



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, JANUARY 11, 2022
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R22-01

NEXT ORD. NO.
O22-01

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 December 28, 2021.

Correspondence

2. Resignation of Bill Mountsier from the Police Commission.
3. Fire Monthly Report - December 2021
4. Police Monthly Report - December 2021.
5. Building Department Monthly Report - December 2021.

Council Disclosure of Ex Parte Communications

Public Hearing

6. Public Hearing - Resolution Of Annexation Of Contiguous City-Owned Properties Into The City Of Laurel, Yellowstone County, Montana.

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.*

7. Claims entered through January 7, 2022.
8. Approval of Payroll Register for PPE 12/26/2021 totaling \$175,231.78.

Ceremonial Calendar

Reports of Boards and Commissions

9. Budget/Finance Committee Minutes of December 28, 2021.
10. Emergency Services Committee Minutes of December 27, 2021.

- [11.](#) Library Board Minutes of August 10, 2021.
- [12.](#) Library Board Minutes of September 10, 2021.
- [13.](#) Library Board Minutes of October 12, 2021.
- [14.](#) Library Board Minutes of November 9, 2021.

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

15. Nomination and Voting of Council President and Vice President.
16. Mayor's Committee Appointments
- [17.](#) Resolution No. R22-01: Resolution Authorizing Owner's Request To Seek Annexation Of A One Acre Lot Located West Of 8th Avenue Between 1st And 2nd Streets Pursuant To The City Of Laurel Annexation Policy.
- [18.](#) Resolution No. R22-02: Resolution Of Annexation Of Contiguous City-Owned Properties Into The City Of Laurel, Yellowstone County, Montana.
- [19.](#) Resolution No. R22-03: A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Daysel Consulting For Development Of Software To Assist With The Management And Operation Of The City's Riverside Park Camping And Recreation Program.

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 December 28, 2021.

MINUTES OF THE CITY COUNCIL OF LAUREL

December 28, 2021

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 Emelie Eaton at 6:30 p.m. on December 28, 2021.

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

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Jean Kerr, City Judge

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

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

MINUTES:

Motion by Council Member Sparks to approve the minutes of the regular meeting of December 14, 2021, as presented, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CORRESPONDENCE:

- Ambulance Monthly Report – November 2021.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through December 23, 2021.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 12/12/2021 totaling \$194,756.58.**

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

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

CEREMONIAL CALENDAR:

- Swearing-In of Judge Kerr.

Mayor Eaton swore in Judge Kerr and Council Member Klose.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of December 14, 2021.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Ward 4 Appointment**

Motion by Council Member Wilke to nominate Bill Mountsier to fill the remainder of the term, seconded by Council Member Klose.

Motion by Council Member McGee to nominate Barb Emineth to fill the remainder of the term, seconded by Council Member McGee.

Motion by Council Member McGee to nominate Lorinda Mayer to fill the remainder of the term, seconded by Council Member Sparks.

There was no public comment or council discussion. A ballot vote was taken on the motion. Four Council Members voted for Bill Mountsier, and three Council Members voted for Barb Emineth. Motion to appoint Bill Mountsier carried 4-3.

Mayor Eaton swore in Bill Mountsier as the Ward 4 Council Member.

- **Resolution No. R21-130: A Resolution Awarding The Bid And Authorizing The Mayor To Sign An Agreement With SWS Equipment, LLC For The Purchase Of A Roll Off Container Truck For The City Of Laurel's Public Works Department.**

Motion by Council Member Herr to approve Resolution No. R21-130, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R21-131: A Resolution Awarding The Bid And Authorizing The Mayor To Sign An Agreement With Titan Machinery For The Purchase Of A New Jet Rodder For The City Of Laurel's Public Works Department.**

Motion by Council Member Wilke to approve Resolution No. R21-131, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R21-132: A Resolution Of The City Council Approving A Task Order Between The City Of Laurel And KLJ Engineering Inc. Authorizing The Preparation Of A Downtown Parking Study For The City Of Laurel.**

Motion by Council Member Klose to approve Resolution No. R21-132, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R21-133: A Resolution Approving Amendment No. 1 To The Previously Approved Task Order Authorizing Kadrmas, Lee & Jackson, Inc. To Provide Additional Services For The City Of Laurel's South Side Stormwater Study.**

Motion by Council Member Stokes to approve Resolution No. R21-133, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R21-134: A Resolution Of The City Council Authorizing The Mayor To Sign An Amendment To The Agreement With Community Development Solutions For Software And Related Services For The Public Works And Building Departments.**

Motion by Council Member Sparks to approve Resolution No. R21-134, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

DRAFT

COUNCIL DISCUSSION:

Council thanked Council Member McGee for his years of service. Various Council Members noted the things they had learned throughout the years.

Council wished everyone a Happy New Year.

Council thanked all three people who put their names in to fill the Ward 4 vacancy. Council encouraged these people to put their names on the ballot for the next election. Council also noted that there are various Boards/Committees/Commissions with vacancies.

Council Member McGee stated he had spent the past 10.5 years on Council. He has been honored to serve on Council. He will still be involved with the City as he is still a reserve officer, and he plans to sit on a committee.

MAYOR UPDATES:

City Hall will be closed Friday, December 31, 2021.

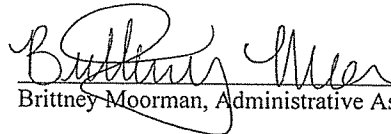
On January 4th, the meeting will be opened by Mayor Eaton, and the baton will be handed off to Mayor-Elect Waggoner. Council Member Eaton will be sworn back into her seat at this time. On January 11th Council will select Council President and Vice President. During the Workshop on January 4th, Council President Eaton will recommend the Mayor, who will announce what those appointments are on January 11th.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

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

There being no further business to come before the Council at this time, the meeting was adjourned at 7:00 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 11th day of January 2022.

Dave Waggoner, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

Bill Mountain

Bill M.

Bill Mowbray

Bill Mountsier

BARB EMIVETH

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File Attachments for Item:

2. Resignation of Bill Mountsier from the Police Commission.

December 28, 2021

City of Laurel
Mayor Emily Eaton
PO Box 10
Laurel, MT 59044

Subject: Resignation from the Police Commission

Dear Mayor Eaton,

I am tending my resignation from the Police Commission as I have been appointed as an Alderman for the 4th Ward and have been told that I am barred from holding both positions.

I appreciate the appointment by Mayor Nelson but am somewhat sorry that no meetings were held and that I was not able to meet the other two members of that Commission. I still feel strongly that a member of the police commission, whether on the City Council or a civilian, should have a law enforcement background as civilian members can not comprehend the adverse situations which officers face in performing their duties.

Thanks again,

A handwritten signature in black ink, appearing to read "William G. Mountsier", with a stylized, cursive script.

William G. Mountsier
DEA Retired
901 Pennsylvania Avenue
Laurel, MT 59044

File Attachments for Item:

3. Fire Monthly Report - December 2021



Laurel Fire Department

Report for the Month of Dec-21

| | Calls | | Hours |
|-------------------|-------|--------|-------|
| Structure Fires | 1 | | 36 |
| Wildland Fires | 1 | | 22 |
| Extrications | 14 | | 221 |
| Other Rescues | | | |
| Alarms | 11 | | 99 |
| Public Assist | | | |
| Medical Assist. | 7 | | 30 |
| Other calls | 6 | | 47 |
| | 40 | Totals | 455 |
| Fire Prevention | | | |
| Total Training | | | 156 |
| Total Maintenance | | | 56 |
| Community Service | | | |
| Total | | | 667 |

Announcements: TOTAL CALLS FOR 2021 WERE 436. COMPARED TO LAST YEAR WHICH WAS 436 AS WELL

Structure Firefighting

Conduct all levels of Structure Firefighting to include entry and attack, ventilation, salvage, overhaul, and investigation.

A structure fire is a fire involving the structural components of various types of residential, commercial or industrial buildings.

Wildland Firefighting

Wildfire, brush fire, bush fire, desert fire, forest fire, grass fire, hill fire, peat fire, vegetation fire.

Extrications

Rescue victims entrapped in automobiles, machinery, farm equipment, buildings, and trenches.

Other Rescues

Rope Rescue, Water Rescue, Ice Rescue

Alarms

Any false alarms or malfunctions.

Other Calls

EMS assist, Industrial or Aircraft firefighting, Vehicle Fire, Hazmat, Spills, Public safety, Investigations, gas leaks, Carbon Monoxide problems, etc.

File Attachments for Item:

4. Police Monthly Report - December 2021.



Laurel Police Department

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

Total Calls

Printed on January 1, 2022

[CFS Date/Time] is between '2021-11-29 00:00' and '2021-12-26 23:59' and

[Primary Incident Code->Code : Description] All

Code : Description

Totals

| | | |
|-----------------------|----|----|
| 10-15 : With Prisoner | 0 | 0 |
| : Abandoned Vehicle | 87 | 87 |
| : Agency Assist | 46 | 46 |
| : Alarm - Burglary | 17 | 17 |
| : Alarm - Fire | 5 | 5 |
| AMB : Ambulance | 74 | 74 |
| : Animal Complaint | 10 | 10 |
| : Area Check | 2 | 2 |
| : Assault | 2 | 2 |
| : Bad Checks | 0 | 0 |
| : Barking Dog | 2 | 2 |
| : Bomb Threat | 0 | 0 |
| : Burglary | 4 | 4 |
| : Child Abuse/Neglect | 4 | 4 |
| : Civil Complaint | 13 | 13 |
| : Counterfeiting | 1 | 1 |
| : Criminal Mischief | 5 | 5 |

| Code : Description | Totals | |
|---------------------------|---------------|----|
| : Criminal Trespass | 2 | 2 |
| : Cruelty to Animals | 5 | 5 |
| : Curfew Violation | 5 | 5 |
| : Discharge Firearm | 0 | 0 |
| : Disorderly Conduct | 4 | 4 |
| : Dog at Large | 10 | 10 |
| : Dog Bite | 0 | 0 |
| DUI : DUI Driver | 11 | 11 |
| : Duplicate Call | 1 | 1 |
| : Escape | 0 | 0 |
| : Family Disturbance | 12 | 12 |
| : Fight | 1 | 1 |
| FIRE : Fire or Smoke | 8 | 8 |
| : Fireworks | 1 | 1 |
| : Forgery | 0 | 0 |
| : Found Property | 5 | 5 |
| : Fraud | 1 | 1 |
| : Harassment | 3 | 3 |
| : Hit & Run | 5 | 5 |
| : Identity Theft | 0 | 0 |
| : Indecent Exposure | 1 | 1 |

| Code : Description | Totals | |
|---------------------------------|---------------|----|
| : Insecure Premises | 1 | 1 |
| : Intoxicated Pedestrian | 1 | 1 |
| : Kidnapping | 0 | 0 |
| : Littering | 0 | 0 |
| : Loitering | 1 | 1 |
| : Lost or Stray Animal | 10 | 10 |
| : Lost Property | 3 | 3 |
| : Mental Health | 0 | 0 |
| : Missing Person | 1 | 1 |
| : Noise Complaint | 1 | 1 |
| : Open Container | 0 | 0 |
| : Order of Protection Violation | 2 | 2 |
| : Parking Complaint | 36 | 36 |
| : Possession of Alcohol | 1 | 1 |
| : Possession of Drugs | 0 | 0 |
| : Possession of Tobacco | 2 | 2 |
| : Privacy in Communications | 3 | 3 |
| : Prowler | 0 | 0 |
| : Public Assist | 41 | 41 |
| : Public Safety Complaint | 6 | 6 |
| : Public Works Call | 13 | 13 |

| Code : Description | Totals | |
|----------------------------------|---------------|-----|
| : Report Not Needed | 4 | 4 |
| : Robbery | 0 | 0 |
| : Runaway Juvenile | 0 | 0 |
| : Sexual Assault | 1 | 1 |
| : Suicide | 1 | 1 |
| : Suicide - Attempt | 1 | 1 |
| : Suicide - Threat | 2 | 2 |
| : Suspicious Activity | 65 | 65 |
| : Suspicious Person | 9 | 9 |
| : Theft | 16 | 16 |
| : Threats | 2 | 2 |
| : Tow Call | 0 | 0 |
| : Traffic Accident | 28 | 28 |
| : Traffic Hazard | 3 | 3 |
| : Traffic Incident | 15 | 15 |
| : TRO Violation | 0 | 0 |
| : Truancy | 2 | 2 |
| T/S : Traffic Stop | 127 | 127 |
| : Unattended Death | 0 | 0 |
| : Unknown - Converted | 0 | 0 |
| : Unlawful Transactions w/Minors | 0 | 0 |

| Code : Description | | Totals | |
|---------------------------|-------------------------------|---------------|-----|
| : | Unlawful Use of Motor Vehicle | 0 | 0 |
| : | Vicious Dog | 0 | 0 |
| : | Warrant | 10 | 10 |
| : | Welfare Check | 14 | 14 |
| Totals | | 769 | 769 |

File Attachments for Item:

5. Building Department Monthly Report - December 2021.

CITY OF LAUREL BUILDING DEPARTMENT MONTHLY REPORT

| Dec-21 | | | Year to Date 2021 | | |
|-------------------------|----------|------------------|------------------------|------------|--------------------|
| | Amnt | Valuation | | Amnt | Valuation |
| New Construction | | | New Construction | | |
| 1 Single family | <u>0</u> | <u>\$0</u> | 1 Single family | <u>0</u> | <u>\$0</u> |
| 2 Duplex | <u>0</u> | <u>\$0</u> | 2 Duplex | <u>0</u> | <u>\$0</u> |
| 3 Multi-Family | <u>0</u> | <u>\$0</u> | 3 Multi-Family | <u>0</u> | <u>\$0</u> |
| 4 Hotel/Motel | <u>0</u> | <u>\$0</u> | 4 Hotel/Motel | <u>0</u> | <u>\$0</u> |
| 5 Commercial | <u>0</u> | <u>\$0</u> | 5 Commercial | <u>4</u> | <u>\$2,110,466</u> |
| 6 Garage/Carport | <u>0</u> | <u>\$0</u> | 6 Garage/Carport | <u>6</u> | <u>\$161,506</u> |
| 7 Mobile Home | <u>2</u> | <u>\$60,000</u> | 7 Mobile Home | <u>15</u> | <u>\$0</u> |
| Total New: | <u>2</u> | <u>\$60,000</u> | Total New: | <u>25</u> | <u>\$2,271,972</u> |
| Remodel and Additions | | | Remodel and Additions | | |
| 8 Residential | <u>1</u> | <u>\$3,390</u> | 8 Residential | <u>11</u> | <u>\$144,606</u> |
| 9 Commercial | <u>0</u> | <u>\$0</u> | 9 Commercial | <u>10</u> | <u>\$2,041,821</u> |
| 10 R. Fence/Roof/Siding | <u>4</u> | <u>\$46,550</u> | 10 R.Fence/Roof/Siding | <u>94</u> | <u>\$749,683</u> |
| 11 C.Fence/Roof/Siding | <u>0</u> | <u>\$0</u> | 11 C.Fence/Roof/siding | <u>10</u> | <u>\$171,617</u> |
| 12 Sign/Temp Structure | <u>0</u> | <u>\$0</u> | 12 Sign/Temp Structure | <u>17</u> | <u>\$122,736</u> |
| Total R & A | <u>5</u> | <u>\$49,940</u> | Total R & A | <u>142</u> | <u>\$3,230,463</u> |
| Grand Total: | <u>7</u> | <u>\$109,940</u> | Grand Total: | <u>167</u> | <u>\$5,502,436</u> |

File Attachments for Item:

9. Budget/Finance Committee Minutes of December 28, 2021.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, December 28, 2021**

Members Present: Richard Klose Bruce McGee

Others Present: Appointed Mayor Eaton
Brittney Moorman, Council Secretary
Nathan Herman, Plants Superintendent

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

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

There was no public in attendance

General Items –

1. Review and approve the December 14, 2021, Budget and Finance Committee meeting minutes. Richard Klose moved to approve the minutes of the December 14, 2021, Budget and Finance Committee meeting. Bruce McGee seconded the motion, all in favor, motion passed 3-0.
2. Review and approve purchase requisitions – The first purchase requisition was from the sewer department for the replacement of an electrical control panel for the lift well. Plants Superintendent, Nathan Herman, was present to provide information to the committee and answer any questions. Bruce McGee made a motion to approve the purchase requisition from the sewer department for the purchase of a replacement electrical control panel for the lift well. Richard Klose seconded the motion to approve the purchase requisition from the sewer plant for the purchase of a replacement electrical control panel for the lift well, all in favor, motion passed 3-0. The second purchase requisition was from City Hall for the replacement of a server. Council Secretary, Brittney Moorman, was present to present the purchase requisition and answer any questions. Richard Klose made a motion to approve the purchase requisition from City Hall for the purchase of a new server. Bruce McGee seconded the motion, all in favor, motion passed 3-0.
3. Review and recommend approval to Council; claims entered through 12/23/2021. The Committee had previously reviewed the claims and check register. Richard Klose made a motion to approve the claims entered through 12/23/2021. Bruce McGee seconded the motion, all in favor, motion passed 3-0.
4. Review and approve Payroll Register for the pay period ending 12/12/2021 totaling \$194,756.58. Richard Klose motioned to approve the payroll register for the pay period ending 12/12/2021 totaling \$194,756.58. Bruce McGee seconded the motion, all in favor, motion passed 3-0.

New Business – There was no new business

Unfinished Business – There was no unfinished business

Other Items –

5. Review Comp/OT reports for the pay period ending 12/12/2021. The Committee reviewed the 12/12/2021 Comp/Overtime reports.
6. Clerk/Treasurer Update – The Clerk/Treasurer provided the committee with an update on finance activities.

7. Mayor Update – Mayor Eaton provided the committee with an update of City administrative activities.

Announcements –

8. The next Budget and Finance Committee meeting will be held on January 14, 2022, at 5:30 pm.
9. Emelie Eaton will be reviewing claims for the next meeting.

Respectfully submitted,

Bethany Langve
Clerk/Treasurer

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

File Attachments for Item:

10. Emergency Services Committee Minutes of December 27, 2021.



**CITY OF LAUREL
EMERGENCY SERVICE COMMITTEE MEETING
MINUTES
FOR
Monday December 27,2021
6:00 PM
COUNCIL CHAMBERS**

NO QUORUM NO MEETING

COMMITTEE MEMBERS PRESENT:

 X_Bruce McGee Chair
 Irv Wilke Co Chair
 Jim Irvin
 Bill Mountsier

 X_Richard Klose
 X_Heidi Sparks

OTHERS PRESENT:

Police Chief Langve : Present

Fire Chief Peters : Absent Present Admin Assistant Fire Chief Shawn McCleary

Ambulance Director Gurchiek : Present

File Attachments for Item:

11. Library Board Minutes of August 10, 2021.

MINUTES
CITY OF LAUREL
Library Board

08/10/2021

06:06 PM

Laurel Public Library

COMMITTEE MEMBERS PRESENT:

| | |
|--|-------------------------------|
| X Katie Fjelstad | X Arthur Vogeles, Board Chair |
| X Kate Manley - via Zoom | Samantha Barnhart |
| X Nancy Schmidt, Secretary | Vacant |
| X Clair Killebrew – Foundation Liaison | |

OTHERS PRESENT: None

1. **Public Input**

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

- a. Addressing the Board - None

2. **General Items**

- a. The minutes for July 2021 were presented for approval by the Library Board members. Katie motioned the minutes be approved, Kate seconded the motion. Minutes were approved.
- b. Geralyn Stevens sent a very lovely thank you card for her excellent retirement party. She stated that she didn't expect it to be as enjoyable as she found it to be. Vance also sent a card with photos of the cake, decorations, and gifts that Geralyn received at her retirement. Donations were received from Ray Wells (\$50), Linda Gourley - \$50 in memory of Joe Davis, Virginia Gomer - \$250 of which part is to be spent as an honor to Geralyn for her years of service to the library and Laurel community, Madelon Davis - \$225 in honor of her late husband Joe (she would like us to purchase large print books).
- c. **Circulation Report** - *Traffic*: up 45.9%; *circulation*: all items circulated totaled 4,116 (including 594 eBooks), book circulation was up 10.8%, media circulation was down 29.6%, eBook checkouts for this month was 15.7% of total book circulation, we circulated 795 items to partners and 144 items from other libraries; *computers*: internet use was up 56.8%, children's use was up 310%, wi-fi use : up 76.4%; *patron cards*: city patrons make up 51.2% of registered users county 45.8% and out of county users may cut 32.9%. There were 83 tech assists

in July.

3. New Business

- a. Michael Furman, Jr has accepted the position of Assistant Library Director. His starting day will be Wednesday, August 11, 2021. Per union agreement, he has 30 days to revert back to his prior position without losing his job. Revert will end September 11, 2021.
- b. The City and Union Local 316 have reached an agreement on wages for City employees. Board members voted to support the agreement reached between the City and Union on wages. The library tech position will increase \$2 per hour as of July 1, 2021 with a 3% increase for all union employees as well as an increase in the FLEX amount allowed per year. This amount will increase to \$650 for full-time employees, pro-rated for part-time employees. Katie motioned that the Board accept these recommendations on behalf of library staff, Kate seconded the motion; motion passed.
- c. There are three job descriptions that still need to be updated. Nancy will send these out in the next few weeks for everyone to read and comment on before the next meeting.
- d. The next Federation meeting is scheduled for Saturday, September 11, 2021 in Red Lodge. It is scheduled to begin at 10:00 am and end at 3:00 pm. Nancy will keep everyone updated on any changes in the meeting time/venue.

4. Old Business

- a. The budget has some tentative amounts listed for approval from the City Council. With the numbers agreed upon for union employees, and library personnel as part of this, the library budget needs some changes made to it before it is presented for final approval by Council members. The question presented today was what the Board wanted to do about the Director's wages/benefits. Kate motioned that the Director receive the same wage increase and benefits that union members (other library staff) are now receiving, Katie seconded the motion; passed. This will be a 3% wage increase, FLEX increase to \$650 per year and 40 hours personal time retroactive to July 1, 2021. There was some discussion about increasing the wage 4% but Nancy declined this amount since library staff were being held at 3% for this year and 2% for next year.
- b. For the month of July 2021, the Summer food program has served 2,864 meals. The total number of meals served for the summer will be available next month. The program ends August 13, 2021.
- c. The stats for the summer reading program indicate that we have 92 participants who have read a total of 85,568 minutes read and received 170 prizes. This was a better than expected response for the summer reading program.

5. Other Items

a. Upcoming Items:

Nancy will be attending an Arbitration training in Fairmont Hot Springs scheduled for August 31st – September 2nd, 2021.

The library is receiving 10 microcomputers and 1 all-in-one computer from the CARES money. Hopefully, they will be installed before the next board meeting. There should be 10 more computers being ordered for us.

6. Announcements

a. Next regular meeting is Tuesday, September 14, 2021 at 6:00pm in the Community Room of the Laurel Public Library.

Motion to adjourn: Kate, seconded by Kate at 7:00 pm.

Meeting adjourned at 7:00 PM.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

12. Library Board Minutes of September 10, 2021.

MINUTES
CITY OF LAUREL
Library Board

09/1/2021

06:06 PM

Laurel Public Library

COMMITTEE MEMBERS PRESENT:

| | |
|--|--|
| X Katie Fjelstad | X Arthur Vogeles, Board Chair – via Zoom |
| X Kate Manley - via Zoom | Samantha Barnhart |
| X Nancy Schmidt, Secretary | Vacant |
| X Clair Killebrew – Foundation Liaison | |

OTHERS PRESENT: None

1. **Public Input**

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

- a. Addressing the Board - None

2. **General Items**

- a. The minutes for August 2021 were presented for approval by the Library Board members. Katie motioned the minutes be approved, Kate seconded the motion. Minutes were approved.
- b. The library received a donation from Ray Wells in the amount of \$50 and a \$1,000 donation from the estate of Rhea Shoaff.
- c. **Circulation Report** - *Traffic*: up 9.2%; *circulation*: all items circulated totaled 3,970 (including 549 eBooks), book circulation was up 42%, media circulation was down 42%, eBook checkouts for this month was 15.16% of total book circulation, we circulated 918 items to partners and 173 items from other libraries; *computers*: internet use was up 16.6%, children's use was up 150%, wi-fi use : up 72.5%; *patron cards*: city patrons make up 53.5% of registered users county 42.7% and out of county users make up 3.7%. There were 101 tech assists in August.

3. **New Business**

- a. Eli Ritterpusch is the only applicant for the tech position that was advertised via Facebook and the library & City websites. After his interview, he most likely will be offered the position starting at \$17.52 per hour with a one-year probation period and benefits.

- b. The Federation meeting was held via Zoom on Saturday, September 11th at 10:00 am. Arthur Vogeles and Clair Killebrew attended as Board and Foundation representatives. The meeting lasted for 3 hours with information from the State Library and Commission being shared with all members.

4. Old Business

- a. The budget has been updated and passed by the City Council. The library is being allocated 31.30 mills for FY 21/22, an increase of 3.7 mills. We are also planning on having a book sale at the end of October/beginning of November to help with library expenses.
- b. There were over 1,000 meals served in August through the Summer Lunch Program. The grand total for the summer (June 4th – August 13th) was 7,996 meals. We are planning on participating in the lunch program again next summer.
- c. There were 92 total participants in the Summer Reading Program. They read a total of 94,078 minutes (that is 1,567.97 hours OR 65.33 days OR 9.33 weeks) and earned 267 prizes. Next summer we will use the same type of program of offer more consumables as prizes.
- d. Julia Torna has submitted a letter of resignation from the library. She has stated that her class schedule at the college is overwhelming for her and she wants to concentrate on her studies since this is her last year. She also stated that she moved to Billings recently and doesn't want to commute during the winter. Julia's last day is Saturday, October 16th, 2021. Her position will be offered to the rest of the City personnel, then the general public if no one bids on the job.

5. Other Items

- a. Upcoming Items:
With the resurgence of COVID cases in the state, library staff are asking about the probability of closing down if the staff are exposed. This decision will be left up to the director and Board Chair.
- b. Kate asked if we had received the computers that we had been promised. There have been 10 mini computers ordered/delivered and 1 all-in-one. The computers taken out of service will be donated to the veteran's program at MSU-Billings for study lab.

6. Announcements

- a. Next regular meeting is Tuesday, October 12, 2021 at 6:00pm in the Community Room of the Laurel Public Library.

Motion to adjourn: Kate, seconded by Kate. Meeting adjourned at 6:55 PM.

Respectfully submitted,

Nancy L Schmidt

Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

13. Library Board Minutes of October 12, 2021.

MINUTES
CITY OF LAUREL
Library Board

10/12/2021

06:00 PM

Laurel Public Library

COMMITTEE MEMBERS PRESENT:

| | |
|--|--|
| X Katie Fjelstad | X Arthur Vogeles, Board Chair – via Zoom |
| X Kate Manley | Samantha Barnhart |
| X Nancy Schmidt, Secretary | Vacant |
| X Clair Killebrew – Foundation Liaison | |

OTHERS PRESENT: None

1. **Public Input**

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

- a. Addressing the Board - None

2. **General Items**

- a. The minutes for September 2021 were presented for approval by the Library Board members. Katie motioned the minutes be approved, Kate seconded the motion. Minutes were approved.
- b. The library received a donation from Ray Wells in the amount of \$50 and a \$1,000 donation from the estate of Rhea Shoaff.
- c. **Circulation Report** - *Traffic*: up 29.4%; *circulation*: all items circulated totaled 3,804 (including 522 eBooks), book circulation was up 18.5%, media circulation was down 26.%, eBook checkouts for this month was 15.1% of total book circulation, we circulated 857 items to partners and 185 items from other libraries; *computers*: internet use was down 4.4%, children's use was up 90.5%, wi-fi use : up 55.2%; *patron cards*: city patrons make up 61.5% of registered users county 35.8% and out of county users make up 2.5%. There were 58 tech assists in September.

3. **New Business**

- a. The library received 6 applications but only 2 of them were completed properly. Interviews will be held October 13th & 14th with Stacie Stocks and Maria Fabela. The successful applicant will start in Mid-October.
- b. The fall book sale will be held for 2 weeks – October 25th through November 6th. Book sale hours will be 9:00 am to 7:00 pm, Monday – Thursday; 9:00 am to 5:00

pm, Friday; and 9:00 am to 3:00 pm Saturday each week. Our goal is to receive \$2,000 in donations from the sale. Final numbers will be ready next month.

- c. Mike has requested that we start holding monthly staff meetings once we have all positions hired. It was decided that staff meetings only needed to be done no more frequently than monthly but may be as long as every 3 months between them if not needed sooner. Library staff could indicate when they felt they needed to have an 'official' meeting and would be held during regular hours.

4. Old Business

- a. The new computers have been installed and brought online for patrons to use with the exception of one. The ethernet port on one of the computers was faulty so would need to be sent back to TigerDirect for replacement.
- b. The library budget has been completed and submitted to City Council for final approval. It appears that we will have an increase of 3.7 mills over last year.

5. Other Items

- a. Upcoming Items:

Kate asked if we have *The New Kid* on our shelf. It is a graphic novel that has won the Newberry Award. It deals with race issues for a new student at a new school. She also mentioned that some of the schools are teaching Critical Race Theory, an idea that we may want to be aware of in relation to how libraries and learning may be changing. We will discuss this more at the next meeting.

6. Announcements

- a. Next regular meeting is Tuesday, November 9, 2021 at 6:00pm in the Community Room of the Laurel Public Library.

Motion to adjourn: Kate, seconded by Katie. Meeting adjourned at 6:34 PM.

Respectfully submitted,



Nancy L Schmidt
Library Director
Secretary for the Board

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

File Attachments for Item:

14. Library Board Minutes of November 9, 2021.



MINUTES
CITY OF LAUREL
LIBRARY BOARD
TUESDAY, NOVEMBER 09, 2021
6:00 PM
720 W 3RD ST, LAUREL MT 59044

Meeting Canceled – No Quorum

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

General Items

Traffic: up 5.3%; circulation: all items circulated totaled 3,364 (including 493 eBooks), book circulation was down 13.4%, media circulation was down 26.5%, eBook checkouts for this month was 16.4% of total book circulation, we circulated 712 items to partners and 113 items from other libraries; computers: internet use was up 18.1%, children's use was up 375%, wi-fi use was up 81.9%; patron cards: city patrons make up 61.5% of registered users; county 35.8% and out of county users make up 2.5%. There were 79 tech assists in October

New Business

Old Business

Other Items

Announcements

Next regular meeting is December 14, 2021 at 6:00 pm in library Community Room.

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:

17. Resolution No. R22-01: Resolution Authorizing Owner's Request To Seek Annexation Of A One Acre Lot Located West Of 8th Avenue Between 1st And 2nd Streets Pursuant To The City Of Laurel Annexation Policy.

RESOLUTION NO. R22-01

RESOLUTION AUTHORIZING OWNER'S REQUEST TO SEEK ANNEXATION OF A ONE ACRE LOT LOCATED WEST OF 8TH AVENUE BETWEEN 1ST AND 2ND STREETS PURSUANT TO THE CITY OF LAUREL ANNEXATION POLICY.

WHEREAS, the Property Owner submitted a request to annex his one acre parcel of property located west of 8th Avenue, between 1st and 2nd Streets near the City of Laurel, in order to enable the him to construct new multi-family housing which will require annexation to allow him to connect to city water and sewer services; and

WHEREAS, the City's Annexation Policy requires the City Council to approve any requests for annexation of property that is less than 2 acres in size; and

WHEREAS, the Property Owner submitted the attached letter of request seeking the City Council's approval and authorization to seek annexation of his property; and

WHEREAS, City Staff reviewed the request and discussed annexation with the Property Owner, and is recommending the approval of the request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the one acre parcel of property located west of 8th Avenue, between 1st and 2nd Streets, near the City of Laurel, is appropriate for annexation; and

BE IT FURTHER RESOLVED, that the Property Owner (Lance Hull) is hereby authorized to file an Annexation Application with City Staff seeking formal annexation to the City.

Introduced at a regular meeting of the City Council on January 11, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 11th day of January 2022

APPROVED by the Mayor this 11th day of January 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney

Lance Hull
1009 Davis Circle
Laurel, MT 59044
Lancehull6@gmail.com
(406) 208-5920

December 2, 2021

Laurel City Council
115 W 1st Street
Laurel, MT 59044

Dear council members:

This letter is to ask for your approval to submit an application for annexation.

I have recently purchased a 1 acre lot west of 8th Avenue, between 1st street and 2nd street. I intend to build 4 – 4plexes and would like to annex into the city to utilize city services. I have been working with Mr. Altonaga and Mr. Markegard to make sure this is feasible. I have lived in Laurel my entire life, and am looking to build high quality apartments. My intent is to make each unit 3-bed 2-bath, and make each building and the lot aesthetically pleasing to the community.

I look forward to working with you on this project and believe it will be beneficial to the expansion of our town. Please call or email me with any questions or concerns.

Thank you for your time and consideration.

Sincerely,
Lance Hull

File Attachments for Item:

18. Resolution No. R22-02: Resolution Of Annexation Of Contiguous City-Owned Properties Into The City Of Laurel, Yellowstone County, Montana.

RESOLUTION NO. R22-02

RESOLUTION OF ANNEXATION OF CONTIGUOUS CITY OWNED PROPERTIES INTO THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA.

WHEREAS, pursuant to Montana Law, specifically §7-2-4401 through §7-2-4421 the City has the authority to annex contiguous City owned property into the City of Laurel; and

WHEREAS, pursuant to MCA §7-2-4403 the City's Mayor provided a description of the property to be annexed with the City Clerk, in addition to a certification of ownership of the land, and a statement that the City had a desire to annex the property; and

WHEREAS, pursuant to MCA §7-2-4404 the City Council adopted a Resolution of Intent ("R21-122") to annex the property on November 23, 2021; and

WHEREAS, pursuant to MCA §7-2-4405, after the Resolution of Intent was approved by the City Council, the City Clerk caused to be published, a notice which ran once a week for two successive weeks, that the Resolution of Intent ("R21-122") had been duly and regularly passed and that for a period of 20 days after the first publication of such notice and that comments or expressions of approval or disapproval would be accepted by the City Clerk, in writing, of the proposed alteration of the boundaries of the City to include the City owned property; and

WHEREAS, also within the notice, the City Clerk provided notice to the public that a public hearing would be held on January 11, 2022 at 6:30 pm in the City Council Chambers located at City Hall regarding the issue of the proposed annexation; and

WHEREAS, on January 11, 2022, the City Council conducted the public hearing on the question of annexation and during the hearing, the City Council offered and allowed input and testimony from both opponents and proponents of the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, based on testimony and evidence provided during the public hearing, and evidence contained in the City record relating to the proposed annexation, the City Council hereby finds and determines that annexation of the city owned property, provided in the attached property descriptions, is in the best interest of the City and its inhabitants; and

BE IT FURTHER RESOLVED, the City Council hereby adopts this Resolution of Annexation and by adopting the resolution orders and authorizes the following:

1. The City owned properties described in the attached property list are hereby annexed into the City Limits;
2. This Resolution of Annexation shall become effective 30 days after the adoption date of this Resolution;
3. The incorporated boundaries of the City of Laurel shall be extended to include the property described in the attached property list into the City Limits; and
4. After 30 days, this Resolution shall be incorporated into the official minutes of the City Council, and upon said incorporation, the City Clerk-Treasurer shall file a true and correct, certified copy of this

Resolution and of said minutes with the Yellowstone County Clerk and Recorder to complete the annexation of the property to the City of Laurel and such annexation shall be deemed final upon when recording is completed.

Introduced at a regular meeting of the City Council on January 11, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 11th day of January 2022.

APPROVED by the Mayor this 11th day of January 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

| City Property Located Outside City Limits | | | | | | | |
|--|--|---------|-------------------------|-----------------|-------------|---------------------|-----------------|
| Address | Legal Description | TAXID | Geocode | Subdivision | COS | Tract and/or Parcel | Description |
| 1501 SEWER PLANT RD | S15, T02 S, R24 E, ACRES 9.5, PORTION IN E2E2SW ADJ TO & S OF COS 1998 (SEWAGE * | D02720 | 3082115307200000 | UNPLATTED | - | - | Sewer Plant |
| 1501 SEWER PLANT RD | S15, T02 S, R24 E, C.O.S. 1998, PARCEL 1 | D02721 | 03-0821-15-3-07-21-0000 | - | 1998 | Parcel 1 | Sewer Plant |
| US HIGHWAY 212 S | S15, T02 S, R24 E, WATER PLANT IN SWSW4 | D02722 | 3082115307010000 | UNPLATTED | - | - | Water Plant |
| 1152 YARD OFFICE RD | S10, T02 S, R24 E, C.O.S. 1048, PARCEL 1 | D02645 | 3082110116010000 | - | 1048 | Tract 1 | Utility Lot |
| US HIGHWAY 10W | S17, T02 S, R24 E, C.O.S. 1055, PARCEL 1, LESS 1.71 AC FOR HWY (17) | D02804 | 3082117207200000 | - | 1055 | Tract 1 | West Pond |
| W BEARTOOTH DR | S04, T02 S, R24 E, IN N2SW4 LAUREL RESERVOIR | D02545 | 3082104324200000 | UNPLATTED | - | - | Reservoir |
| W BEARTOOTH DR | S04, T02 S, R24 E, C.O.S. 496, PARCEL 1, AMND | D02541 | 3082104324210000 | - | 496 1st AMD | Tract 1 | Reservoir |
| PARK W 12TH ST | LAURMAC SUBD AMEND, S09, T02 S, R24 E, BLOCK 14, Lot 1 - 6, AMND (13) | B01523 | 3082109238010000 | LAURMAC SUB AMD | - | BLOCK 14, LOT 4 | Park |
| LAUREL AIRPORT RD | S04, T02 S, R24 E, C.O.S. 3162, PARCEL A, TRS A-B, C1, D-E COS 3162 (11) | D02525 | 3082104101010000 | - | 3162 | - | Cemetery |
| FIRST AVE | S04, T02 S, R24 E, C.O.S. 3287, PARCEL A1, AMD | D02523D | 03-0821-04-2-01-35-0000 | - | 3287 | Parcel A1 | Cemetery |
| 1820 LAUREL AIRPORT RD | S04, T02 S, R24 E, C.O.S. 1148, PARCEL 1, IN LOT 3 | D02524 | 03-0821-04-2-19-01-0000 | - | 1148 | Parcel 1 | Cemetery |
| W 7TH ST | S08, T02 S, R24 E, C.O.S. 3397, PARCEL 2, **MULTI-DISTRICT** TR 2 COS 3397 SD 7 - .619 AC SD 07L - 1.282 AC | D02583B | 03-0821-08-1-05-21-6000 | - | 3397 | Tract 2 | Stormwater Pond |
| 30' Road ROW deeded to the city along Yellowstone River East of Water Plant towards BBWA headgate. | Documents filed at County approximately 80 years ago. Currently not platted/shown correctly on Yellowstone County GIS. | | | - | - | - | ROW |

File Attachments for Item:

19. Resolution No. R22-03: A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Daysel Consulting For Development Of Software To Assist With The Management And Operation Of The City's Riverside Park Camping And Recreation Program.

RESOLUTION NO. R22-03

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN
AN AGREEMENT WITH DAYSEL CONSULTING FOR DEVELOPMENT OF
SOFTWARE TO ASSIST WITH THE MANAGEMENT AND OPERATION OF THE
CITY'S RIVERSIDE PARK CAMPING AND RECREATION PROGRAM.**

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

Section 1: Approval. The Agreement between the City of Laurel and Daysel Consulting, a copy attached hereto and incorporated herein, is hereby approved.

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

Introduced at a regular meeting of the City Council on January 11, 2022, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 11th day of January 2022.

APPROVED by the Mayor this 11th day of January 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 11th day of January 2022, between the City of Laurel, a municipal corporation organized and existing under the laws of the State of Montana whose address is P.O. Box 10, Laurel, Montana 59044, hereinafter referred to as “City” and Daysel Consulting, a contractor licensed to conduct business in the State of Montana, whose address is 403 Fairway View Dr. Laurel, MT 59044, hereinafter referred to as “Contractor”.

SECTION ONE DESCRIPTION OF SERVICES

A. Purpose. City shall hire Contractor as an independent contractor to perform for City the services described in the Bid dated October 11, 2021, attached hereto as Exhibit “A” and by this reference made part of this contract.

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

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

SECTION TWO CONTRACT PRICE

Payment. City shall pay Contractor five thousand dollars and no cents (\$5,000.00) for the work described in Exhibit A. Any alteration or deviation from the described work that involves extra costs must be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree to extra payments or charges in writing. Prior to final payment, Contractor shall provide City with an invoice for all charges.

SECTION THREE CITY’S RESPONSIBILITIES

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

SECTION FOUR CONTRACTOR’S WARRANTIES AND RESPONSIBILITIES

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION FIVE INDEMNITY AND INSURANCE

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

SECTION SIX COMPLIANCE WITH LAWS

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

SECTION SEVEN NONDISCRIMINATION

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

SECTION EIGHT DEFAULT

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

SECTION NINE TERMINATION

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

SECTION TEN
GOVERNING LAW AND DISPUTE RESOLUTION

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

SECTION ELEVEN
ATTORNEY FEES

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

SECTION TWELVE
ENTIRE AGREEMENT

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

SECTION THIRTEENTH
ASSIGNMENT OF RIGHTS

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

SECTION FOURTEEN
SEVERABILITY

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

SECTION FIFTEEN
PARAGRAPH HEADINGS

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

SIGNED AND AGREED BY BOTH PARTIES ON THE 11th DAY OF JANUARY 2022.

CITY OF LAUREL

CONTRACTOR

Dave Waggoner, Mayor

Daysel Consulting

ATTEST:

Employer Identification Number

Bethany Langve, Clerk/Treasurer

Daysel Consulting

403 Fairway View Dr
Laurel, MT 59044

SOW for Agreement to Perform Consulting Services to City of Laurel

Date

October 11, 2021

Services Performed By:

Daysel Consulting

Services Performed For:

City of Laurel

This Statement of Work (SOW) is issued pursuant to the Consultant Services Master Agreement between City of Laurel ("Client") and Daysel Consulting ("Contractor"), effective October 11, 2021 (the "Agreement"). This SOW is subject to the terms and conditions contained in the Agreement between the parties and is made a part thereof. Any term not otherwise defined herein shall have the meaning specified in the Agreement. In the event of any conflict or inconsistency between the terms of this SOW and the terms of this Agreement, the terms of this SOW shall govern and prevail.

This SOW, (hereinafter called the "SOW"), effective as of October 11, 2021, is entered into by and between Contractor and Client, and is subject to the terms and conditions specified below. The Exhibit(s) to this SOW, if any, shall be deemed to be a part hereof. In the event of any inconsistencies between the terms of the body of this SOW and the terms of the Exhibit(s) hereto, the terms of the body of this SOW shall prevail.

Scope of Work

Contractor shall provide the Services and Deliverable(s) as follows:

| Task | Description | Hours |
|--------------------------------------|---|-------|
| Assess and select base platform | Contact and schedule demos, analyze TCO, recommend best platform for City's needs | 10 |
| Design and implement selected system | Design and implement selected system, integrate with existing City of Laurel website, provide level 1 financial reporting to City | 25 |
| Testing and Acceptance | Testing of reservation system for Riverside Park | 15 |
| | | |

Deliverable Materials

- Online reservation system for Riverside Park Camping and other City run event spaces.
- Online platform will collect revenue and financial reporting for these spaces and deposit into an account provided by the City.
- Online platform will be open architecture and able to provide additional technologies the City may want to implement in future Phases
- Online platform will be linked to existing City of Laurel website

Contractor Responsibilities

Provide fully functioning online reservation platform, training, and financial reporting

Client Responsibilities

- Access to existing City of Laurel website
- Financial account for deposit of collected revenue
- Tax structure for payment breakdown
- Access to city resource for design approval and questions

Fee Schedule

This engagement will be conducted on a Time & Materials basis. The total value for the Services pursuant to this SOW shall not exceed \$5,000.00 unless otherwise agreed to by both parties via the project change control procedure, as outlined within. A PCR will be issued specifying the amended value.

This figure is based on 40 hours of professional services. Contractor will provide up to 1 resources based on the following functional/rate structure.

| Hourly Rate | Number of Hours |
|-------------|-----------------|
| \$125.00 | 40 |

Upon completion of this Performance Period, Contractor and Client will have the option to renew this agreement for an additional then-stated number of hours at the then-current hourly rate for those resources identified.

Additional Phases

This SOW will be considered Phase 1 and will provide City of Laurel with an online reservation system.

Additional functionality has been discussed in meeting with the Park Board and will be considered additional phases however the selection of the base platform will take into account these possible future functionalities such as, but not limited to:

- Additional 3rd party services integrated with City run event spaces
- Future services at Riverside Park
- Future automated system at Riverside Park (kiosk)

Project Change Control Procedure

The following process will be followed if a change to this SOW is required:

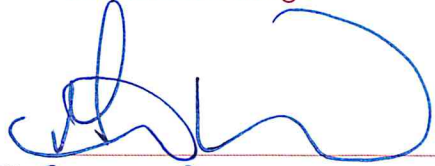
- A Project Change Request (PCR) will be the vehicle for communicating change. The PCR must describe the change, the rationale for the change, and the effect the change will have on the project.
- Both Project Managers will review the proposed change and approve it for further investigation or reject it. Contractor and Client will mutually agree upon any charges for such investigation, if any. If the investigation is authorized, the Client Project Managers will sign the PCR, which will constitute approval for the investigation charges. Contractor will invoice Client for any such charges. The investigation will determine the effect that the implementation of the PCR will have on SOW price, schedule and other terms and conditions of the Agreement.
- Upon completion of the investigation, both parties will review the impact of the proposed change and, if mutually agreed, a Change Authorization will be executed.
- A written Change Authorization and/or PCR must be signed by both parties to authorize implementation of the investigated changes.

IN WITNESS WHEREOF, the parties hereto have caused this SOW to be effective as of the day, month and year first written above.

City of Laurel

By: _____
Name:
Title:

Daysel Consulting

By: 
Name: Gavin Williams
Title: CEO