacement By And Between The City Of Laurel And KLJ Engineering, Inc.

Planning Director Markegard stated this project is a carry-over from his time as the Public Works Director. This sewer pipe has been an issue for the last few years. When they put the sewer camera in the line, they pull back the pipe's pieces. This line is 10 feet deep, surrounded by fiber optic cable, and in a narrow alley. It is not something City crews can repair. It is also a mainline for the City. The car wash owner would like to pave the alley at their expense but does not want to do so until the line has been repaired.

It was questioned why the City would be repairing this line instead of finishing the project on the south side. It was clarified that this project is for next year, but we need to have the design done so that we can go out for bid on the project in early spring.

It was questioned if this project would cross 5th Avenue. Council noted that this intersection has more traffic congestion due to the project on the south side. It was clarified that this project is not slated to start until next spring.

It was questioned if this project was budgeted for. It was clarified that it is budgeted for.

It was questioned why the City could not use the \$90k for this project to pave streets on the south side destroyed during the S. 4th Street project. It was clarified that this project is being paid out of the Sewer Fund. The Sewer Fund cannot be used to pave streets.

3. Ordinance O23-03: An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code.

The State has adopted the 2021 International Fire Code. The City has six months to adopt the code as well.

It was noted that another ordinance will come before Council with additional areas of LMC that need to be updated for the exceptions to the fire code.

Council Issues

4. Judge Wage Discussion

Civil Attorney Braukmann stated she sent out a draft resolution this afternoon as requested by Council Member Mize; see attached.

Council Member Klose stated they have an issue addressing the Judge's wage during an election cycle. They felt that this sets a precedent for this Judge and future Judges. The matrix helps with the budgeting process. The matrix also protects the Judge in that they could receive a wage reduction if their efficiency is not up to standard. They felt this discussion needed to be delayed until closer to the next election cycle.

Council Member Mize questioned how is the Judge's wage different from those of the Mayor or Council.

Council Member Klose stated he did not ask for a raise.

Council Member Mize asked how a president was not already set.

Council Member Klose stated those conversations are between the Council President and the Clerk/Treasurer.

Council Member Sparks asked how the matrix as it stands today came about.

Council Member Eaton stated that the matrix was developed because of numerous requests by the Judge for her wage to be reconsidered and to receive longevity. The \$500 increase in an election year was to accommodate the longevity request. The matrix mitigated the number of times the Judge appeared before Council requesting a raise. It was meant to give predictability.

Civil Attorney Braukmann spoke at length with former City Attorney Painter. There were many City Council meetings related to the Judge's compensation and longevity.

Council Member Sparks asked if other cities use a matrix similar to ours. It was clarified that other cities are not using a matrix similar to ours.

Council Member Mize stated that she liked the proposed resolution and saw it as a way to catch up the matrix to meet the increased inflation in recent years.

Motion by Council Member Mize to add the Judge's wage resolution to next week's meeting.

Mayor Waggoner asked if there was a second. There was none. Motion dies.

Other Items

Attendance at Upcoming Council Meeting

Council Member Eaton will be absent from next week's meeting.

Announcements

Emergency Services Committee will meet on Monday at 6:00 p.m. in Council Chambers.

Council noted that at last night's Public Works Committee meeting, it was announced that a Love's Truck Stop will be coming to the West Laurel interchange.

Mayor Waggoner also noted that they will pay to get water and sewer out to their location.

Council noted that last night, there was a news report about the EMS Mill Levy. The Ambulance crew did a great job on the interview.

There will be various interviews with various media outlets over the next few weeks.

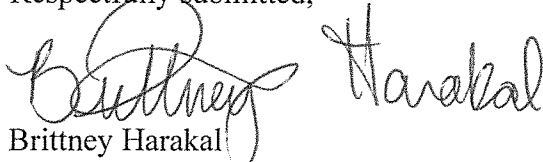
Yard signs will be in this week and available for pick up at City Hall if anyone is interested.

The Fire Department will have an open house on October 11th from 6 to 9 p.m. for their Fire Prevention Week festivities.

A special thanks to the Police Chief and Fire Chief for their support in educating on this mill levy.

The council workshop adjourned at 7:05 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Brittney Harakal". The signature is written in dark ink and is positioned above the printed name and title.

Brittney Harakal
Administrative Assistant

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

Laurel Senior Citizens Center
720 S. 4th Street
Laurel, Montana 59044
Tax ID #81-0386537

History and Expansion Information

This group began with a Senior Dinner Program out of the Owl Cafe in 1976. It was sponsored by the Yellowstone County Council on Aging, now the Adult Resource Alliance of Yellowstone County. In December of 1976 a group of seniors met with board members from the Council on Aging, Mayor Yovetich and several Laurel city councilmen to discuss formally organizing this group. There were a total of 29 people in attendance including those who had lunch at the Owl Cafe and those who were active in the social group that met once a week at Our Savior Lutheran Church. That was the beginning. They rented space in a building next to the Owl Cafe which they soon outgrew. That began the search for their "forever home". A year of frustrating search for a location found them back with the City Council. They were donated a ½ city block across from the pond as a building site. The grand opening of the center was held on February 23, 1979. This building included areas for activities, offices, and a kitchen so the Monday through Friday meals for the Meals on Wheels participants and the people who come to the center, could be prepared on site. Thanks to some special grants and lots of fundraising the loan was paid off in 3 years.

Fast forward 44 years. It is estimated that over 10,000 people have used this building during the 44 years it has been here. Volunteers continue to deliver meals to home bound individuals Monday through Friday, individuals and couples continue to come to the center not only for the nutritious noon meals but also for the companionship that it offers. While there are no longer pool tables at the center there are several exercise groups, card groups and Bingo that make up some of the current activities. All of this is lead by a volunteer Board of Directors. Funding to support this organization comes from the Adult Resource Alliance, membership dues and fundraising.

For many years it has been apparent that the front entry on the north side of the building needs to be changed. There has been a drainage issue for many years and even with many "fixes" it was often a hazard in the winter months. The widening of 4th Street also brought home the reality that having people getting out of cars on that street would be a greater hazard.

This is where we are today. The Board is working with Schutz Foss Architects for a plan to extend the building on the east side to accommodate a new entrance and an activities/meeting room. This addition will be 22 X 10 feet. Soil samples and a land survey have found drainage issues on this flat piece of land and the estimated cost for the project is now around \$180,000. Bids for the project will be opened the end of September.

While the Area II Agency on Aging and the Adult Resource Alliance are both assisting with some of these costs, and the center will be financing a portion through a local bank, the board is committed to raising \$50,000 over the next year.

Any assistance that you can provide will be greatly appreciated and recognized.

Bea Ann Melichar bmelichar@yahoo.com 406 690 2133

RESOLUTION NO. R23-_____

A RESOLUTION OF THE CITY COUNCIL SETTING THE SALARY OF THE CITY COURT JUDGE EFFECTIVE THE DATE OF THIS RESOLUTION (IF APPROVED) TO JULY 1, 2026.

WHEREAS, the City of Laurel City Council previously adopted R15-51, which set the City Court Judge's salary pursuant to an adopted scale to provide both certainty and fairness to the City and elected City Court Judge; and

WHEREAS, the City of Laurel City Council thereafter adopted R17-71, which set the City Court Judge's salary for the four-year term of January 2018 to January 2022; and

WHEREAS, R17-71 specified that the City Council would set the City Court Judge's salary for the four-year term of January 2022 to January 2026 through the budget process for Fiscal Year 2021-2022 and every four years thereafter; and

WHEREAS, the City of Laurel set the City Court Judge's salary for January 2022 forward through the budget process for Fiscal Year 2021-2022; and

WHEREAS, the City Court Judge's salary has been paid since January 2022 in accordance with the budget approval; and

WHEREAS, since the City Court Judge's salary was set, the City Court Judge has requested a salary increase; and

WHEREAS, the Mayor has the authority to recommend and the City Council has the authority to approve, pursuant to the Laurel Municipal Code 2.68.100, a change in the salary of the City Court Judge by way of Resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Laurel, Montana that the City Court Judge's salary for the three-year term beginning July 1, 2023 to July 1, 2026 shall be set as follows:

1. Commencing July 1, 2023 to the date of this Resolution, if approved: The City Court Judge's salary will remain as was previously set by the City of Laurel through the budget process for Fiscal Year 2023-2024. No retroactive changes will occur with regard to the City Court Judge's salary.
2. Commencing the date of this Resolution, if approved, to July 1, 2024: The City Court Judge's salary shall be increased by Four Percent (4%) from the previously-set budgeted salary for Fiscal Year 2023-2024.

3. Commencing July 1, 2024 to July 1, 2025: The City Court Judge's salary shall be increased by an additional Three Percent (3%) from the previous partial-year period of the date of this Resolution, if approved, to July 1, 2024.
4. Commencing July 1, 2025 to July 1, 2026: The City Court Judge's salary shall be increased by an additional Three Percent (3%) from the previous year of July 1, 2024 to July 1, 2025.

BE IT FURTHER RESOLVED by the City Council of the City of Laurel, Montana that the City Court Judge's salary for the Four-Year Term beginning July 1, 2026 to July 1, 2030 shall be set through the budget process for Fiscal Year 2026-2027 and shall be in effect for the following Four-Year Term, and then resolved by way of Resolution every four years thereafter; and

BE IT FURTHER RESOLVED by the City Council of the City of Laurel, Montana that the City Court Judge's increased salary shall be incorporated into the City of Laurel's annual General Fund Budget, effective July 1, 2023.

Introduced at a regular meeting of the City Council on the ____ day of September, 2023, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the ____ day of September, 2023.

APPROVED by the Mayor the ____ day of September, 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

MEMO

DATE: September 15, 2023
TO: City Council
FROM: Finance Department
RE: Judge's Wage

Per the Mayor's request I have provided the judge's wage at a 4%, 3%, 2% increase for this year only based on current matrix.

Current Wage is: \$44386.00 / \$1707.15

Benefits: \$29,247.44/\$1218.64

Total: \$73633.44

4%

Wage at 4%: \$46161.44/\$1775.44

Benefits: \$29408.38/\$1225.35

Total: \$75,569.82

3%

Wage at 3%: \$45717.58/\$1758.37

Benefits: \$29368.08/\$1223.67

Total: \$75,085.66

2%

Wage at 2%: \$45273.72/\$1741.30

Benefits: \$29328.04/\$1222.00

Total: \$74,601.76

Sincerely,



Kelly Strecker

File Attachments for Item:

10. Budget/Finance Committee Minutes of September 12, 2023.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, September 12, 2023**

Members Present: Emelie Eaton, Heidi Sparks, Michelle Mize, Richard Klose

Others Present: Kelly Strecker, Mayor David Waggoner

The meeting was called to order by the Committee Chair at 5:30 pm.

Public Input: There was no public comment.

General Items –

1. Review and approved August 22, 2023, Budget and Finance Committee meeting minutes. Emelie Eaton moved to approve the minutes of August 22, 2023. Heidi Sparks seconded the motion, all in favor, motion passed 4-0.
2. Review and approve purchase requisitions. There were none.
3. Review and recommend approval to Council; claims entered through September 8, 2023. Heidi Sparks moved to approve the claims and check register for claims entered through September 8, 2023. Michelle Mize seconded the motion, all in favor, motion passed 4-0.
4. Review and approve Payroll Register for the pay period ending August 20, 2023, totaling \$223,989.04. Heidi Sparks motioned to approve the payroll register for the pay period ending August 20, 2023, totaling \$223,989.04. Michelle Mize seconded the motion, all in favor, motion passed 4-0.
5. Review and approve Payroll Register for the pay period ending September 03, 2023, totaling \$241,288.61. Heidi Sparks motioned to approve the payroll register for the pay period ending September 03, 2023, totaling \$241,288.61. Michelle Mize seconded the motion, all in favor, motion passed 4-0.

New Business –Michelle Mize mentioned that she had been reading over old newspapers dated back to 2004 and stated that she had read that the city used to do a midyear budget. She asked if we still do this. Kelly stated that as long as she has been here, a midyear budget has never been done and she started in 2005.

Old Business –

Other Items –

1. Review Comp/OT reports for the pay period ending August 20, 2023.
2. Review Comp/OT reports for the pay period ending September 03, 2023.
3. Mayor Update – The Mayor invited the committee to the Thursday September Project Review for the Splash Park. He stated that the meeting is set for 1p.m at Thompson Park. He stated that Jares Fence Company has donated their time and that they would be cutting the old fence down to four feet and were going to put a metal weave material in the chain link. The mayor mentioned that Chief Langve told him that two arrests have been made for vandalism regarding the park restrooms, and it is his understanding that they are juveniles. During the mayor's discussion Emelie Eaton mentioned that having a bike park, skate park and splash park all in one location would give kids of all ages something to do.
4. Clerk/Treasurer Financial Update-Kelly stated that since the budget has been approved, she is playing catch up, with everything that got put on the back burner until the budget was complete.

Announcements –

5. The next Budget and Finance Committee meeting will be held on September 26, 2023, at 5:30 pm. Emelie Eaton will be absent from the meeting.

6. Richard Klose is scheduled to review claims for the next meeting.

Meeting Adjourned at 6:07 p.m.

Respectfully submitted,



Kelly Strecker
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.

File Attachments for Item:

11. Tree Board Minutes of August 3, 2023.

Minutes
City of Laurel
Tree Board
8/03/23

Council Conference Room

Attending: Matt Wheeler, Michelle Mize, Paul Kober, Walt Widdis Guest Bridget Coleman

1. Public Input
2. General Items
 - a. June Minutes approved
 - b. Arbor Day funds: City \$776 Laurel Foundation: \$925
 - c. Arbor Day 2024: Tuesday May 7th
 - d. Arbor Day park – discussion of shade for the new playground in Kiwanis Park or continue using Thomson Park. We should decide at the next meeting.
 - e. Artist for the design – LuAnne will talk to the New Life school to see if they would like to offer a design and theme for 2024.
 - f. State of our Arbor Day trees-
South Pond –
 - a. The Willow is gone and the plaque should be removed
 - b. The Baptist school Amur Maple needs some trimming and more bark
 - c. Hackberry is totally gone and should be removed – too wetSeveral trees need slight trimming.
Thompson Park -
 - a. One Honey Locust east of the shelter is struggling – might need fertilizer
 - b. Still have two trees that are tilted –
 - g. MUCFA – should Laurel join? \$100/year for the city. What are the benefits? There is a monthly newsletter that explains available grants.
3. Old Business
 - a. The LURA committee has started meeting again.
 - b. The city is committed to the Splash Pad. Delay due to the early rains that caused the contractor to move on to another job. Should be done in August.
4. Other Items
 - a. Volunteer hours – Keep your hours for all meetings, time spent on Arbor Day or any other project.

Next meeting: Thursday, September 7th, 4:30 Council Conference room

File Attachments for Item:

12. Tree Board Minutes of September 7, 2023.

Minutes
City of Laurel
Tree Board
9/07/23

Council Conference Room

Attending: Matt Wheeler, Michelle Mize, Paul Kober, Walt Widdis, Bridget Coleman, LuAnne Engh

1. Public Input
2. General Items
 - a. August Minutes approved
 - b. Arbor Day funds: City \$776 Laurel Foundation: \$925
 - c. Arbor Day 2024: Tuesday May 7th Kiwanis Park
 - d. Logo and Theme - Shelly Didyoung from New Life is asking her students for designs
 - e. State of our Arbor Day trees-
South Pond –
 - a. The Baptist school Amur Maple needs some trimming and more bark
 - b. Hackberry is totally gone and should be removed – We should replace it next Spring in a different location.Thompson Park -
 - a. One Honey Locust east of the shelter is struggling – might need fertilizer
 - f. MUCFA – should Laurel join? It was decided to have the city apply for a membership. LuAnne will get a PO from Matt and send that in to the state office.
 - g. Why have a tree board? LuAnne shared a form (MUCFA) that states Tree Boards:
 - Advocate - Community Forestry and public trees
 - Get work done – Tree inventory, tree planting and education
 - Bring in Resources – grants, private donation, fundraisers
 - Reduce conflicts – offer a forum for property owner complaints
 - Help raise awareness – educating the public on the importance of trees
 - Improve Urban forest – all activities result in improved community forest
 - h. City Tree Maintenance - \$9400 was spent to remove two giant cottonwoods at Riverside park...the wood if available for hauling. On East Maryland \$4500 was spent on cleaning up a line of Elm trees. We should look at what should be done with these trees since they need yearly trimming and embedded in asphalt.
3. New Business

- a. New trees for the library – Billings Bright n Beautiful has purchased a tree at Sylvan Nursery in memory of Jean Carrol Thomson Crimson King Norway Maple – dark red leaves – rounded shape – 30’ tall at maturity
 - b. Laurel purchased a second tree (\$260) for the library to match and balance the boulevard – a Bowhall Maple – light green leaves – 40’ at maturity These will be planted Wednesday, October 4t
 - c. Matt said a Spring crab tree fell over at the Chamber Park. It was a memorial tree and has a plaque. We will replace that tree with another Spring Crab next Spring, so the tree more time to acclimate.
 - d. Bridget mentioned a project for 3rd graders to help clean up leaves in a park and then have cocoa sponsored by the Tree Board. LuAnne will talk to Lynn at Graff School.
 - e. Fertilizing and watering – Matt has been watering the trees at Riverside with the 250 gallon water tank. It has helped keep them going without any other irrigation. Even with generous rain this year, trees need weekly watering. LuAnne asked Aaron Christenson about fertilizing and he said the professional charge \$10/caliper inch. It might be something to consider for smaller trees that struggle.
 - f. Matt said the city has money for underground sprinklers in Kiwanis Park - \$87,000 – The park is the only one left that doesn’t have automatic watering.
 - g. Tree Education – with the new south side 4th Street boulevards, the property owners will need to be notified the trees are their responsibility. Hopefully they are planted this Fall and will have a one year warranty. We need to send letters or deliver flyers to the owners to explain their responsibility. LuAnne will search for the letter we sent out for 8th Ave boulevards.
 - h. Fall Tree Care – LuAnne wanted to see an article in the Outlook about how to care for your trees in the Fall – when to stop watering, prep against deer, fertilizing, etc. She will ask Jackie Webb to help with an article.
4. Old Business
- a. DNRC grant – Matt says we should qualify this year. Michelle said she would help with the application this year
5. Other Items
- a. Volunteer hours – Keep your hours for all meetings, time spent on Arbor Day or any other project as this helps when applying for grants.

Next meeting: Thursday, October 5th, 4:30 Council Conference room

File Attachments for Item:

13. Park Board Minutes of September 7, 2023.



**AGENDA
CITY OF LAUREL
PARK BOARD
THURSDAY, SEPTEMBER 07, 2023
5:30 PM
COUNCIL CONFERENCE ROOM**

Called to Order at 5:31 with Irv Wilke, Jon Rutt, Paul Kober, Richard Herr, Richard Klose, and Phyllis Bromgard. Matt Wheeler and Michelle Mize were also in attendance.

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.*

No Public Comment. An email was presented on comments for the Skate Park presentation at the Council Meeting September 5.

General Items

1. LPB August 3, 2023 minutes – Paul Kober moved and Jon Rutt seconded to approve the minutes.
Motion Approved

New Business

2. Voles in Fireman's Park – Matt said the City took care of the problem.
3. Concrete Social Activities for Parks – Some literature was attached, and discussion followed about some ways to integrate this into Laurel Parks. Left on the agenda.
4. Sprinkler System at Kiwanis Park – Matt had one quote of \$87,000 – Gather more information.
5. Possible new Building at Riverside Park and Lead Cleanup – Salvage of Lead is complicated and ultimate use of the area will determine the level of removal. Also, the berm is part of flood control.

Old Business

6. Bike Park at Fir Field – Dirt is there. City may sculpt the dirt for now. Homeless living in the trees in the area.
7. Walking and Bike Path in the Laurel Area – No Activity.
8. Splash Park and Pool Building at Thompson Park – Building painted and contractor is sick
9. American Legion Building at Riverside Park – MDU will be running a line over to the building. Sheetrock and FRP are being delivered to finish the interior. No leach field attached to the septic tank and it will need to be pumped.
10. Riverside Park – 2 trees struck by lightning and will need to be removed at a cost of \$9,400.
11. Russell Park project – On schedule to be completed end of September. Police Chief is researching cameras for Kiwanis and Russell Park.
12. Lions Club agreement for the old Jaycee Hall – City Council is working on it and the high cost of insurance.
13. LARC Proposal for Rod and Gun Club – No representative.

Other Items

14. Matt was going to recommend to the city attorney that the pool building and the ball field lease be used as the template for the Lions Riverside Park Community Hall lease. Done
15. Discuss Railroad bridge recovery lease money is \$11,500 to date received.

Announcements

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

DATES TO REMEMBER

Next meeting is October 5, 2023

Adjourned at 6:40.

Jon Rutt

File Attachments for Item:

14. Public Works Committee Minutes of July 17, 2023.



**MINUTES
CITY OF LAUREL
PUBLIC WORKS COMMITTEE
MONDAY, JULY 17, 2023**

The Public Works Committee meeting was called to order at 6:07pm on Monday, July 17, 2023, by Committee Chair, Heidi Sparks.

Members Present: Heidi Sparks- Chair, Irv Wilke- Vice-Chair, Jodi Mackay, Emelie Eaton, Aron Kostelecky, Jon Gotschall

Others Present: None

Public Input: None

General Items

1. Approval of Minutes from April 17, 2023. Irv Wilke made a motion to approve the minutes of April 17, 2023. Motion was seconded by Emelie Eaton. Motion carried 6-0 to approve the minutes.
2. Approval of Minutes from May 15, 2023. Irv Wilke made a motion to approve the minutes of May 15, 2023. Motion was seconded by Jon Gotschall. Motion carried 6-0 to approve the minutes.
3. Approval of Minutes from June 19, 2023. Irv Wilke made a motion to approve the minutes of June 15, 2023. Motion was seconded by Emelie Eaton. Motion carried 6-0 to approve the minutes.

New Business

4. Emergency Call Out Report- No report provided
5. KLJ Report- No report provided

Old Business:

Other Items

6. Emelie- Per Matt, Riverside Park is bringing in \$1300 per day for the river cleanup and the city boat is bringing in \$800 per day. The \$1300 is strictly from the cleanup, does not consider camping income.

Announcements

Next Meeting will be Monday, August 21, 2023, at 6:00pm in Council Chambers

Meeting adjourned at 6:15pm

File Attachments for Item:

15. Public Works Committee Minutes of August 21, 2023.



**MINUTES
CITY OF LAUREL
PUBLIC WORKS COMMITTEE
MONDAY, AUGUST 21 2023**

The Public Works Committee meeting was called to order at 6:00pm on Monday, August 21, 2023, by Committee Chair, Heidi Sparks.

Members Present: Heidi Sparks- Chair, Irv Wilke- Vice-Chair, Emelie Eaton

Others Present: Matt Wheeler- Public Works Director, Ryan Welch- KLJ, Dennis Eaton, Patty Smith, Michelle Mize, Jake and Kelsey Horgart, Darrel Wacker, Laura and Andrew Molodecki

Public Input: None

General Items

1. Approval of Minutes from July 17, 2023- no quorum

New Business

2. Emergency Call Out Report- Report attached
 - i. Matt stated not many ER Call Outs, but most of the calls are related to water shut offs or turn ons and calls for the Elm lift station. The Elm Lift station should not be an issue going forward, as there has been new electrical put in the station.
3. KLJ Report- Report attached
 - i. Splash Park- Contractor is set to start end of August and will take approximately 4-6 weeks to complete. Anticipated to be completed in October
 - ii. WTP Lift Well Replacement- Substantial completion was achieved on 6/19/23. Contractor went into bankruptcy and was not able to reach final completion. This is causing liquidated damages for the city and is being taken off the final bill.
 - iii. 4th Street Reconstruction- S 5th St will be paved from 8th to Forrest and will be paved this week on Wed, Aug 23th. Harddrive is the company doing the paving of S 4th and
 - o Dennis Eaton- will this be a one way or have speed bumps?
 - o Ryan stated speed bumps and one ways were discussed at the public meetings prior to project starting and design, but did not make the final design
 1. Darrel Wacker voiced concerns on traffic and speeding without speed bumps.
Another option that was discussed was turning 4th into a one way and not allowing right hand turns from the overpass on 8th
 - o Jake and Kelsey Horgart voiced concerns with just having stop signs as they have had 3 vehicles hit on that corner, 2 of which were totaled
 - o Ryan stated stop signs will be installed on S 4th once construction is completed
 - o Irv circled back to the police patrol on traffic and mentioned the increase in patrols during the turnaround on the southside
 - o Matt stated he would bring options to the City Council Workshop regarding additional stop signs and/or speed bumps or tables
 1. This will include cost and location and number- mixture of both
 - o Ryan mentioned that during the design phase Chief Langve stated patrols would be increased in the area due to the new road and the ability for speeding
 - o Kelsey Horgart asked about the standing water on the corner of S 4th and Yellowstone
 1. Ryan stated once the construction is done that the water will drain into the inlet at that corner

- Patty Smith asked about the drainage on 4th and Maple- concerns that once this is done the water won't drain, also concerned about the value of her property and the tax assessments- wants the city to help her petition the state for a reevaluation of her property
- Question raised on when the city will look at coming back to the other streets, specifically Maple and Woodland, to pave
 1. Matt stated these projects will be planned based on available funds in coming years
- Any underground sprinklers that had to be disturbed for construction will be reinstalled, and grass that was disturbed will be reseeded

Old Business:

Other Items

4. Michelle Mize brought a Constituent Concern- Corner of 6th and Idaho, this is the only uncontrolled intersection on this street. Matt stated he can ask the mayor for approval.

Announcements

Next Meeting will be Monday, September 18, 2023, at 6:00pm in Council Chambers

Meeting adjourned at 7:15pm

File Attachments for Item:

16. Public Works Committee Minutes of September 18, 2023.



**MINUTES
CITY OF LAUREL
PUBLIC WORKS COMMITTEE
MONDAY, SEPTEMBER 18, 2023**

The Public Works Committee meeting was called to order at 6:00pm on Monday, September 18, 2023, by Committee Chair, Heidi Sparks.

Members Present: Heidi Sparks- Chair, Irv Wilke- Vice-Chair, Jodi Mackay, Emelie Eaton, Aron Kostelecky

Others Present: Matt Wheeler- Public Works Director, Dave Waggoner- Mayor

Public Input: None

General Items

1. Approval of Minutes from July 17, 2023. Irv Wilke made a motion to approve the minutes of July 17, 2023. Motion was seconded by Emelie Eaton. Motion carried 5-0 to approve the minutes.
2. Approval of Minutes from August 21, 2023. Irv Wilke made a motion to approve the minutes of July 17, 2023. Motion was seconded by Emelie Eaton. Motion carried 5-0 to approve the minutes.

New Business

3. Emergency Call Out Report- Report attached
 - i. Matt stated this has been a fairly quiet month, besides the usual water issues with turn offs and turn ons
 - ii. One minor change on call out order due to recent contract negotiations
4. KLJ Report- Report attached
 - i. Splash Park-
 - o Contractors have started, the pad is being prepped for installation and water lines are being run. The fence at the splash park will be cut down to a four foot height. Jares Fence will be handling this and donating their time
 - ii. Pavement Maintenance-
 - o Emelie stated she thanks Ryan with KLJ for his response to the concerns that were brought to the last city council meeting. His response was very informative
 - o This project is on time and is on budget
 1. This is the most expensive project the city has undertaken
 - o Jodi stated she also appreciated Ryan's response and there was thought that this should be published on the city's Facebook page. This has been done.
 1. Jodi also expressed concerns about having speedbumps and that may raise issues with other areas wanting speedbumps

Old Business:

Other Items

5. Letter from Sunshine Academy requesting a cross walk crossing 1st Street. Emelie made a motion to approve the cross walk request and move it to the council. Motion was seconded by Irv. Jodi asked about cost and timing. Matt stated the cost will be roughly \$4,000 and the labor would be about 2 days to complete. Motion carried 5-0.
6. Mayor Waggoner stated the city has met with Love's Truck Stop and they have a buy sell agreement for 20 acres by the West Laurel interchange. They are asking for annexation along with city services. They are also looking at the possibility of a KOA associated. The timeframe is roughly a year, the engineers are currently working with KLJ and the city.
7. Aron announced his resignation as he will be moving outside of the city of Laurel.

Announcements

Next Meeting will be Monday, October 16, 2023, at 6:00pm in Council Chambers

Meeting adjourned at 6:46pm

Emergency Overtime Callout List

7/01/23

TO

12/31/23

Maintenance Shop-628-4773

City Dispatch 628-8737

Response Code	X In Column Not accepting Overtime /NA = Not Available /Y = Responding /B=Phone Busy														
Employee Name	Telephone	7-16	7-23	7-24	7-30	8-10	8-12	8-16	9-9						
Fran Schweigert	888-888-8888	X	X	X	X	X	X	X	X	X	X				
Brian Kline	888-888-8888	NA1	NA1	NA1	na1	NA1	NA1	NA1	NA1						
Kevin Budge	888-888-8888	X	X	X	X	X	X	X	X	X	X				
Jay Hatton	404-888-8888								na2						
Keith Guy	404-888-8888								NA3						
Wade Spalinger	404-888-8888								na4						
Brandon Gonzales	404-888-8888								na5						
Aaron Fox	404-888-8888								6						
Troy Clifton	404-888-8888								y8						
Joel Barnhardt	404-888-8888								7						
Justin Baker	404-888-8888	1													
kevin Hoffman	404-888-8888	4													
Daniel Nauman	404-888-8888	2													
Tom Burwell	404-888-8888	3													

Elm Lift Station 628-7773 Village Lift Station 628-5918 Dial 9 after tone to acknowledge alarm

Wastewater Treatment Plant-628-6474

Autodailer- 628-4866

Response Code	NO= In 1st Column Not accepting Overtime / NA = Not Available / Y = Responding														
Employee	Telephone	6/2													
Thomas Henry	888-888-8888	NA2													
Cindy Caswell	888-888-8888	NA3													
Corey Nicholson	888-888-8888	NA4													
Norman Stamper	888-888-8888	Y1													

Water Treatment Plant 628-4410

Response Code	NO= In 1st Column Not accepting Overtime / NA = Not Available / Y = Responding														
Employee	Telephone														
HP Nuernberger	888-888-8888														
Dylan Ceaser	888-888-8888														
Josh Sawyer	888-888-8888														
Sam Waggoner	888-888-8888														
Joe Waggoner	888-888-8888														
TJ Worbel	888-888-8888														
Daniel Waggoner	888-888-8888														

CABLE TV down Tim Johnson 698-6254

Matt Wheeler	Cell# 208-1885	One Call Locate - 1-800-424-5555 (City Job # 25663)
Kurt Markegard	Cell# 860-5785 Hm 208-2356	SCHESSLER 628-4221 HESTON 281-0811
		NW ENERGY 1-800-896-7862 LUMPY 860-7890
Advanced Pump	586-1700	Century Link 1-800-573-1311 Shop 628-7707Jeff 694-9097
GORDAN ACE ELECTF RIC	860-5464	NorthwestPipe 252-0142 - Larry E. 656-2856
MDU 1-800-638-3278 / MDT	252-4138	Pace Construction 252-5559 (sewer backups)

MDT Supervisor Tom 655-7903/Kyle 446-2622

SanitarySystemOverflows call DEQ withing 24 hours at406-444-3080

Call Out - Date and Incident Location

9/9 H2O SHUTOFF 11TH AVE	6/21 2043 Atchison H2O turn on
	7/16 DIG OUT BOAT RAMP
	7/23 H2O LEAK ALDER
	7/24 ELM LIFT TEMP ALARM
	7/30 elm lift problem
	8/10 H2O SHUTOFF ACTISON
	8/12 H2O SHUTOFF DATE
	8/16 H2O TURN ON MISTAK



City of Laurel Project Status Update
September 15, 2023



Splash Park Installation

(KLJ #2204-01898)

Reason for Project: To Replace the existing pool with a splash pad recreation area.

Project Scope: To Construct a splash Pad at the site of the existing City pool.

Current Status:

- Work Order Signed by City in January 2023
- DPHHS Approved Permit on 5/25/23
- Preconstruction Meeting held on 9/15/2023
- Construction to start on Monday 9/18/2023
- Construction period expected to be 4 weeks.

2022 Pavement Maintenance Project (4th Street Reconstruction)

(KLJ #2104-00862)

Reason for Project: To provide yearly maintenance and improvements to the City of Laurel Roads Network.

Project Scope: Miscellaneous annual pavement maintenance design, bidding and construction in locations throughout the City of laurel

Current Status:

- Contractor began work on March 27th, 2023
- Water and Storm System in S. 4th Street to be complete week of 6/16/23
- Change Order #1, South 5th Street Waterline complete
- WCD No. 3 to resurface S. 5th Street, Woodland Ave., and Maple Ave. executed Aug. 9th, 2023
- Studer to Pave S. 5th Street from 8th Ave. to Forrest Ave. on Wednesday, 8/23/23
- S. 4th Street Paving is schedule for week of Sept. 18th – 22nd.
- Contract Sub. Completion Date is 10/7/23
- Contract Final Completion Date is 11/6/23

WTP Lift Well Replacement (KLJ #2004-01487)

Reason for Project: To replace a lift well at the Laurel Water Treatment Plant.

Project Scope: Reconstruction and rehabilitation of the lift well at the City of Laurel Water Treatment Plant.



City of Laurel Project Status Update September 15, 2023



Current Status:

- Construction has been ongoing since January.
- Change Order was issued due to inaccurate "As Built" Drawings that caused Contractor to relocate their shoring system to make piping connections.
- Transfer over to new Lift well to occur week of 6/19/23
- Substantial Completion achieved on 6/19/2023
- Notified on 8/14/23 that KLE would not be finishing
- Bonding company has hired Cop to complete punch list items.
- LD's for Final Completion have been accruing since 7/19/2023
- Final Completion reached on 8/30/2023
- Final Payment and release of retainage requested on 9/15/2023

Laurel Planning Services (KLJ #1804-00554)

Reason for Project: KLJ has been retained to provide City of Laurel planning services as needed.

Project Scope: Planning services may include; subdivision, zoning, development, floodplain hazard management, miscellaneous reviews and other related work. KLJ will prepare staff reports, recommendations, and attend meetings upon request.

Current Status:

- Zoning Regulations Update.
 - Draft regulations sent to City April 11th, 2023
 - Zoning Map approved by Commission on August 16th, 2023
 - Public Hearing to occur in October, 2023
- Downtown Parking Study. – On hold per City Instructions
- City-County Grown Policy Update was requested at the August 16th meeting
 - Weekly meetings to occur Sept. and Oct.

Other Notes and Information

Other potential projects have been identified during recent conversations between City staff and KLJ. City Public Works staff and KLJ task leaders meet monthly to discuss current and future projects. As these are tentative, the timing and extent of KLJ's services are TBD, unless noted otherwise.

Anticipated FY24 Projects

1. 7th Street reconstruction
2. Riverfront Park walking trail
3. Reconstruction of 12th Street between Valley Drive and 1st Ave. Task Order sent to City
4. Sewerline in Alley between 1st and Main St. Replacement Task Order sent to City



Dear Laurel City Council,

I'm reaching out from The Sunshine Academy, which you'll find just across the street on the corner of 1st Street and 2nd Avenue.

Every day, many of our children and their families cross these busy intersections. While we instill the importance of road safety, the addition of a crosswalks would greatly elevate their safety. It's a clear signal for drivers to be watchful, and it offers our community an added layer of protection.

I believe that with this change, not only will we enhance the safety of our children, but we'll also foster a stronger sense of community by showing that we prioritize the well-being of our young residents. It would be fantastic to collaborate and make this vision a reality.

If you'd like to chat or if there are any concerns, I'm available. You can reach me at 406-690-7040.

Thank you for your attention to this matter. Together, we can make our streets safer for everyone!

Greg Schreiner
Owner, Vice President
The Sunshine Academy Inc.
406-690-7040

File Attachments for Item:

17. Emergency Services Committee Minutes of August 28, 2023.



**MINUTES
CITY OF LAUREL
EMERGENCY SERVICES COMMITTEE
MONDAY, AUGUST 28, 2023**

The Emergency Services Committee meeting was called to order at 6:00pm on Monday, August 28, 2023, by Chair- Heidi Sparks

Members Present: Heidi Sparks- Chair, Irv Wilke- Vice-Chair, Jodi Mackay, Bruce McGee,

Others Present: Police Chief Stan Langve, Ambulance Director Lyndy Gurchiek, Fire Chief JW Hopper, Troy Charbonneau- Ambulance, Evan Bartran- Fire

Public Input: None

General Items

1. Approval of Emergency Services Committee minutes of July 24, 2023. Bruce McGee moved to approve the minutes; Irv Wilke seconded- Motion carried 4-0

New Business

2. Update from Emergency Departments
 - a. Fire Chief JW Hopper- Report attached
 - i. Items to note:
 1. 36 Members currently- Fully staffed is 45
 2. New truck expected mid-September- Flying out Sept 18th
 3. DNRC Grant- Forest service behind, so still waiting to hear on this grant
 4. Front Line Pumper currently in service is 32 years old, mayor has asked the department to look at replacing this
 - a. Bruce asked about the used pumper- Chief Hopper stated this would be sold
 - b. Police Chief Stan Langve- Report attached
 - i. Items to note:
 1. 13% decrease in calls Month over Month from July, 16% increase over the 3-year average
 2. Down 2 officers and have interviews scheduled this week
 - a. Looking at filling reserve positions as well
 3. Montana Department of Transportation did provide and update on the traffic study of Main- did state that Main and 5th could be a 4-way stop
 - c. Ambulance Director Lyndy Gurchiek- Report attached
 - i. Items to note:
 1. MDT ambulance grant was applied for and we will hear by October- the 10% match is in the budget
 2. EMS Data Systems Fund grant- this is for patient charting, so specific to EMS- this grant is a reimbursement, desktops have been purchased

Old Business:

3. Mill Levy update- City Attorney Braukmann provided a Memo regarding the Mill Levy

- a. Jodi stated that the Small Business Alliance meets every other week and would like to have this presented tentatively at the Sept 15th meeting

Other Items:

4. Chief Langve- provided information from Public Works meeting around increase traffic and speeding through the Southside during turnaround (April 14 – May 13)
 - a. 12 speeding citations
 - b. 8 warnings on speeding
 - c. This is out of 60 contacts during this timeframe
 - d. This was one of the better turnarounds due to the parking lot being introduced this year
5. Cat Ordinance Discussion- Irv provided the background on the contract presented at Council for Savage Cat Rescue which was voted down
 - a. Irv wanted to bring this to the committee to determine if the committee wanted to move forward with exploring a cat ordinance
 - b. Bruce stated from past experience that at the time the animal ordinances were written cats were a very difficult item to address and the then-Police Chief was not in favor of moving forward with a cat ordinance
 - c. Jodi stated that she agrees a cat ordinance would be a very difficult ordinance to enforce. She also stated she has seen an increase in complaints regarding cats on social media pages related to the community. Jodi also stated that she offered to do a fundraiser for Savage Cat Rescue to assist and was turned down
 - d. Chief Langve stated Billings Municipal Code has an ordinance which addresses cats. With that said, there is a difference between cats that belong to someone roaming versus feral cats.
 - i. Billings also has more positions to enforce this including a separate code enforcement division, and animal control division. Currently, Laurel has all of this handled by 1 position.
 - ii. If we want to move forward with an ordinance like this, the funding and structure of the department would need to be addressed in tandem to passing that ordinance

Announcements

6. Next Meeting will be Monday, September 25, 2023, at 6:00pm in Council Chambers

Meeting adjourned at 7:05pm

CITY HALL
115 W. 1st. St.
PUB WORKS: 628-4796
PWD FAX: 628-2241
WATER OFFICE: 628-7431
WTR FAX: 628-2289
MAYOR: 628-8456

City of Laurel

P.O. Box 10
Laurel, Montana 59044



City Attorney's Office
DEPARTMENT

Memorandum Re EMS Mill Levy Update

TO: Emergency Services Committee

CC: City of Laurel Mayor/Clerk-Treasurer

FROM: Michele Braukmann, Laurel Civil City Attorney

DATE: 2023.8.27

RE: Update on EMS Mill Levy Status

This Memorandum serves as an update on the status of the EMS Mill Levy, preparations for the upcoming November election, and various plans in relationship the Mill. At the present time, the following has been accomplished in relationship to preparation for presentation of the Mill Levy to the Laurel constituent population:

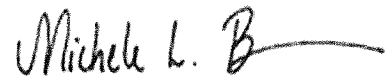
1. Valuation of the EMS Mill, as it relates to homes at the value of \$100,000, \$200,000, \$300,000, and \$600,000.
2. Presentation of the Mill Levy Resolution to the Laurel City Council. Approved April 2023.
3. Presentation of revised Mill Levy Resolution language to the Laurel City Council. Approved August 2023.

4. Preparation of the Ballot for the Election.
5. Presentation of the Ballot for the Election to the Yellowstone County Elections Administrator.
6. Approval of the Ballot by the Yellowstone County Elections Administrator.
7. Preparation of Flyers to be utilized at various locations throughout Laurel, including local businesses, City locations, and distribution throughout the community.
8. Preparation of a PowerPoint Presentation regarding the Mill Levy to be used at various community events and meetings, posted on the City website, and distributed for the public (as needed).

Moving forward, the following is the “plan” with regard to “next steps” for the Mill Levy:

1. Posting of the Mill Levy presentation on the City website.
2. Meetings with various community groups to discuss the mill levy and show the presentation.
3. Answering questions from various community groups.
4. Distribution of marketing materials.
5. Twice weekly posting on the City’s Facebook page and various postings on the EMS Facebook page.
6. Distribution of marketing materials at various local businesses.
7. At least twice-weekly meetings with various constituents.
8. Yard signs and posting throughout the community.
9. Weekly committee meetings to discuss status.
10. Weekly updates to City Council Members.
11. Last “two week” push of marketing on social media, website, and in the community.

OFFICE OF THE CIVIL CITY ATTORNEY

A handwritten signature in black ink, reading "Michele L. B" followed by a long horizontal flourish.

Michele L. Braukmann, J.D.
CITY OF LAUREL
Civil City Attorney
civilattorney@laurel.mt.gov

File Attachments for Item:

19. Resolution No. R23-81: A Resolution Of The City Council Authorizing The Mayor To Execute The Task Order And All Related Documents For The 5th-7th Avenue Sewer Line Replacement By And Between The City Of Laurel And KLJ Engineering, Inc.

RESOLUTION NO. R23-81

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE THE TASK ORDER AND ALL RELATED DOCUMENTS FOR THE 5TH-7TH AVENUE SEWER LINE REPLACEMENT BY AND BETWEEN THE CITY OF LAUREL AND KLJ ENGINEERING, INC.

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

Section 1: Approval. The Task Order and all related documents, by and between the City of Laurel and KLJ Engineering, Inc., for the 5th-7th Avenue Sewer Line Replacement, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Task Order and all related documents, by and between the City of Laurel and KLJ Engineering, Inc.

Introduced at a regular meeting of the City Council on the 26th day of September 2023, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel on the 26th day of September 2023.

APPROVED by the Mayor on the 26th day of September 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

Task Order: 5th – 7th Sewer Line Replacement

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated December 5, 2017 ("Agreement"), as amended by Amendment No. 1 dated October 13, 2020, Owner and Engineer agree as follows:

1. Background Data

- A. Effective Date of Task Order: September 12, 2023
- B. Owner: City of Laurel
- C. Engineer: KLJ Engineering, Inc
- D. Specific Project (title): 5th – 7th Sewer Line Replacement
- E. Project Description: This project consists of the refurbishment of an 8" sewer line between 7th Avenue and 6th Avenue and a 10" sewer line between 6th Avenue and 5th Avenue in the alley way between 1st Street and Main Street in Laurel, Montana. The existing sewer line experienced several collapses last year and has approximately 363 lineal feet of 8" and 383 lineal feet of 10" and will include the update of 3 manholes and associated surface replacement.

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 – See Exhibit D
- 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 that may be authorized or necessary under this Task Order are:

Set forth as Additional Services 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

- A. Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following:
 - Pay the cost of any review fees imposed by agencies having jurisdiction over the project.
 - Coordinate with stakeholders to evaluate access and traffic control considerations.

- Perform all duties (including legal and bond counsel) related to creating a special improvement district not identified in Engineer's Basic Services below.

5. Task Order Schedule

- A. In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:
- Owner desires to have construction occur March 1st, 2024 and October 1st, 2024. Engineer will plan the project to accommodate these dates, barring delays from SID creation, weather or other unexpected circumstances.
 - Owner will provide review comments, in writing, to Engineer for any draft deliverables submitted by Engineer. Owner will provide comments within 10-days of receipt from Engineer. Owner acknowledges delays in review/response may extend the final schedule.
 - Engineer shall provide periodic updates to Owner on the anticipated completion schedule, throughout the duration of the project.

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:, Design and Bidding Phases (A1.01-A1.05)	\$ 47,460	Direct Labor
2. Basic Services: Construction and Post-Construction Phase (A1.06-A1.07)*	\$ 48,340	Direct Labor
TOTAL COMPENSATION	\$ 95,800	
3. Additional Services (Part 2 of Exhibit A)	(N/A)	Direct Labor

*Based on a 1-month continuous construction period.

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. 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: None

9. Attachments: Exhibit A — Engineer's Services for Task Order

10. Other Documents Incorporated by Reference:

December 5, 2017 Agreement between Owner and Engineer for Professional Services, Task Order Edition
October 13, 2020 Amendment to Engineer-Owner Agreement, Amendment No. 1.

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 September 12th, 2023.

OWNER: City of Laurel

ENGINEER: KLJ Engineering, Inc

By: _____

By: _____

Print Name: Dave Waggoner

Print Name: Mark Anderson

Title: Mayor

Title: Vice-President

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Matt Wheeler

Title: Director of Public Works

PO Box 10

Address: Laurel, MT 59044

E-Mail

Address: mwheeler@laurel.mt.gov

Phone: 406-628-4796

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

State of: Montana

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Ryan Welsh

Title: Sr. Project Engineer

PO Box 80303

Address: Billings, MT 59108

E-Mail

Address: ryan.welsh@kljeng.com

Phone: 406-245-5499

Engineer's Services for Task Order: 5th – 7th Sewer Line Replacement

PART 1—BASIC SERVICES

A1.01 *Project Management*

- A. Tasks below apply to the entire Task Order.
 - 1. Organize and facilitate kick-off meetings (one each) with Owner and Engineer's project teams to confirm roles, responsibilities and expectations for completing the project.
 - 2. Provide project management services consisting of creating a work breakdown structure and detailed project schedule, creating and implementing a project management plan, facilitating weekly progress meetings and team coordination, reviewing time and expenses and generating monthly invoices, providing monthly status updates to Owner, and provide oversight of the day-to-day Project activities.
 - 3. Attend one (1) unscheduled meetings as needed to coordinate with Owner or other stakeholders.

A1.02 *Topography and Boundary Survey:*

- A. Provide right-of-way and parcel ownership research and mapping. Research property boundaries based on plats and certificates of survey obtained from public records. The right-of-way survey is projected to include ties only to readily identifiable property corners in order to allow survey maps on each side to be computed and attached to the base drawing. This procedure is anticipated to be sufficiently accurate to reasonably determine the existing right-of-way and decide if right-of-way acquisition should be evaluated in greater detail. If acquisition is necessary, subject properties likely will require individual surveys and lot lines verified, the work associated with which is not included in this scope of work and will be addressed as Additional Services.
- B. Topographic and Design Surveys – Complete and furnish preliminary ground survey of project limits to include site contours, existing surface features, and above- and below-ground utilities. Topographic survey will generally be bounded within right-of-way limits, and occasionally beyond as needed to verify grades, adjacent features, and structures. The topographic survey will be accomplished by conventional survey methods. Primary control points will be established as Montana NAD83 (2010) geodetic control data. Prior to beginning topographic data collection, a level network will be run through all control points and tied to the vertical datum. As topographic data is collected an ongoing QC-QA process will verify all data and make sure pertinent features are included on the map.
- C. Base Drawing Preparation – Create a base drawing depicting calculated parcel boundaries, topographic survey data, and record drawings provided by Owner and other utility owners.

- D. Engineer's fee assumes that the above work will occur during a period when snow is not present at the Site.

Deliverable: Topographic Base Map

Owner provides: known utility locations and tv/video of sewer main described.

A1.03 Preliminary Engineering

- A. Consult with Owner to define and clarify Owner's requirements for the Specific Project, including design objectives and constraints, space, capacity and performance requirements, flexibility, and expandability, and any budgetary limitations, and identify available data, information, reports, facilities plans, and site evaluations.
- B. Advise Owner of any need for Owner to obtain, furnish, or otherwise make available to Engineer additional Specific Project-related data and information, for Engineer's use in the study and evaluation of potential solution(s) to Owner's Specific Project requirements, and preparation of a related report.
- C. Identify, consult with, and analyze requirements of governmental authorities having jurisdiction to approve the portions of the Specific Project to be designed or specified by Engineer.
- D. Prepare Preliminary Design Phase documents consisting of final design criteria, preliminary drawings, outline specifications, and written descriptions of the Specific Project. The extent of Engineer's design tasks that will be reflected in Drawings and Specifications, will include the following components:
1. Sewer Main Design
 - a. Design the refurbishment of the sewer line that runs underneath the alley way between 1st Street and Main Street from 5th Avenue to 7th Avenue.
 - b. Detail Drawings – Provide detail drawings of water and sewer main and other supplemental design information required for construction.
 2. The project will be confined to existing right-of-way limits. However, existing fences, landscaping, retaining walls and similar features may be disturbed by construction. Since the extent of potential impacts is undetermined, the scope of work does not include design of repairing or replacing adjacent private property features. If required, Engineer would provide related work as Additional Services upon Owner's authorization.
 3. The following tasks are also included in Engineer's scope of services as part of the Preliminary Design Phase.
 - a. Coordinate with affected private utility owners (power, gas, phone, etc.), and evaluate if existing or potential conflicts necessitate utility relocation. If required, facilitate one (1) preliminary utility coordination meeting with Owner and other utility owners. Provide a written summation of utility owners comments. Completing a Subsurface Utility Engineering (SUE) survey is not included in this scope of work.
 4. Based on the information contained in the Preliminary Design Phase documents, prepare an opinion of probable construction cost, and assist Owner in tabulating the various cost categories which comprise Total Project Costs.
 5. Obtain and review Owner's instructions regarding Owner's procurement of construction services (including instructions regarding advertisements for bids, instructions to bidders, and requests for

proposals, as applicable), Owner's construction contract practices and requirements, insurance and bonding requirements, electronic transmittals during construction, and other information necessary for the finalization of Owner's bidding-related documents (or requests for proposals or other construction procurement documents), and Construction Contract Documents. Also obtain and review copies of Owner's design and construction standards, Owner's standard forms, general conditions (if other than EJCDC® C-700), supplementary conditions, text, and related documents or content for Engineer to include in the draft bidding-related documents (or requests for proposals or other construction procurement documents), and in the draft Construction Contract Documents, when applicable.

6. Furnish two (2) review copies of the Preliminary Design Phase documents, opinion of probable construction cost, and any other Preliminary Design Phase deliverables to Owner, and review them with Owner.
 7. Visit the Site as needed to assist in preparing the Preliminary Design Phase documents and to review with Owner. Up to two (2) combined Site visits or Owner meetings are included in the Preliminary Design Phase tasks.
- E. Engineer's services under the Preliminary Design Phase will be considered complete on the date when Engineer has delivered to Owner the Preliminary Design Phase documents, opinion of probable Construction Cost, and any other Preliminary Design Phase deliverables. Engineer's fee is based on completing the Preliminary Design Phase services above one time; multiple iterations will be provided as Additional Services. Engineer will not proceed with Final Design Phase without Owner's acceptance of Preliminary Design Phase documents, opinion of probable construction cost, and any other Preliminary Design Phase deliverables that may affect the scope of the Project.
- F. Preliminary Engineering Deliverables:
1. Preliminary Sewer Plan and Profile Drawings
 2. Preliminary Detail Sheets for sewer
 3. Opinion of probable construction cost
 4. Preliminary Construction Agreement Documents Based on the EJCDC C-700 Contract.

A1.04 *Final Design Phase*

- A. As Basic Services, Engineer shall:
1. On the basis of the above acceptance, direction, and authorization, and after receiving Owner's written review comments, prepare final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor.
 2. Engineer's fee is based on completing the Final Design Phase services described below one time; multiple iterations will be provided as Additional Services.
 3. Visit the Site as needed to assist in preparing the final Drawings and Specifications and to review with Owner. Up to one (1) combined Site visit or Owner meeting is included in the Final Design Phase tasks.

4. Provide technical criteria, written descriptions, and design data for Owner's use in filing applications for permits from the Montana Department of Environmental Quality. Additional permitting is not anticipated.
 5. Advise Owner of any recommended adjustments to the opinion of probable construction cost.
 6. In addition to preparing the final Drawings and Specifications, assemble drafts of other Construction Contract Documents based on specific instructions and contract forms, text, or content received from Owner.
 7. Prepare or assemble draft bidding-related documents (or requests for proposals or other construction procurement documents), based on the specific bidding or procurement-related instructions and forms, text, or content received from Owner.
 8. Furnish for review by Owner, its legal counsel, and other advisors, three (3) copies of the final Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables, and review them with Owner.
 9. Revise the final Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables in accordance with comments and instructions from the Owner, as appropriate, and submit the required number of final copies of such documents to Owner after receipt of Owner's comments and instructions.
- B. Engineer's services under the Final Design Phase will be considered complete on the date when Engineer has delivered to Owner the final Drawings and Specifications, other assembled Construction Contract Documents, bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables.
- C. The number of prime contracts for Work designed or specified by Engineer upon which the Engineer's compensation has been established under this Task Order is one. If more prime contracts are awarded, Engineer shall be entitled to an equitable increase in its compensation under this Task Order.
- D. Final Engineering Deliverables:
1. Final plans for Bidding
 2. Final construction Contract Documents for Bidding
 3. Completed MDEQ application.

A1.05 *Bidding or Negotiating Phase*

- A. As Basic Services, Engineer shall:
1. Assist Owner in advertising for and obtaining bids or proposals for the Work, assist Owner in issuing assembled design, contract, and bidding-related documents (or requests for proposals or other construction procurement documents) to prospective contractors, and, where applicable, maintain a record of prospective contractors to which documents have been issued, attend pre-bid conferences, if any, and receive and process contractor deposits or charges for the issued documents.
 2. Prepare and issue Addenda as appropriate to clarify, correct, or change the issued documents.

3. Consult with Owner as to the qualifications of prospective contractors.
 4. If the issued documents require, the Engineer shall evaluate and determine the acceptability of "or equals" and substitute materials and equipment proposed by prospective contractors, provided that such proposals are allowed by the bidding-related documents (or requests for proposals or other construction procurement documents) prior to award of contracts for the Work. Services under this paragraph are subject to the provisions of Paragraph A2.01.B.2 of this Exhibit A.
 5. Attend the bid opening, prepare bid tabulation sheets to meet Owner's schedule, evaluate bids and provide a recommendation of award (if applicable), and assist Owner in assembling final contracts for the Work for execution by Owner and Contractor and in issuing notices of award of such contracts.
 6. If Owner engages in negotiations with bidders or proposers, assisting Owner with respect to technical and engineering issues that arise during the negotiations will be provided subject to the provisions of Paragraph A2.01.B.2 of this Exhibit A.
- B. The Bidding or Negotiating Phase will be considered complete upon commencement of the Construction Phase or upon cessation of negotiations with prospective contractors.
- C. Deliverables:
1. Bid Tab
 2. Conformed Contract Documents
 3. Addenda, If required.
 4. Notice of Award Recommendation Letter

A1.06 Construction Phase

- A. As Basic Services, Engineer shall:
1. *General Administration of Construction Contract:* Consult with Owner and act as Owner's representative as provided in the Construction Contract. The extent and limitations of the duties, responsibilities, and authority of Engineer shall be as assigned in EJCDC® C-700, Standard General Conditions of the Construction Contract (the Edition of which is to coincide with the current Montana Public Works Standard Specifications in effect at the time of a specific Task Order), prepared by the Engineers Joint Contract Documents Committee, or other construction general conditions specified in the Agreement. If Owner, or Owner and Contractor, modify the duties, responsibilities, and authority of Engineer in the Construction Contract, or modify other terms of the Construction Contract having a direct bearing on Engineer, then Owner shall compensate Engineer for any related increases in the cost to provide Construction Phase services. Engineer shall not be required to furnish or perform services contrary to Engineer's responsibilities as a licensed professional. All of Owner's instructions to Contractor will be issued through Engineer, which shall have authority to act on behalf of Owner in dealings with Contractor to the extent provided in this Agreement and the Construction Contract except as otherwise provided in writing.
 2. *Resident Project Representative (RPR):* Provide the services of an RPR at the Site to assist the Engineer and to provide more extensive observation of Contractor's work. Duties, responsibilities, and authority of the RPR are as set forth in Exhibit D of the Master Services Agreement, which is

hereby incorporated by reference. The furnishing of such RPR's services will not limit, extend, or modify Engineer's responsibilities or authority except as expressly set forth in Exhibit D.

3. It is anticipated that 240 hours of on-site RPR time will be sufficient to provide necessary construction observation through substantial completion, based on a recommended construction contract not to exceed 42 calendar days. RPR hours beyond this estimate are Additional Services and would require written authorization prior to proceeding. Construction observation time resulting from Contractor working outside of normal work hours, as will be defined in the contract documents will be paid by Owner to Engineer and then deducted from the Contractor's payment.
4. *Selection of Independent Testing Laboratory:* Assist Owner in the selection of an independent testing laboratory to perform the quality assurance testing, if needed.
5. *Pre-Construction Conference:* Facilitate a pre-construction conference prior to commencement of Work at the Site.
6. *Electronic Transmittal Protocols:* If the Construction Contract Documents do not specify protocols for the transmittal of Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, then together with Owner and Contractor jointly develop such protocols for transmittals between and among Owner, Contractor, and Engineer during the Construction Phase and Post-Construction Phase.
7. *Original Documents:* If requested by Owner to do so, maintain and safeguard during the Construction Phase at least one original printed record version of the Construction Contract Documents, including Drawings and Specifications signed and sealed by Engineer and other design professionals in accordance with applicable Laws and Regulations. Throughout the Construction Phase, make such original printed record version of the Construction Contract Documents available to Contractor and Owner for review.
8. *Schedules:* Receive, review, and determine the acceptability of any and all schedules that Contractor is required to submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values.
9. *Baselines and Benchmarks:* As appropriate, establish baselines and benchmarks for locating the Work which in Engineer's judgment are necessary to enable Contractor to proceed. Provide construction surveys and staking to enable Contractor to perform its work. The total number of Engineer's survey crew project site mobilizations included in the tasks above is one. Contractor will be responsible for all construction surveys not listed below; staking requests in addition to the specific items listed below or in excess of the budgeted number of mobilizations will be provided as Additional Services. Re-staking of previously completed work due to no fault of Engineer will be provided as Additional Services. Staking shall be provided for:
 - a. Establish horizontal and vertical control – verify and reestablish horizontal and vertical coordinates of control required for construction staking. Set new control at a frequency suitable for construction during surveyor's initial mobilization for the below.
 - b. Sanitary sewer main and manholes – stake manholes and appurtenances
10. *Visits to Site and Observation of Construction:* In connection with observations of Contractor's Work while it is in progress:

- a. Make visits to the Site at intervals appropriate to the various stages of construction, as Engineer deems necessary, to observe as an experienced and qualified design professional the progress of Contractor's executed Work. It is anticipated that one (1) Site visit per week, by the Engineer, will be sufficient for the Engineer to adequately observe and gauge the progress and performance of the Work. Such visits and observations by Engineer, and the Resident Project Representative, if any, are not intended to be exhaustive or to extend to every aspect of the Work or to involve detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in the Agreement, this Task Order, and the Construction Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Engineer's exercise of professional judgment, as assisted by the Resident Project Representative, if any. Based on information obtained during such visits and observations, Engineer will determine in general if the Work is proceeding in accordance with the Construction Contract Documents, and Engineer shall keep Owner informed of the progress of the Work.
 - b. The purpose of Engineer's visits to the Site, and representation by the Resident Project Representative, if any, at the Site, will be to enable Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Phase, and, in addition, by the exercise of Engineer's efforts as an experienced and qualified design professional, to provide for Owner a greater degree of confidence that the completed Work will conform in general to the Construction Contract Documents and that Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Construction Contract Documents. Engineer shall not, during such visits or as a result of such observations of the Work, supervise, direct, or have control over the Work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, for security or safety at the Site, for safety precautions and programs incident to any Constructor's work in progress, for the coordination of the Constructors' work or schedules, nor for any failure of any Constructor to comply with Laws and Regulations applicable to furnishing and performing of its work. Accordingly, Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish or perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
11. *Defective Work*: Reject Work if, on the basis of Engineer's observations, Engineer believes that such Work is defective under the terms and standards set forth in the Construction Contract Documents. Provide recommendations to Owner regarding whether Contractor should correct such Work or remove and replace such Work, or whether Owner should consider accepting such Work as provided in the Construction Contract Documents.
 12. *Compatibility with Design Concept*: If Engineer has express knowledge that a specific part of the Work that is not defective under the terms and standards set forth in the Construction Contract Documents is nonetheless not compatible with the design concept of the completed Project as a functioning whole, then inform Owner of such incompatibility, and provide recommendations for addressing such Work.
 13. *Clarifications and Interpretations*: Accept from Contractor and Owner submittal of all matters in question concerning the requirements of the Construction Contract Documents (sometimes

referred to as requests for information or interpretation—RFIs) or relating to the acceptability of the Work under the Construction Contract Documents. With reasonable promptness, render a written clarification, interpretation, or decision on the issue submitted, or initiate an amendment or supplement to the Construction Contract Documents.

14. *Field Orders*: Subject to any limitations in the Construction Contract Documents, Engineer may prepare and issue Field Orders requiring minor changes in the Work.
15. *Change Orders and Work Change Directives*: Recommend Change Orders and Work Change Directives to Owner, as appropriate, and prepare Change Orders and Work Change Directives as required. Services related to additional design or construction review associated with Change Orders and Work Change Directives are not included and would be provided as Additional Services.
16. *Differing Site Conditions*: Respond to any notice from Contractor of differing site conditions, including conditions relating to underground facilities such as utilities, and hazardous environmental conditions. Promptly conduct reviews, obtain information, and prepare findings, conclusions, and recommendations for Owner's use, subject to the limitations and responsibilities under the Agreement and the Construction Contract.
17. *Non-reviewable matters*: If a submitted matter in question concerns the Engineer's performance of its duties and obligations, or terms and conditions of the Construction Contract Documents that do not involve (1) the performance or acceptability of the Work under the Construction Contract Documents, (2) the design (as set forth in the Drawings, Specifications, or otherwise), or (3) other engineering or technical matters, then Engineer will promptly give written notice to Owner and Contractor that Engineer will not provide a decision or interpretation.
18. *Shop Drawings, Samples, and Other Submittals*: Review and approve or take other appropriate action with respect to Shop Drawings, Samples, and other required Contractor submittals, but only for conformance with the information given in the Construction Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Construction Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. Engineer shall meet any Contractor's submittal schedule that Engineer has accepted.
19. *Substitutes and "or-equal"*: Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor, but subject to the provisions of Paragraph A2.01.B of this Exhibit A.
20. *Inspections and Tests*:
 - a. Receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Construction Contract Documents. Engineer's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Construction Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Construction Contract Documents. Engineer shall be entitled to rely on the results of such inspections and tests.
 - b. As deemed reasonably necessary, request that Contractor uncover Work that is to be inspected, tested, or approved.

- c. Pursuant to the terms of the Construction Contract, require additional inspections or testing of the Work, whether or not the Work is fabricated, installed, or completed.
21. *Change Proposals and Claims:* (a) Review and respond to Contractor's proposed changes to Work. Review each duly submitted change proposal from Contractor and, within 30 days after receipt of the Contractor's supporting data, either deny the change proposal in whole, approve it in whole, or deny it in part and approve it in part. Such actions shall be in writing, with a copy provided to Owner and Contractor. If the change proposal does not involve the design (as set forth in the Drawings, Specifications, or otherwise), the acceptability of the Work, or other engineering or technical matters, then Engineer will notify the parties that the Engineer will not resolve the change proposal. (b) Provide information or data to Owner regarding engineering or technical matters pertaining to Claims.
22. *Applications for Payment:* Based on Engineer's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation:
- a. Determine the amounts that Engineer recommends Contractor be paid. Recommend reductions in payment (set-offs) based on the provisions for set-offs stated in the Construction Contract. Such recommendations of payment will be in writing and will constitute Engineer's representation to Owner, based on such observations and review, that, to the best of Engineer's knowledge, information and belief, Contractor's Work has progressed to the point indicated, the Work is generally in accordance with the Construction Contract Documents (subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Construction Contract Documents, and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Engineer's responsibility to observe the Work. In the case of unit price work, Engineer's recommendations of payment will include final determinations of quantities and classifications of the Work (subject to any subsequent adjustments allowed by the Construction Contract Documents).
 - b. By recommending payment, Engineer shall not thereby be deemed to have represented that observations made by Engineer to check the quality or quantity of Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in the Agreement or this Task Order. Neither Engineer's review of Contractor's Work for the purposes of recommending payments nor Engineer's recommendation of any payment including final payment will impose on Engineer responsibility to supervise, direct, or control the Work, or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes Contractor has used the money paid to Contractor by Owner; to determine that title to any portion of the Work, including materials or equipment, has passed to Owner free and clear of any liens, claims, security interests, or encumbrances; or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.

23. *Contractor's Completion Documents:* Receive from Contractor, review, and transmit to Owner maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance required by the Construction Contract Documents, certificates of inspection, tests and approvals, and Shop Drawings, Samples, and other data approved as provided under Paragraph A1.05.A.19. Receive from Contractor, review, and transmit to Owner the annotated record documents which are to be assembled by Contractor in accordance with the Construction Contract Documents to obtain final payment. The extent of Engineer's review of record documents shall be to check that Contractor has submitted all pages.
 24. *Substantial Completion:* Promptly after notice from Contractor that Contractor considers the entire Work ready for its intended use, in company with Owner and Contractor, visit the Site to review the Work and determine the status of completion. Follow the procedures in the Construction Contract regarding the preliminary certificate of Substantial Completion, punch list of items to be completed, Owner's objections, notice to Contractor, and issuance of a final certificate of Substantial Completion. Assist Owner regarding any remaining engineering or technical matters affecting Owner's use or occupancy of the Work following Substantial Completion.
 25. *Final Notice of Acceptability of the Work:* Conduct a final visit to the specific Project to determine if the Work is complete and acceptable so that Engineer may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Engineer shall also provide a notice to Owner and Contractor ("Notice of Acceptability of Work") (also available as a construction form, EJCDC® C-626 (2013)) that the Work is acceptable to the best of Engineer's knowledge, information, and belief, and based on the extent of the services provided by Engineer under the Agreement and this Task Order.
 26. *Standards for Certain Construction-Phase Decisions:* Engineer will render decisions regarding the requirements of the Construction Contract Documents, and judge the acceptability of the Work, pursuant to the specific procedures set forth in the Construction Contract for initial interpretations, Change Proposals, and acceptance of the Work. In rendering such decisions and judgments, Engineer will not show partiality to Owner or Contractor, and will not be liable to Owner, Contractor, or others in connection with any proceedings, interpretations, decisions, or judgments conducted or rendered in good faith.
- B. *Duration of Construction Phase:* The Construction Phase will commence with the execution of the first Construction Contract for the specific Project or any part thereof and will terminate upon written recommendation by Engineer for final payment to Contractors. If the specific Project involves more than one prime contract, then Construction Phase services may be rendered at different times in respect to the separate contracts. In such cases, Engineer shall be entitled to an equitable increase in compensation if Construction Phase services (including Resident Project Representative services, if any) are required after the original date for completion and readiness for final payment of Contractor as set forth in the final Construction Contract under the Task Order.

A1.07 Post-Construction Phase

- A. Upon written authorization from Owner during the Post-Construction Phase, as Basic Services, Engineer shall:
 1. Together with Owner, visit the Project to observe any apparent defects in the Work, make recommendations as to replacement or correction of defective Work, if any, or the need to repair

- of any damage to the Site or adjacent areas, and assist Owner in consultations and discussions with Contractor concerning correction of any such defective Work and any needed repairs.
2. Together with Owner, visit the Project within one month before the end of the Construction Contract's correction period to ascertain whether any portion of the Work or the repair of any damage to the Site or adjacent areas is defective and therefore subject to correction by Contractor.
 3. Prepare and submit to Owner and DEQ, each, one set of record drawings, showing all construction modifications to the original design.
- B. The Post-Construction Phase services may commence during the Construction Phase and, if not otherwise modified in this Exhibit A, will terminate twelve months after the commencement of the Construction Contract's correction period.
- C. Commissioning Phase – Not Included
- D. Other Services – Not Included
- E. The scope of this phase will be developed following Final Design and included by amendment.

A1.08 *Commissioning Phase*—Not Included

A1.09 *Other Services*—Not Included

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. This Task Order contains specific information regarding tasks, number of iterations, and deliverables to be provided by Engineer. In addition to those specifically identified herein, the following list, which is not intended to be exclusive, summarizes other exclusions.
 - a. Boundary surveys or establishing survey monuments
 - b. Traffic analyses
 - c. Public or private utility analyses, modeling or design, other than water system rehabilitation identified above.
 - d. Design of drainage improvements.
 - e. Structural design
 - f. Landscape design
 - g. Right-of-way or permanent easement acquisition services
 - h. 3-D or artistic renderings

2. 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 the Specific Project; preparation or review of environmental assessments and impact statements; review and evaluation of the effects on the design requirements for the Specific Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Specific Project.
3. 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.
4. Services resulting from significant changes in the scope, extent, or character of the portions of the Specific Project designed or specified by Engineer, or the Specific Project's design requirements, including, but not limited to, changes in size, complexity, Owner's schedule, character of construction, or method of financing; and revising previously accepted studies, reports, Drawings, Specifications, or Construction Contract Documents when such revisions are required by changes in Laws and Regulations enacted subsequent to the Effective Date of the Task Order, requested by Owner, or are due to any other causes beyond Engineer's control.
5. Services resulting from Owner's request to evaluate additional Study and Report Phase alternative solutions beyond those agreed to in Paragraph A1.01.
6. Services required as a result of Owner's providing incomplete or incorrect Specific Project information to Engineer.
7. Preparing for, coordinating with, participating in and responding to structured independent review processes, including, but not limited to, construction management, cost estimating, project peer review, value engineering, and constructability review requested by Owner; and performing or furnishing services required to revise studies, reports, Drawings, Specifications, or other documents as a result of such review processes.
8. Preparing additional bidding-related documents (or requests for proposals or other construction procurement documents) or Construction Contract Documents for alternate bids or cost estimates requested by Owner for the Work or a portion thereof.
9. Assistance in connection with bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
10. Preparing conformed Construction Contract Documents that incorporate and integrate the content of all Addenda and any amendments negotiated by Owner and Contractor.
11. Providing Construction Phase services beyond the original date for completion and readiness for final payment of Contractor, but only if such services increase the total quantity of services to be performed in the Construction Phase, rather than merely shifting performance of such services to a later date.

12. Conducting surveys, investigations, and field measurements to verify the accuracy of Record Drawing content obtained from Contractor, Owner, utility companies, and other sources; revise and supplement Record Drawings as needed.
 13. 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 involving the Project.
 14. Providing construction surveys and staking to enable Contractor to perform its work other than as required under Paragraph A1.05, and any type of property surveys or related engineering services needed for the transfer of interests in real property; and providing other special field surveys.
 15. Excessive services during any correction period, or with respect to guarantees called for in the Construction Contract (except as agreed to under Basic Services).
 16. Provide assistance in responding to the presence of any Constituent of Concern at any Site, in compliance with current Laws and Regulations.
 17. 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. Upon request of Owner, attendance at meetings and completing site visits in addition to those identified above.
 2. Services in connection with Work Change Directives and Change Orders to reflect changes requested by Owner.
 3. Services in making revisions to Drawings and Specifications occasioned by the acceptance of substitute materials or equipment other than "or equal" items; services after the award of the Construction Contract in evaluating and determining the acceptability of a proposed "or equal" or substitution which is found to be inappropriate for the Project; evaluation and determination of an excessive number of proposed "or equals" or substitutions, whether proposed before or after award of the Construction Contract.
 4. Additional or extended services arising from (a) the presence at the Site of any Constituent of Concern or items of historical or cultural significance, (b) emergencies or acts of God endangering the Work, (c) damage to the Work by fire or other causes during construction, (d) a significant amount of defective, neglected, or delayed Work, (e) acceleration of the progress schedule involving services beyond normal working hours, or (f) default by Contractor.

5. Services (other than Basic Services during the Post-Construction Phase) in connection with any partial utilization of the Work by Owner prior to Substantial Completion.
6. Evaluating unreasonable or frivolous requests for interpretation or information (RFIs), Change Proposals, or other demands from Contractor or others in connection with the Work, or an excessive number of RFIs, Change Proposals, or demands.
7. Reviewing a Shop Drawing or other Contractor submittal more than three times, as a result of repeated inadequate submissions by Contractor.
8. While at the Site, compliance by Engineer and its staff with those terms of Owner's or Contractor's safety program provided to Engineer subsequent to the Effective Date that exceed those normally required of engineering personnel by federal, State, or local safety authorities for similar construction sites.

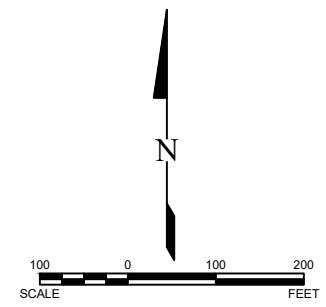
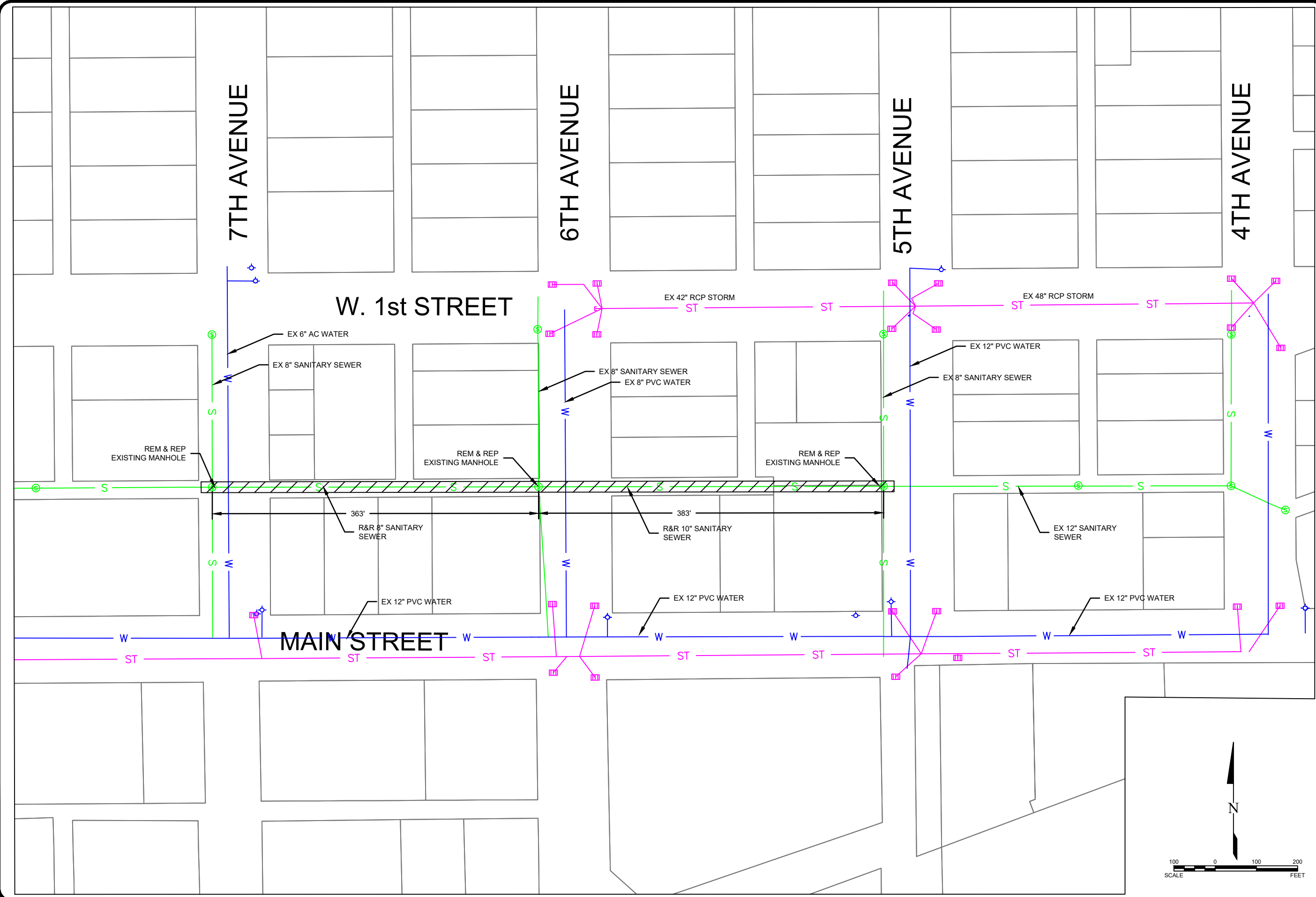


NO.	DATE	REVISION

DRAFTED	REW
REVIEWED	SG
PROJECT NUMBER	2304-01231
ISSUE DATE	08/2023

5TH to 7TH AVE. SEWERLINE REPLACEMENT
CITY OF LAUREL
LAUREL, MT

SHEET
ST 1



File Attachments for Item:

20. Ordinance O23-03: An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code.

ORDINANCE NO. 023-03

AN ORDINANCE AMENDING SECTIONS 13.01.010 (ADOPTION) AND 13.01.020 (UPDATED REFERENCES) OF THE LAUREL MUNICIPAL CODE RELATED TO THE ADOPTION OF THE INTERNATIONAL FIRE CODE.

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating Chapters, Sections, and Subsections to address situations and problems within the City and to remain in accordance with Montana law; and

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing LMC § 13.010.010 and 13.010.020, as noted herein, and hereby recommends the same to the City Council for their full approval.

13.01.010 Adoption.

The City of Laurel hereby adopts by reference per MCA 7-5-4202(1) and 7-33-4208 the International Fire Code, 2021~~14~~¹² edition as modified by the Administrative Rules of Montana (ARM) 23.12.601 (1) through (5), and 23.12.603, 23.12.605 as the ~~F~~ire ~~C~~ode of the ~~C~~ity of Laurel. It regulates and governs the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises as herein provided; provides for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties, conditions, and terms of said ~~F~~ire ~~C~~ode on file in the office of the Laurel City Clerk-~~Treasurer~~ are hereby referred to, adopted, and made a part hereof, as if fully set out, with the additions, insertions, deletion and changes, if any, set by ordinance.

(Ord. No. 008-07, 7-15-08; Admin. Order AO-15-01 § 5, 2-24-2015; Ord. No. 021-01, 1-26-2021)

13.01.020 Updated ~~R~~eferences.

The International Fire Code, 2021~~14~~¹² edition, as published by the International Code Council as referenced in section 13.01.010 of this ~~C~~hapter, may be amended by ~~R~~esolution or ~~A~~administrative ~~O~~order of the ~~M~~ayor.

(Ord. No. 008-07, 7-15-08; Admin. Order AO-15-01, § 5, 2-24-2015; Ord. No. 021-01, 1-26-2021)

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on the 12th day of September 2023, upon Motion by Council Member Wilke.

PASSED and ADOPTED by the Laurel City Council on second reading on the 26th day of September 2023, upon Motion by Council Member _____.

APPROVED BY THE MAYOR on the 26th day of September 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney