



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, DECEMBER 22, 2020
6:30 PM
ONLINE**

NEXT RES. NO.
R20-83

NEXT ORD. NO.
O20-04

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 November 24, 2020.

Correspondence

2. Airport Authority Board Minutes of October 27, 2020.
3. Laurel Chamber of Commerce Agenda for December 10, 2020, and Minutes of November 12, 2020.

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

NOTICE TO THE PUBLIC

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

4. Claims entered through 12.4.2020.
5. Claims entered through 12.18.2020.
6. Approval of Payroll Register for PPE 11/29/2020 totaling \$226,160.99.
7. Approval of Payroll Register for PPE 12/13/2020 totaling \$213,987.08.
8. Approval of Workshop Minutes of July 30, 2019.
9. Approval of Workshop Minutes of August 13, 2019.
10. Approval of Workshop Minutes of August 27, 2019.
11. Approval of Workshop Minutes of September 17, 2019.
12. Approval of Workshop Minutes of October 1, 2019.
13. Approval of Workshop Minutes of October 15, 2019.

14. Approval of Workshop Minutes of November 5, 2019.
15. Approval of Workshop Minutes of November 19, 2019.
- [16.](#) Approval of Workshop Minutes of May 19, 2020.
- [17.](#) Approval of Workshop Minutes of June 2, 2020.
- [18.](#) Approval of Workshop Minutes of June 16, 2020.

Ceremonial Calendar

Reports of Boards and Commissions

- [19.](#) Laurel Urban Renewal Agency Minutes of November 16, 2020.
City/County Planning Board Minutes of October, 21, 2020.
Tree Board Minutes of November 19, 2020.

Audience Participation (Three-Minute Limit)

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

Scheduled Matters

- [20.](#) Appointment of Kathy Brown, Samantha Kaufman, Tyrel Mraz, Aidan Cullingworth, and Collen Timmons-Lee to the Laurel Volunteer Ambulance Service.
- [21.](#) Appointment of Evan Bruce to Yellowstone Historic Preservation Board for a two-year term ending December 31, 2022.
- [22.](#) Appointment Phyllis Bromgard to Park Board for a four-year term ending December 31, 2024.
- [23.](#) Appointment of Richard Herr to the Park Board for a four-year term ending December 31, 2024.
- [24.](#) Appointment of Scot Stokes to the Park Board for a four-year term ending December 31, 2024.
- [25.](#) Appointment Daniel Klein to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2024.
- [26.](#) Appointment Dennis Eaton to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2024.
- [27.](#) Appointment of Dianne Lehm to the Laurel Urban Renewal Agency Advisory Board for a four-year term ending December 31, 2024.
- [28.](#) Resolution No. R20-83: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding With The United States Marshals Service For Participation In The Fugitive Task Force Program.
- [29.](#) Resolution No. R20-84: A Resolution Approving A Task Order Between The City Of Laurel And KLJ Engineering For Engineering To Replace The Insulated Water Main That Crosses Highway 212 Over The Yellowstone River.

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 November 24, 2020.

MINUTES OF THE CITY COUNCIL OF LAUREL

NOVEMBER 24, 2020

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:35 p.m. on November 2020.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Bruce McGee Richard Herr
 Richard Klose Irv Wilke (@ 6:55 p.m.)

COUNCIL MEMBERS ABSENT: Scot Stokes Don Nelson

OTHER STAFF PRESENT: Nick Altonaga, Planning Director

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

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

MINUTES:

Motion by Council Member McGee to approve the minutes of the regular meeting of November 10, 2020, as presented, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

CORRESPONDENCE:

- Beartooth RC&D November Correspondence.
- Laurel 2021 Urban Allocation Correspondence.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Growth Management Plan

Mayor Nelson stated this is the time and place set for the public hearing on the City of Laurel's Growth Management Plan.

Mayor Nelson opened the public hearing.

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

Nick Altonaga, Planning Director, stated this is the final version of the Growth Management Policy. This project started about a year ago, in January of 2020. Since then, he has put a lot of work into it. Various groups have reviewed this plan, including Beartooth RC&D and the City/County Planning Board. The goals and objectives are set up to move the City forward in the next 4 to 5 years. This plan should need updated in the future and not a full overhaul. KLJ has been very helpful throughout this process. They assisted with some of the background research.

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

Mayor Nelson asked three times if there were any proponents.

Steve Simonson, Beartooth RC&D, stated he had reviewed this plan is in full support of the plan.

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

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

Mayor Nelson closed the public hearing.

CONSENT ITEMS:

- **Claims entered through November 20, 2020, totaling \$48,764.18**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 11/1/2020 totaling \$198,495.03.**
- **Approval of Payroll Register for PPE 11/15/2020 totaling \$202,286.64.**
- **Council Workshop Minutes of November 17, 2020.**

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

Motion by Council Member Eaton to approve the consent items as presented, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of October 27, 2020.
- Budget/Finance Committee Minutes of November 10, 2020.
- Tree Board Minutes of October 15, 2020.
- Public Works Committee Minutes of October 19, 2020.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Resolution No. R20-78: A Resolution of the City Council Authorizing the submission of a Big Sky Economic Development Trust Fund Planning Project Grant Application and to Commit the Matching Funds Required by the Creating Agency.**

Motion by Council Member Sparks to approve Resolution No. R20-78, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R20-79: Resolution Authorizing The Mayor To Execute An Agreement With Beartooth RC&D Economic Development District.**

Motion by Council Member Herr to approve Resolution No. R20-79, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R20-80: Resolution Of Intent By The City Council To Adopt The 2020 City Of Laurel Growth Policy Creating A Thirty (30) Day Public Comment Period.**

Motion by Council Member Sparks to approve Resolution No. R20-80, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R20-81: A Resolution Granting A Variance To The Laurel Subdivision Ordinance Development Requirements To Approve The Proposed Krieghoff Loop As Currently Designed To Not Align And Continue The Existing Right-Of-Way For Mulberry Avenue Located South Of The Proposed Goldberg Sporting Estates Subdivision**

Motion by Council Member Klose to approve Resolution No. R20-81, seconded by Council Member Eaton.

Scott Aspenlieder, Performance Engineering, and representative for the developer, stated he would keep this short as they had a lengthy public hearing on this. This variance here, in particular, is most important to the layout of our development and our subdivision. We feel like we did the right thing in aligning that intersection with the large commercial approach as opposed to the dead-end street of Mulberry. We got adequate separation to not cause traffic interference with the crossing of lanes and those types of things. The way we feel is that it is the safest and does meet all the requirements outside the direct alignment with Mulberry. It will be best for the development, best for the neighbors, and best for the community from a safety perspective. He appreciates Council's consideration on this and hopes that Council approved this request.

Council asked for clarification if City/County Planning Board did not recommend approval for this variance. It was clarified that was what was brought forward in the public hearing.

Council questioned how much of a delay there would be should this variance not be approved. It was clarified that it would most likely delay the project about a month. Redesigning the water and sewer connections will be the most time-consuming adjustment.

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

- **Resolution No. R20-82: A Resolution Granting A Variance From The City's Subdivision Ordinance Development Requirements To Approve A Thirty (30) Foot Right-Of-Way Dedication Along Yard Office Road And A Fifty-Six (56) Foot Wide Private Internal Road For Goldberg Sporting Estates Subdivision 4th Filing.**

Motion by Council Member Eaton to approve Resolution No. R20-82, seconded by Council Member Klose.

Scott Aspenlieder, Performance Engineering and representative for the developer, stated as he outlined last time with respect to the 30-foot right-of-way dedication. As it's currently constituted, he doesn't feel like there is even a variance request here. Mr. Altonaga acknowledged there is an 80-foot right-of-way, which is your design standards and subdivision regulations for the classification of Yard Office Road technically and legally; I don't think there are any grounds for a variation as it sits. But what we are willing to do is dedicate an additional 30 foot; we want to make this a safe intersection and safe transaction as we enter our subdivision. It's only good for us as well as it is for the public. I think technically, legally, we do not have grounds to have to dedicate anything because we meet the requirements as it sits today. So, what we ask for today is a compromise. The Planning Department is asking for a 40-foot right-of-way dedication. What we have offered to give up is 30 feet because we know we can design Yard Office Road with all utilities and turn lanes that will be required to turn onto the property. We don't feel like there is a need for an additional ten. The want for one does not justify the request. And looking into the future does not justify what you are asking for. On that subject, we have given more than what we legally have to. He asks for your consideration on the 30-foot right-of-way dedication.

As for the internal road, the plan to build this road to City standards. A 56-foot wide road is plenty for two-way travel, plus street parking on both sides. Plus, it is done all over Yellowstone County and is easily navigable. We also do not want something that would be difficult to navigate, or the community navigate it would be a detractor for the people and the businesses we want to come here. Again, we want to do the right thing here. We ask that you waive it to make it a workable situation. What we have asked for does not create any problems or harm to the community. I would again request your approval and consideration for this variance request.

There was no council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council wished everyone a Happy Thanksgiving.

Council gave their condolences to Riley Hutchens' Family.

DRAFT

Council asked for an update on West Railroad at an upcoming Council Workshop.

MAYOR UPDATES:

Mayor Nelson echoed Council and wished everyone a Happy Thanksgiving.

Mayor Nelson stated there are no agenda items for next week's Workshop. Because there are no items to discuss, the Workshop and following Council meetings have been canceled.

UNSCHEDULED MATTERS:

Mayor Nelson declared May 4, 2021, as Arbor Day and read the Arbor Day proclamation.

ADJOURNMENT:

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

There being no further business to come before the Council at this time, the meeting was adjourned at 7:13 p.m.


Brittney Mookman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 22nd day of December 2020.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

File Attachments for Item:

2. Airport Authority Board Minutes of October 27, 2020.

MINUTES
LAUREL AIRPORT AUTHORITY BOARD MEETING
Tuesday, October 27, 2020

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

BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

None

1. General Items

- a. Previous minutes approved by unanimous consent
- b. No claims were approved. Our accountant was out of town and unable to return in time to provide the claim information.

2. Reports from KLJ

- a. Written status report received and was reviewed. No items requiring action at this time.
 - i. Final report on Pavement Maintenance project has been completed and will be submitted to the FAA.
 - ii. Updated Capital Improvement Plan was submitted
 - iii. FAA has approved the RW 9-27 threshold relocation to resolve the RPZ issue with existing hangars.

3. New Business

- a. Airport Beacon. Received a couple quotes for replacement beacons. Randy is also working with MDT Aeronautics on options.
- b. FIB Loan Document request. Kent Potter is looking to take a loan out against his hangar. We are waiting for an actual draft of the documents the bank is looking for.
- c. Garbage container. Interest in getting a larger, shared garbage container that won't blow over. Will be available for hangar lessees for airport-related trash. Motion to approve Randy working the details out with Tom Boyce and the city. Motion passed unanimously.
- d. Air Tanker Base. Will is going to investigate the potential.
- e. RMC Aircraft. An RMC Pilot was out and indicated they had some interest in moving some aircraft back to Laurel. Will is going to do some research and look at setting up a meeting.
- f. Meeting schedule. Due to Thanksgiving and Christmas, a motion was made to cancel the November meeting and hold a combined November/December on December 1st. Motion passed unanimously.

4. Old Business

- a. SRE Building. Door is in transit and may be delivered this week.
- b. John Deer Tractor. Tractor is running now, will evaluate potential sale.
- c. Gate. Randy will check on the gate again, but we don't anticipate it will work well until we can get it replaced.

5. Public Input

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

- a. none received

6. Other Items

none

7. Announcements

a. none

The meeting was adjourned at 19:50.

Respectfully submitted,

Brock Williams
Secretary

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

File Attachments for Item:

3. Laurel Chamber of Commerce Agenda for December 10, 2020, and Minutes of November 12, 2020.

Agenda
Laurel Chamber of Commerce
December 10, 2020
Chamber

Moment of Silence

Presentation of minutes:

Guest Speaker –

Financial Report -

Yellowstone Checking -	\$ 70,176.18
Altana CD	\$ 8,658.95
Altana Saving	\$ 748.91
Christmas Repair Fund	\$ 2,937.59
TOTAL	\$ 82,251.63

Bills to be presented for payment: - none outside the approved budget

OLD BUSINESS

- **Board Members- Vote for 4**
 - **Beth Hoferer- The Crossings**
 - **Patsy Woody- Laurel Ace Hardware**
 - **Matt Heinz- IGA**
 - **Kit Sherman- Uniquities**
 - **Abby Johnson- Statewide Liquor**
- **Executive Board Nominations- Vote**
 - President-
 - **Beth Hoferer**
 - Vice President
 - **Evan Bruce**
 - **Becky Watson**
 - **Dallas Contreraz**
 - Treasurer
 - **Dallas Contreraz**
 - **Becky Watson**
- **Christmas Stroll- Update**
- **Shop Local Raffle- Thoughts on extending the raffle?**
- **Christmas Decorations- Taking down Jan 3rd 7am @ boxcar, Volunteer list to be passed around**
- **Chamber Open House-**
- **Annual Meeting- Postponed until spring**
- **Business of the Year- Announce now or wait until Annual Meeting?**

NEW BUSINESS –

- **Out Here We Care-10 businesses or individuals have signed the pledge**
- **School District Public Virtual Meeting- Dec 17th @ 6pm**

Please join us for a meeting to discuss infrastructure needs and development of the 23-acre parcel the school has purchased (north of the Big Ditch, northwest of the intersection of 8th Avenue and W. 12th Street). The District has recently contracted with KLJ to assist in assessing infrastructure needs and high-level costs for the site to include water/sewer and drainage needs, traffic and access needs, and offsite improvements that may be necessary to include power, gas, and fiber communications.

Upcoming Dates-

Open Forum

Business After Hours – If you would like to host an event, please contact the Chamber.

Next Meeting – January 14, 2021 Chamber/Zoom

Laurel Chamber of Commerce

Board Meeting Minutes

The Meeting was held on **November 12, 2020, Chamber & Zoom**. In attendance were: Executive Board Members: President- Carrie Smith, VP- Beth Hoferer, Treasurer- Patsy Woody, Executive secretary- Cami Nelson. Directors: Becky Watson, Kelci Lohof, Dallas Contreras, Tricia Johnson, Linda Filpula, Billie Lehman and Evan Bruce. Chamber member: Matt Heinz, Brent Renier, Gabby, and Jayson Nicholson.

Carrie called the meeting to order.

The minutes were approved. Moved to approve- Beth, Evan 2nd-approved

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

Bills to be presented for payment outside of budget:

Kelly Partridge- Map design \$60-

Lion's Club Christmas sign- \$25- Dallas motioned to approve both bills, Jayson 2nd- approved

Old Business

- **Executive Board Nominations-** We need nominations to put on the ballot for the December meeting
 - President
 - Vice President
 - Treasurer
- **Board Members- Nominations**
 - **Beth Hoferer- The Crossings**
 - **Patsy Woody- Laurel Ace Hardware**
 - **Matt Heinz- IGA**
 - **Kit Sherman- Uniquities**

It was suggested to check with Abby at Statewide Liquor and Yellowstone Bank to see if they are interested

- **Update on COVID Grant-** We got both grants Cami applied for
 - Montana- Business Adaptability Grant- Reimbursed \$1,500
 - MT Coronavirus Relief Non-Profit Round 2 Grant- \$3,74.00
- **Christmas Stroll- Masks will be required**
 - **Shopping-** 10am-7pm
 - **Raffle-** Nov 28th- Dec 12th, prize will be gift cards to Chamber businesses
 - **Poker Run Ideas-**
 - 5-6 Stores for stops – 1-4pm, winner announced at 4:15pm @ High Plains, winner doesn't need to be present to win
 - Gift cards from businesses as prize or gift basket? Beth motioned we do 1st place- \$150, 2nd place-\$100, and 3rd place \$50, Jayson 2nd- approved.
 - **Movie-** How the Grinch Stole Christmas- Grinch will be there for pictures
 - **Wooden photo props-** Set up in front of Chamber
 - **Food trucks-** will be set up at the Chamber, by the Front Porch and will ask Statewide Liquor
- **Christmas Decorations-** Hanging up Nov 29th 7am @ boxcar, Volunteer list to be passed around
- **Business of the Year-** Nominations announced, Top 3 to be voted on are Dynamic Designs, The Front Porch and 406 Kids Drop-In Childcare. A Facebook poll will be made for the public to vote

New Business

- **Montana Tourism Grant-** working with the City on this, no update
- **Chamber declutter- No longer used items- Copy machine, vacuum, pedestal, heater, bird feeder, cd player, -** Cami will post the items to see if anyone needs them, will recycle the Copy machine if no takers.

Upcoming Dates-

- **Chamber Open House- December 17th** – We will still hold the Open House, limit number of people in the Chamber at once.
- **Annual Meeting- Jan 14th**- Cami will check with the Golf Club to see if they are still doing parties and what requirements are, Carrie suggested checking with The Miller's Horse Palace on doing it there. Beth motioned doing it at the Horse Palace if we can't at the Golf Club and if they join the Chamber, Billie 2nd- approved

Open Forum

Business After Hours –

Meeting Adjourned **Next meeting – December 10, 2020 Chamber/Zoom**

File Attachments for Item:

8. Approval of Workshop Minutes of July 30, 2019.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, JULY 30, 2019**

A Council Workshop was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on July 30, 2019.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Nick Altonaga, City Planner
Bethany Langve, Clerk/Treasurer
Kurt Markegard, Public Works Director
Ryan Walsh, KLJ

Public Input:

There were none.

Executive Review

1. Appointments of Justin Romero, Jayson Nicholson, Brandi Seibel, Sara Romero, Andrea Beechie, and Joe Stratton to the Laurel Volunteer Ambulance Service.
2. Resolution - A Resolution Declaring Certain Assets Of The City Of Laurel As Surplus And Authorizing Its Disposal.
This resolution is to obtain Council permission to dispose of the asset.
3. Resolution - Resolution Awarding Firstmark Construction The Contract For The City Of Laurel's 2019 Pavement Repairs Project And To Authorize The Mayor To Sign All Required Contract And Related Documents On The City's Behalf.

Kurt Markegard, Public Works Director, and Ryan Walsh, KLJ, spoke on this topic. This resolution is to repair the damage from this past winter. Patching is also included in this bid.

It was questioned why there was a \$165,000 difference in the bids. It was clarified that each contractor approaches the project differently.

It was questioned if the Council should be concerned that this bid came in lower than the engineers estimate and will there be change orders later. It was clarified that this

contractor had been awarded another project in town that reduces their mobilization costs. When KLJ does their estimates, they include the cost for mobilization. This project is set up to be modified and based on the City's budget.

It was questioned if the area by the Baptist church will be chip sealed. It was clarified that this bid does not include chip sealing. Approximately three years after paving, the City does want to go in, and chip seal these areas. This helps extend the life of the pavement by approximately 15 to 20 years.

Looking at approximately 30 days from the time of award for the work to begin. For this project, the work should begin at the end of August beginning of September. The work should be complete before winter hits.

4. Resolution - Resolution Of The City Council Adopting The Yellowstone County Multi-Hazard Mitigation Plan 2019 Update On Behalf Of The City Of Laurel, Montana.

Kurt Markegard, Public Works Director, explained the Multi-Hazard Mitigation Plan is reviewed and updated every few years. They make sure all contacts are updated and understand potential issues out there. They have been working on this plan for approximately the last year. Approval of the plan is the final step. The County Commissioners, City of Billings, and the City of Laurel have to approve this plan. It is similar to the County's DES Plan. The plan is approximately 120 pages in length.

5. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Millennium Construction & Consulting, Inc. For Concrete And Asphalt Recycling For The City Of Laurel.

Kurt Markegard, Public Works Director, stated for approximately the last 20 years, the City of Laurel has removed asphalt and sidewalk and stockpiled it. That pile is currently located on Railroad property and is leased. That lease is approximately \$6000 to \$7000 per year. Recently the Mayor asked the Public Works Director to look into extending the handicap parking lot near the stadium. The millings in this pile can be used for the parking lot. It is expected to be around 4500 tons. The parking lot will require approximately 18 inches of soil to be removed in that area and filled with the millings material. There will be millings left over for other projects.

It was questioned where the City would store the remaining millings. It was clarified that the pile would be moved closer to the building, and the City would not need the continue the lease.

6. Resolution - A Resolution Of The City Council Authorizing The Award Of Grants From The Tax Increment Financing District Funds Pursuant To The Lura Large Grant Request Program For Eligible Applicants And Improvements.

Nick Altonaga, Planning Director, briefly reviewed the attached letter and spreadsheet. The LURA Board spent a lot of time going back and forth to get the correct numbers. A

lot of great applicants this year. They were very well put together and very organized application. There was \$388,697.27 in requested funds. They cut those projects back to the new limit of \$225,000.00. The LURA Large Grant Committee spent a good hour or two discussing each project's value and impact on the district. The Large Grant Committee brought their recommendation back to the full LURA Board.

Council stated they loved the spreadsheet. They could see the name of the applicant but did not see an address. They would like to drive past a property that was receiving grant funds and knows it was part of the grant program.

One applicant, Sara Schreiner, with Sunshine Academy, was present. She stated that they asked for grant funds to purchase the old Grace Bible Church to expand their after school program.

The Planning Director briefly reviewed the projects listed on the attached spreadsheet. The Planning Director did not remember the address of Nardella Investments and would email the address out to Council tomorrow.

7. Ordinance No. O19-02: An Ordinance Amending Title 2, Chapter 2.10.030 Of The Laurel Municipal Code For The Purpose Of Changing The Regular Meeting Day Of The City Council. (Public Hearing 8.6.2019)

Mayor Nelson stated this ordinance would be changing Council meetings from the 1st and 3rd Tuesdays to the 2nd and 4th Tuesdays of every month. Council Workshops will move to the 1st and 3rd Tuesday's of each month. There will be no meeting on the fifth Tuesday of the month. Next week will be the public hearing and second reading of this ordinance. This change will take effect after the September 3rd meeting.

Council Issues

8. Handicap Parking Update

Mayor Nelson stated that the Public Works Director covered this item with the previous agenda item regarding crushing asphalt. The project is expected to take place this fall/winter before the weather gets bad. It will be done before spring. This spring will stripe for angled parking on both sides.

Council questioned if the City will get better enforcement for illegal parking such as better ordinances or better signage. It seems like it is less of a priority for those that do it than those that sit at these tables. It was clarified that the Police get many calls, and it is challenging to handle those calls. They are actively looking for infractions and impaired drivers. The City can look into alternative methods to make sure people are correctly parking and obeying the law. Council noted that they need to enforce ordinances we have or change those ordinances if they are not good enough. It was further clarified that the Planner and his Staff are looking at making some ordinance changes. Council can let the Mayor know of areas that they feel need to be addressed.

9. Rescinding Resolution 08-123 LURA Statutory Powers Discussion

Council President Eaton read the attached statement into the record. She requested the Clerk/Treasurer speak to the TIF District's history. She would also like to hear from the Planner if this would be a burdensome addition to his duties.

The City of Laurel created the TIF District. Its oversight is by the Council. Council had the option to let the TIF sunset after its 15-year term or vote on a bondable project and extend the TIF an additional 25 years. Laurel Urban Renewal Agency (LURA) was a board created long after the TIF District to help facilitate some of those funds.

Bethany Langve, Clerk/Treasurer, stated LURA has bylaws that very clearly list their authority. LURA Board was created by O08-09; they were created by law. Their authority was given via R08-123. MCA 7-15-4232 states that the Council may give some of their authorities to a Board/Department/Staff. Council gave very specific powers to LURA in resolutions R08-123. However, the Council kept most of its authority for itself. Ordinance O09-04 updated language, and O12-01 changed residency language so that people who owned property or a business within the agency could sit on the Board. However, MCA states you must reside in the municipality. The Clerk/Treasurer brought this point forward to the City Attorney, and he is looking into this.

The LURA Grant programs started in 2010. Before 2010 LURA had no financial authority. They assisted with plans such as the Urban plan. Their main focus was blight clearance. The first grant program established was the Large Grant Program. Then the Technical Assistance Program.

When it comes to the East Downtown Infrastructure Improvement (EDII) project, the Council kept the authority to enter a contract. Council is the arbiter of taxpayer funds. No public spoke for or against the project. At the following meeting, Council voted in favor of that project. The Mayor did exactly, per MCA, what he was supposed to do. The EDII project fits within MCA (7-15-4251; 7-15-4233D) and the Urban Renewal Plan.

The Mayor brought the EDII project forward, and Council supported this project. This project follows the Urban Renewal Plan. The Gateway Plan is NOT the Urban Renewal Plan. The Urban Renewal Plan is an ordinance and is the law. The Gateway Plan is a resolution and guidance. The only way to change the Urban Renewal Plan is to update the ordinance, which requires a public hearing and public input.

A Council Member noted that while attending LURA meetings that two grants were used to pay for the Gateway Plan in addition to LURA funds. It was clarified that LURA paid \$96k but not sure what Beartooth RC&D paid.

Mayor Nelson clarified that the EDII project stemmed from citizen complaints of stormwater backing up on their property. Then multiple business owners approached both the Mayor and Staff regarding the issues with stormwater. Last winter, there was a water main break at Ohio and East Main Street. The infrastructure in that area needed repair. At that time, there was a discussion about this project being used to extend the TIF District. While driving through various parts of the TIF District, this area was in the worst condition. The Mayor directed the Public Works Director to work with KLJ to survey the area and determine a cost estimate. Infrastructure is part of the TIF District. When Council signed off on the project, it went to Bond Counsel and found that the project is within the TIF District's scope and intent.

Nick Altonaga, City Planner, read the attached memo.

It was questioned if the Planner felt he had a good working relationship with the LURA Board and if he would like to steer them back to a cooperative stance with the City Council. Alternatively, if it is better to use his time to do the heavy financial lifting himself and have LURA focus on other things. The Planner clarified that he would like to try and steer things back. There are merits to granting the Planning Department the authority to approve grants. It would be a faster process, but the LURA Board offers valuable input and discussion. There are pros and cons to keeping it as is. The Planner would like to go over the founding documents and the roles and responsibilities with the Board.

It was noted that the TIF Districts' value would grow over time and that those funds will be used for other projects in the future. The LURA Board has an important role. Not all TIF Districts are created the same; the next one will be different. A TIF District has so many options depending on how they are set up.

The LURA Board can continue with good guidance from Staff. Can have Staff bring back a proposal on overseeing the Board and making sure the Board is aware of the bylaws and creation documents.

Council stated they would defer to the Planner as he is the one who is taking the brunt of the responsibility on how LURA conducts themselves; if LURA is an entity that can be reigned in, then ok, but not able to control 24/7. The Board needs to have an understanding that running around town will only drag themselves down. If it takes rewording the structure of LURA that the Planner is the Director and is the one who is the decision-maker for the grant program.

It was questioned if the Council would see a resolution to rescind the resolution in the foreseeable future. It was clarified that the resolution is R08-123. There will need to be more discussions before bringing forward that resolution.

Council requested this item come back to the last Workshop of August.

The Clerk/Treasurer stated during her research; she has found many occasions that LURA has gone outside their bylaws as far as a conflict of interest in as recent as June 17th of this year. Does LURA have a small grant program – No. Can LURA approve over \$5k – No. Who holds that Authority – Council. The Clerk/Treasurer stated she would not pay that.

Council noted an excellent job with the EDII project to continue the TIF District. Multiple Council Members stated they support this project and did not make this decision lightly.

Other Items

There were none.

Review of Draft Council Agendas

10. Review of Draft Council Agenda for August 6, 2019.

There were no changes suggested to next week's Draft Council Agenda.

Attendance at Upcoming Council Meeting

Council Member McGee will not be in attendance at next week's meeting.

Announcements

Council noted that recently there was an issue with an abandoned boat. Code Enforcement stated that it was a Police matter, and the Police stated it was a Code Enforcement matter. It seems there is a miscommunication. It was questioned if this is an issue the Mayor can address with Staff or if it should come back as a discussion item to Council. Mayor Nelson stated Code Enforcement will be at the next Workshop for a separate issue and can discuss then. Recently added code enforcement to the white vehicle, so it does not look like a police vehicle. It will have yellow hazard lights as well.

A Council Member noted that parking near the stadium needs to be addressed and enforced before something happens.

Council noted the City's website is live and looks nice. They thanked those who had worked on the website. Mayor Nelson stated that if Council sees an area that needs to be addressed on the website or items that should be on the website and are not to pass that information along. The Council Secretary put a lot of time and effort into the website.

The council workshop adjourned at 7:52 p.m.

Respectfully submitted,


Brittney Moorman
Administrative Assistant

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

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



July 24, 2019

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

Re: 2019 Pavement Repairs Project – Recommendation of Award

Dear Kurt:

Bids for the 2019 Pavement Repairs project were received July 18, 2019. Two bids were opened and read aloud, totaling \$259,750.00 and \$425,493.50, respectively. The bids were checked for mathematical accuracy and no discrepancies were found.

The low bidder is FirstMark Construction. The total bid amount is \$259,750.00 for the overall project. We recommend the contract be awarded to FirstMark Construction, accordingly. Enclosed is the Notice of Award (NOA) for the City's approval and a Certified Bid Tabulation. Please sign, date and return four (4) original NOA forms; upon receipt, we will work with FirstMark Construction to route final Contracts for the City's approval.

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

Sincerely,

KLJ

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

Ryan E. Welsh, PE
Project Engineer

Enclosure(s): Notice of Award
Tabulation of Bids

Project #: 1904-00962

cc: file

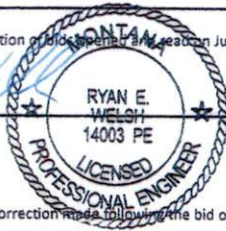
TABULATION OF BIDS
2019 Pavement Repairs - KLI#1904-00962
CITY OF LAUREL, MONTANA
July 18, 2019



Item	Description	Qty	Unit	Engineers Opinion of Cost		FirstMark Construction		Knife River	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
101	Mobilization	1	LS	\$26,000.00	\$26,000.00	\$ 16,954.00	\$ 16,954.00	\$ 36,360.00	\$ 36,360.00
102	Taxes, Bonds & Insurance	1	LS	\$8,000.00	\$8,000.00	\$ 3,650.00	\$ 3,650.00	\$ 5,500.00	\$ 5,500.00
103	Construction Traffic Control	1	LS	\$13,000.00	\$13,000.00	\$ 10,000.00	\$ 10,000.00	\$ 46,650.00	\$ 46,650.00
104	4" Asphalt Concrete Pavement Patching - Type B - Surface Course (Full Depth with Base and Fabric)	24,200	SF	\$9.00	\$217,800.00	6.85	\$ 165,770.00	\$ 10.50	\$ 254,100.00
105	4" Asphalt Concrete Pavement - Type B - Surface Course	622	SY	\$24.00	\$14,928.00	\$ 58.00	\$ 36,076.00	\$ 76.75	\$ 47,738.50
106	2" asphalt Concrete Pavement Overlay - Type C - Surface Course	125	TN	\$169.78	\$21,222.00	\$ 180.00	\$ 22,500.00	\$ 237.00	\$ 29,625.00
107	6' Valley Gutter	480	SF	\$17.00	\$8,160.00	\$ 10.00	\$ 4,800.00	\$ 11.50	\$ 5,520.00
Total of Base Bid					\$309,110.00	\$	259,750.00	\$	425,493.50

This represents a true tabulation of bids opened and received on July 18, 2019.

Ryan Welsh
Project Engineer
Date: July 23, 2019



7/23/2019

* Indicates a mathematical correction made following the bid opening.

Notice of Award

Date: July 24, 2019

Project: 2019 Pavement Repairs Project

Owner: City of Laurel

Owner's Contract No.:

Contract: As described in the Bid Documents

Engineer's Project No.: 1904-00962

Bidder: FirstMark Construction

Bidder's Address: 6611 Trade Center Avenue

Billings, MT 59102

You are notified that your Bid dated July 18, 2019 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for 2019 Pavement Repairs.

The Contract Price of your Contract is Two-Hundred Fifty-Nine Thousand, Seven-Hundred Fifty Dollars and No Cents (\$259,750.00).

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

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

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

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

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

City of Laurel

Owner

By: _____

Authorized Signature

Title

Copy to Engineer

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

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

July 23, 2019

Regarding the Laurel Urban Renewal Large Grant Recommendations for 2019-2020

Mr. Mayor and City Councilors,

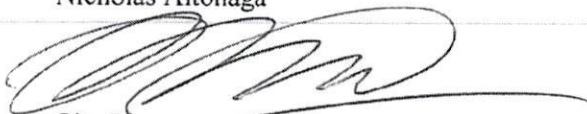
The Office of the City Planner and the Laurel Urban Renewal Agency Board respectfully requests that the City Council reviews and approves the requests made for the 2019 Large Grant Program. This letter supports the Large Grant spreadsheet submitted on July 22, 2019. Members of the Laurel Urban Renewal Agency met on June 26, 2019 as the Large Grant Committee to review, discuss, and analyze applications for the Large Grant Program. Six applications were submitted with a total request of \$388,697.27. It was decided that the six applicants would receive a total of \$224,737 in funding through the Large Grant Program. The applicants are as follows:

- | | |
|---------------------------------|----------|
| 1. Mountain Land Rehabilitation | \$19,957 |
| 2. The Fjelstad Family | \$12,589 |
| 3. Nardella Investments | \$15,594 |
| 4. Pelican Café | \$64,295 |
| 5. Sunshine Academy | \$62,265 |
| 6. Darrell Dyer | \$50,037 |

These grants were discussed further at the Laurel Urban Renewal Agency meeting on July 22, 2019 and were approved to be recommended to the City Council for consideration and final approval. These applications were found to be eligible under MCA and to be beneficial to the TIF District by assisting applicants with the upgrading and improvement of their properties and businesses. The Planning Department can supply more information on the applications if needed to help inform your decision.

Thank you for your consideration of this matter,

Nicholas Altonaga



City Planner

LURA Applicants
Large Grants

Printed: 7/26/2019

											FY: 19-20
											Total: \$ 225,000.00 \$
Applicant	Project	Application Date	Start Date	Completion Date	Initial Requested Amount	LURA Approved Amount	Approval Date1	Approval Date2	Eligibility Date	Disbursed Date	Awarded Amount
Mountain Land Rehab	Structural repair and energy efficiency upgrades to newly purchased building downtown for business expansion.	5/10/2019	6/7/2019	9/1/2019	\$ 47,800.00	\$ 19,957.00	7/22/2019		12/30/1901		
Fjelstad Family	Demolition, upgrades to sidewalk, curbs, and gutter, and energy efficiency improvements supporting duplex rehab.	4/5/2019	12/1/2018	7/10/2019	\$ 30,154.27	\$ 12,589.00	7/22/2019		12/30/1901		
Nardella Investments	Property purchase, grading, installation of drainage, notified in 2018 to reapply in 2019	5/23/2019	5/15/2018	7/15/2018	\$ 18,675.00	\$ 15,594.00	7/22/2019		12/30/1901		
Pelican Café	Demolition, Utility upgrades, Strctural repair and expansion for Restaurant expansion	5/8/2019	9/1/2019	1/30/2019	\$ 129,068.00	\$ 64,295.00	7/22/2019		12/30/1901		
Sunshine Academy	Property Acqulsition for new childcare facility in CBD for business expansion	5/30/2019	7/1/2019	9/1/2019	\$ 75,000.00	\$ 62,265.00	7/22/2019		12/30/1901		
Darrell Dyer	Demolition, sewer, concrete and excavation work to support constuction of mixed use commecial and fourplex in CBD.	3/22/2019	8/1/2019	6/30/2020	\$ 88,000.00	\$ 50,037.00	7/22/2019		12/30/1901		
					\$ 388,697.27	\$ 224,737.00			12/30/1901		

Thank you Mayor Nelson for bringing this item to tonight's workshop. Thank you as well for correctly listing this item as a discussion to rescind Resolution 08-123. That resolution gave the power to dispense funds to LURA and tonight I want to discuss giving those powers to the Planning Department, and more specifically to the City Planner.

I especially appreciate it since it has been pointed out to me that the *Outlook*, in an editorial, has made several mis-statements regarding this request. I would like to clarify that, while the last meeting this body held was on July 16, 2019, it was a voting meeting, not a workshop. Secondly, I requested discussion about the duties of the Laurel Urban Renewal Agency, not some "Revitalization" group as the editorial printed. Lastly, I said nothing about dissolving the board. I want to discuss giving powers to the City Planner.

However, that editorial along with the e-mail from the *Outlook* editor which we all were copied with on July 22 which accused the Mayor of "bypassing and now dissolving the LURA Board", only enhance my argument for relieving LURA of the duties of handing out grants. If the Mayor or Council wanted to dissolve LURA all we would have had to do is NOT select a bondable project. That would have let the life of the TIF District run out at the end of next year. Instead we, the Mayor and Council, have found a project within the TIF District that will improve the infrastructure for residents, businesses and the general public. We have consistently been bombarded with incorrect quotes, accusations and libelous articles in the local paper.

The lack of and stubborn refusal by LURA Board members to understand what the City is doing, understand the Board's place, its finances or cooperate with the City was evident in the resignation letter the Council received July 16, 2019. It was stated in that letter that the Mayor hijacked TIFD funds. No one hijacked anything. Many people, going back as recently as CAO Jensen's efforts in 2015 have tried to publicly involved LURA Board members and help them understand LURA's part in what the City was hoping to accomplish. In 2015 The Laurel Gateway Plan was prepared after involvement of the LURA Board. ALL LURA Board members are listed in that document. That Gateway Plan states that there will be buy-in from LURA for a long term infrastructure project. For the resignation letter we received to have stated that "this infrastructure project was not the best use of good judgment" is a slap in the face of the Gateway Project, which cost LURA over \$90,000 to have prepared. It's a slap in the face of the efforts to extend the life of the TIF District and the Mayor and each Councilmember now seated.

Since its inception LURA has been offered help from no less than 3 mayors; 2 CAO's 3 City Planners and 3 City Treasurers. As time has gone on the group has increasingly rejected any efforts to open communication or explain long term goals. They now resort to slanderous statements made to entities like the *Outlook* editor, who seems to think she is free from recourse to print unfounded, libelous statements.

It is clear the LURA does not have an understanding of Montana Code Annotated or the Laurel Ordinances and is frustrated by those laws and their perception that they should be able to do what they want. This is why I feel it would be far less confrontational and easier for all concerned, to have the City Planner dispense LURA funds. MCA and Laurel Ordinances are dry reading and I know some council

members have tried to create a flow chart as an easier reference to understand the "back and forth" of LURA statements and City statements. I know that the City Clerk/Treasurer is going to give us a quick review of both as they reference TIF Districts and to clarify some of the mis-statements that have occurred.

I would like to sum up by referencing a statement made on July 1, 2013 by then mayor Olson. As background, then mayor Olson was a strong supporter of LURA and still is today. However, back then frustration with an uncooperative LURA Board prompted this to go into the minutes of the LURA Board meeting. "Mayor Ken Olson addressed the group with regard to the need of a person hired to direct the LURA group. He felt that the board, while well intentioned, does not have the time or the training to bring the needs of the business community before the board". Things have only gotten worse in the six years since. What I am asking for is that a knowledgeable professional handle the TIFD funds. The board can still exist and then can still bring any citizen input forward. These efforts to slander the City Council every time it questions in the slightest, LURA's activities has got to end. By the way, I have printed everything I referenced and stated tonight. It will be provided to the Council's Administrative Assistant to be made a part of the minutes. That's in case anyone wants to correctly quote me in the future.

4 — Thursday, July 25, 2019

YO

LURA under attack

From the editor's desk

BY KATHLEEN GILLULY
Laurel Outlook editor and general manager

I hope more Laurel residents will watch the Laurel City Council meetings made available through Facebook Live on the Laurel Outlook's Facebook page. Although most of the meetings are uneventful, there are movements afoot to limit citizen input that everyone should be aware of. The meetings are Tuesday evenings at 6:30 p.m.

At the last workshop meeting, July 16, Council President Emelie Eaton requested a discussion item for the July 30th meeting. She said that in light of Steve Solberg's resignation from the Laurel Urban Revitalization Agency board, she thinks the council should consider dissolving the board.

Most of the folks on the LURA board have dedicated themselves to the betterment of Laurel for many years and their investment in our community should not be tossed away. Maybe the council should try working with citizens.

Subject LURA
From News <News@laureloutlook.com>
To Tom Nelson <citymayor@laurel.mt.gov>, Bruce McGee
<Ward2B@laurel.mt.gov>, Doug Poehls
<Ward1A@laurel.mt.gov>, Emelie Eaton
<Ward1B@laurel.mt.gov>, Scot Stokes
<Ward3B@laurel.mt.gov>, <ward2A@laurel.mt.gov>,
<Ward3A@laurel.mt.gov>, Richard Klose Sr.
<kloserichard@yahoo.com>, <ward4a@laurel.mt.gov>
Date 07.22.2019 1:51 PM



Mayor Nelson,

It's really difficult to tell if you are acting in the city's best interests or just trying to get your way by bypassing (and now dissolving) the LURA board.

I'd appreciate it if you could address a rumor going around. I've been told that you do a great deal of business with Thomae and that if the east Laurel street project goes through, Thomae plans to build a new shipping dock in conjunction with the project. If true, it seems to me you have a conflict of interest that needs to be addressed before you continue pushing for this project. Please let me know if this is true or not.

Best,

Kathleen Gilluly
Editor/general manager
publisher@laureloutlook.com

Laurel Outlook
415 E. Main St., P.O. Box 278
Laurel, MT 59044
628-4412

ACKNOWLEDGEMENTS

CITY OF LAUREL STAFF

Heidi Jensen

Chief Administrative Officer

Monica Plecker

Planning Director

LAUREL URBAN RENEWAL BOARD

Judy Goldsby

Chair

Dean Rankin

Vice-Chair

Shirley McDermott

Secretary

Linda Frickel

Dan Klein

Non-Voting Members

Janice Lehman

Dierk Frickel

Mardi Spaulinger

COMMUNITY ORGANIZATIONS

Beartooth RC&D

Big Sky Economic Development

Laurel Chamber of Commerce

CONSULTANT TEAM

EPS

Sanderson Stewart

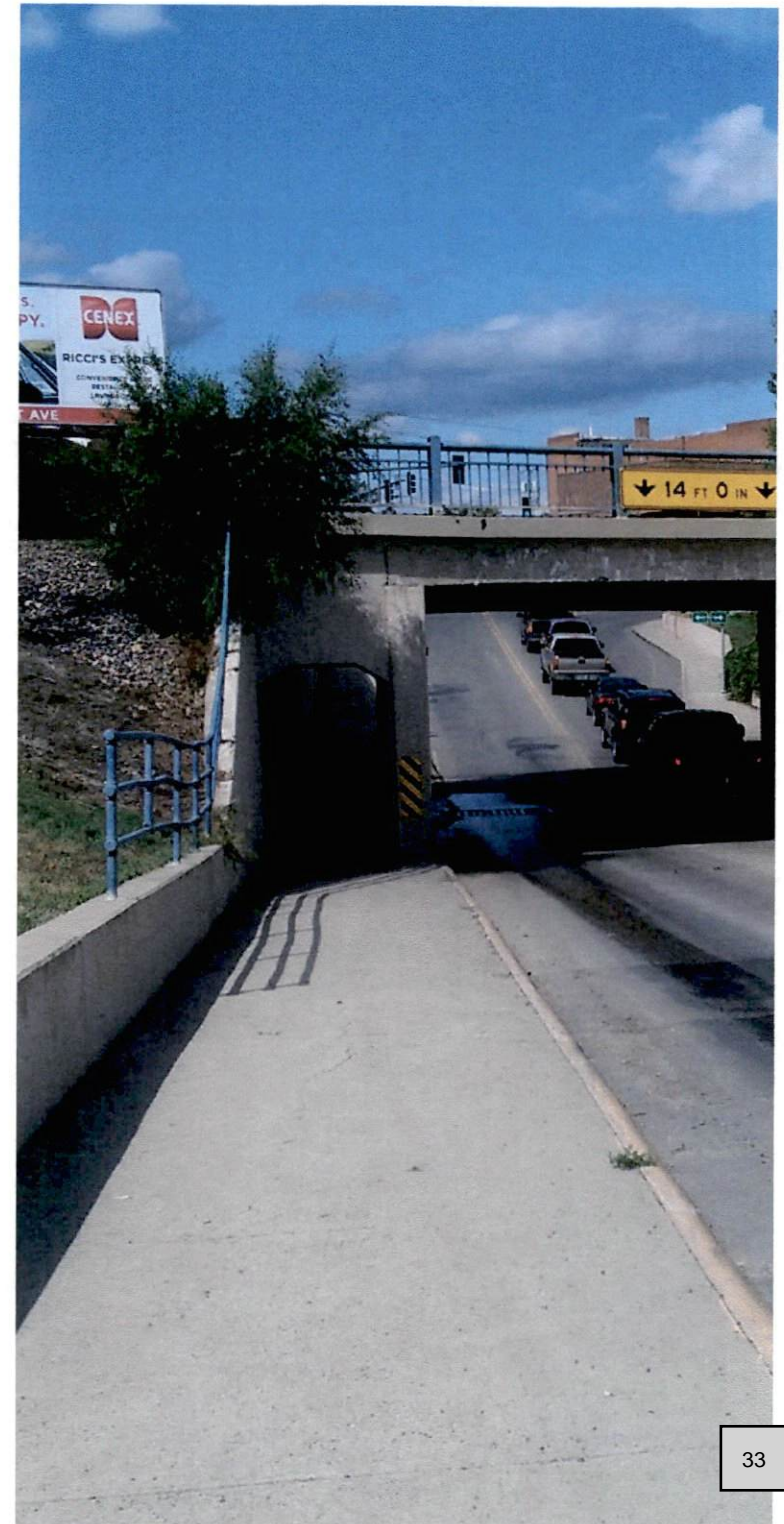


PREVIOUS STUDIES

The Long Range Transportation Plan (LRTP) was completed in 2014 and addresses the broad and long range goals of the transportation system within Laurel. Elements of the LRTP include street network, non-motorized transportation, system improvements and prioritized projects. Several projects identified within the LRTP are located within the District boundaries and those recommendations were considered as part of the overall findings.

City of Laurel Urban Renewal Plan was completed in 2008 as part of the creation of the tax increment financing district. The goals that were established as part of that plan were evaluated and referenced as part of the overall findings. Those goals are:

1. Encourage an economically and culturally vibrant downtown.
2. Create a vibrant and cohesive extension of the core downtown Laurel area.
3. Improve traffic patterns to further enhance the business experience for the owner and consumer.
4. Create a destination place where people will want to repeatedly visit.
5. Have state of the art, updated utilities and infrastructure.
6. Encourage more housing and business choices within the district.
7. Have rational consideration of all neighborhoods and sites for public fund expenditures



FINANCING

Table A
LURA Investment Program Scenario 2: Bond/Loan in Year 6

	2015-16 Year 1	2016-17 Year 2	2017-18 Year 3	2018-19 Year 4	2019-20 Year 5	2020-21 Year 6	2021-22 Year 7
Revenue							
Starting Balance	\$585,000						
Net Cash Flow [1]	350,000	358,750	367,719	376,912	386,335	395,993	405,893
Prior Year Surplus	0	281,000	4,750	4,469	1,380	1,715	9,708
Bond or Loan [2]	0	0	0	0	0	4,000,000	0
LURA Funding Available	\$935,000	\$639,750	\$372,469	\$381,380	\$387,715	\$4,397,708	\$415,601
Project and Program Expenditures							
<u>Grants and Loans</u>							
Revolving Loan Fund Deposit	\$100,000	\$100,000	\$100,000	\$0	\$0	\$20,000	\$20,000
Improvement Grants [3]	100,000	100,000	100,000	0	0	15,000	40,000
Subtotal	\$200,000	\$200,000	\$200,000	\$0	\$0	\$35,000	\$60,000
<u>Capital Projects</u>							
Intersection Improvements	\$0	\$435,000	\$0	\$0	\$0	\$0	\$0
Washington Street Stormwater	450,000	0	0	0	0	0	0
Debt Service	0	0	0	0	0	350,000	350,000
Other Major Capitol Projects [4]	0	0	160,000	380,000	385,000	4,000,000	0
Subtotal	\$450,000	\$435,000	\$160,000	\$380,000	\$385,000	\$4,350,000	\$350,000
<u>Small community projects</u>							
Better Block Project	3,000	0	3,000	0	0	3,000	0
Park(ing) Day	1,000	0	0	0	1,000	0	0
Public Arts Program	0	0	5,000	0	0	0	3,000
Subtotal	\$4,000	\$0	\$8,000	\$0	\$1,000	\$3,000	\$3,000
Total Projects and Programs	\$654,000	\$635,000	\$368,000	\$380,000	\$386,000	\$4,388,000	\$413,000
Surplus or Gap	\$281,000	\$4,750	\$4,469	\$1,380	\$1,715	\$9,708	\$2,601

[1] Estimated at \$350,000 based on FY 2014/15 budget revenues of approximately \$476,000 less approximately \$100,000 in debt service to the Water department (ends in 2019). Assumes 2.0% annual revenue growth.

[2] Could be done in Year 6 or sooner depending on available revenue or anticipated State legislation changes.

[3] Utility Upgrades, Façade Improvements, Building Demolition, Landscape Improvements, Sidewalk Improvements

[4] Lighting, streetscape, additional intersection or street projects, or utility improvements.

FINANCING

Table A
LURA Investment Program Scenario 2: Bond/Loan in Year 6

	2015-16 Year 1	2016-17 Year 2	2017-18 Year 3	2018-19 Year 4	2019-20 Year 5	2020-21 Year 6	2021-22 Year 7
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Bond or Loan [2]	0	0	0	0	0	4,000,000	0
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<u>Grants and Loans</u>							
Revolving Loan Fund Deposit	\$100,000	\$100,000	\$100,000	\$0	\$0	\$20,000	\$20,000
Improvement Grants [3]	100,000	100,000	100,000	0	0	15,000	40,000
Subtotal	\$200,000	\$200,000	\$200,000	\$0	\$0	\$35,000	\$60,000
<u>Capital Projects</u>							
Intersection Improvements	\$0	\$435,000	\$0	\$0	\$0	\$0	\$0
Washington Street Stormwater	450,000	0	0	0	0	0	0
Debt Service	0	0	0	0	0	350,000	350,000
Other Major Capitol Projects [4]	0	0	160,000	380,000	385,000	4,000,000	0
Subtotal	\$450,000	\$435,000	\$160,000	\$380,000	\$385,000	\$4,350,000	\$350,000
<u>Small community projects</u>							
Better Block Project	3,000	0	3,000	0	0	3,000	0
Park(ing) Day	1,000	0	0	0	1,000	0	0
Public Arts Program	0	0	5,000	0	0	0	3,000
Subtotal	\$4,000	\$0	\$8,000	\$0	\$1,000	\$3,000	\$3,000
Total Projects and Programs	\$654,000	\$635,000	\$368,000	\$380,000	\$386,000	\$4,388,000	\$413,000
Surplus or Gap	\$281,000	\$4,750	\$4,469	\$1,380	\$1,715	\$9,708	\$2,601

[1] Estimated at \$350,000 based on FY 2014/15 budget revenues of approximately \$476,000 less approximately \$100,000 in debt service to the Water department (ends in 2019). Assumes 2.0% annual revenue growth.

[2] Could be done in Year 6 or sooner depending on available revenue or anticipated State legislation changes.

[3] Utility Upgrades, Façade Improvements, Building Demolition, Landscape Improvements, Sidewalk Improvements.

[4] Lighting, streetscape, additional intersection or street projects, or utility improvements.

June 26, 2019

Mayor Tom Nelson

City of Laurel

PO Box 10

Laurel, MT 59044

Dear Mayor Nelson and City Council Members,

Please accept this letter as my resignation from the Laurel Urban Renewal Agency (LURA) Advisory Board. As a significant property owner and tax payer in the Laurel Tax Increment Financing District (TIFD), I felt I could help provide some input for the City regarding business improvements and growth. I think the entire Laurel TIFD Advisory Board has done an amazing job of helping Businesses in the District improve their appearance and enhance their business and property values. This funding has been a re-inspiration and source of pride of owning a Business in Laurel.

When you hijacked the TIFD Funds for your East Main Street Project without consulting, advising, nor informing the LURA Advisory Board, you made it obvious to me that the LURA Advisory Board has no value. I am sure that you and all the City Council members have only the best of intentions for the betterment of this Community and I commend you all for being willing to serve. However, this infra structure project was not the best use of Good Judgement.

Good luck to you all in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Solberg". The signature is stylized with a large, looping "S" and a long, sweeping underline.

Steve Solberg

500 SE 4th St

Laurel, MT 59044

406-860-4004

Laurel Urban Renewal Agency

July 1, 2013

Owl Café Meeting Room

At 11:00 AM, in attendance were Linda Frickel and Judy Goldsby from the board, and Mayor Ken Olson, Heidi Jensen, and Monica Plecker from the City. As this did not constitute a forum, there was no meeting called. At 11:30, Daniel Klein arrived and at that time a meeting was called to order.

Minutes:

Minutes were approved as submitted with no changes or corrections.

Reports:

No reports were submitted.

Board discussion and action:

Mayor Ken Olson addressed the group with regard to the need of a person hired to direct the LURA group. He felt that the board, while well intentioned, does not have the time or the training to bring the needs of the business community before the board. The mayor, Heidi, and Monica have attended the EBURT (East Billings Urban Renewal District) and felt that there was a wealth of information there that we could benefit from. It was agreed by the board that we should request a representative from EBURT to attend our next meeting and give input and advice to our board.

There was further discussion on the poor attendance of our Monday meetings. Some have voiced opinions on conflicts and timing of our meetings. It was agreed that a morning meeting might be better attended. It was further agreed that perhaps a breakfast meeting would be better. Daniel made a motion, seconded by Linda that we make our July 15th meeting a breakfast meeting at 7:30 AM, and further the board will pay for the breakfast of those in attendance. Motion passed. We will include a breakfast menu with our agenda, and ask that those who plan on attending submit their order in advance of the meeting date.

There were no façade or technical assistance grant applications submitted.

There being no further action, meeting was adjourned.

Next meeting July 15, 2013, 7:30 A.M., Owl Café Meeting Room

Judy Goldsby, Chair

Dean Rankin, Vice Chair

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

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of the City Planner

7/30/2019

City Council Talking Points regarding Rescinding Resolution R-08-123 LURA Statutory Powers

Urban Renewal Plan states that:

- “The Use of Tax Increment Financing is one of a few tools available to municipalities in the State of Montana that allows that municipality to **improve the community infrastructure** without raising property taxes or mill amounts to do it.”

Three Directives:

1. **Adopt currently existing design and economic guidelines** that are critical in how the design of projects aided by tax increment financing should look
2. **Establish tax increment financing as a tool** to encourage urban renewal
3. **Define and establish how the Laurel Urban Renewal District is to be managed**

Guidelines established to have development exist within a framework to create cohesion within the district.

Goal: An economically and culturally vibrant Downtown Laurel

- Preserve and promote economic development of downtown laurel
- Create a strong central ‘core’ for our community
- Establish downtown as a recognizable landmark

Goal: To Create a vibrant and cohesive extension of the core Downtown Laurel area.

- Adopt where it makes sense the positive aspects of the downtown core
- The Laurel Urban Renewal District becomes known as a part of downtown rather than a separate area

Goal: Improve Traffic patterns to further enhance the business experience for the owner and the consumer

- Slow down traffic to facilitate more shopping opportunities and business exposure
- Reconfigure traffic patterns where it makes sense to encourage two way traffic and theoretically double business exposure
- Improve the pedestrian environment by adding well designed streetscape and sidewalks

Goal: Create a Destination Place where people will want to repeatedly visit

- Through streetscape and street front improvements to manufacturing and industrial uses, create a friendly and aesthetically pleasing environment
- Be conducive to out of town customers to obtain goods and services that cater to trucks and trailers
- Create a sense of pride through home ownership

- Improve quality of life
- Encourage more live-work environments
- Reduce crime in the area

Goal: Have state of the art, updated utilities and infrastructure

- Bring up to code water, sanitary sewer, storm sewer, and electrical services

Goals in Regards to Growth Management Plan

Goal: The Attractiveness of our community needs improvement

- Preserve and promote economic development of downtown Laurel
- Create a strong central 'core' for our community
- Establish downtown as a recognizable landmark

Goal: More Housing and Business choices within the district

- Improve the quality of life
- Encourage more live-work environments
- Reduce commuting and subsequent drain on natural resources
- Develop more self-contained neighborhoods

**Focus on Mixed use developments and greater variety of choices
Reduction of vehicle commuting**

Goal: Rational Consideration of all public funds expenditures

- Identify and prioritize district needs
- Empower public to provide direction on infrastructure improvements expenditures
- Leverage public funds with other resources

Five potential growth factors

1. Improvements to existing businesses and land uses
2. Downtown housing that serves the needs of local residents
3. Expand opportunity for medical offices and clinics that complement and expand the current medical services and facilities in Laurel
4. Retail influx that is combined with a conference center, offices, or entertainment establishments
5. Professional offices to expand opportunities for new or relocated businesses

The LURA Board meets monthly to discuss any new grant applications for the large grant, façade, and technical assistance programs. These meetings also contain general conversation about ongoing projects and new developments within the District. Members of the LURA Board are active, engaged, thoughtful, and experienced in their many different fields. They bring many viewpoints to the discussions on the grant applications and provide important input. LURA Members are dependable in attending meetings and voicing their opinions regarding local issues/topics.

There are stated review criteria for grants that include:

LURA Application Review Criteria	
Relevance to the Laurel Gateway Plan	Impact Assessment
Economic Stimulus	Financial Assistance
Tax Generation	Project Feasibility
Employment Generation	Developer Ability to Perform
Elimination of Blight	Timely Completion
Special or Unique Opportunities	Payment of Taxes

I value the thoughtful and insightful viewpoints of the LURA Members while at the same time see that there has been a major breakdown in the understanding of the role and purpose of LURA. LURA functions under the city council, and within the larger TIF District as an advisory board. Resolution R08-123 outlined specific responsibilities for LURA and its membership.

Resolution R08-123

The City hereby authorizes and assigns the following urban renewal project powers to LURA:

1. To formulate and coordinate a workable program as specified in MCA 7-15-4209
2. To prepare urban renewal plans
3. To prepare recommended modifications to an urban renewal project plan
4. To disseminate blight clearance and urban renewal information
5. To enter any building or property in any urban renewal area in order to make surveys and appraisals in the manner specified in MCA 7-15-4257
6. To prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation
7. To prepare plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements
8. To conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects
9. To negotiate for the acquisition of land
10. To study the closing, vacating, planning, or re-planning of streets, roads, sidewalks, ways, or other places and to make recommendations with respect thereto, and
11. To perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and performance of the duties and responsibilities entrusted to the local governing body

Much time is spent within the approved Urban Renewal Plan discussing housing, transportation, and mixed-use development. These items are discussed in conjunction with place-making, transportation improvements, housing improvements, and building a downtown destination.

The business community is not the primary beneficiary of the TIF District. The wider Laurel community itself is the beneficiary. These funds are able to be used for creating a more robust and diverse Downtown area through community infrastructure projects, streetscape improvements, traffic safety changes, housing planning, facility upgrades, and other vital projects.

The tone of the ongoing conversations surrounding the East Downtown Infrastructure Improvements Project (EDII) has revealed that while the board members care deeply about the TIF District and Laurel, they have been misinterpreting the role of the Board and the stated/official purpose of the TIF District itself. This has showed that there is a great need to regularly review to the bylaws and founding documents, to communicate with city council, and to ensure that their grant awards are approved properly and are in line with the aims of the TIF District itself.

It is my opinion that a great deal of opportunity has been wasted by not utilizing the original stated powers of the board, and the established goals, objectives, and responsibilities to focus on larger scale projects and focusing on more traditional development patterns within the District. There has been an overall lack of cohesion when it comes to considering projects within the District, especially the SE 4th area.

The TIF District and the LURA Board present great opportunities to assist in the funding of projects and to gain feedback and insight from interested community members. It would be useful to think on the founding documents, discuss the effectiveness of the Board and the projects thus far, and to decide if any changes are necessary to help move the board, the district, and the downtown vision forward.

File Attachments for Item:

9. Approval of Workshop Minutes of August 13, 2019.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, AUGUST 13, 2019**

A Council Workshop was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on August 13, 2019.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer
Nick Altonaga, City Planner

Public Input:

Nancy Cummings, 4123 Rangeview Dr. Billings, asked about the street repairs on W. 11th Street. It has been coned off since April. She cannot rent with the streets in disrepair and doesn't want to lose rental income. Kiwanis Park also has people hanging out at the park. She questioned why the Police do not do anything about the people there.

Mayor Nelson stated he would have the Public Works Director call her regarding the streets and speak to the Police Chief regarding the park.

Executive Review

1. Appointments of Sarah Gallup to the Laurel Volunteer Ambulance Service.

Mayor Nelson stated that both Rylie and Sarah were unable to attend tonight's meeting. Sarah comes with an extensive medical background.

2. Resolution - A Resolution Authorizing and Approving an Employment Contract Between the City of Laurel and Nicholas Altonaga, who Shall Serve as the City Planning Director for the City of Laurel.

Mayor Nelson stated that the City Planner came to the City approximately six months ago. The plan was for him to become the Planning Director within two years of his date of hire. He feels that the City Planner is capable of being the Planning Director now. Two employees are currently reporting to the Public Works Director that should be reporting to the Planning Director. The Planning Director can then delegate work during the downtimes. There is some training the Planner needs to complete and will do

so as the opportunities become available. He is very involved in his role as City Planner.

It was questioned if the City would be hiring a Planner to fill the current job role or would Mr. Altonaga be doing everything. It was clarified that Mr. Altonaga would be doing all work associated with Planning at this time. He does have the ability to pass some tasks onto the employees in the Planning Department.

3. Resolution - Resolution of the City Council Approving a Small Grant Program Proposed by the Laurel Urban Renewal Agency

Nick Altonaga, City Planner, stated that this is a general idea for a small grant program. Currently, there is the Façade/Signage, Technical Assistance, and Large grant programs. The small grant program would be the same scope of work as the large grant program, just on a smaller financial scale. The max award amount would be 5k.

It was questioned what the yearly budget would be for this grant. It was clarified that the cap would be 5k per project. The Planner and C/T would decide the overall budget for the grant program each year. There is flexibility with that. The number of projects that fall into the small grant program is very minimal.

A Council Member expressed their concern with people applying for multiple grants and taking advantage of the system. It was clarified that this program is intended to fill the caps with the current programs. The Façade and Technical Assistance grants are very restrictive. In the past, there have been projects that fall to the bottom of the Large grant program based on the project's size. This program would be a better fit and not penalize an applicant with a smaller project. This is the first draft; if Council would like additional stipulations, those can still be added. Will add language that if you apply for one, you cannot apply for the other, Large/Small grant programs. We can also add one Small grant per project every two years.

4. Resolution: A Resolution Approving The Annexation Of Lot 18 Nutting Brothers Subdivision 2nd Filing And Lots 19-25 Nutting Brothers Subdivision 3rd Filing, As An Addition To The City Of Laurel, Montana.

Nick Altonaga, City Planner, stated this is a follow up to when he started here. They wanted to be annexed into the City, but the Public Works Director identified issues on the plat that needed to be addressed first. Performance Engineering has provided a title guarantee, so those issues have been resolved. The Yellowstone County Attorney has signed off on the title guarantee. He stated he has worked with Scott at Performance Engineering to update the annexation agreement. The City Attorney has also signed off on this as well. He is comfortable in moving this forward.

It was questioned if Eleanor Roosevelt Dr was the issue. It was clarified that the road was part of lot 25 and will be included in the annexation agreement as dedicated to the public.

5. Resolution - Resolution Approving the Final Plan and Annexation of Regal Community Park, Legally Described as Nutting Bros 2nd Filing, S10, T02S, R24E Lots 7&8, an Addition to the City of Laurel, Montana

Nick Altonaga, City Planner, stated Regal Park has been under discussion for a few years not. Preliminary conditions have been met. Can move forward with officially annexing into the City. The final plan has been updated. The Public Works Director has reviewed that plan. The City has received the signed annexation agreement and waiver. They have gone through all the conditions and only have annexation and dedicated rights of ways left, which will happen upon annexation into the City.

6. Resolution - Resolution relating to up to \$41,000 Special Improvement District No. 119 Bonds

Bethany Langve, Clerk/Treasurer, stated that the Council made the district and now gets to sell the bond. This resolution allows the Mayor to sell the bond. The City cannot enter into debt without Council permission. Being so close to passing the budget need to be proactive to get these on the tax rolls. Council will notice the assessment amount is less than before. The City. School and one property owner prepaid their assessments upfront.

7. Resolution - Resolution Relating to Special Improvement District No. 119 Preliminary Levy of Special Assessments on Property Within the District for the Purpose of Financing the cost of Certain Local Improvements

This resolution goes hand in hand with the previous agenda item. Since this is a new assessment, the City has to tell the public that it intends to put these assessments on the tax rolls. This resolution is just that, the intention to put these assessments on the tax rolls. In September Council will have a resolution to approve and place on the tax rolls.

8. Resolution - A Resolution Accepting the Proposal Submitted by High Point Networks to Provide the City's Voice Over Internet Protocol (VOIP) Service and Support Services and Authorizing the Mayor to Execute a Contract With High Point Networks for Such Services.

City Staff has been working on this project for the last year. The Mayor had requested the return on investment. That figure took a while to calculate. The last page of the attached proposal states the total cost. Everything else is a one-time fee. Training is included in the estimate. The City will save approximately \$2400 per month, moving to VOIP. It will take approximately three years to see the return on investment. The City will keep some analog lines should there be a disruption in internet service. The equipment should last about 10-12 years before needing to be replaced. Those replacements will be budgeted for as needed. The phone lines have not been updated since 1973; they are very costly to maintain.

Council noticed the point of contact person is listed as Mr. Lurker. It was questioned if that will be updated. It was clarified that it would be updated.

It was questioned what warranty there is for this system. All warranty information is on the third page from the end of the attached proposal.

It was questioned how long after approval will the VOIP system be up and running. It was stated it would take 30 days once the equipment is delivered.

Council Issues

9. Discussion regarding the Fiscal Year 2020 Street Maintenance Assessment

Mayor Nelson brought this item forward. Through MCA and LMC, there is a mechanism that allows the Public Works Director to identify the figure needed for repairs each year. The Clerk/Treasurer calculates the amount per resident and assess.

Council questioned how this works since the assessments are done in August, and they do not know the damage the winter will cause. It was clarified that an estimate is given based on the needs of previous years. Many streets need to be repaired to determine which streets to fix and evaluate the water and sewer infrastructure. In the past, the Public Works Director did not do this as they were told not to. The last time this assessment increased was in 2004. Recently KLJ assessed all the roads in Laurel. The estimated cost to repair all the roads is over 60 million. Bringing in 600k every year is never going to meet that need. Right now, the City does a big project every three to four years; by increasing the Street Maintenance funds, the City would be able to address the streets better. Not only has the City not raised the Street Maintenance fees over the years, but there is also an \$800 cap. While this doesn't affect residents, it affects businesses. Should the cap be raised to \$1600? Businesses like Walmart are paying this cap when they bring in a lot of traffic to their establishment. Increasing from 2 cents to 4 cents and increasing the cap to \$1600 will bring in approximately 1.1 million into the Street Maintenance Fund.

Mayor Nelson stated he has had the Public Works Director delegate some of his duties to those under him and work on things like this that need his attention.

It was questioned if this assessment will have an ebb and flow or if it will go up and stay up. It was clarified that this assessment is based on that year's need and will ebb and flow accordingly. The Clerk/Treasurer must assess at least 75% of the Public Works Director's estimate.

10. Handicap Parking Update

Council had recently approved the grinding of the millings. They are moving forward with the installation of the extension. The tow-away signs are up. Looks very nice.

11. Discussion regarding the City taking over the Riverside Park buildings versus leasing them (Scot Stokes)

Nick Altonaga, City Planner, stated he was not sure of the buildings' remediation status in Riverside Park. February of next year, the Champion of the buildings ends. There can be brainstorming if the City does take over the buildings what they would be used for.

The Park Board Chair stated that the City is not making any money off the buildings in Riverside Park. There would be some things that could meet with no cost. The Jaycees could still meet there; they would have to pay. The money collected would be put back into the park. Currently, if anything happens to the buildings, the City pays for it. The current lease does not cover those costs. This would also make it easier for the City to get grants for Riverside Park. There would be a key deposit, and the buildings would need to be checked before the deposit is given back. The Jaycees lease is set to expire in January of 2021.

A Council Member noted this is a similar process that the Mesonic Lodge does in Billings. They have different groups that rent the building. They get their meeting date and a certain number of additional days per month. The Elks Lodge does the same. There may be an increase in interest in renting the buildings for events such as weddings or family reunions with camping.

This proposal would give the City a Community Center. Council asked that this issue be brought back at the Workshop in September for further discussion.

12. Discussion regarding changing the parks hours of operation (Scot Stokes)

Park Board would like to change the park hours due to an increase in vandalism. They would like to go from sunrise to sunset. Members of the Park Board spoke with the Police Chief, and he stated that his Officers use common sense. At events such as the 4th of July, they would not kick people out of the park because there is an event going on. But kids in the park after dark would be told to leave.

Council liked the idea of a 10 p.m. curfew. This change will be via ordinance. Mayor Nelson wanted the Council's thoughts before having Staff write up this requested change.

Other Items

There were none.

Review of Draft Council Agendas

13. Review of Draft Council Agenda for August 20, 2019
There were none.

Attendance at Upcoming Council Meeting

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

Announcements

The next Public Works Committee meeting is August 19, 2019, at 6:00 p.m. in Council Chambers.

The council workshop adjourned at 8:04 p.m.

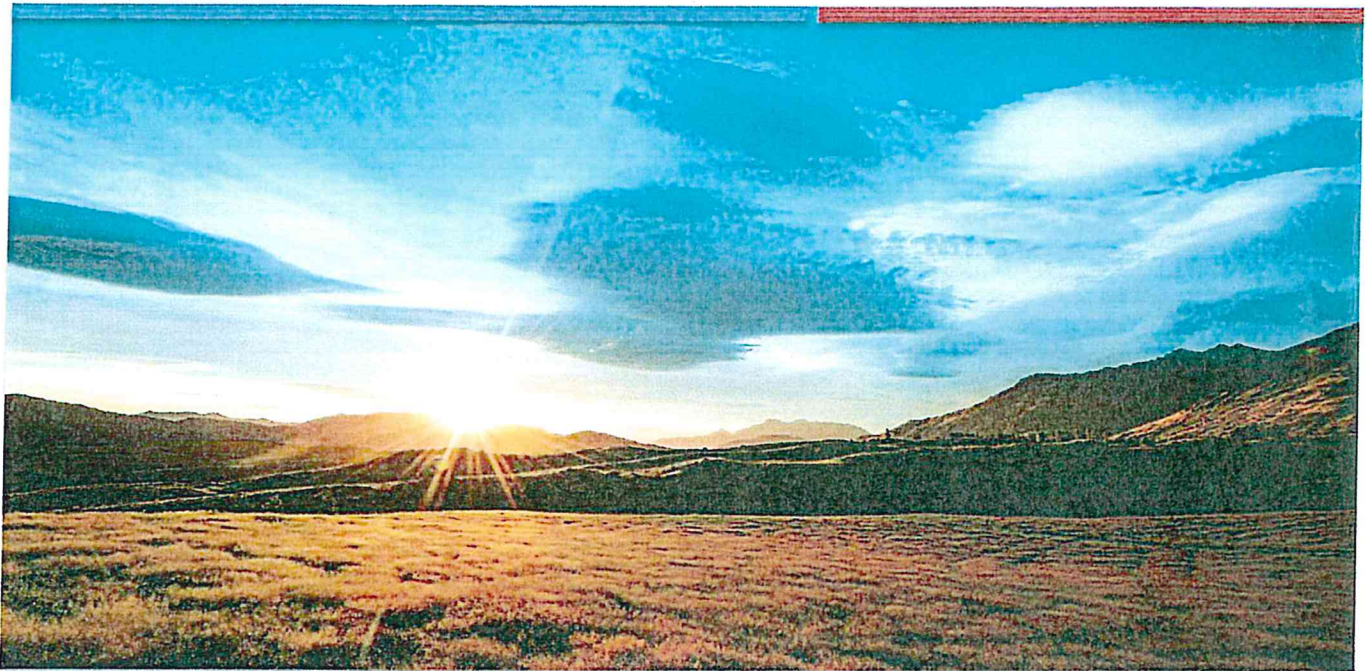
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brittney Moorman", with a long horizontal flourish extending to the right.

Brittney Moorman
Administrative Assistant

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

PROPOSAL



PROPOSAL NAME: Mitel Phone System

PROPOSAL DATE: August 13, 2019



PREPARED FOR:

City of Laurel
Bethany Langve

115 West First Street
Laurel, MT 59044

cityclerk@laurel.mt.gov



PREPARED BY:

Mike Felten
High Point Networks, LLC.

Direct/Mobile/Fax: 406-281-7222

mike.felten@highpointnetworks.com



877.850.6459



www.HighPointNetworks.com



sales@highpointnetworks.com



Mitel Summary

NOTE - Pricing is based on NJPA / Sourcewell discounts

Completion Date: 2019 TBD

P.O.C(s): Matt Lurker

Site Address: 115 West First Street, Laurel, MT 59044

Project Brief: Phone System RFP to replace existing Voice Platform at multiple sites and install a Mitel Connect solution to link all sites together to communicate on a 4-digit dial plan.

System Configuration Summary:

Sites: 7, FAP, City Hall, Library, Shop, Water Wastewater, Pool. Shop and Pool do not have internet and will continue to use analog lines and existing phones.

IP Stations: 49 Total not including City Shop and Pool. 15 -FAP, 22-City Hall, 3-Library, 7-Water, 2-Wastewater.

Analog Stations: 6

T1-PRI/SIP Trunks: 1 PRI T1 located @ FAP

Standard Analog Trunks: 13

Fax Line: 6

Server: Physical server, with Virtual (VMWare 5.5 – 6.5)

Virtual Appliances: Virtual Spare, Virtual Service Appliance

Advance Applications: None

User Licenses

Connect Essentials: 42 – Includes Ext+Mbx, Connect desktop client with IM, collaboration, softphone and video. Also includes Web and App dialer

Connect Advanced: 3 – Includes Ext+Mbx, Connect desktop and mobility client with IM, collaboration, softphone and video. Also includes Web and App Dialer, Remote Phone, CRM client integration and Operator.

Connect Courtesy: 4 – Includes Ext Only with no Connect client capability

Methodology

Installation: 6 Phase Installation plan – Voice communication system analysis and ordering, Environmental and infrastructure analysis and upgrade, Resource scheduling and tracking, System load and configuration, Installation Readiness Review, Cutover

Admin/End User Training: Included in professional services estimate and will be scheduled during the Project Kick-off call.

End User Training

- a. 90 Min training classes will cover the VoIP Phone and PC Client.
- b. 15-20 end users per class max.

Admin Training

- a. 4 Hour Administrator training will be provided following the system cutover.
- b. Admin Training will cover how to manage your system for every day to day maintenance and changes.

TRAINING:

- All end user training to be provided onsite by an HPN Mitel certified trainer.
- Operator/Reception training will be provided only to Operator/Reception staff, as well as IT members that will be supporting.
- Training classes will utilize 8-10 of the purchased IP Phones from this project to be setup in the assigned training room for hands on training.
- Overhead projector or a TV will be needed to aid in the PC Connect Client portion of the training.
- Our trainer will provide a POE switch to MiVoice Connect all the training phones for the duration of the training class.
- We Recommend a class schedule to be discussed and posted for employees to sign up for an available class that will fit their day-to-day work schedule.

Handouts will be provided to every user that attends the training session, and extras will be left to be used for future reference.

Scope of Work:

HPN Responsibilities:

- Project Management
- Discovery and Call Flow for System Configuration
- Configuration of L2/L3 Network Configuration
 - a. Voice VLAN Configuration
 - b. IP Address Configuration
 - c. DHCP scope Configuration
- Configuration of Windows Server for the MiConnect Director server
 - a. VM 5.5/6.0/6.5
 - b. Windows 2012R2 Server
- Remote – Configuration of MiConnect Switch(s) and any other Peripheral appliance(s)
- Remote – Programming of MiConnect Director based on baseline configuration approved by customer
- Onsite Installation
 - a. MiConnect Switches, Wall Racks, Termination Blocks, and prepping for Cutover
 - b. IP Phone placement and IP Phone Wall Mounts
 - c. Verify/Testsystem Trunk(s), Call Flow, Analog devices, paging and etc.

Onsite – Network assessment of Voice Network

- Assistance with MiConnect PC Client rollout via GPO/AD
- Onsite – Instructor Lead End User training
- Onsite – System Trunk cutover and Testing of System operation
- Onsite – First Day Support to verify System is operating as designed
- Remote – Administrator Training – 4hr
- 10 days Post Install Support of moves/adds/changes
- Project Documentation

Client Responsibilities:

- Provide Detailed User Information
- Provide Detailed Trunk Information
- Provide Building Layout Map for Phone Placement/Cabling requirements
- Power Source - Recommend Adequate dedicated or UPS power to ensure all racked equipment is on UPS power.
- Rack Space – MiConnect Switches are at 1U height and can combine two switches into a 1U Tray
- DHCP Server configuration to Connect Specification
- Music on hold source or files, or Standard MiConnect MOH can be used.

- Training sign-up sheets for end users to attend Training Class
- Training area

Exclusions:

- Any other work requested outside of this Scope of Work
- Cabling services are not included in this Scope, if Cabling is required an additional Quote will need to be approved, or Customer is to source Cabling contractor to complete prior to our Initial Onsite visit
- PC updates or patches for Connect Client, these will need to be done prior to our initial Onsite visit
- All IP Phones ship with a desktop bracket, wall brackets do NOT come standard, if additional brackets are needed they will be billed separately
- Paging bell/PA System
- Legacy System disposal
- Legacy system wiring disposal
- All IP phones include 7 foot patch cord, if longer patch cable required, additional patch cable will be invoiced
- Additional/All fees for dedicated fax lines and analog trunks from carrier

Change Control

In the event that it becomes necessary to alter the scope of work, High Point Networks will initiate contact with the company's point of contact to work out the details associated with impacts to schedules, deliverables and/or financial commitments. No changes to the scope of work will occur without prior authorization.

Mitel Phone System

Quote Information:

Quote #: 079755

Version: 2

Delivery Date: 08/13/2019

Expiration Date: 08/31/2019

Response for City of Laurel VOIP RFP. Actual phones, licenses, hardware, etc. will be verified when HPN is selected. Pricing will be revised to reflect actual numbers. Discount pricing is good for 30 days after completion of the project.

Hardware / Phones / Licenses

Qty	Item	Description	Price	Ext. Price
1	60186	Connect Small Business Edition 100 HW bundle, digital trunking without server. Includes ST100DA and rack-mount tray.	\$1,574.59	\$1,574.59
1	60196	Connect Small Business Edition 100 SW bundle, 50 users. Includes 50 Essentials, 1 Courtesy license bundles, 1 Operator license, 24 SIP Trunk licenses, 4 Additional Site license. The phone switch in this bundle will be placed at City Hall and phones at FAP will register to it.	\$3,018.29	\$3,018.29
3	10580	Voice Switch ST50A, Mitel phone switch for Water, Wastewater and Library	\$1,371.95	\$4,115.85
3	10223	Kit, rack mounting tray, for ShoreGear Switch 1U h.	\$75.00	\$225.00
1	60047	Analog Harmonica and Cable	\$75.00	\$75.00
3	10304	Shoretel VM Guide Manual Pack/25	\$10.00	\$30.00
3	10503	ShoreTel 480/480g IP Phone Quick Reference, Doc. Pack, Qty 25	\$10.00	\$30.00
42	10577	Mitel IP Phone IP480g - Requires ST 14 or later. Standard phone with grey scale screen and 8 programmable buttons. Includes 2 for spares	\$202.50	\$8,505.00
3	10384	Shoretel IP930D DECT Phone, includes base, handset and charger. Mobile handsets for use at Water and Wastewater	\$328.72	\$986.16
5	10389	ShoreTel Handset : IP930D DECT Phone (Add-on) - includes handset charger - Requires ST 14 or later Additional handsets and chargers (no base) for Water and Wastewater.	\$109.21	\$546.05
3	10449	Radio Repeater : IP930D DECT Phone -Requires ST 14 or later Repeaters for Water and Wastewater for the portable handsets.	\$136.65	\$409.95
2	30044	Additional Site License.	\$271.65	\$543.30
3	30149	Connect ONSITE Advanced license bundle. Includes Ext+Mbx, Connect desktop and mobility client with IM, collaboration, softphone and video. Also includes Web and App Dialer, Remote Phone, CRM client integration and Operator.	\$273.84	\$821.52
3	30145	Connect ONSITE Courtesy license. Includes Extension Only with no Connect client capability	\$54.33	\$162.99
1	18008	ShoreWare Emergency Notification, 5 or fewer Notifies designated users (5 or less) if someone dials 911 within the City offices.	\$1,207.32	\$1,207.32
6	10553	IP Phone POE Power Adapter, 10/100/1000 Mbit Ethernet with IEC-C5 cord (North America) To power the phones at the Library and Wastewater.	\$35.00	\$210.00
2*	10580	Voice Switch ST50A,	\$1,371.95	\$2,743.90



Mitel Phone System

Quote Information:

Quote #: 079755

Version: 2

Delivery Date: 08/13/2019

Expiration Date: 08/31/2019

Hardware / Phones / Licenses

Qty	Item	Description	Price	Ext. Price
Additional switches for Pool and City Shop (optional)				
16	30043	SIP Trunk Software License	\$50.00	\$800.00

*Optional Amount: \$2,743.90

Subtotal: \$23,261.02

Misc. Equipment

Qty	Item	Description	Price	Ext. Price
1	Misc	MISC Termination Equipment and cables. Only invoiced if needed	\$300.00	\$300.00
2	WALLSHELF4U	Wall-Mount Server Rack with Built-in Shelf - Solid Steel - 4U - rack (wall mount) - 4U	\$125.00	\$250.00

Subtotal: \$550.00

Network Switches

Qty	Item	Description	Price	Ext. Price
1	16535	Extreme Networks X440-G2 X440-G2-48p-10GE4 - Switch - managed - 48 x 10/100/1000 (PoE+) + 2 x 1 Gigabit / 10 Gigabit SFP+ + 4 x combo SFP - rack-mountable - PoE+ PoE network switch at City Hall for City Hall and FAP <u>Extreme Product Warranty / Support Summary of Entitlements for Extreme 440 G2 Series switches</u> WARRANTY Limited Lifetime Warranty With Express Advanced Hardware Replacement DURATION OF WARRANTY PERIOD Product Lifetime ACCESS TO EXTREME GLOBAL TECHNICAL ASSISTANCE SUPPORT Product Lifetime (8 AM to 5 PM, Monday to Friday local End User's time) <i>Customer is entitled as part of this warranty to utilize Extreme warranty support line via email, Web form or telephone available from 8 AM to 5 PM (Monday to Friday) local End User's time for basic hardware and operational software troubleshooting assistance in connection with warranty claims, including RMA's (excluding installation, configuration and general networking troubleshooting).</i> E-SUPPORT Product Lifetime SOFTWARE/FIRMWARE SUPPORT Product Lifetime for Base Operational Software Updates and Upgrades (Base Operational Software — Embedded software that is required to operate an Extreme-branded network device and is offered for sale as an inclusive component of such hardware network device product as further described in Extreme's published price list applicable to such hardware product ("Covered Product") HARDWARE REPLACEMENT Advanced exchange replacement hardware shipped next business day from RMA approval time	\$3,513.41	\$3,513.41
1	16533	Extreme Networks ExtremeSwitching X440-G2 X440-G2-24p-10GE4 - Switch - managed - 24 x 10/100/1000 (PoE+) + 4 x 1 Gigabit / 10 Gigabit SFP+ + 4 x combo SFP - rack-mountable - PoE+ PoE Network switch for Water	\$2,221.95	\$2,221.95
2	10304	10 Gigabit Ethernet SFP Passive Cable Assembly 1m Length For connection between City Hall and FAP	\$95.00	\$190.00
2	10099	Power Cord, 13A, NEMA 5-15, IEC320-C15;	\$29.00	\$58.00
1	16531	Extreme Networks X440-G2-12p-10GE4	\$1,575.61	\$1,575.61
Subtotal:				\$7,558.97

Mitel Phone System

Quote Information:

Quote #: 079755

Version: 2

Delivery Date: 08/13/2019

Expiration Date: 08/31/2019

Server

Qty	Item	Description	Price	Ext. Price
1	VS6-ESSL-KIT-C	VMware vSphere Essentials Kit (v. 6) - license - 3 hosts, maximum 2 processor/host	\$495.00	\$495.00
1	VS6-ESSL-SUB-C	VMware vSphere Essentials Kit - (v. 6) - subscription license (1 year)	\$65.00	\$65.00
1	210-AQUB	Dell Poweredge R340 Server PowerEdge R340 Server Trusted Platform Module 2.0 3.5" Chassis with up to 4 Hot Plug Hard Drives Intel® Xeon® E-2134 3.5GHz, 8M cache, 4C/8T, turbo (71W) 16GB 2666MT/s DDR4 ECC UDIMM C4, RAID 5 for 3 or more HDDs or SSDs (Matching Type/Speed/Capacity) PERC H730P RAID Controller, 2Gb NV Cache, Adapter (4) 1TB 7.2K RPM SATA6Gbps 512n 3.5in Hot-plug Hard Drive On-Board Broadcom 5720 Dual Port 1Gb LOM iDRAC9,Enterprise 2x 32GB microSDHC/SDXC Card No Internal Optical Drive ReadyRails™ Static Rails for 2/4-post Racks No Bezel Performance BIOS Setting (2) NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America Dual, Hot-plug, Redundant Power Supply, 350W No Systems Documentation, No OpenManage DVD Kit VMware ESXi 6.5 U2 Embedded Image on Flash Media UEFI BIOS Boot Mode with GPT Partition iSDM and Combo Card Reader PCIe Riser with Fan with up to 1 FH/HL, x8 PCIe + 1 LP, x4 PCIe Gen3 Slots 3 Years, Basic Hardware Warranty Repair: 5x10 HW-Only, 5x10 Next Business Day Onsite	\$3,829.27	\$3,829.27

Subtotal: \$4,389.27

3 year Gold Support

Qty	Item	Description	Price	Ext. Price
2770	91303-G	High Point Networks ShoreCare Partner Support Gold (3 Years paid annually, No Phones) This amount to be paid annually for 3 years.	\$1.05	\$2,908.50

Subtotal: \$2,908.50



Mitel Phone System

Quote Information:

Quote #: 079755

Version: 2

Delivery Date: 08/13/2019

Expiration Date: 08/31/2019

HPN Service Bundle

Qty	Item	Description	Price	Ext. Price
1	PROSERVE-PKG	High Point Networks Professional Services defined in the pdf online or above in this document	\$23,500.00	\$23,500.00

Subtotal: \$23,500.00

Mitel Phone System

Quote Information:

Quote #: 079755

Version: 2

Delivery Date: 08/13/2019

Expiration Date: 08/31/2019

Prepared for:

City of Laurel
Attn: Bethany Langve
115 West First Street
Laurel, MT 59044

Prepared by:

High Point Networks, LLC
Mike Felten
Direct: 406-281-7222
mike.felten@highpointnetworks.com



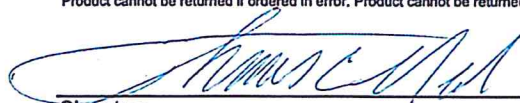
Quote Summary

Description	Amount
Hardware / Phones / Licenses	\$23,261.02
Misc. Equipment	\$550.00
Network Switches	\$7,558.97
Server	\$4,389.27
3 year Gold Support	\$2,908.50
HPN Service Bundle	\$23,500.00
Total:	
	\$62,167.76

*Optional Items

Description	Amount
Hardware / Phones / Licenses	\$2,743.90
Optional Subtotal:	
	\$2,743.90

For questions related to your quotation, please contact us using the information above. By signing below, the undersigned accepts High Point Networks Master Service Agreement and represents that he or she is authorized to execute the agreement on behalf of the customer. Acceptance of the quote online is considered acceptance of an offer and binding. All quotes are subject to shipping costs that may not be listed on the quote. Prices quoted are valid for 30 days from Quotation Date. Limitation of Liability for Consequential Damages. High Point Networks, LLC shall not be liable for any indirect, incidental, consequential, exemplary, or punitive damages of any kind or nature. All projects exceeding 10 hours of service will require a 50% down payment of the total project due upon acceptance of the quotation and the remainder due within 30 days of completion. Payment for all other orders are due in 30 days subject to credit approval. Credit card usage as a form of payment may be accepted on pre-approval basis and may be subject to a convenience fee. *Optional* items on the above quote are not included in the total pricing at the bottom of the quote. Note: Once product is ordered and shipped there is NO right of return and may be subject to a restocking fee. Product cannot be returned if ordered in error. Product cannot be returned if next generation product has been released.


Signature


Date

File Attachments for Item:

10. Approval of Workshop Minutes of August 27, 2019.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, AUGUST 27, 2019**

A Council Workshop was held in the Council Chambers and called to order by Mayor Nelson at 6:30 p.m. on August 27, 2019.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer
Nancy Schmidt, Library Director

Public Input:

There were none.

General Items

Executive Review

1. Resolution - Budget Amendment Resolution Amending Appropriation And Revenues For Various Funds For Fiscal Year 2018-2019 (PH on 9/3/2019)

Bethany Langve, Clerk/Treasurer, presented the budget amendment, see attached, to Council. Exhibit A lists the funds that have a change in appropriations, the reason why it went over and how that overage will be funded. There were no questions.

2. Presentation of the 2019-2020 Preliminary Budget and Tax Resolutions (PH on 9/3/2019)

Bethany Langve, Clerk/Treasurer, present the budget message, see attached, to Council. She stated Library had been broken out of General Fund; this is the biggest change Council will notice. The mills that had gone to General Fund for the Library are now in their own fund.

It was questioned if the toilets were installed at Riverside Park. The Clerk/Treasurer was under the impression that work had been done and there would be no additional cost this year. She will verify with the Public Works Director that that is, in fact, the case.

Nancy Schmidt, Library Director, passed out a handout with an overview of her budget, see attached. She briefly went over the figures within her budget. She requested that the mills not be reduced. There were no questions on the Library's budget.

Mayor Nelson clarified that the increase in Street Maintenance would allow the City the ability to chip seal every class 6 or higher street to help extend the life of the streets. At the current rate by the time all roads had been addressed, the City would need to start this process over.

The Clerk/Treasurer reminded Council that the Street Maintenance projects would be located on our website and Facebook.

The transit bus recently had some major repairs done. The Clerk/Treasurer will be applying for grants to assist in the purchase of a new bus.

The Mayor and Public Works Director are exploring all options for solid waste. Once the FAP repayment loan is done, this fund will be expending more than it is making. The dumping fees have contributed to this issue.

The main concern going into this next year is the General Fund. The Mayor is working to address the issues with the Ambulance by hiring staff. This solution is not cheap. Mayor Nelson reiterated that the volunteers are the backbone of Fire/EMS services. Full-time staff would back up the volunteers.

There is one participant added to the sidewalk program this year. Next year everyone falls off except for them.

Council can review the various tax assessments and get any questions back to the Clerk/Treasurer before next meeting.

3. Resolution - Resolution Of The City Council To Amend Resolution R19-46 Correcting The Hearing Dates Contained Within The Resolution And Exhibit B.

Bethany Langve, Clerk/Treasurer, stated there had been a few emails back and forth on the date of this hearing due to Council adopting the ordinance to change the weeks of their meetings. The document with the incorrect date was included in the packet. This resolution is to amend those dates to be correct and replace Exhibit B. It has been noticed correctly; the resolution listed the 17th instead of the 10th.

4. Resolution - A Resolution Cancelling The November 7, 2019, General Election Of Certain Municipal Officers

Bethany Langve, Clerk/Treasurer, stated she had been contacted by Bret Rutherford the Yellowstone County Elections Administrator regarding the City's ability to canceled unopposed races after the deadline to file as a write-in candidate. The City would not be charged for the paper, the ink, etc. for those who are running unopposed. This will save

the City money. The Elections Administrator will email the Clerk/Treasurer after the 5:00 p.m. deadline on the 3rd which races the City can cancel because there is only one candidate running.

It was stated in recent history, in the last few years, a write-in candidate did almost win the election. It was clarified that unless they are registered as a write-in candidate by the deadline it will not matter how many votes are cast for that person unless there is no one running for the seat. It was further clarified that the City could not cancel the election if there is a registered write-in candidate.

There was discussion coming from both the financial viewpoint and the perception viewpoint. The Clerk/Treasurer stated she is viewing this from the financial viewpoint, that this could save the City some money. The Mayor agreed that there is a perception in canceling the election.

A Council Member raised a concern regarding how this would look as a new headline and on social media that the City is canceling the election. This Council Member agreed that it is a good idea from a budget standpoint.

The Clerk/Treasurer reiterated that with the condition that General Fund is in, from a financial standpoint, cancel the election. She does not care what others think if it saves General Fund money.

A Council Member encouraged residents who are interested to go to the election's office and register.

It was questioned what happens if no one chooses to be a write-in candidate for Ward 4. It was clarified that the Mayor has 90 days to fill the seat. Those interested would submit a letter of interest for the open seat. Council would then nominate and vote to appoint a member to the open seat.

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

There was no discussion on this item.

Council Issues

6. Handicap Parking Update

Council approved the resolution to crush the old asphalt material. They are currently looking for a place to store any excess material. City crews are working on finishing up some street projects this fall; then they will focus on this project.

Other Items

There were none.

Review of Draft Council Agendas**7. Review of Draft Council Agenda for September 3, 2019.**

There were no changes. Mayor Nelson stated there would be a few items coming forward on the 10th.

Attendance at Upcoming Council Meeting

All in attendance will be at the next meeting.

Announcements

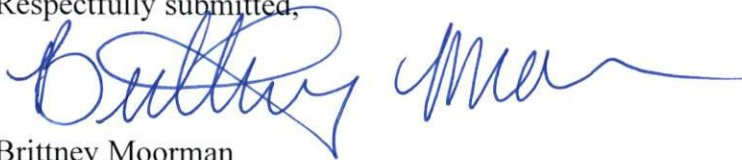
Emergency Services is eager to work on the Ambulance project. They are looking for a timeline for the mill levy. Mayor Nelson stated after the budget is passed, he will start addressing this issue and set up a steering committee.

Council Member Herr attended the Fire Departments Chicken and Corn feed. Council Members are invited to this event. Council was reminded to check their email.

Council and the Mayor thanked the Clerk/Treasurer for her work on this year's budget.

The council workshop adjourned at 8:06 p.m.

Respectfully submitted,



Brittney Moorman
Administrative Assistant

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

EXHIBIT A

Budget Amendment Fiscal Year 2018-2019

Fund 2190 – Comp. Insurance

Original Appropriation	\$ 84,023.00
Amended Appropriation	<u>\$ 88,108.61</u>
Increase in Appropriation:	\$ 4,085.61

2018-2019 Comp Insurance was on average 5% greater than budgeted. At the beginning of FY 2018 Fund 2190 had \$5,085.00 in cash to help offset this increase, so the increase in appropriations will be funded by the comp insurance cash reserves.

Fund 2250 – Planning Appropriations

Original Appropriation	\$ 105,863.00
Amended Appropriation	<u>\$ 164,886.94</u>
Increase in Appropriation:	\$ 59,023.94

The City had to contract with KLJ for a Planner, due to a vacant staff position. The cost of this contract was considerably higher than the cost of a staff position. The Planning Department received increased additional County revenues this year to offset these additional appropriations.

Fund 2250 – Planning Revenues

Original Budgeted Revenues	\$ 98,643.00
Amended Budgeted Revenues	<u>\$ 173,131.20</u>
Increase in Revenues:	\$ 74,488.20

The Planning Department received additional County Planning revenues this year.

Fund 2821 – HB 473 – Gas Tax

Original Appropriation	\$ 253,128.00
Amended Appropriation	<u>\$ 253,359.30</u>
Increase in Appropriation:	\$ 231.30

The cost of the street maintenance project was over by \$231.30. The Street Maintenance Fund (fund 2500) will transfer an additional \$231.30 into this fund to cover the overage.

Fund 3503 – SID #113 – Fourth Street

Original Appropriation	\$ 27,170.00
Amended Appropriation	<u>\$ 27,520.00</u>
Increase in Appropriation:	\$ 350.00

There is an admin fee associated with this SID that was not budgeted. This increase to the appropriation is for that admin fee. The increase will be taken out of the SID 113 cash reserves.

Fund 3505 – SID 115 – 5th Avenue Sidewalks

Original Appropriation	\$ 9,089.00
Amended Appropriation	<u>\$ 19,266.16</u>
Increase in Appropriation:	\$ 10,177.16

A payment from FY 2018 was posted into FY 2019 making this appropriation go over the budgeted amount. The overage is funded by the cash reserves for the SID 115 fund.

Fund 3506 – SID 116 – Cottonwood Sidewalks

Original Appropriation	\$ 9,768.00
Amended Appropriation	<u>\$ 20,705.09</u>
Increase to Appropriation:	\$ 10,937.09

A payment from FY 2018 was posted into FY 2019 making this appropriation go over the budgeted amount. The overage is funded by the cash reserves for the SID 116 fund.

Fund 3508 – SID 118 – S Washington Ave Sidewalks

Original Appropriation	\$ 8,868.00
Amended Appropriation	<u>\$ 14,070.60</u>
Increase in Appropriation:	\$ 5,202.60

The interest payments for SID 118 were budgeted incorrectly and too low. The overage is funded by the cash reserve for the SID 118 fund.

Fund 3509 – SID 119 – East 6th Street

Original Appropriation	\$ 0.00
Amended Appropriation	<u>\$ 2,090.00</u>
Increase in Appropriation:	\$ 2,090.00

SID 119 estimates were not available to budget for FY 2019. Invoices came in for payment at the end of FY 2019. The bond closes 08/30/19, and funds will be transferred by Yellowstone Bank to cover the costs of construction shortly thereafter.

Fund 7120 – Fire Disability

Original Appropriation	\$ 83,899.00
Amended Appropriation	<u>\$ 92,942.67</u>
Increase in Appropriation:	\$ 9,043.67

Revenues for this fund were greater than anticipated so there were more transfers to the Firemen's Relief Association than budgeted.

Fund 7850 – Airport Authority

Original Appropriation	\$ 39,273.00
Amended Appropriation	<u>\$ 40,075.78</u>
Increase in Appropriation:	\$ 802.78

Revenues for this fund were greater than anticipated so there were more transfers to the Airport Authority than budgeted.



September 3, 2019

Dear City of Laurel Governing Body,

Transmitted herewith is the annual operating and capital budget recommendations for the City of Laurel for the fiscal year ending June 30, 2020. This year staff did not prepare a management budget. Staff was expected to work responsibly within their known budget. Communicate with the Mayor regarding any budgetary needs prior to the approval of the final budget and be fiscally responsibly. I have great confidence in all my department heads, and their staff, and the response to this request has been very positive.

The mill value came in at \$8,410.629/mill this year, which is an increase of \$382.702/mill over last year. The mill value in 2018-2019 was \$8,027.927/mill. Even though the City's mill value has increased the total amount of mills has decreased. Last year the City total mill levy was 157.06 and this year it is 152.22. Overall the City will receive an additional \$19,400.00 in taxable revenue. This is a substantial drop in last years increased tax revenues of \$56,081.32, and I am working with the City Planner Director on a Growth Management Plan for the City. Without a growth plan, and additional annexations the General Fund is not going to be able to support the continued increases to appropriations.

The following are the changes in apportionment of the levies from 2018-2019 to 2019-2020:

<u>Fund:</u>	<u>19-20 Levy</u>	<u>18-19 Levy</u>
General Fund	89.47	126.75
Difference -37.28*		
*The Library is now out of the General Fund and is receives mills separately		
Library	27.61	0.00
Difference +27.61		
Comprehensive Liability	6.00	12.03
Difference - 6.03		
PERS	8.14	8.64
Difference - 0.50		
Group Health	17.00	5.21
Difference + 11.79		
Fire Disability	<u>4.00</u>	<u>4.42</u>
Difference - 0.42		
Total:	152.22	157.05
Difference - 4.83		

The Comprehensive Liability Fund premiums have increased by \$33,733.03. This is due to liability and worker's compensation claims against the City. Claims against the City are on a three-year rolling calendar. The City of Laurel received a \$31,639 retro adjustment due to excess reserves MMIA had at the end of the 2018 Fiscal Year. This

was a significant decrease to last year's adjustment of \$57,678. With the passage of the Safety plan the City is hoping to reduce the amount of Worker's Compensation claims and improve safety. This year the Comprehensive Liability Fund has no reserves left in it. At this time last year there were 49% reserves in this fund. Two years in a row this fund has had significant increases to the premiums with equally significant decreases to the adjustments, and this has depleted all the reserves.

PERS rates have increased by .1% for the sixth year in a row. Per PERS, this amount will be increased on the City's side .1% per year through 2024. Please note that this fund only covers the General Fund employees. All other funds must budget for their employees' PERS. As wages increase in the General Fund so does PERS. With the lack of additional tax revenues to support the General Fund, and other non-voted levied funds, the reserves in the PERS fund are at down to 8% this year. At this time last year, they were at 17%.

Group Health, along with the Permissive Health Levy Fund, will provide insurance payments to the General Fund.

The Fire Disability Fund was reduced to 4.00 mills this year. The City has an obligation to fund the Fire Pension for volunteers. These 4.00 mills amount to \$33,642.52 and will be given to the Firemen's Relief Association for pension payments. The total pension that is expected to be distributed in the year 2019-2020 is \$52,961.18. The cash balance at the end of June 2015 was \$92,358. The 4.00 mills are to supplement the balance of the Pension Fund.

Airport Authority	<u>3.15</u>	<u>3.25</u>
Difference	<u>-0.10</u>	

The Airport Authority Board has its own taxing authority. This year, the fund will receive 0.10 mills less than last fiscal year, however, the total tax revenue is \$402.72 greater.

Permissive Health Insurance	<u>19.75</u>	<u>21.20</u>
Difference	<u>-1.45</u>	

The permissive mill value was \$195,878.58 in 2017-2018, \$170,192.05 in 2018-2019, and is valued at \$166,109.92 this fiscal year. I have a feeling that this levy is going to decrease annually.

Employee Wages and Benefits

Unemployment insurance has decreased from 0.0035% to 0.0015% this year, on gross wages. This is a significant decrease and will help offset some of the other increases the City is experiencing. I don't expect this to last indefinitely, and I do expect this to increase again soon.

Workers' compensation rates were reduced this year by 2%, except for Fire. Fire increased dramatically due to the insurance rider all Cities must carry for airborne illnesses. Fire increased from 0.039678 to 0.0661980. The City's mod factor, however, remained the same at 1.02.

The Police Union is currently not in negotiations with the City. They received 2% increases to their wages, per their contract. They also received and increases to their uniform allowance, from \$699-\$800 and new employees receive \$1,000.

The Public Works Union members received a \$0.35/hr. increase to wages and Utility Workers received an additional \$0.50/hr. increase to wages. Court Clerk 3 received an additional \$1.00/hr. and Court Clerk 2 received an additional \$0.50/hr. this fiscal year, per the current Union Contract.

The Public Works Union will enter negotiations the beginning of 2020.

I am recommending a 3% increase to wages for non-union employees, and an increase to their flex to \$600.

Fund 1000 - General Fund:

The General Fund appropriations are budgeted at \$4,690,704.00, with revenues coming in at \$3,920,872.00. This represents a use of \$769,832 in reserves. Most of these appropriations are due to the hiring of Emergency Services staff. I have made it a number one priority to find a solution to the significant problem our City is facing regarding Ambulance responses. Our Volunteer staff needs support, and I am going to provide them that by hiring a full-time EMS/Fire Chief and three full-time EMT/Firefighters. I challenged my Clerk/Treasurer to budget this staff and she did. Our Emergency Services Committee is working on a mill levy to put out to our citizens to help pay for the needed equipment, and the Clerk/Treasurer and Ambulance Director are going to apply for a Safer Grant to help fund a portion of the wages for three years. This is a huge endeavor and I want to thank the volunteer fire department for being the first to suggest this type of structure to me.

The General Fund is always a challenge, but I am looking ahead to the future and my Planning Director is working on annexation and growth. I am looking at expanding

Laurel West with a TED or a new TIFD. This will bring growth to the City and increased tax revenue. We need to grow responsibly, however, and for that I rely on my Planning Director.

Notable changes to the General Fund this year include:

Revenues:

- General Fund tax revenue dropped significantly due to the removal of the Library out of the General Fund.
- General Fund has \$477,000 budgeted in revenues from the Yellowstone River Recreation Project Fund. These funds are associated with the ExxonMobil Pipeline spill.

Expenditures:

- \$477,000 has been budgeted, in parks, for the projects approved by the Yellowstone River Recreation Project Plan.

Fund 2220 – Library

Revenues:

- The projected tax revenues are \$232,217.47 for this fiscal year.

Expenditures:

- The Library Board has submitted their budget to the governing body for approval

Fund 2250 – Planning

Revenues:

- The projected revenues from the County are \$58,290 for this fiscal year, and this is 1% less than last year. LURA will not contribute \$6,000 to the Planning Department this year as a portion of the Planning Director's wages will now be posted directly to the TIF District fund. General Fund will contribute \$32,000 to this fund in order to balance the fund.
- A \$50,000 CDBG (Community Development Block Grant) is being applied for to help pay for the Growth Management Plan.

Expenditures:

- The Growth Management Plan is budgeted to this fund. KLJ will assist with this project.

Fund 2260 – Emergency Disaster

Revenues:

- The City will not levy 2 mills this fiscal year.
- The remaining approximately \$700,000 in FEMA funds for the Intake will be received in this fund and transferred to the Water Fund as required.

Fund 2310 - Tax Increment Financing

Revenues:

- Revenues are calculated at \$3,803,746 for this fiscal year.
- The TIFD will sell a TIF Bond this fiscal year to pay for the East Downtown Infrastructure Project and extend the life of the TIF District.

Expenditures:

- The East Downtown Infrastructure Project should begin construction this fiscal year.
- The Large Grant Programs will continue this year at an increased amount of \$225,000. This is available to accommodate large projects for businesses in the district. A small grant program has been added this fiscal year. The Façade and Technical Assistance grant programs are still available as well.

Fund 2399 – City Parking Fund

Expenditures:

- Currently there is \$14,363 available for use in parking lot improvements.

Fund 2400 & 2401 – Light Districts #2 & 3

Revenues:

- Street Light Assessments were reduced this fiscal year due to healthy cash reserves.

Expenditures:

- Expenditures have increased slightly due to an increase in utility costs. The lighting on Foundation is still a budgeted project.

Fund 2500 – Street Maintenance

Revenues:

- The State is still responsible for street cleaning on Main Street. and South 1st Avenue
- The Street Maintenance assessment to the citizens of Laurel will be \$1,110,866 for street maintenance and \$18,031 for the sweeping district. This is a significant increase to last year. The last time Street Maintenance fees were increased was in 2004 from 1.5 cents to 2.0 cents.
- The Street Maintenance Fund will continue to receive the R-O-W fees in the amount of \$339,498. This money will be used to start a new small capital project in the next fiscal year.

Expenditures: -

- There is \$200,000 budgeted for pothole repair and chip sealing.
- The Public Works Director has a list of streets that will be crack sealed, and chip sealed. This project is budgeted at \$1,000,000.
- The Street Maintenance Fund has a project budgeted to remove trees from the storm drains.

Fund 2600 – Elena Park Maintenance District

Revenues:

- Elena Park Maintenance District will not be assessed this fiscal year due to excess cash reserves.

Expenditures:

- \$10,000 has been budgeted to plant boulevard trees within the maintenance district

Fund 2701 – Memorial/Endowment (Pool)

Expenditures:

- The entire amount of \$113,628 is available for expenditure, should the Council decide to pursue a water-related project.

Fund 2702 – Expendable Grant

- Total expenditures budgeted for parks is \$214,300, which includes the \$100,000 from CHS for the bank stabilization.
- Amount available for reconstruction on the north shore of the river is \$114,300.

Fund 2820 – Gas Tax

Revenues:

- The total revenue for the gas tax allotment this year is \$123,169, which is down \$1,212.01 from last year.

Expenditures:

- A project to improve streets has been budgeted this year in the amount of \$75,000.

Fund 2821 – HB 473-Gas Tax

Revenues:

- The revenues available from this gas tax fund are \$98,823. The 5% matching amount is budgeted from Street Maintenance.

Expenditures:

- \$85,000 has been budgeted for misc. street maintenance project.

Fund 2850 – 911 Emergency

Revenues:

- Anticipated revenue is \$48,419. The General Fund is not contributing to this fund this year.

Expenditures:

- Budgeted expenditures are \$72,200.

Fund 2917 – Crime Victims Assistance

- This fund has \$79,188 budgeted for a Crime Victims' Program. The City Prosecutor and Clerk/Treasurer are in communication with Yellowstone County to try to get an interlocal agreement set up for victim witness services.

Fund 2928 – Transit Bus Grant

Revenues:

- The City's \$30,097 grant to manage the bus transit system has been renewed for this fiscal year.
- \$2,500 will be transferred from the General Fund to the Transit Fund for the City's match.

Expenditures:

- A portion of the wages for the Utility Clerk will come out this fund.
- \$30,000 has been budgeted for the bus drivers that are employed by Adult Resource Alliance of Yellowstone County.
- \$50,000 has been budgeted for the purchase of a new transit bus if one becomes available.

Fund 2952 – Federal Equitable Sharing

Revenues:

- These revenues come from property confiscated by the Department of Justice during drug seizures. The property is sold, and the revenues are distributed to those agencies that are part of the DEA program. The use of the revenues received by the City is left to the discretion of the Police Chief.
- The revenues can no longer be budgeted per the Department of Justice Standard Operating Procedure for this fund.

Expenditures:

- The expenditures for this fund can no longer be budgeted per the Department of Justice Standard Operating Procedure for this fund.

Fund 3400 – SID Revolving

Expenditures:

- The cash in this fund is held for purposes of possible defaults on SID property payments. If for some reason there is not enough cash in the SID Funds when debt service payments are due, the cash in this fund may be transferred to the Debt Service Fund (3500 funds) to make the payment.

Fund 3401 – SID 118 Reserve

Expenditures:

- The cash in this fund is held for purposes of possible defaults on SID No. 118 property payments. If for some reason a property owner defaults on their payment, the cash in this fund may be transferred to the Debt Service Fund 3508 to make the payment. SID No. 118 Reserve Fund may only be used for this purpose and monies may not be transferred to any other SID Fund.

Funds 3503 – 3508 – SID Debt Service Funds

- These funds will handle the debt service for SID's. Money is collected through the tax rolls as assessments to pay the SID bond payments.

Fund 4000 – Capital Improvement Fund /CIP

Revenues:

- The General Fund will be transferring \$133,084 to the CIP Fund this year. Per the Capital Improvement Plan (CIP) that was approved by the Council. The Mayor has decided to not transfer \$20,000 of this transferable amount into the 4001 CIP Fund for a sidewalk program. The 4001 CIP Fund has \$85,000 available for sidewalk projects.
- CHS has generously agreed to help the City fund new extrication equipment for the Fire Department. They will provide the City with \$10,000 annually for the next 5 years.

Expenditures:

- The following items have been approved for purchase this year.

1. Repairs to City Hall	\$ 100,000
2. City wide Voice Over Internet Phone	\$ 65,000

3. Police Dept – Toughbook's	\$ 6,000
4. Police Dept – Vehicle Lease Year 1	\$ 15,000
5. FAP – Air Conditioner Replacement	\$ 10,100
6. Fire Dept – Extrication Equipment	\$ 55,000
7. Cemetery – Misc. Projects	\$ 34,000
8. EMS Depts – Dispatch Software	\$ 130,000
9. ExxonMobil money for Riverside Park	<u>\$ 250,000</u>
Total Capital	\$ 665,100

Fund 4001 – Capital Improvement, Streets, Sidewalks and Parks

Revenues:

- The Sidewalk Assessments will be received in this revenue. The amount this year is \$5,174.

Expenditures:

- The sidewalk program will be expended out of this fund up to the available amount of \$85,000.

Enterprise

Funds



The Sedimentation Basin project is substantially complete. This is another project that I truly am proud of. We now must focus on getting the intake functioning flawlessly with the new SED Basins, continuing routine maintenance throughout our water plant and paying off the large amount of water debt service.

Fund 5210 – Water Fund

Revenues:

- Water Fund revenues include \$125,000 in grant funds from the DNRC for the SED Basin project, the remaining \$54,489 in TSEP grant funds for the SED Basin project, and the remainder in loan proceeds from the sale of a bond to fund the SED Basin project. The Water Fund is expected to receive the remaining \$700,000 due to it from FEMA for the close-out of the Intake project. These funds will be posted to the Water Fund via journal voucher transfer from the Emergency Disaster Fund.

Expenses:

- \$2,600,000 has been budgeted to complete the SED Basin project

Fund 5310 – Sewer Fund

Revenues:

- \$1,989,038 is the anticipated revenue for the Sewer Fund.

Expenses:

- The following capital projects have been budgeted for this fiscal year: Screw Press A Replacement \$129,000 and Screw Press B & C Rehab \$100,000
- KLJ will be upgrading the sewer maps \$30,000
- \$156,250 has been budgeted for H2S Remediation.

Fund 5410 – Solid Waste

Revenues:

- Total anticipated revenue to be received is \$885,025.
- Repayment of the loan for the FAP addition has been budgeted in the amount of \$25,000.

Expenses:

- The dumping fees have increased significantly

7000 Funds – Trust and Agency Funds

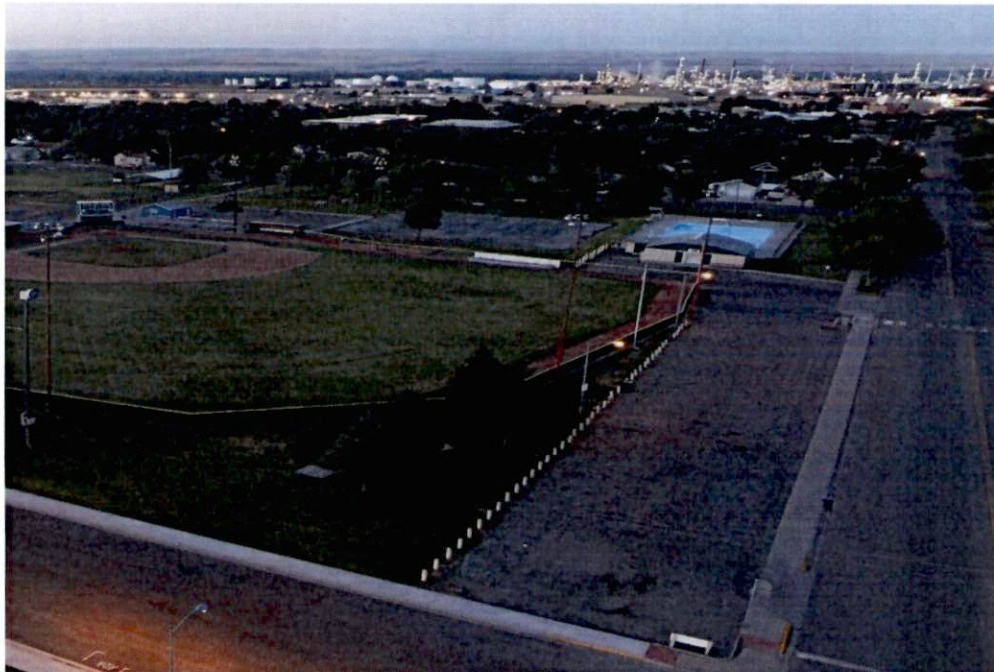
These funds are considered pass-through accounts. The City collects the revenues and disperses the revenue to other entities (agencies).

Fund 8010 – Cemetery Perpetual Care

The revenue collected in this fund comes from purchased plots. The Perpetual Fund will receive 15% of the cost of a plot (per State Statute), and these revenues will be retained by the City to support maintenance of the Cemetery when there are no longer plots available for sale. The money may also be used to expand the cemetery with additional plots.

Although this budget message has covered a large portion of the budget, it does not cover every fund or every change in these funds. The items mentioned include the major changes and some different ways of accounting for some past budgeted line items.

Should you have any further questions about this year's budget, feel free to contact Myself or Clerk/Treasurer Bethany Langve. We have strived again this year to utilize the public funds in the best interest of the citizens, and I hope that you feel we have succeeded.



2/11/2019
15:09:05

CITY OF LAUREL
Expenditure Budget by Org Report -- MultiYear Actuals
For the Year: 2019 - 2020

Page: 1 of 2
Report ID: B240A1

360 LIBRARY

Account Object	----- Actuals -----				Current	%	Prelim.	Budget
	15-16	16-17	17-18	18-19	Budget	Exp.	Budget	Changes
					18-19	18-19	19-20	19-20

1000(2220) GENERAL								
460100 Library Services								
110 Salaries and Wages	111,343	117,226		74,775	122,570	61%	\$140,000.00	
138 Vision Insurance		33	129	95	165	58%	\$337.00	
139 Dental Insurance		187	709	522	900	58%	\$1,750.00	
141 Unemployment Insurance	166	175	309	262	185	142%	\$210.00	
142 Workers' Compensation	964	1,095	1,031	711	1,140	62%	\$590.00	
143 Health Insurance	26,400	24,653	28,467	18,569	32,490	57%	\$29,062.00	
144 Life Insurance	144	144	170	112	209	54%	\$432.00	
145 FICA	7,623	8,061	8,785	5,379	9,440	57%	\$10,776.00	
146 PERS							\$12,100.00	
194 Flex Medical	1,755	1,755	1,330		1,755	0%	\$1,975.00	
210 Office Supplies & Materials	2,596	2,560	2,074	2,816	2,250	125%	\$500.00	
216 Computer/Printer Supplies	3,279	3,141	3,253	1,611	2,750	59%	\$500.00	
220 Operating Supplies		220	66	150		0 ***%	\$0.00	
233 Machinery & Equipment	12				0	0%	\$0.00	
311 Postage	680	400	370	169	400	42%	\$175.00	
312 Networking Fees	105	95	88	173	528	33%	\$250.00	
322 Books/Catalogs, etc.	30,973	32,706	32,335	21,780	30,000	73%	\$9,000.00	
328 Data Base Subscription	1,957	1,753	3,097	2,149	2,500	86%	\$2,100.00	
332 Internet Access Fees	443	457	1,398	575	1,200	48%	\$1,400.00	
333 Subscriptions-Newspapers	1,117	1,106	1,021	933	1,000	93%	\$400.00	
335 Memberships & Dues	584	523	535	535	600	89%	\$400.00	
337 Advertising	193	193	206	113	300	38%	\$150.00	

343 Cellular Telephone			1,127	-5	800	-1%	\$0.00
370 Travel	2,762	2,796	3,409	1,326	2,500	53%	\$2,117.88
397 Contracted Services	821	605	540	360	1,000	36%	\$550.00
511 Insurance on Bldgs/Imp							\$1,113.00
513 Liability Insurance							\$4,985.00
732 Purchases from Donat	1,710	891	967	545	1,000	55%	\$500.00
Account:	195,627	200,775	214,474	133,655	215,682	62%	\$221,372.88
460120 Facilities							
220 Operating Supplies	898	475	844	548	600	91%	\$500.00
322 Books/Catalogs, etc.				1,143	0	***%	\$0.00
341 Electric Utility Service:	4,296	4,647	3,895	1,801	4,000	45%	\$2,000.00
344 Gas Utility Service	693	859	945	400	900	44%	\$800.00
345 Telephone	981	1,132	1,473	952	1,000	95%	\$1,700.00
365 Tree Pruning/Grounds	1,244	1,228	864		300	0%	\$300.00
366 Building Maintenance	3,491	1,233	8,615	-4,898	1,500	***%	\$500.00
398 Janitorial Service	598	777	376	391	400	98%	\$250.00
399 Other Contracted Serv	3,437	5,265	5,591	3,366	6,500	52%	\$6,500.00
Account:	15,638	15,616	22,603	3,703	15,200	24%	0
Fund:	211,437	216,391	237,077	137,358	230,882	59%	\$12,550.00
Orgn:	211,437	216,391	237,077	137,358	230,882	59%	\$233,922.88

This item has been cut compared to last year's budget. Some as much as 50-75%.

These two items were not included in the General line item budgets in previous years. (\$18,198)

This indicates that the amount budgeted hasn't changed from the previous budget.

Removed from line items because it stays in General Fund.

Budget has increase for this item.

File Attachments for Item:

11. Approval of Workshop Minutes of September 17, 2019.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, SEPTEMBER 17, 2019**

A Council Workshop was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:30 pm on September 17, 2019.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer
Nick Altonaga, City Planner
Kurt Markegard, Public Works Director

Public Input:

Ken Olsen, 1702 Groshelle Boulevard, stated he represents the Montana State Firefighters Memorial Park. He wanted to invite the Mayor and Council to the memorial ceremony, which will be held this Saturday, the 22nd of September, at 10:00 am. Billings Fire Department will be the group that is putting on the memorial service. They found an individual that passed in 1069. He died of a heart attack. He was eligible to be put on the wall. We invite you to come over and be part of our ceremony; afterward, we are going to a small barbeque. Drinks and fellowship will follow. You can come and enjoy the ceremony. He stated he didn't know if there were any questions or not. If there are any questions, they can get ahold of him.

Mayor Nelson stated there was some confusion on the dates. He asked if the paper had been notified. It was clarified that it was in the paper.

Mr. Olsen stated that the family of the individual would be in attendance at the event.

General Items

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

Riley was unable to attend tonight's meeting. Both Joe and Austin have extensive medical backgrounds and will be a great addition to the Ambulance Service.

2. Mayor's Appointment of Michelle DeBoer, as an advisory member, to the Laurel Urban Renewal Agency.

Michelle DeBoer was not in attendance. She submitted a letter of interest to sit on the Laurel Urban Renewal Agency Advisory Board.

Executive Review

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

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

It was questioned if the variance will allow for a sign with more activity. It was clarified this variance would only allow for a computer-controlled sign with no animation, as stated in the Staff report.

It was questioned how often the messages would change. It was clarified that the sign code allows for the message to change every 60 seconds.

Roy Voss, 13th Ave, stated he is a board member for this church. This sign is not capable of animation. It is not capable of scrolling. It will state what services or events are going on and will change first thing in the morning.

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

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

It was a question where this project was located. It was clarified this project is located past Walmart on East Railroad.

It was questioned if this variance is really on our part and not theirs because of our sewer line.

5. Resolution - Authorizing The Award of Grants From The Tax Increment Financing District Funds Pursuant To The LURA Small Grant Request Program For Eligible Applicants And Improvements.

Nick Altonaga, Planning Director, briefly reviewed each project; see attached.

It was questioned where the VFW sign would be going. It was clarified down the block at a salon.

It was questioned if façade improvements are used for preventative maintenance. It was clarified façade improvements to improve blight.

It was questioned why the VWF was not included in the resolution. It was clarified that only those above 5k come before Council.

6. Resolution - Approving a Contract Between The City Of Laurel And the Montana Department Of Justice Natural Resource Damage Program

Kurt Markegard, Public Works Director, stated that the DOJ to begin engineering on the Riverside Park Campground. The next Council cycle will be a task order with KLJ to do the engineering for this project. To receive funds from the NRDP, the City has to enter into a contract. These are the funds awarded from the Exxon Mobil oil spill.

7. Resolution - Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Relating To The Development Of Design Standards For Public Improvements.

Kurt Markegard, Public Works Director, stated in 2003 was the last time the design standards were updated. We were hoping to make the update every five years. KLJ will prepare a document that will be easy to update in the future.

8. Resolution - Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Relating To The Assembling Of City Infrastructure Data Into A Single Source, Which Can Be Used To Track And Manage Assets.

Kurt Markegard, Public Works Director, stated this is a task order to update the water, sewer, and storm infrastructure on our maps. We are currently using paper. KLJ would take all as-builts and current GIS information and update our maps. Staff would have access to this information in the field and wouldn't be required to come back to the office to find that information. When the City receives a locate, they need to be able to locate City assets correctly. MDU and NEW both use a computerized system. The Public Works Committee recommended moving forward on this project.

It was questioned if the City will be able to generate online work orders with this system. It was clarified that it is a possibility, but we need to get this done first. It will be an interactive interface.

There are currently multiple versions of the maps, and they may not match what's actually in the ground; this will help crews be more efficient in locating infrastructure. This will save both time and money.

It was questioned if technology is the answer to everything. If our engineering firm will need to keep updating this information. It was clarified that after the initial update, Staff would have the ability to update the information as needed. When a new subdivision comes in, their infrastructure information will need to be submitted in an electronic format that works with the system and the paper version. Paper will be the back up if the system is down. Currently can zoom into a block and print off that information. We just need to update the information already in the system.

Council Issues

9. Discussion regarding the Park Board's recommendation to reopen Riverside Park.

Park Board has recommended Riverside Park reopen. That the sign saying no camping be taken down. The toilets have been installed and wanted to see if the Council would like to move forward. Park Board is concerned people are still camping even with the signs up.

The Council stated that they were concerned with the trees being a hazard. It was clarified that reopening at this time would go against MMIA. If people are camping there, the Police Department can be notified to address the issue.

Council noted that this might be premature with moving forward in building the campground as discussed previously in this agenda. Council expressed the desire to hold off until the completion of the campground. Council asked the issue be sent back to the Park Board.

10. Discussion regarding Park Board's recommendation to repair the American Legion building.

Park Board has recommended repairing the American Legion building. They want to open this building up to the public. The Public Works Superintendent is working on cost estimates to repair the building. Council asked that once the costs have been identified to bring it back to Council.

11. Discussion regarding the Park Board's recommendation to demolish the Caretaker's house in Riverside Park.

Park Board has recommended taking down the Caretakers house. It is infected with mold. The Public Works Superintendent is looking into if City staff can remove the building. There are concerns about mold and asbestos. He is also looking into the cost of removal if the City Staff cannot remove the building. The Council stated their desire to have the building removed. Once those two issues are addressed can bring back before Council.

12. Discussion regarding Park Board's suggestion to change the park hours.

Park Board noticed that Kids Kingdom had had a lot of vandalism. The parks need more limited hours to keep the kids out after hours. There needs to be a caveat for the 4th of July and Riverside Park.

Council noted there is a provision for the fireworks around the 4th of July; they did not see an issue with making a provision for the park hours during this time. Council noted that there are people who would like to fish later than 10 pm at South Pond. This issue needs to be addressed, as well.

Sunrise was picked because it is easy to determine if the sun has risen or not. Can do 7 am if Council prefers a set time.

Council noted the opening of the parks is not the issue. They would like the parks closed before midnight.

Mayor Nelson noted park hours are established by LMC 12.28.060. Park Board needs to strike out what they want to be changed and bring it back to Council. Those proposed changes will be sent to the City Attorney. Because this is an ordinance, there will need to be a public hearing.

The Public Works Director clarified that Kids Kingdom is closed at sunset, but Kiwanis Park is open until midnight. This poses an issue with moving kids out of the area. They will sit on the benches outside Kids Kingdom.

Other Items

13. Update from the Mayor regarding the handicap parking.

In the next week or two, the millings will be ground up. Once this takes place, the parking lot extension will be done. It should be done by next spring.

Review of Draft Council Agendas

14. Review Draft Council Agenda of September 24, 2019.

There were no changes.

Attendance at Upcoming Council Meeting

Announcements

15. Employee and Volunteer Recognition:

Mayor Nelson recognized all employees and volunteers. He thanked them for their service.

Emergency Services Committee will meet Monday, September 23, 2019, at 6:00 pm in Council Chambers.

The council workshop adjourned at 7:48 pm.

Respectfully submitted,


Brittney Moorman
Administrative Assistant

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



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance – Laurel Assembly of God (Family Church)
DATE: August 15, 2019

DESCRIPTION/LOCATION:

John Farnes of the Laurel Assembly of God (Family Church) has submitted an request for a variance for Chapter 17.42.050, specifically Table – Signs by Zoning District. The affected property is located at 1002 3rd Ave in the City of Laurel. The Parcel is zoned R-7500. The Applicant is requesting a variance to allow Computer Controlled Variable Message Signs within a residential district, which is currently not allowable. The Property is legally described as Fourth Ave Subd, S09, T02 S, R24 E, BLOCK 4, Lot 1 – 7.

STAFF FINDINGS:

Applicant Data:

Owner: Laurel Assembly of God
Legal Description: Fourth Ave Subd, S09, T02 S, R24 E, BLOCK 4, Lot 1 – 7
Address : 1002 3rd Ave.
Parcel Size: 29,400 Sq. Ft.
Existing Land Use: Laurel Assembly of God
Proposed Variance: Allowable use of Computer Controlled Variable Message Signs within Residential Districts
Existing Zoning: R-7500
Surrounding Land Use: R-7500

1. The variance application packet is attached and contains cover sheet, map of sign location, detailed justification letter, and public notice.
2. The application is requesting that the Computer Controlled Variable Message Sign that was designed after initial meetings with city staff between 2017 and 2018.
3. LMC 17.42 Table – Signs by Zoning District states that that use of a Computer Controlled Variable Message Sign is not allowable within any residential district.

4. LMC 17.42.120 – Changeable Copy states that “Unless otherwise specified by this section, any sign in this chapter allowed may use manual or fixed message electronic sign. Computer controlled variable message electronic signs shall be permitted provided that the bottom of the reader board is ten feet above the crown of the adjacent road.”
5. Mr. Farnes noted that he had met with City staff in the previous two years to discuss sign design requirements and it was not presented that the design of the sign was not allowable in the current zoning district.
6. At the time of seeking a building permit, city staff informed Mr. Farnes that they could not grant a permit because the type of sign was not allowable within the R-7500 District which the Family Church property is within.
7. Mr. Farnes noted that this design and planned installation represents a significant investment of funding from the Family Church community

ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:

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

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.
- B. The zoning commission shall not recommend that land use variances be granted:
 1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 3. Unless the basis is something more than a mere financial loss to the owner;
 4. Unless the hardship was created by someone other than the owner;
 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
 7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.
 - 8.

STAFF SUGGESTED CONDITIONS:

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

1. There shall be no other signs of this type allowed on the property.
2. Sign shall follow all other rules and regulations within the Sign Code

PROCEDURAL HISTORY:

- On July 3, 2019 John Farnes of Family Church met with the City Planner. He discussed the background of the sign upgrades to be made.
- On July 8, 2019 the variance application packet was received by the Planning Department.
- A public hearing for the variance request is scheduled to take place at the Laurel City-County Planning Board on September 5, 2019 at 10:00am.
- A public hearing for the variance request is scheduled to take place at the Laurel City Council Meeting on September 24, 2019.



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance – Steve Diefenderfer (Midway Rentals)
DATE: August 15, 2019

DESCRIPTION/LOCATION:

Steve Diefenderfer of Midway Rentals submitted a request for three variances to LMC Chapter 17.26 – Community Entryway Zoning District. The affected property is located on East Railroad St. at a currently unassigned address. The parcel is zoned Highway Commercial and is within the Community Entryway Zoning District. The Applicant is request variances to disregard the bufferyard requirement, sight-obscuring fence requirement, and building design standards.

STAFF FINDINGS:

Applicant Data:

Owner: Diefenderfer Family Trust
Legal Description: Entertainment Park Subd, S15, T02 S, R24 E, BLOCK 1, Lot 1A, Lot 1B AMD BLK 1 LT 1 (17)
Address : 1002 3rd Ave.
Parcel Size: 6.204 Acres
Existing Land Use: Field
Proposed Variance: Design standards and landscaping standards within the Community Entryway Zoning District.
Existing Zoning: Highway Commercial
Surrounding Land Uses:

North: Zoning:	Light Industrial	Land Use:	Residential
South: Zoning	Interstate Highway	Land Use:	Interstate Highway
East: Zoning	Light Industrial	Land Use:	Nana's Bloomers
West: Zoning:	Highway Commercial	Land Use:	Fiberglass Structures Inc.

1. The variance application packet is attached and contains application form, application cover sheet, detailed justification letter, fee receipt, map of site, building design plans, and public notice.
2. The application is requesting three variances to LMC 17.26 – Community Entryway Zoning District including:
 - a. 17.26.052 Development Standards Part B: Building Design Standards, and
 - b. 17.26.052 Development Standards Part C: Additional Provisions for Commercial Uses
 - c. 17.26.054 Landscaping Standards part B.1: Bufferyard Requirements.
3. LMC 17.26.052 Part B states:
 1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.
4. LMC 17.26.052 Part C States:
 1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.
5. LMC 17.26.054 Part B States:
 - B. Landscaping.
 1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall

be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:

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

b. The following criteria shall also apply to the bufferyards.

- i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
- ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
- iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
- iv. Depth of bufferyard shall depend on density of vegetation.
- v. All new utility lines shall be placed underground.
- vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.

6. There currently exists a sanitary sewer utility line running along the southern boundary of the property which would present future maintenance issues and conflicts with established City of Laurel Public Works standards.
7. Similar businesses within the Community Entryway Zoning District do not conform to the rules. The applicant has stated that there are significant design and building costs and opportunity costs to future business operations if the Community Entryway Zoning District codes are fully enforced as compared to similar businesses that currently exist within the district.
8. The Boundaries of the proposed shop in the building does not follow the requirements of the 17.26.052 but the applicant states that the current design meets the intent and spirit of this title and does not adversely affect or injure or result in injustice to others.
9. 17.26.52.C.1 requires a sight obscuring fence for businesses storing merchandise outside of an approved building. The applicant states that the facility will utilize a secure 6'-8' chain link fence

topped with 1' of barbed wire to secure merchandise while simultaneously allowing highway traffic to view merchandise stored on site similar to other businesses within the district.

ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:

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

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

STAFF SUGGESTED CONDITIONS:

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

- 1. Ensure dust and gravel control measures are in place to keep road debris off of Public right of way.
- 2. Lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.

PROCEDURAL HISTORY:

- On July 31, 2019 Steve Diefenderfer of Midway Rentals and Chuck Henrichs and Kevin Lundin of Eggart Engineering and Construction (EEC) met with the City Planner, Building Official and Public Works Director to discuss the situation, receive comment from city staff, and understand the process to apply for a variance.
- On August 1, 2019 the variance application packet was received by the Planning Department.
- A public hearing for the variance request is scheduled to take place at the Laurel City-County Planning Board on September 5, 2019 at 10:00am.
- A public hearing for the variance request is scheduled to take place at the Laurel City-Council Meeting on September 24, 2019.

Applicant	Project	Application Date	Start Date	Completion Date	Technical Assistance (\$4,000)	Facade (\$2,400)	Sign (\$3,000)	General Small Grant (\$5,000)	LURA Approved Amount	LURA Approval Date1	City Council Approval Date2	Eligibility Date	Total Disbursed Date	FY: 225,000.00 \$	19-20 Awarded Amount
aternal Order of Eagles	Rain gutter and insulation installation, lowering ceiling panels for energy efficiency, painting exterior with mural	4/24/2019	6/1/2019	9/1/2019	\$ -	\$ 1,275.00	\$ 900.00	\$ 4,957.00	\$ 7,132.00	5/50/2019	9/24/2019	9/23/2021			
terans of Foreign Wars (FW)	Construction and installation of sign on property to notify community of VFW Post in Laurel	4/24/2019	5/30/2019	6/30/2019	\$ -	\$ -	\$ 1,605.25		\$ 1,605.25	5/20/2019		12/30/1901			
lstaad Duplex	Demolition of blighted structure, design, construction, utility work, landscaping, sidewalk and curb improvements, and insulation installation.	4/5/2019	8/1/2017	5/30/2019	\$ 3,031.10	\$ 3,831.72		\$ -	\$ 6,862.82	5/20/2019	9/24/2019	9/23/2021			
ldsbey - Mel's Auto Clinic	Replace 3 layers of roof, replace deck and shingling due to roof leakage. Will make attached residence liveable	5/22/2019	5/1/2019	5/30/2019	\$ -	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00	6/17/2019	9/24/2019	9/23/2021			
ld Trust	Canopy/awning and facade updates and installation of more efficient fixtures and lighting in apartments and commercial space	7/16/2019	8/1/2019	12/30/2019	\$ -	\$ 7,500.00	\$ -	\$ 3,016.00	\$ 10,516.00	8/19/2019	9/24/2019	9/23/2021			

File Attachments for Item:

12. Approval of Workshop Minutes of October 1, 2019.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, OCTOBER 01, 2019**

A Council Workshop was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on October 1, 2019.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer
Nick Altonaga, City Planner
Brent Peters, Fire Chief
Kurt Markegard, Public Works Director

Public Input:

There was none.

General Items

1. Presentation by Lynnadele Nielsen and Sally Ellestad with JustServe.

JustServe is a website that connects volunteers to various organizations that have volunteer work. An organization puts in what they need volunteers for, including dates and times. If someone wants to volunteer, they can use this website to find organizations that need volunteers that meet their skill set and time constraints. Volunteers are not able to handle cash.

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

Brent Peters, Fire Chief, briefly introduced Duane to Council.

Executive Review

3. Resolution-Approving A Task Order Authorizing Kadrmas, Lee & Jackson, INC. For Services Including Site Survey, Engineering And Design Services Related To Previously Authorized Work Toward The Creation Of A Campground Within Riverside Park.

Kurt Markegard, Public Works Director, stated this is a follow up to the Task Order Council saw last Council cycle. This is the task order with KLJ to do the engineering work on the Riverside Park Campground. Last week's task order was with the DOJ to

enter into a contract with KLJ to do the engineering. Park Board will assist in the design of this project in accordance with the Riverside Park Master Plan. There are two pipelines that the City cannot cover with any structures. Should have a design put together in December or January and be ready for bid this spring.

Council noted that Riverside Park is a diamond in the rough and is excited to see work being done in the park.

4. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Castlerock Excavating, Inc. For Hydrant Removal and Replacement For The City Of Laurel.

Kurt Markegard, Public Works Director, stated that recently a fire hydrant was damaged on the corner of Colorado Avenue and E Main. A semi hit it while trying to make the corner. The Police were able to identify who hit the fire hydrant. The Clerk/Treasurer is working with MMIA to determine who will pay for this repair. However, we need to get this fire hydrant back online. Permits have been obtained as crews will need to work in the States right of way. Given the time constraints and the need to fix the asphalt when done, Castlerock Excavation needs to be contracted out to get this job done. This fire hydrant was from 1964 and obsolete. The City needs to have fire suppression back online.

5. Resolution - Approving a Contract Between The City Of Laurel And Star Service, Inc. For The Replacement Of Screw Pump "A" At The Wastewater Treatment Plant.

Kurt Markegard, Public Works Director, stated that this screw was updated in 1986. The shaft is bent, making for its exchange to be more difficult. This resolution is for the labor associated with its replacement. The contractor tried to fix it, but that fix came undone. This screw has been out of service for eight weeks now. It will be out of service for a few more to get the new one installed. Having Staff stay to monitor the pumps. A crane will need to be brought in to replace the screw. The screws cannot be replaced in subfreezing temperatures, so we need to move on with this project. The other screw presses will be addressed at a later time.

6. Resolution – A Resolution Accepting Easement Agreement from Diefenderfer Family Trust

Kurt Markegard, Public Works Director, stated last week, the Diefenderfer Family asked for a variance to put in their new building. This easement is to allow for public water and sewer to be placed on private property. It will benefit the City in this area. The Council needs to approve this easement to get this infrastructure in. They are putting in about 79k worth of improvements. There will also be a public fire hydrant there.

It was questioned if there were any reason this would not be in the City's best interest. It was clarified this infrastructure would be public. The City does not want a public road

over this infrastructure with all the equipment that will be moved around. They will maintain this road. It will also be gravel, so if the infrastructure needs to be repaired, there is not asphalt repair needed. Same as what happened with Walmart. We are hoping to build another 10 in mainline further away from the refinery one day. If something should happen to the original mainline, there is a backup.

7. Resolution - A Resolution Resetting The December 24, 2019, City Council Meeting To December 23, 2019.

This resolution is to move the City Council meeting from December 24th, Christmas Eve, to the previous day, December 23, 2019. Budget/Finance would also move their meeting to the 23rd.

Council Issues

Other Items

Last week during Council, there was discussion regarding the Street Maintenance Program resolution. There were questions after the meeting as to why the Mayor did not answer those questions. After public comment, he clarified that Council discussion is to discuss any new information before voting on the item. Council Members can speak twice on during this time.

Review of Draft Council Agendas

8. Review Draft Council Agenda of October 8, 2019.
The Clerk/Treasurer noted a typo on the payroll figure. That will be fixed for next week's meeting.

Attendance at Upcoming Council Meeting

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

Announcements

Mayor Nelson recognized the Employees and Volunteers for their service.

A Council Member questioned why there was a Council meeting the fourth week of the month. It was clarified that after the recent swap in Workshop/Council weeks. Council no longer takes the fourth week off in a five-week month, but rather the fifth week. This is why the December 24th meeting needs to be moved to the 23rd.

There will be a ceremony tomorrow at noon for the unattended veterans at the cemetery.

The council workshop adjourned at 7:29 p.m.

Respectfully submitted,


Brittney Moorman
Administrative Assistant

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

File Attachments for Item:

16. Approval of Workshop Minutes of May 19, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, MAY 19, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tomas Nelson at 6:35 p.m. on May 19, 2020.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

OTHERS PRESENT:

Nick Altonaga, Planning Director
Stan Langve, Police Chief
Kurt Markegard, Public Works Director
Karen Courtney, Code Enforcement Officer

Public Input:

There were none.

General Items

1. Appointment of Dustin Riveland to the Laurel Police Reserves.
Stan Langve, Police Chief, briefly introduced Dustin Riveland to Council. He read the attached letter.

Executive Review

2. Resolution - Approve Bid for Riverside Park Campground

Matt Smith, KLJ, stated bids were opened on May 13th. There were six bids. The low bid was Weave Consulting with 245k. The top bid was for approximately 261k. The Engineers' probable costs were 346k. The recommendation is to award Weave Consulting the bid.

Kurt Markegard, Public Works Director, stated that this project had been a long time coming. They have worked with the National Resources Damage Program and went out to bid. The goal was to complete it by Memorial Day. Can get started as soon as Council awards the bid. This project has a 30-day contract time. The vault toilet has a 90-day lead to get here. Will have the crews get started and put the toilet in when it arrives.

It was questioned if the existing toilets will be open for use until the new toilet arrives. It was clarified all toilets were closed due to Covid. It is impossible to sterilize them appropriately. People are also stealing the toilet paper out of toilets across the region.

3. Ordinance No. O20-02: An Ordinance Amending Title 2 Chapter 2.60 Of The Laurel Municipal Code Relating To The City's Police And Police Commission.

There will be a public hearing on this ordinance at next week's meeting.

Stan Langve, Police Chief, stated they went through the code and cleaned up the language, made language gender-neutral. There were many changes to the Police Commission defaulting to what MCA states; that way, the code is automatically reflected in LMC if the state statute changes.

Council Issues

4. Discussion on Draft Noise Ordinance

Nick Altonaga, Planning Director, stated that Karen Courtney, Code Enforcement Officer, worked on this ordinance for the past few weeks. He had passed the information on from Council's original discussion.

Karen Courtney, Code Enforcement Officer, briefly reviewed the attached Staff report.

Stan Langve, Police Chief, stated that it is his opinion that the noise ordinance needs to be its own code as the disorderly conduct mirrors MCA. This is a great tool when a situation needs to be addressed, but due to time doesn't warrant a charging under MCA. It is a civil citation to address and move on—two very distinctive statutes. There are benefits to using the civil process over the criminal process. The amount of evidence needed for the civil process is 51%, whereas the criminal process is beyond a reasonable doubt. There is more satisfaction with a noise ordinance as this way it's clear when noise can be made. Example roofers wanting to get started before the heat of the day.

It was questioned if the City had established a baseline. A Council Member remembers back in the day when they would use the meters to check mufflers so people could ensure they wouldn't receive a ticket. It was clarified that the baselines still need to be established. The suggested limits are much higher than in other towns. The railroad, refinery, and interstate may affect the ambient noise levels.

It was questioned if railroad crossings would be included in this ordinance. It was clarified that there were discussions about quiet zones. To have the application for a quiet zone looked at requires a 10k deposit. The City would also be required to pay for upgrading all crossings to quiet crossings.

Council noted that it is good timing with the budget discussions coming up. The 5k for the unit can be added to the budget. This is less than the contract Council was looking at

for the pool and less than the request for a recently approved lawnmower. The training can be budgeted as well. The constituent that made the complaint was happy with the draft ordinance.

It was questioned if events need to conclude by certain times on nights and weekends. It was further questioned if the Central Business District had its own range and/or times. It was clarified that the Central Business District would have to have events concluded by 11 p.m. If the bars have an event, that event would need to be shut down by 11 p.m. Outside of the Central Business District, such as at a house would need to be wrapped up by 9 p.m. or 10 p.m. It was further questioned if an event could go from 6 a.m. to 10 p.m. It was further clarified that the hours are to let people know what time they need to quiet down by.

Council expressed the simplicity of having two-time windows of day/night. The verbiage can be adjusted to make it clearer.

It was questioned if the City can get a baseline study done without purchasing a unit. It was further questioned if there is a company that does this for communities. The Code Enforcement Officer stated she would see if there are companies that do baseline measurements. It is her assumption that there is someone who does do that. She will find the cost associated with the baseline study.

To move forward the baseline needs to be established, and the ordinance needs to be run through legal review. This item will be brought forward at a future Workshop.

Other Items

There were none.

Review of Draft Council Agendas

5. Review Draft Council Agenda for May 26, 2020.

There were no suggested changes.

Attendance at Upcoming Council Meeting

Everyone in attendance plans to attend the next meeting.

Announcements

Due to Covid-19, plans have changed for Memorial Day activities. The Friday before Memorial Day is Poppy Day, which has been postponed to the fall. On Saturday at 8:30 a.m., the American Legion will be putting flags at the City Cemetery. At 9:00 a.m. American Legion will place the 5x8 flags at the National Cemetery. The National Cemetery cannot hold organized activities, so there will be a short film shown on

Memorial Day. Anyone who would like to put out a flag may do so. At noon on Saturday, the National Cemetery manager will raise the flag back up to full staff. The American Legion and VFW will do a closed ceremony at 9:00 a.m. There will be a salute to the flag, a short prayer, and volleys and taps.

Council reminded residents to stay safe if traveling.

Mayor Nelson stated that today Governor Bullock announced the move from Phase One to Phase Two beginning on June 1, 2020. This allows for larger crowds with social distancing, increased capacity in restaurants, no quarantine period for people traveling from out of state. Should Yellowstone County have, an increase in cased Yellowstone County Health Officials can issue additional mandates.

Mayor Nelson stated he would be absent at next week's meeting. Council President Eaton will run the meeting. This meeting will be in person under social distancing guidelines. We will continue to broadcast on Facebook as well. Subcommittees will resume meeting in person; should they have a meeting, they expect large public attendance, then they will be broadcasted. Masks should be worn as a courtesy to others.

The council workshop adjourned at 7:26 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brittney Moorman", written over a printed name and title.

Brittney Moorman
Administrative Assistant

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



Laurel Police Department

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

Chief of Police Stanley J Langve

May 5th, 2020

To: Mayor Tom Nelson

From: Chief of Police Stanley J Langve

RE: Reappointment of Dustin Riveland to the Laurel Police Reserves

Greetings,

Dustin Riveland is a former Laurel Police Reserve Officer who resigned in good standing on June 21st of 2019 after 6 years of service. Dustin resigned as the personal demands of a new job did not allow him to complete his obligations to the City.

I have recently spoken to Dustin and he has expressed his desire and ability to return to the Laurel Police Reserves. On May 4th, 2020 I received a completed application from Dustin Riveland. I am writing you to request his appointment to the Laurel Police Department.

Respectfully,

A handwritten signature in blue ink, appearing to be "SJL", written over a horizontal line.

Chief of Police
Stanley J Langve

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

City Of Laurel

P.O. Box 10
Laurel, Montana 59044



Office of Code Enforcement

May 14, 2020

Regarding Noise Ordinance Draft

Mayor Nelson and City Council,

The draft that I have completed is intended for conversation purposes at this time. The draft has not gone through legal review nor have we finalized some sections

There are some considerations that staff feels should be taken into consideration when discussing moving forward with possible adoption of a Noise Ordinance.

1. With the passing of the Noise Ordinance professional decibel readers would have to be purchased to meet the American National Standards Institute (ANSI) standards with the ability to show the levels for the duration put in the ordinance. The readers that I have found that would allow for recordable readings and print out (needed as evidence should it go to court) of such readings have been in the range of over \$5, 000 each. This includes the reader, calibration equipment, case, and software. These units meet the standards and read up to 140 dB(A). The number of meters to be purchased would need to be decided upon for budgeting.
2. Anyone using these devices would need to have proper training on the proper use, reading and calibration of the equipment in order for it to be a document of submissible evidence in a court of law. Do not have a cost on this training currently to present an estimate to the council.
3. Baseline dB(A) readings would need to be established in different areas of the City so that the ambient noise levels are taken into consideration when enforcing this code. The city would need to establish the best course of action on how to accomplish this project.

The duration time was changed from what was suggested to allow for the reading to show if there is a violation while not requiring the enforcement officer to stay at location for the 20-minute time duration that was suggested.

Commercial and Industrial zones were added as there are areas within the city where the separate zoning areas merge.

Per suggestion three separate time zones were listed in table, however staff suggests that only two time zones be used in order to maintain simplicity when enforcing the code.

Respectfully,

Karen Courtney, CCEO, CPSI, CBI, CFI1
Code Enforcement Officer/Safety Officer

File Attachments for Item:

17. Approval of Workshop Minutes of June 2, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, JUNE 02, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:31 p.m. on June 2, 2020.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Bruce McGee via Zoom	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

OTHERS PRESENT:

Kurt Markegard, Public Works Director
Karen Courtney, Code Enforcement Officer
Nick Altonaga, Planning Director

Public Input:

There were none.

General Items

There were none.

Executive Review

1. Resolution - 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 2020 Pavement Maintenance Project.

Kurt Markegard, Public Works Director, stated this is an amendment to the Pavement Maintenance task Order. More paving equals more work for KLJ. The Change Order had to come first then the amendment to the Task Order.

Ryan Welsh, KLJ, stated there is a lot of coordinating with the contractor. This is an estimate for how much time would be needed. It is charged on an hourly basis. If those hours are not needed then the City will not be billed for the.

A Council Member noted that the seam between old pavement and new pavement on the corner of Wyoming and E. 6th street is in poor repair. If the issue with will the new work completed it may be covered under warranty. If not will add that area to the 2021 scope of work for pavement maintenance.

2. Resolution - A Resolution Approving An Agreement Between The City Of Laurel And Yellowstone Boys And Girls Ranch, Relating To Fire Protection.

This is the same contract Council has seen in previous Fire District contracts. This year there is a 2% increase which is typical.

It was questioned if the Fire Chief does the fire inspections. It was clarified that would be the Fire Marshall or Fire Inspectors.

3. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Agreement With The Montana Department Of Transportation For The Provision Of Grant Assistance For The City's Public Transportation System.

This grant is the same as in previous years. The City receive approximately a \$2,500 increase in this grant.

4. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign An Operating Contract With The Montana Department Of Transportation To Provide Assistance With The City's Public Transportation System.

This grant is the same as in previous years. The City received \$4,654 in TransADE funds. The City will match these funds. It is to specifically assist senior citizens and individuals with a disability.

Council Issues

5. Discuss Noise Ordinance

Karen Courtney, Code Enforcement Officer, stated that she had contacted a few companies about noise meters. She also sent a copy of the draft ordinance. The Optimus Red Type 1 reader is less expensive and a more inclusive package. The City can get two units for \$6k vs. one until for \$5k. One unit can be place in the Police Department and the other in the Planning Department. The one located in the Planning Department can also be used for occupational sound measuring, such as in a shop, as well. The kit includes everything including the case and needed software for the meter. The other one would require each item be purchased separately. The meters would be calibrated to our sound ordinance. The software is free and works with Excel. In regards to training the State has not gotten back on training opportunities. The meters can be used for both an occupational baseline and an outside baseline. The City can rent one to sit outside for seven days collecting the baseline.

It was questioned how many meters are needed. It was clarified that the City can get a bid if more meters are needed.

It was questioned what the operational lifespan is of the units. It was clarified there is a 15-year warranty. They do have a service program that is very inclusive. Billings and

Missoula are using the same equipment. The Code Enforcement Officer has reached out to both, neither have responded.

It was stated that two may not be enough. There was concern with the Police only have one unit. The Mayor stated he would work with the Police Chief to determine the amount needed. The Police Chief has talked about having the unit checked out so it is not bouncing around the units.

A Council Member shared the information from the last meeting with the constituent that had made a complaint. They were pleased with what Code Enforcement has done and happy that the City is moving forward with the issue.

It was noted that the levels listed in our ordinance were quite high as compared across the country. If we have a baseline then can adjust the values according. Looking into having as a Civil penalty instead of a criminal penalty. The Code Enforcement Officer has sent the draft to both the City Attorney and the Judge. There would be no jail time associated with a civil penalty. This keeps the court moving forward.

6. Discussion on Street Maintenance

A Council Member stated they had received questions on why good streets were being addressed and not the bad streets. For example why Lauramac was paved but 5th was not. It was requested that something be put in the paper explaining how streets were selected.

Kurt Markegard, Public Works Director, stated that streets are ranked from 1-10 with 10 being a brand-new street. Streets graded as a 7 need crack and chip seal. Streets graded as a 6 need more extensive crack sealing. Lauramac was ranked as a 5. Once the change order was in place the City did all streets graded as a 6/7. Then dropped down to the streets graded as a 5. Lauramac needed just needed a non-structural overlay with no base work. Lauramac also has a good waterline for both these reasons it made it a good choice. The City is not paving over streets that need water/sewer lines replaced. The southside needs both water and sewer lines replaced. The cost estimate to replace all streets within City limits without water/sewer line being replaced would cost \$60 million. The streets that were included in the 2020 pavement maintenance are included on the attached maps. The Public Works Director showed a bolt that was pulled out of the EDII project as an example of what our infrastructure looks like, see attached picture.

Mayor Nelson stated he will have the Public Works Director work on something for the Outlook.

7. Discussion on Code Enforcement in New Mobile Home Park

Council noted that the Regal Subdivision is looking horrible. They questioned when people would be held accountable. What can be done before it turns out like the mobile home park on the east end of town.

Nick Altonaga, Planning Director, stated that his department had not had an official complaint reported. He stated that he went back through the files for improvements and found the weed management program. They can hold the developers to the weed management plan. Currently Karen is working on updating the codes so they have teeth and can be enforceable.

It was questioned if there were any dates on when the work needs to be completed. There are 23 units in with 54 more coming. Most housing developments put the landscaping in after the home is in place. They have two more rows of houses to put in. Not opposed to putting in sod. It was questioned when that would occur.

Council noted that seeing washers, dryers, and stoves is not what you want to see when you come into Laurel.

Karen Courtney, Code Enforcement Officer, stated they also have an illegal driveway approach. Instead of sending out separate notices she will send out a consolidated notice.

It was questioned if there is a code about junking up ones property. It was noted that we do, but the penalty was taken out when it was rewritten. The Code Enforcement Officer is working on a few different titles. Those titles will come forward together. This is one of those titles that is being worked on.

8. Discussion on 4th of July

Council requested a brief overview of the plans for the 4th of July. With it being June in the midst of a pandemic need to talk about what plans exist for the expected large crowds for the 4th of July.

The Chamber of Commerce will be having a meeting on Thursday to decide if there will be a parade. Anyone from Council is welcome to attend the meeting.

It was questions who was in charge of the events on the 4th of July. It was clarified that the Laurel Volunteer Fire Association puts on the fireworks. It was further questioned if the Mayor has authority over this event. Mayor Nelson clarified that the stated it is part of the State directive as part of phase 2. That he will not be more restrictive than the Governors Directive. Anyone doing a special event has to have the Health Department sign off on the event.

Other Items

There were none.

Review of Draft Council Agendas

9. Draft Council Agenda for June 9, 2020.

There were none.

Attendance at Upcoming Council Meeting

All in attendance will be at next weeks meeting.

Announcements

It was questioned if Committees can start meeting again. It was clarified they can as long as they follow proper social distancing.

Public Works Committee's next meeting is June 15, 2020 at 6:00 p.m. in Council Chambers.

It was stated there is no ordinance governing excessive exhaust. Examples the blue smoke that never stops, exhausts as big as basketballs. This Council Member does not like driving through the smoke cloud under the underpass. Asked for discussion at next Workshop.

Park Board's next meeting is June 18, 2020 at 5:30 p.m. in Council Chambers.

The council workshop adjourned at 8:02 p.m.

Respectfully submitted,

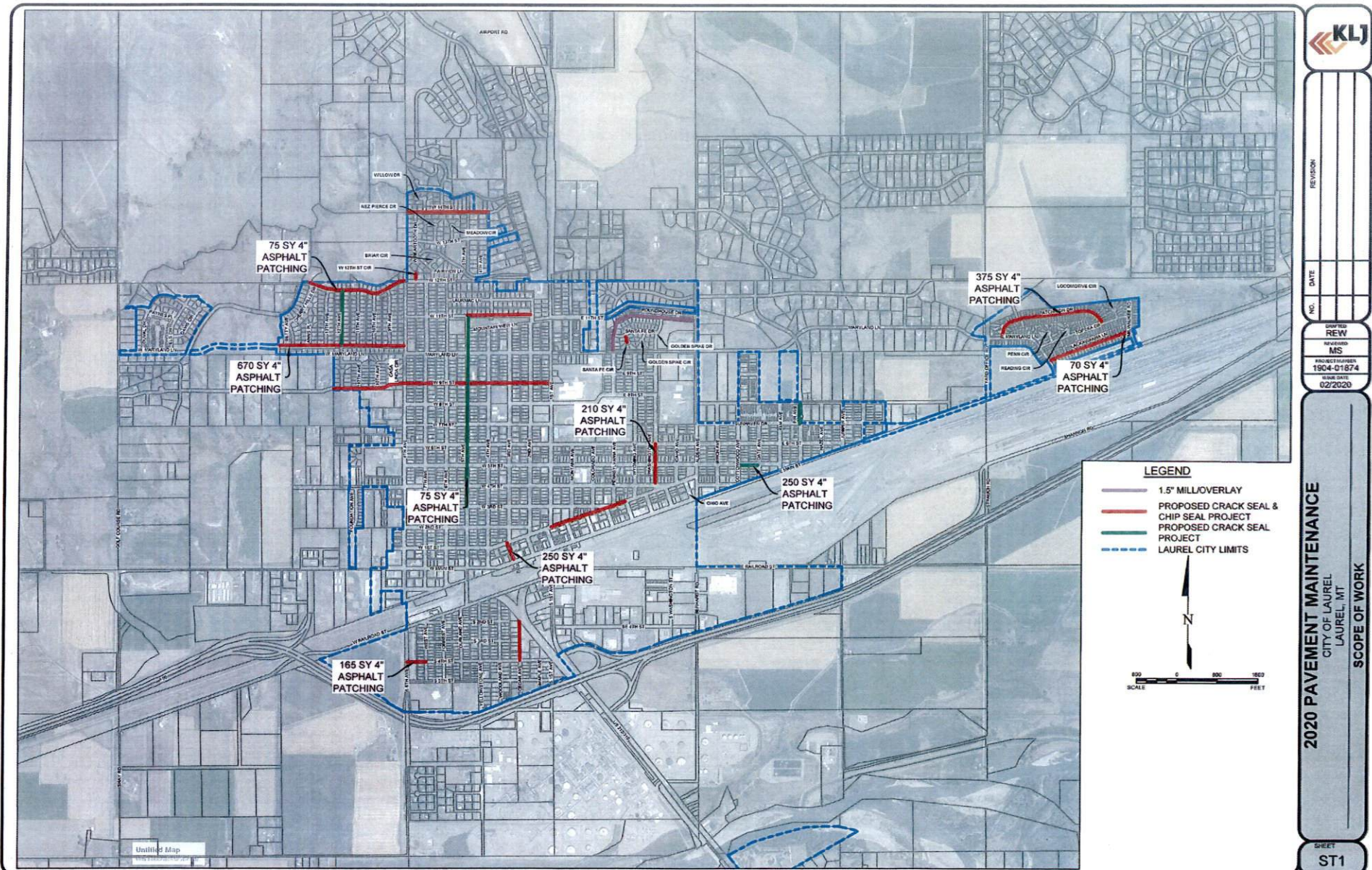


Brittney Moorman
Administrative Assistant

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

The TransADE grant is designed to provide matching funds to the City for funding the transit program. It is designed to assist specifically senior citizens and those individuals with a disability. For Fiscal Year 2021 the City of Laurel has been awarded \$4,654.00 in TransADE funds.

The 5311 Contract is our operating assistance grant. The State of Montana will be allocating the City of Laurel \$19,759.00 to assist with the transit program. We sign this contract annually stating we will adhere to MDT's rules and regulations.



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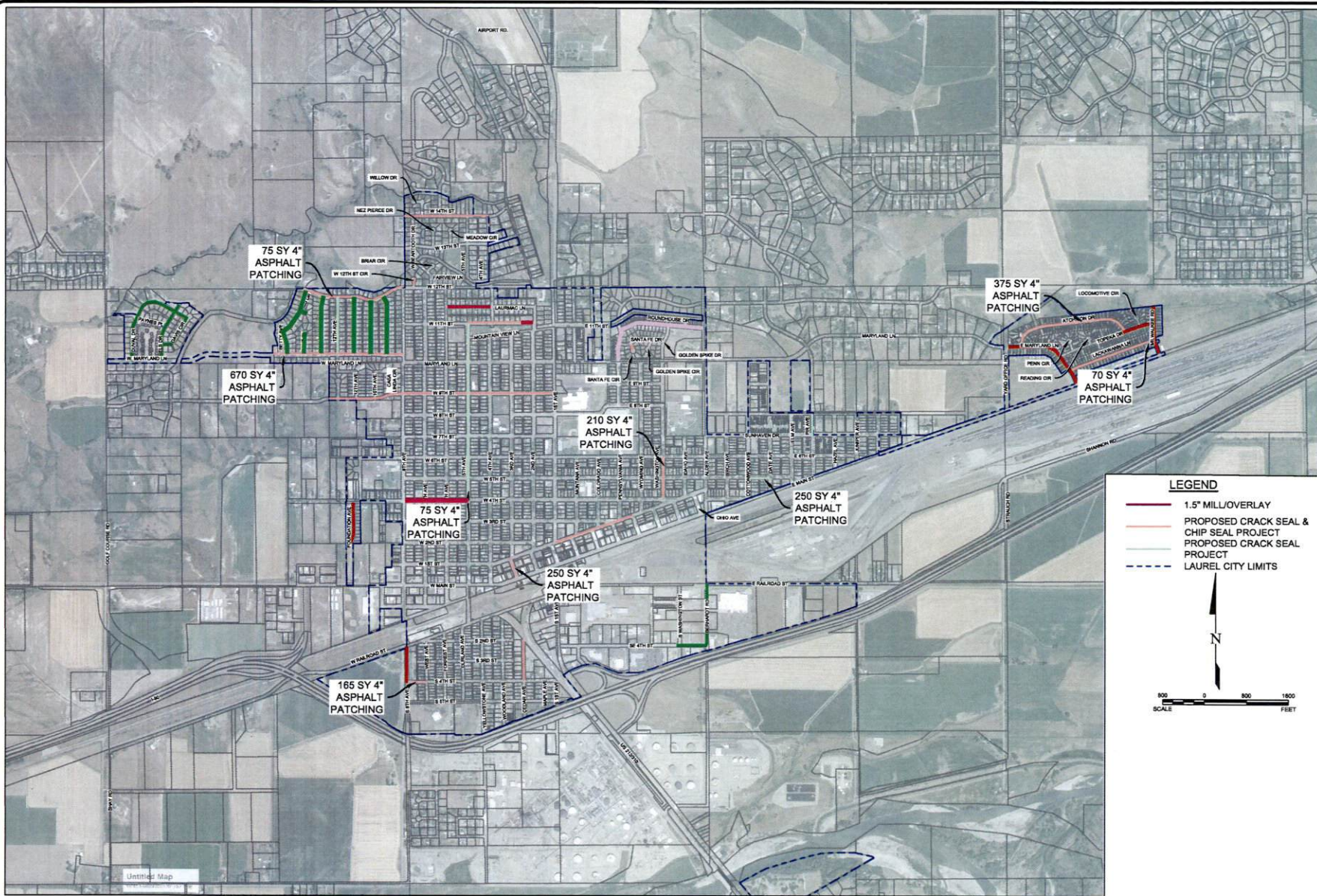


NO.	DATE	REVISION
1	5/6/2020	CHANGE ORDER NO. 1 ADDITIONS
DRAFTED REVIEW REVIEWED MS		
PROJECT NUMBER 1904-01874		
02/2020		

2020 PAVEMENT MAINTENANCE
CITY OF LAUREL
LAUREL, MT
SCOPE OF WORK

SHEET
ST1

KLJ 2020



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OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

TO: Montanans; all officers and agencies of the State of Montana
FROM: Governor Steve Bullock
DATE: May 19, 2020
RE: Directive implementing Executive Orders 2-2020 and 3-2020 and establishing conditions for Phase Two

This Directive provides the conditions for the second phase of the phased reopening of Montana.

Executive Orders 2-2020 and 3-2020 declare that a state of emergency exists in Montana due to the global outbreak of COVID-19 Novel Coronavirus.

For the duration of the emergency, § 10-3-104(2)(a), MCA, provides authority to the Governor to “suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or orders or rules of any state agency if the strict compliance with the provisions of any statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster.” Further, the statute authorizes the Governor to “control ingress and egress to and from an incident or emergency or disaster area, the movement of persons within the area, and the occupancy of premises within the area.” Section 10-3-104(2)(c), MCA.

In addition, Montana’s public health laws authorize the Department of Public Health and Human Services (DPHHS or Department), acting under the Governor’s direction, to “issue written orders for correction” of “conditions of public health importance,” to “prevent and mitigate conditions of public health importance” through measures including “isolation and quarantine” and “abatement of public health nuisances.” Section 50-1-202, MCA. The Department, under the Governor’s direction, may take action to correct public health deficiencies in “buildings or facilities where persons assemble.” Section 50-1-203, MCA. The Department, under the Governor’s direction, is also authorized to impose quarantine and isolation measures to protect public health. Section 50-1-204, MCA. Montana law provides that these authorities will be utilized to respond to an “outbreak of disease,” § 10-3-103(4), MCA, and to “limit the transmission of the communicable disease.” *See, e.g.*, § 50-1-101(6), MCA.

On March 15, 2020, I issued a Directive closing non-residential public schools in Montana through March 27. On March 24, I extended non-residential public school closures through April 10. The March 24 Directive also closed certain on-premises dining and beverage businesses while expanding and encouraging delivery, takeout, and drive-up options. On March 26, 2020, I issued a Directive providing that, to the maximum extent possible, all individuals stay at their home or place of residence unless engaging in certain essential activities or functions through April 10. This Directive also required the temporary closure of non-essential businesses, provided social distancing requirements, and limited non-essential travel. On March 30, I issued a Directive limiting evictions, foreclosures, and disconnections through April 10. On March 30, I also issued a Directive requiring a 14-day self-quarantine for individuals arriving in Montana for non-work-related travel through April 10. On April 7, I extended these Directives through April 24. I also issued a Directive providing additional guidance related to evictions and providing a rent assistance program on April 13, effective through April 24. I

have also issued other Directives that, unlike these, are effective for the duration of the state of emergency.

Montana's response to COVID-19 has been necessary to slow the spread of new infections. These efforts have been effective. To date, our health care system has not been overwhelmed and we continue to work to increase our testing capacity. Through the collective efforts of all Montanans to reduce the transmission of COVID-19, Montana now has fewer than two dozen active cases and one of the lowest per capita rates of infection in the United States.

Accordingly, on April 22, 2020, I issued a Directive and guidelines for a phased reopening of Montana. The April 22 Directive provided guidance applicable to all phases and established the conditions for Phase One. I expanded some of the conditions for Phase One through an additional Directive on May 8, 2020.

I have developed Montana's phased reopening plan by relying on scientific evidence and data, and in consultation with public health experts, healthcare providers, business leaders, and emergency management professionals. This phased approach is based on up-to-date data and statewide preparedness. It mitigates the risk of resurgence. It protects the most vulnerable. It can be implemented on a statewide, tribal, or county-by-county basis. And it contains the ability to adjust phases based on local or regional conditions. In consultation with public health professionals, healthcare providers, business leaders, and emergency management professionals, I have determined that the phased reopening approach described in this Directive is necessary in coping with and responding to the emergency.

This Directive is the next step in Montana's reopening, to Phase Two. I stress, however, that individual responsibility—such as good hygiene, frequent cleaning of highly-touched surfaces, and strict adherence to social distancing—remains Montana's best tool in the fight against new infections. This Directive is not an invitation to forget the lessons that Montana has learned in its fight against COVID-19 these past months. Rather, it is a framework to apply those lessons as we move toward a new normal. In so doing, we must continue to place a special emphasis on protecting those in Montana most vulnerable to complications from COVID-19. That crucial work demands a collective effort by all Montanans. By continuing to take these measures seriously, we protect our family, friends, and neighbors as Montana begins to emerge from its initial encounter with COVID-19.

Local officials should coordinate on a regional basis and continue to assess the conditions in their jurisdictions. As with prior Directives, nothing in this Directive prohibits local public health authorities from adopting more restrictive approaches based on local need.

Therefore, in accordance with the authority vested in me under the Constitution, Article VI, Sections 4 and 13, and the laws of the State of Montana, Title 10, Chapter 3 and Title 50, Chapter 1, MCA, and other applicable provisions of the Constitution and Montana law, I hereby direct the following measures be in place in the State of Montana effective immediately, except where specified:

Phase-One and All-Phases Guidance to Continue Except Where Modified in this Directive

- Except where specifically modified in this Directive, the April 22 Directive, the May 8 Directive, and the related guidance applicable to all phases and to Phase One remain in effect.

Other Directives to Continue

- The March 30 and April 13 Directives providing measures to limit foreclosures, evictions, and disconnections from service and all of their terms remain in effect through May 24, unless modified by subsequent Directive, except as follows:
 - For individuals who are members of a vulnerable population, who have suffered a significant financial hardship as a result of the outbreak, and who, pursuant to this Directive, remain sheltered at home, the protections of the March 30 and April 13 Directives continue and will expire 30 days after the individual ceases to shelter at home or at the end of the emergency, whichever is sooner.
 - An individual who seeks the protection of these provisions to prevent a foreclosure, eviction, or disconnection after June 1 must make a basic showing to their bank, landlord, or utility that they are (1) sheltering in place under this order, are (2) a member of a vulnerable population, and (3) have been financially impacted as a result of the COVID-19 outbreak.
 - Before moving forward with an eviction, foreclosure, or disconnection against an individual who is a member of a vulnerable population, the entity initiating the eviction, foreclosure, or disconnection must provide adequate notice of the opportunity to seek the protection of this Directive by making the showing described above.
 - The rent and mortgage assistance program established in the April 13 Directive remains in effect for the duration of the emergency. Interested individuals may apply at covidrelief.mt.gov.
- All Directives set to expire at the end of the emergency retain their effective date and terms, including, for example, Directives providing for increased access to telehealth and telemedicine services and coverage, except to the limited extent their provisions are in conflict with the terms of this Directive.

Guidance Applicable to All Phases

- Individuals should continue to practice good hygiene by adhering the following guidelines:
 - Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.
 - Avoid touching your face.
 - Sneeze or cough into a tissue or the inside of your elbow.
 - Disinfect frequently used items and surfaces as much as possible.
 - Strongly consider using non-medical face coverings while in public, especially in circumstances that do not readily allow for appropriate physical distancing (*e.g.*, grocery/retail stores, pharmacies, public transportation).
- People who feel sick should stay at home.
 - Do not go to work or school.
 - Contact and follow the advice of your medical provider.
 - Follow local health department guidance on isolation and quarantine.
- Employers should:
 - Develop and implement appropriate policies, in accordance with federal, state, and local regulations and guidance, and informed by industry best practices, regarding:
 - Social distancing and protective equipment.
 - Temperature checks and/or symptom screening.
 - Testing, isolating, and contact tracing, in collaboration with public health authorities.

- Sanitation.
- Use and disinfection of common and high-traffic areas.
- Monitor workforce for indicative symptoms. Do not allow people with symptoms of COVID-19 to work.
- Collaborate with public health officials when implementing policies and procedures for workforce contact tracing following an employee's COVID-19 positive test result.
- Encourage voluntary participation of employees in any surveillance testing designed to provide community-wide early warning by local public health officials.

Phase Two: Increase in Permissible Group Size to Groups of 50

- Effective June 1, avoid gathering in groups of more than 50 people in circumstances that do not readily allow for appropriate physical distancing. It is recommended to continue to social distance in gatherings of any size.
- Groups larger than 50 people should be cancelled unless physical distancing can be maintained.
- If you are planning an event with more than 50 people you should consult with your local public health office on a plan to implement adequate social distancing.
- Consistent with the Centers for Disease Control and Prevention's (CDC) guidelines, event cutoff threshold is at the discretion of community leadership based on current circumstances in your community.
- Physical distancing guidelines for groups and gatherings do not apply to household members.

Phase Two: Individuals and Employers

- Effective June 1, the below guidelines apply to both individuals and businesses in Phase Two. Individuals and businesses should also follow the Phase Two guidelines provided in the attached Appendix A, also in effect June 1.
- Vulnerable individuals should continue to adhere to the stay-at-home guidance.
- All businesses may operate, provided they adhere to physical distancing and the conditions in this Directive, the Phase Two Guidelines, and all other Directives and guidance remaining in effect. Businesses should follow CDC sanitation protocols.
- Restaurants, bars, breweries, distilleries and casinos remain in the same operational status as Phase One, but with an increase to 75 percent capacity.
- Gyms, indoor group fitness classes, pools, and hot tubs can operate at 75 percent capacity and only if they can adhere to strict physical distancing and they exercise frequent sanitation protocols.
- Concert halls, bowling alleys, and other places of assembly may operate with reduced capacity and must adhere to strict physical distancing guidelines set forth for group gatherings and follow CDC sanitation protocols.

- Child-care facilities can increase capacity consistent with the guidelines and FAQ contained in the April 1 Directive on childcare and if physical distancing guidelines can be implemented, however the 24-person cap per facility no longer applies effective June 1.
- Employers should continue to permit telework as much as possible and where feasible, but refer to guidelines for Phase One where telework is not possible.
- Senior living or assisted living facilities must continue to follow the guidelines of Phase One.
- Outdoor recreation remains in the same operational status as Phase One.

Phase Two: Travel Quarantine to Expire June 1

- Effective June 1, the provisions of the March 30 Directive requiring quarantine for non-work-related arrivals in Montana will no longer be in effect.
- The Montana National Guard remains authorized to conduct temperature checks, assess individuals for COVID-19 symptoms, and to inquire about exposure history of any traveler arriving in Montana from another state or country through air or rail travel, consistent with the terms and restrictions provided in the March 30 Directive.
- The State will execute a robust public health plan in communities most impacted by tourism, including:
 - Surveillance testing of employees.
 - Enhanced contact tracing resources deployed to these areas as requested by local authorities.
 - Ability to surge personal protective equipment to impacted health care systems.
 - Guidelines for operation for businesses that see high-tourist activity.

Directive Is Public Health Order and Enforceable By County Attorney

- This Directive, along with any prior Directive that implements and references the public health authorities of the Department of Public Health and Human Services (DPHHS) provided in Title 50, constitutes a “public health . . . order[]” within the meaning of § 50-1-103(2), MCA, and is enforceable by the Attorney General, DPHHS, a county attorney, or other local authorities under the direction of a county attorney.

Local Public Health Agencies to Assist in Administration of this Public Health Order

- Local public health agencies are directed to assist in the administration of this Directive, consistent with § 50-1-202(2)(a), MCA.

Less-Restrictive Local Ordinances Preempted

- This Directive is in effect statewide in Montana. In the interest of uniformity of laws and to prevent the spread of disease, all inconsistent emergency county health ordinances are preempted by this Directive, but only to the extent they are less restrictive.

Authorities: Sections 10-3-103, -104, -302, and -305, MCA; §§ 50-1-202, -203, and -204, MCA; 37 A.G. Op. 132 (1978); Executive Orders 2-2020 and 3-2020; Montana Constitution, Art. VI, Sections 4 and 13; and all other applicable provisions of state and federal law.

Limitations

- This Directive is effective immediately and expires at the end of the emergency, except where specified.
- This Directive shall be implemented consistent with applicable law and subject to the availability of appropriations.
- Nothing in this Directive shall be construed to limit, modify, or otherwise affect the authority granted by law to the Governor, any department, agency, political subdivision, officer, agent, or employee of the State of Montana except as expressly provided in this Directive or other Directives now in effect implementing Executive Orders 2-2020 and 3-2020.
- If any provision of this Directive or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Directive, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Directive are declared to be severable.
- This Directive is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of Montana, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



School Reopening Considerations

CLEANING AND SANITATION

- Frequent disinfecting of door handles, desks and other common spaces.
- Require handwashing in regular intervals.
- Keep libraries, gyms, and playgrounds off limits unless they can be sanitized between groups.
- Provide hand sanitizer.

SICK POLICIES

- Implement temperature checks and / or symptom screening when practical.
- Require anyone (students or staff) with COVID-19 symptoms to stay home.

LIMIT CLASS SIZES

- Consider breaking larger classes into smaller groups.
- Students may alternate school days or attend for half days.



School Reopening Considerations Continued

MAINTAIN SOCIAL DISTANCE

- Consider use of face coverings by all staff and students
- Keep students with the same group and in the same classroom, with teachers rotating when practical.
- Consider students eating lunch in the classroom to help limit mixing of students.
- Cancel extracurricular activities.
- Prevent any non-school staff, including parents, from entering school buildings.
- Consider reducing bus loads to allow for one student per seat.

GRADUATION CEREMONIES

- Provide a live stream of graduation
- Consider limiting spectator attendance
- For larger schools, consider grouping graduates or providing multiple ceremonies
- Follow social distancing between families



School Reopening Considerations Continued

ACCOMODATIONS for students, teachers, and staff in an at-risk group:

- Schools that reopen will need to take into consideration that some teachers and staff will fall into the at-risk category because of their age or other health risks. These individuals should have additional accommodations including: teaching classes remotely, utilizing a larger classroom where social distancing can be maintained, or given an option not to return until the risks are reduced.
- Students who are high risk or who have family members who are high risk should not be penalized for failing to attend and should continue to receive remote support.
- Accommodations should also be extended to students and staff who are required to quarantine due to exposure or potential exposure.

CONFIRMED or **SUSPECTED** case of COVID-19

- Collaborate with public health to ensure each school has a plan for reporting, contact tracing and both short-term or extended closures in the case of a positive COVID case related to the school or community.
- Utilize CDC guidelines <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-schools.html>



General Business Reopening Guidelines

PHASE ONE: ALL SETTINGS

- Health assessments must be conducted for all employees at the beginning of each shift.
- In establishments where customers wait in a line, non-household customers should remain physically distanced.
- Waiting areas where adequate physical distancing cannot be maintained must be closed.
 - Customers should be encouraged to call for a reservation or an appointment, or establishments should use an online wait listing application.
- Physical distancing of 6 feet must be maintained between non-congregate customers, this may require:
 - A reduction in capacity;
 - A reduction of seating in service and waiting areas;
 - Management of waiting areas and waiting lines; or
 - Systems that reduce the amount of contact time between customers and staff.



General Business Reopening Guidelines Continued

PHASE TWO: ALL SETTINGS

- Non-congregate group size has increased from 10 people to 50 people.
- All other provisions remain the same as Phase One for general business operations.

PHASE THREE: ALL SETTINGS

- Return to normal operations.

Restaurant / Bar / Brewery / Distillery / Casino Guidelines



ALL PHASES

- A specific cleaning plan must be implemented, and employees must be trained in proper sanitation practices. Materials will be available on the Montana Department of Public Health and Human Services (DPHHS) food and consumer services website.
- All surfaces occupied must be cleaned between customers, including tables, chairs, booths, and highchairs.
- Table items including, condiments, menus, napkins, and décor, should be removed from the table unless they can be adequately cleaned between customers.
- Menus must be cleaned between customers.
- Growlers and refillable or reusable containers must be cleaned prior to being refilled.
- Gaming machines must be adequately cleaned between customers.



Restaurant / Bar / Brewery / Distillery / Casino Guidelines Continued

PHASE ONE: RESTAURANTS

- Capacity must be limited to 50% of normal operating capacity to allow for adequate group spacing.
- Tables must be limited to six people per table.
- Establishments must provide for 6 feet of physical distancing between groups and or tables by:
 - Increasing table spacing, removing tables, or marking tables as closed;
 - Providing for a physical barrier between tables; or
 - Back-to-back booth seating provides adequate separation.
- In-house dining for quick service restaurants should remain closed, if all guidelines can't be met, including the cleaning of every table between customers.
- Sitting or standing at bars or counters is not allowed.
- In bars, drinks and food must be served to customers at a table.



Restaurant / Bar / Brewery / Distillery / Casino Guidelines Continued

PHASE ONE: RESTAURANTS CONTINUED

- Self-service buffets must be closed.
- Drink refills are not allowed.
- Self-service cups, straws and lids should be behind a counter and handed to customers
- Self-service condiments should be eliminated.
- Gaming machines that are operational must be separated by 7-foot center to center. Machines must be placed out of service if adequate spacing cannot be assured.



Restaurant / Bar / Brewery / Distillery / Casino Guidelines Continued

PHASE TWO: RESTAURANTS

- Capacity may be increased to 75% of normal operating capacity.
- Tables must be limited to 10 people per table.
- Establishments must continue provide for physical distancing between groups and or tables but may increase capacity.
- In-house dining for quick service restaurants should remain closed if all guidelines can't be met, including the cleaning of every table between customers.

PHASE THREE: RESTAURANTS

- Continue to practice social distancing when practical.
- Establishments should begin to resume normal occupancy while continuing to follow the guidelines for all facilities.



Outdoor Recreation Guidelines

PHASE ONE AND TWO: RECREATION GUIDELINES

- Public lands, fishing access sites, and parks are encouraged to continue to provide outdoor recreation opportunities for local and regional users provided that users can adhere to strict social distancing guidelines and facilities follow frequent sanitizing protocols. Areas that cannot practicably implement social distancing requirements or sanitation needs will remain closed. Limited campground offerings, group-use facilities and playgrounds, may be opened at the discretion of local and state managers. Local, state and federal officials are strongly encouraged to coordinate on all reopening decisions. Guides and outfitters may offer services consistent with any ongoing quarantine travel restrictions provided they adhere to social distancing guidelines and sanitation protocols. Visitors should check the status of any closures and restrictions before traveling.

PHASE THREE: RECREATION GUIDELINES

- Campground, group-use facilities, playgrounds and visitor centers are fully open.



Personal Care / Services Guidelines

PHASE ONE: PERSONAL CARE (SALONS, MASSAGE, BODY ART, ETC.)

- Operations that require close personal contact for an extended period result in exposing staff and customers to greater levels of risk. These situations require additional safety and health precautions.
- Screen customers prior to appointment for symptoms of fever, shortness of breath or a cough. Customers that have any of these symptoms must be rescheduled.
- Utilize a face mask for staff and for customers when practical.
- Stylist / artist / service-provider and customer would be a "station" that would be 6 feet away from other "stations".
- Provide for 6 feet of physical distancing between stations, this may require:
 - A reduction in capacity;
 - Increasing spacing, removing stations, or marking stations as closed;
 - Providing for a physical barrier between stations;
 - A reduction of seating in service and waiting areas; or
 - Systems that reduce the amount of contact time between customers and staff.



Personal Care / Services Guidelines Continued

PHASE TWO: PERSONAL CARE (SALONS, MASSAGE, BODY ART)

- Establishments should continue provide for physical distancing between stations.

PHASE THREE: PERSONAL CARE (SALONS, MASSAGE, BODY ART)

- Continue to practice physical distancing when practical.
- Establishments may resume normal occupancy while continuing to follow the guidelines for all facilities.

Appendix B

Phase Two Guidance for Pools at Licensed Public Accommodations (Hotels, Motels, Bed and Breakfasts, Tourist Homes, etcetera)

Public Accommodation Pools are allowed to operate with reduced capacity of 50% of normal bather load and basic compliance with social distancing requirements.

The CDC has indicated that properly maintained pool water inactivates the virus. It is critical that pools that have shut down during this time or reduced maintenance follow proper re-opening procedures and sampling of chemical parameters to ensure water is safe for use, prior to opening to the public. Operators should work with their Certified Pool Operator and/or local/state sanitarian if questions arise regarding re-opening.

If a facility has had a confirmed COVID-19 case they should follow the CDC's facility environmental cleaning procedures for deck areas, seating, locker rooms, and other areas of the establishment frequented by swimmers.

Public Accommodation Pools (Pools at Hotels, Motels, Bed and Breakfasts, Tourist Homes, etcetera):

- Front desk/gate attendant tracks occupancy, incoming and outgoing to ensure maximum occupancy does not exceed 75 percent capacity of normal bather load;
- Signage must be posted with the following or substantially similar wording. Signs shall be positioned for effective visual observation by hotel guests, such as on the entry way door:
 - "Hotel guests with fever, shortness of breath, a cough, or other COVID-19 symptoms must refrain from using the pool.";
- No congregating in waiting areas, patrons should wait in an appropriately spaced line or way that observes social distancing;
- Locker rooms should remain closed, except for showering before and after swimming. Since only registered hotel guests are allowed to use the pool, individuals should change in their rooms;
- Social distancing should be applied in all common areas;
- 6 foot spacing between unassociated swimmers (i.e. not family members);
- 6 foot spacing between groups of no more than 10 (i.e. family groups and unrelated individuals must maintain 6 foot separation);
- Space deck tables and chairs to facilitate 6 foot spacing;
- Recommend, where possible, use buoys and floating pool ropes to mark off lanes or areas of pool for separation of large swimming areas;
- Recommend, where possible, marking stairs and walkways with directional arrows to keep in/out traffic separated.

Appendix B

Guidance for gyms and fitness studios

Gyms and fitness studios contribute to the health and wellness for many Montanans. As such, and in recognition of the continued progress toward recovery that Montana has made, beginning Friday, May 15, 2020 they will be allowed to operate at 75 percent capacity with sanitization and social distancing requirements met.

In the event a confirmed COVID-19 case is associated with a facility, the facility should be thoroughly cleaned in accordance with the CDC's facility environmental cleaning procedures for workout areas, seating, locker rooms, and other areas of the establishment frequented by patrons.

- Facility must have a dedicated staff available during operating hours to wipe down frequently touched areas on a regular basis and monitor gym zones to ensure that users are wiping down equipment properly.
- Train workers on symptom awareness and proper handwashing technique.
- Signage must be posted with the following or substantially similar wording:
 - "Patrons with fever, shortness of breath, a cough, or other COVID-19 symptoms must refrain from using the gym"
 - Signs shall be positioned for effective visual observation by gym guests, such as at the front desk and in locker rooms.
- Front desk should track occupancy to ensure facilities stay at or below 50 percent capacity.
- Hand sanitizer must be made available at front desk and at stations throughout the workout area.
- Approved sanitizer for cleaning equipment after use must be provided at stations throughout the workout areas along with disposable towels. Reusable towels shall not be used to clean equipment.
- Post signs throughout workout area reminding patrons to wipe equipment after each use.
- Masks should be worn by all staff.
- Masks are encouraged to be worn by guests when possible.
- Six-foot distance should be maintained between equipment. Cardio studios should limit guests to every other piece of equipment to achieve this.

Appendix B

- Guest using free weights shall maintain six feet of separation except when a spotter is necessary. In this instance, workout groups shall be limited to two people.
- Sitting areas must be closed for use.
- Food vendors must follow applicable COVID-19 procedures for restaurants and retail food service. Vendors should be encouraged to use single-service items whenever possible, especially for condiments and similar foods.
- Social distancing must be maintained in dressing rooms and other common areas. No congregating in these areas may be allowed.
- After closing, establishments must clean using an EPA approved disinfectant. Twenty-four-hour establishments must close from 11:30 pm to 12am so that proper disinfection can happen.
 - Facility must develop a checklist to ensure that no equipment is being missed during disinfection. Checklist should include large items, such as treadmills and smaller items, such as weights and bands.
- Frequently touched surfaces must be cleaned and sanitized regularly throughout the day and disinfected each night after closing.
- Personal training sessions may be offered with strict adherence to social distancing guidelines and masks are encouraged to be used by the trainer and trainee.
- Indoor group classes may be offered.
- Additional time between group classes must be provided so that a designated gym employee can disinfect any equipment and other cleanable surfaces before the next class begins.

Guidance for Pools at Gyms

Gym pools are allowed to operate with reduced capacity of 75 percent of normal bather load and basic compliance with social distancing requirements.

The CDC has indicated that properly maintained pool water inactivates the virus. It is critical pools that have shut down during this time or reduced maintenance follow proper re-opening procedures and sampling of chemical parameters to ensure water is safe for use, prior to opening to the public. Operators should work with their Certified Pool Operator and/or local/state sanitarian if questions arise regarding re-opening.

Appendix B

In the event a confirmed COVID-19 case is associated with a facility the facility should clean in accordance with CDC's facility environmental cleaning procedures for workout areas, seating, locker rooms, and other areas of the establishment frequented by swimmers.

Gym Pools:

- Only registered members can use the facility, no day passes or walk-ins
- Train workers on symptom awareness and proper handwashing procedures
- Pool classes may continue; if:
 - All social distancing requirements must be observed during class; and
 - Any equipment used can be easily cleaned and disinfected between users.
- Youth swim lessons may be offered in-line with previous guidance for Phase 1, which includes youth activities should avoid gathering in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing.
- Front desk/gate attendant tracks occupancy, incoming and outgoing to ensure maximum occupancy does not exceed 75 percent capacity of normal bather load;
- Signage must be posted with the following or substantially similar wording.
 - "Members with fever, shortness of breath, a cough, or other COVID-19 symptoms must refrain from using this facility."
 - Signs shall be positioned for effective visual observation by members, such as on the entry way door
- No congregating in waiting areas, patrons should wait in an appropriately spaced line or way that observes social distancing
- Locker rooms should be monitored by a designated staff member to ensure they are not becoming crowded and that social distancing is being observed
- Signage must be posted on the locker room door with the following or substantially similar wording, "Observe social distancing while using this facility. No loitering in common areas."
- Social distancing should be applied in all common areas
- 6-foot spacing between unassociated members (i.e. not family members) in the pool.
- 6-foot spacing between groups of no more than 10 (i.e. family groups and unrelated individuals must maintain 6-foot separation) in the pool.
- Space pool deck tables and chairs to facilitate a 6-foot distance.

Appendix B

- Recommend, where possible, use of buoys and floating pool ropes to mark off lanes or areas of pool for separation of large swimming areas.
- Recommend, where possible, marking stairs and walkways with directional arrows to keep in/out traffic separated.

Guidance for places of assembly, i.e. indoor and outdoor concert venues, bowling alleys, etc.

- In the event a confirmed COVID-19 case is associated with a facility the facility should clean in accordance with CDC's facility environmental cleaning procedures for areas of the establishment frequented by patrons.
- Maximum number of attendees is 75 percent of normal capacity while maintaining 6 feet between non-family member groups.
- Signage must be posted with the following or substantially similar wording:
 - "Patrons with fever, shortness of breath, a cough, or other COVID-19 symptoms must refrain from using this facility."
 - Signs shall be positioned for effective visual observation by patrons, such as on the entry way door.
- Increase cleaning and sanitizing of frequently touched surfaces, including door handles, chairs and tables.
- Keep social distancing of at least 6 feet between non-family member groups or immediate party.
- Food vendors must follow applicable COVID-19 procedures for restaurants and retail food service. Vendors should be encouraged to use single-service items whenever possible, especially for condiments and similar foods.
- Facilities should try to control customer flow in a manner that maximizes social distancing such as signage or ropes and directing flow in one direction.
- Provide hand sanitizer or hand washing stations throughout the venue whenever possible.
- Each venue should create and implement a written COVID-19 response plan.
- Increase cleaning and sanitizing of restrooms to no less than every two hours whenever possible.

Appendix B

- Provide clear plastic shielding between workers and attendees whenever possible, such as event cashiers and food vendors.
- If possible do not use tables. Tables should be covered with single-use material and discarded between users, showings, performances or every two hours, whichever provides maximum spread protection.
- Train workers on COVID-19 symptom awareness and proper handwashing procedures.
- Gift shops should limit entry to 75 percent capacity and clean commonly touched surfaces frequently.
-

Additional measures that apply to theaters (live and movie)

- Increase cleaning time period between events, performances and showings. Ensure that commonly touched surfaces such as arm rests and railings are cleaned frequently.
- Ushers should monitor and enforce social distancing practices in theaters and encourage additional distance between guests as appropriate.
 - o Ushers should limit the number of people in lines to no less than 6 feet between families or immediate party.

File Attachments for Item:

18. Approval of Workshop Minutes of June 16, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, JUNE 16, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:32 p.m. on June 16, 2020.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Bruce McGee via Zoom	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

OTHERS PRESENT:

Kurt Markegard, Public Works Director
Karen Courtney, Code Enforcement Officer
Nick Altonaga, Planning Director
Morgan Ecklund, Ambulance.
Brent Peters, Fire Chief

Public Input:

Kathy Herr – 501 7th Avenue, first asked if we start this meeting with the pledge of allegiance. She is wondering if the Mayor and the Chief of Police have a program in place if something should happen in Laurel that would require some kind of Police or business of the community to corral. Because it's happening all around the country, and it's better to be proactive than have a knee jerk reaction. Her other question is that something be put out to the public, the citizens of Laurel, as to how the street repair is taking place. Laurel has been called the pothole capital of the world. As you vote every year to put aside a certain amount of money, it would be good for the citizens to know what's being addressed and how it's being taken care of on a yearly basis.

General Items

1. Appointment of Philip Swain and Michelle Grider to the Laurel Volunteer Ambulance Service.
Both Philip and Michelle will be a great addition to the Ambulance Service. Michelle has experience with AMR and Philip with ATF.
2. Appointment of Wallace Hall to Cemetery Commission for a two-year term ending June 30, 2022.
Wallace Hall briefly introduced himself to Council.

There was no discussion.

3. Appointment of Richard Herr to the Cemetery Commission for a two-year term ending June 30, 2022.

There was no discussion.

4. Appointment of Richard Herr to the Tree Board for a three-year term ending June 30, 2023.

There was no discussion.

5. Appointment of LuAnne Engh to the Tree Board for a three-year term ending June 30, 2023.

There was no discussion.

6. Appointment of Arthur Voge to the Library Board for a five-year term ending June 30, 2025.

Arthur Voge briefly introduced himself to the Council.

There was no discussion.

7. Appointment of Shane Linse to the Airport Authority for a five-year term ending June 30, 2025.

Shane Linse briefly introduced himself to Council.

There was no discussion.

Executive Review

8. Resolution - Olness and Associates

Bethany Langve, Clerk/Treasurer, stated this resolution is to renew the contract with Olness & Associates. They did not raise their fees for Fiscal Year 20. For Fiscal Years 21 and 22, the contract price will increase by \$500 each year. There were no other changes.

It was questioned what the total cost. It was clarified Fiscal Year 20 is \$16,000; Fiscal Year 21 is \$16,500; Fiscal Year 22 is \$17,000.

Council Issues

9. Discussion - Capital Improvement and Depreciation Funds
Street Sweeper
Jet Rodder

Bethany Langve, Clerk/Treasurer, stated the jet rodder would be paid for out of the Water Fund. The Water Fund has a replacement and depreciation fund for this very reason. Currently, that fund has 3.1 million in it.

The street fund does not have a replacement and depreciation fund. The auditors have said the City needs a resolution stating to put this much money in this cash account on a specific timeframe.

It was questioned how the street fund is currently sitting. It was clarified that there is 1.1 million, but they still have the rest of the projects to do. The City has not done the street assessments yet. It was further questioned how much will it cost and how much needs to be set aside, and at what rate it needs to be set aside. It was clarified that the current street sweeper is dead in the water and have funds to purchase. The City needs a replacement plan for each of these large pieces of equipment. The City could coordinate with Billings when they are purchasing these things and possibly get a better deal.

It was questioned if the Mechanic can set up this plan rather than Council as the Mechanic can give a good idea of a useful life. Also include expected repair costs in this fund. The Mechanic can give a good idea of the timeframe in which the item is needed, thus giving the timeframe for when the money needs to be set aside.

Recently, there was an item on the Budget/Finance Committees agenda for 20k to repair the street sweeper. Then the discussion moved to should we replace instead of repair, which leads to this discussion. It makes more sense to have a repair and replacement fund to have the funds ready when those items need to be either repaired or replaced.

Brent Peters, Fire Chief, stated this also affects Fire, Police, and Ambulance. All have very large, expensive equipment that needs to be updated on a semi-regular basis. We need to come together to address how to replace aging equipment. Fire has an over 20-year-old pumper truck. That is unheard of in the Fire service. He stated he knows that he has reserves that come out of district contracts that goes into the CIP fund. He was unsure if PD has the same thing. Would like to see all Department Heads come together in figuring out how to replace expensive equipment.

The Clerk/Treasurer stated it is much more difficult purchasing equipment for Fire, Ambulance, and Police as it comes out of General Fund. Enterprise funds cannot assist General Fund and vice a versa.

10. Discussion - Solid Waste Revenue

Bethany Langve, Clerk/Treasurer, from 2000 to 2013, the amount the City charged for Solid Waste was \$11.88. In 2014 a resolution was passed to increase over the next six years from \$11.88 to \$14.00. From 2000 to current expenses have gone through the roof. Dumping fees alone this year are \$183,000, and we have not received all the bills yet. In 2006 those same dumping fees were \$85,000. The City is keeping this equipment for a long time and repairing repeatedly; those costs add up. Revenues are less than expenditures every year. Solid Waste will lose the FAP repayment loan of \$50,000 next year.

It was questioned if a fees increase was on the horizon. It was clarified, that is one option. Another would be to have everyone pay to dump at the container site. We need to identify a solution as expenditures cannot be decreased. The current rate to dump at the landfill is 26.11 per ton.

A Council Member noted that enterprise funds are designed to pay their own freight. The money has to be collected. If the fees have to go up, then they need to go up.

The City's fees are low. Recently Billings called for a rate study and chose not to include us in their figures. A City staff member stated they pay \$86.70 every three months for trash. Solid Waste does not have a repair and replacement fund either. Both Water and Sewer have a certain amount from the operating fund into the replacement and depreciation fund. In order to replace or repair a truck, the City has to have the funds in that cash account. By keeping the fees low could end in a crisis situation to find funds and borrow money. This is a very poor way to budget, and we need to make changes. The fees have not increased for 13 years. The dumping fees are not getting cheaper. The City needs to be regular with the fee increase to keep up with expenses.

The last water increase was in 2012. The rate went up substantially, and people were not happy. Staff will brainstorm ideas and bring back options to the Council.

Council noted the need to set aside money for both Solid Waste and Street Maintenance before reaching that critical point.

A Council Member noted that there are a few things Billings does well. First quarterly, they go over capital improvement plans in detail, looking five to ten years out. The City needs to update its capital improvement plan and review it regularly. Second, they talk about their budget all the time. This is where the budget was, and YTD and the citizens know what is going on with their money.

Mayor Nelson stated he would get that information out quarterly starting with the new year. Budget/Finance gets monthly financial review all of Council needs to see that information at least quarterly.

11. Discussion - Difference between Fire Association and Fire Department

Brent Peters, Fire Chief, briefly reviewed the attached handouts. He stated 20 years ago; the Fire Department had around 100 calls per year. Now it's closer to 450 calls per year, including lift assists and landing zones. The Department works closely with its mutual aid partners. There has been a lot of misunderstanding between the Fire Department and the Fire Association. They are the same members, but very different roles. The Fire Association runs its own retirement fund; only five others in the State do. Those funds are not City funds. All monies raised for things such as for fireworks, candy sacks for fire safety education, etc., are put in this fund. The Fire Association does all the community programs for the youth.

He handed out a small questionnaire to get feedback from the Council on how the Fire Department is doing.

Other Items

Mayor Nelson asked if the Schedule of Fees was on this agenda. It was clarified that they were still in the process of being updated and are not quite ready.

Stan Langve, Police Chief, read the attached statement in response to recent current events.

A Council Member questioned if the Park closes at 10 p.m., but there are 8k to 10k coming to watch the fireworks how Law Enforcement would handle that. The first goal is public safety, asking people to be respectful.

Review of Draft Council Agendas

12. Draft Council Agenda of June 23, 2020.

Correspondence will be added to the agenda.

Bethany Langve, Clerk/Treasurer, wanted to acknowledge Kelly's work to get Online Bill pay set up. It is finally up and running. Residents can pay their bills online. A Council Member noted that it was super easy.

Attendance at Upcoming Council Meeting

Council Member McGee may be absent at the next meeting.

Announcements

Council thanked the Police Chief and Fire Chief for being here this evening.

The next Emergency Services Committee meeting will be held June 22, 2020, at 6:00 p.m. in Council Chambers.

The council workshop adjourned at 7:43 p.m.

Respectfully submitted,



Brittney Moorman
Administrative Assistant

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

ORGANIZATIONAL BACKGROUND

The Laurel Volunteer Fire Department is located in Laurel, Montana, approximately 12 miles west of Billings. It covers 125 square miles of mixed terrain and responsibilities. These poses challenging roles in the fire service from municipal city to urban rural. Industrial to chemical storage. Urban Interface to agriculture. Interstate transport to waterway recreation.

- The Laurel Volunteer Fire Departments main responsibilities are emergency responses within the city limits of Laurel. This includes several hazards from structure fires, auto extrications, EMS support, hazmat, various rescues, hazardous releases, community service calls to name a few.
- The Laurel Volunteer Fire Department is also the main responders for Fire Districts 5, 7, and 8, the Laurel Urban Fire Service Area (LUFSA), Laurel Airport Authority, the Yellowstone Treatment Center (formally the Yellowstone Boys and Girls Ranch) and interior firefighting and backup industrial firefighting for CHS Refinery. These responsibilities include the same responsibilities as provided to the City of Laurel and create additional roles such as wildland firefighting, industrial firefighting, high angle rope rescue, water and ice rescue to add a few.
- The Laurel area not only has a 65,000 b/d refinery but also includes the largest rail yard in the northwest that houses both Montana Rail Link and Burlington Northern railroads, several chemical storage facilities, agriculture areas, urban interface areas, the major interstate in Montana, the Yellowstone river and several other waterways.
- The Laurel Volunteer Fire Department is also partnered with several other fire departments in the area through mutual aid contracts. These include the fire departments of Yellowstone County (Billings, Molt, Blue Creek, Broadview, Fuego, Lockwood, Shepherd, Wordan, Custer and Haley Bench), CHS Refinery, Park City Volunteer Fire Department. The Laurel Volunteer Fire Department also works with other fire departments of Stillwater County, Carbon County, BLM, MHP, Yellowstone Sheriff Department, Yellowstone County Search and Rescue and the Department of Natural Resources and Conservation Fire Division.

The Laurel Volunteer Fire Department was established in 1909. Mostly staffed with business owners of the community. Through the years the Laurel Volunteer Fire Department has gone through several operational and organizational changes to address the needs to the community.

In 2009 a resolution was passed expanding the membership of the Laurel Volunteer Fire Department to 100 members if needed. Currently membership is set at 45 to meet the current needs.

In 2010 the department went through a major change by organizing the positions into a more modern fire structure. This reorganization included adding positions of Deputy Chiefs, Operational Captains and a Safety Officer for better command and control of a young developing department. These positions were placed on a Stipend system incentive so Officers would be overseeing key areas and ensuing expanded functions of the department. This eliminated hiring fulltime personnel and still achieving the service of a fulltime department. It also met any requirements of a partial paid fire department if and when the City of Laurel becomes a second-class city of 7500+ residents. This would now allow the City of Laurel to decide when to introduce fulltime positions rather than be forced. This now would change when the City of Laurel population reaches 10,000 residents and becomes a first-class city.

The current structure allows for maximum control and planning with minimal personnel costs.

CURRENT DEPARTMENT ORGANIZATION

Fire Department Structure: 13 Stipend positions and 12 Non-Stipend positions vs 1 Paid position

Stipend Positions

Fire Chief 901- Certified Rescue Tech, EMT, Industrial Firefighter

PRIMARY ROLES: Over-sees all functions, finances and operations of the Fire Department

SECONDARY ROLES: Rope and water rescue specialist. Industrial firefighting. EMT. Fire investigation; Officer growth

Assistant Chief 902- Certified Hazmat Tech.

PRIMARY ROLES: Back fills for the Fire Chief; Controls a division on the fire grounds.

SECONDARY ROLES: HAZMAT, Ventilation and Extrication expert

Deputy Chief 903- Certified Rescue Tech, EMR

PRIMARY ROLES: Division leader on the fire grounds, oversees 2 teams, point of contact for the Training Department

SECONDARY ROLES: Preplanning, school liaison

Deputy Chief 904- Industrial Firefighter

PRIMARY ROLES: Division leader on the fire grounds, oversees 2 teams, point of contact for the Maintenance Department

SECONDARY ROLES: Communications and mapping

Operations Captain 911

PRIMARY ROLES: Oversees, leads and mentors a team of 8- 10 Firefighters. Makes entry with Firefighters

SECONDARY ROLES: Accountability; teaching of the ICS system; Pre- Planning

Operations Captain 912

PRIMARY ROLES: Oversees, leads and mentors a team of 8- 10 Firefighters. Makes entry with Firefighters

SECONDARY ROLES: Rescue equipment maintenance and accountability

Operations Captain 913- Industrial Firefighter

PRIMARY ROLES: Oversees, leads and mentors a team of 8- 10 Firefighters. Makes entry with Firefighters

SECONDARY ROLES: Equipment accountability and hose testing

Operations Captain- 914 Certified Extrication Specialist

PRIMARY ROLES: Oversees, leads and mentors a team of 8- 10 Firefighters. Makes entry with Firefighters

SECONDARY ROLES: Reports, paging systems, Severity staffing

Maintenance Captain 941- Certified Automotive Technician

PRIMARY ROLES: Oversees Department maintenance, maintains department operability of equipment and apparatus, maintains maintenance records. Leads a 3-person maintenance team.

SECONDARY ROLES: Operational Captain

Training Captain 931

PRIMARY ROLES: Oversees Department training; maintains all training records. Leads a 3-person training team.

SECONDARY ROLES: Operational Captain

Fire Marshal 921- Industrial Firefighter,

PRIMARY ROLES: Oversees the Fire Marshal office for investigations, fire prevention and works with law enforcement during criminal investigations. Works with City and County planning for development of properties. Works with code enforcement to establish and enforce NFPA and IFC regulations.

SECONDARY ROLES: Deputy Chief backfill

Assistant Fire Marshal 922- Certified Rescue Tech, EMT

PRIMARY ROLES: Backfills for the Fire Marshal

SECONDARY ROLES: Hydrants, dry hydrants, City development and planning

Administrative Assistant

PRIMARY ROLES: Assists the Fire Chief with filing, payroll, filling out various local, state and federal reports, manages severity staffing schedules.

Non-Stipend positions

Fire Prevention Officer/ Public Relations 923

PRIMARY ROLES: Schedules, organizes and conducts several school visits per year to teach fire prevention and safety, summer safety, bike safety.

Deputy Fire Marshal 924

PRIMARY ROLES: Conduct fire investigations, conduct inspections, assist and support the Fire Marshal office

Deputy Fire Marshal 925

PRIMARY ROLES: Conduct fire investigations, conduct inspections, assist and support the Fire Marshal office.

Deputy Fire Marshal 926

PRIMARY ROLES: Conduct fire investigations, conduct inspections, assist and support the Fire Marshal office.

Maintenance Assistant- 3 Assistants

PRIMARY ROLES: Assist the Maintenance Department with maintenance and repairs.

Training Assistant- 3 Assistants

PRIMARY ROLES: Supports the department by conducting trainings and help the Training Captain.

Safety Officer

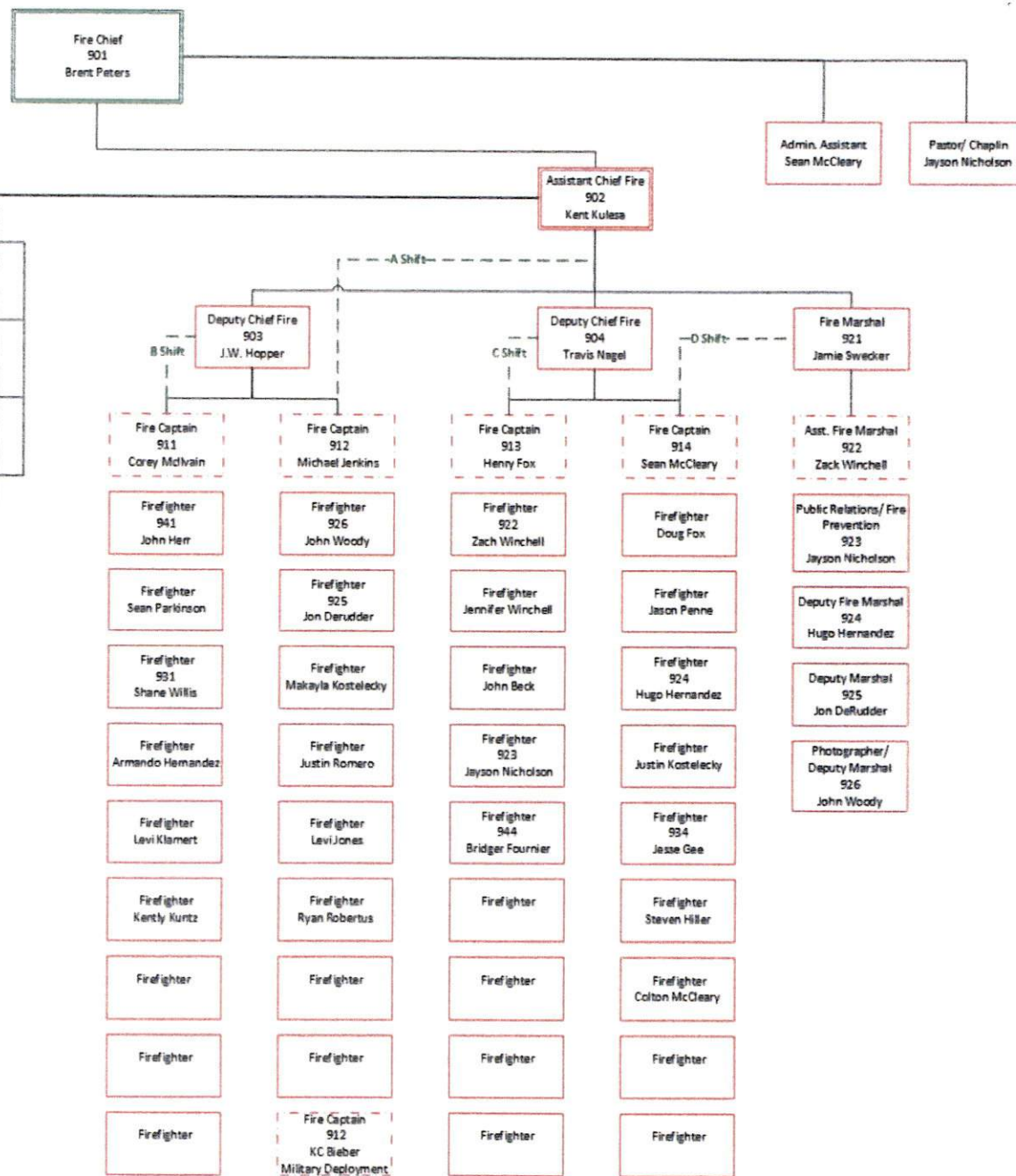
PRIMARY ROLES: Oversees safety for the department at the station, on fire grounds and during training. Reports safety incidents to the Chief and Department.

Chaplain

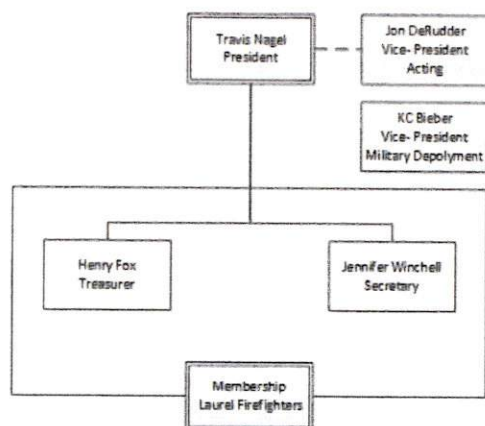
PRIMARY ROLES: Firefighter; Counsels and comforts responders and victims of incidents.

Master Electrician (per Montana Code Annotated)- Unfilled

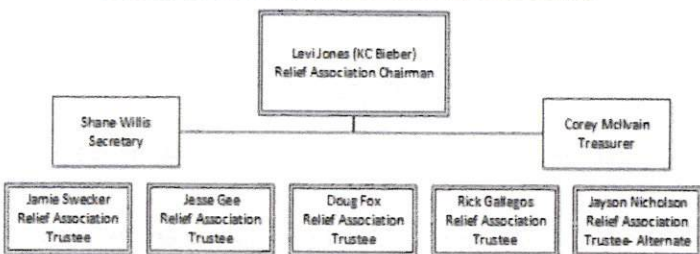
LAUREL FIRE



Laurel Volunteer Fire Association (Company)



Laurel Volunteer Fire Association (Company) Relief Association



Committees



LAUREL VOLUNTEER FIRE ASSOCIATION

The Laurel Volunteer Fire Association is one of the most miss understood groups of the Fire Department. Most do not realize that the Association isn't governed by the Fire Department itself. The membership is made of the firefighters and retired firefighters of the Fire Department and is lead and governed by an elected board. The Fire Chief of the Department is a member of the Association not the director. He answers to the body as all membership does.

President

Vice- President

Secretary

Treasurer

The Association is a social and community support side of the Fire Department that aids or conducts public events for the community of Laurel. The Association could be compared to other social community groups such as the Lions Club, Jaycees, Mason's, Shriner's, Exchange Club and so forth.

The events the Association conducts include but is not limited to

4th of July firework show.

Christmas to Remember decorating and fireworks.

Christmas Santa and candy sacking and delivery for all Laurel children from preschool through 5th grade.

High School Homecoming halftime celebration.

Smoke detectors in every home program.

The Montana State Firefighters Memorial.

Funding for these programs is raised by the Firefighters. No City of Laurel funds are used to support these events.

The Association conducts interviewing and selection of potential new members/ Firefighters. Those selected by the Association are forwarded to the Department Fire Chief for approval. Those approved by the Fire Chief are forwarded to the City Council for approval and appointment.

Laurel Relief Association is a subcommittee of the Laurel Volunteer Fire Association that handles and distributes the retirement and funds for the Firefighters. Much like the State of Montana retirement program for Volunteer Firefighters, it operates and is governed in accordance of the State of Montana Relief guidelines.

For whatever reason, the image of the fire department is such that many people believe that the only job responsibility of fire fighters is to extinguish fires. The reality is that the organization has evolved so that they provide a wide variety of emergency services that include not only fire suppression, but emergency medical services, hazardous materials response and mitigation, special rescue situations (extrication, rope rescue, and water rescue), fire prevention and education, natural disasters and emergency management. These activities also include inspection and code enforcement (normally), plan review for construction projects, fire and arson investigation, and public fire safety education. These operations provide a perspective as to how busy the fire department can be, which affects the amount of time, resources, and personnel to available to support volunteer groups. The main purpose or duties of firefighters is to help protect the public in emergency situations.

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. Residential buildings range from single-family detached homes and townhouses to apartments and tower blocks, or various commercial buildings ranging from offices to shopping malls. This is in contrast to "room and contents" fires, chimney fires, vehicle fires, wildfires or other outdoor fires.

Wildland Firefighting

Initial attack, extended operations, Incident Command, Air Operations, clear cutting, and prevention

A wildfire or wildland fire is a fire in an area of combustible vegetation that occurs in the countryside or rural area. Depending on the type of vegetation where it occurs, a wildfire can also be classified more specifically as a brush fire, bush fire, desert fire, forest fire, grass fire, hill fire, peat fire, vegetation fire, or veld fire.

Industrial Firefighting

Support and backup CHS Refinery Fire Brigade. Conduct frontal attack, isolation operations, and cooling operations.

Aircraft Fire/ Rescue Operations

Respond to aircraft emergencies at the Laurel Airport.

Car, Railroad and Misc. Firefighting

Extinguish, isolate hazards, and investigate

Rope Rescue

Conduct high and low angle rescue operations from any situation

Confined Space Rescue

Access and rescue personnel in a confined enclosure. Air supported and unsupported (inert).

Water Rescue

Access waterways to rescue stranded victims or body recovery. This includes the Yellowstone and Clark Fork Rivers, canals and ditches, and ponds. Conduct Search and Rescue operations.

Cold Water/ Ice Rescue

Access freezing water conditions and unstable ice to rescue victims submerged and body recovery.

Extrications

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

Hazmat

Enter hazmat situation to mitigate and control hazards from railway spill, chemical storage spills, vehicle hazards etc.

Service Calls

Assist the public with alarm activations, gas leaks, Carbon Monoxide problems, etc..

Assist on Medical

Assist medical personnel with CPR, patient movement, ambulance driving, patient care.

Public Safety

Assist with traffic control, escorts, and search of missing persons.

Support other Agencies

Police Department

Public Works

DEA

Government

Public Education and Fire Prevention

Conduct area Fire Prevention activities throughout the year. This includes school tours 5- 6 times a year, tours to groups, Safety Day, Open house and several other public education events.

Investigations

Investigate all fires for cause and origin and determine if arson was committed.

One of the most valuable tools that a Department Head can have is understanding the direction that the City Council has on how our city is to be run and protected. One of those tools are to be able to plan and prepare our departments to the City's needs and the funding to achieve those needs. Without the direction and guidance of our City Council we are unable to effectively plan and prepare for current and future success and growth and to protect our community from the many threats that are unforeseen. Budgets are constructed based on current needs and not the concerned needs of the community or future growth.

The world is ever changing and we need to find ourselves accepting those changes and preparing for them.

The Fire Department no longer responds to just fires.

The EMS doesn't just respond to just emergency patients.

The Police Department doesn't just respond to traffic violations and robberies.

Our services have evolved as or society has evolved. In some aspects society has become more violent with drug use, rage, mass shootings, gang violence and mental health and virus issues. It's easy for us to put blinders on and say it won't happen here. But it can and will!!

Recently a Laurel Middle School student took a gun to school. What was his intent?

We have a refinery and a major railyard right here. What catastrophic incident can happen? What terrorist activities can happen?

We have a community littered with geriatric population with obesity and mental health issues.

We've had large fires that have impacted our community with job and business loss as well as hazards releases to the atmosphere.

Hazardous materials are rolling through our city at an alarming rate.

Police Officers and EMT's commonly wrestle with patients who are on drugs or suffer from mental health issues.

It's not a matter of if, it's when it happens in our city.

The Volunteer Fire Department also responds to all sorts of rescues, hazmat situations, public assists, vehicle accidents, search and rescue, industrial incidents and many more incidents to protect our city. It also puts countless hours into public education and fire prevention.

EMS responds to unstable mental ill patients, drug overdoses, patient transports from nursing homes, non-emergent patients and suicides. Call volumes are through the roof in the recent years.

Police respond to a growing number of violate abuse calls, drug related, high speed pursuits, shootings. Several times dealing with violent offenders without backup.

All departments have to deal with the possibility of catastrophic incident hazards, mass shooting incidents or terrorist related threats.

All Departments are faced with new threats that we have to protect ourselves from.

Violent people who will attack responders with any means possible.

Viruses and diseases that responders come in contact with.

Drug induced violence that Police, EMS and Fire come in contact with that poses a threat to bodily harm.

While the Police have an arsenal of tools for personal protection i.e. body armor, firearms, pepper spray, Tasers, Fire and EMS have very little to protect them.

So back to what is wanted from our responders.

Does the Council want the max protection by creating specialized groups or services, the bare minimum or somewhere in between.

Services

FIRE

Hazmat Squad
Heavy Rescue
Industrial Fire

POLICE

Gang Taskforce
Drug Taskforce
SWAT/ Tactical Team
Bomb Squad
Cyber Crime Taskforce

EMS

Bariatric Ambulance
Advance Life Support Service
Community Medical
Surveillance

What do you want from your Responders?

What services do you want Police to provide?

What services do you want the Volunteer Fire to provide?

What services do you want the Volunteer EMS to provide?

Basic Life Support?

Advance Life Support?

What do you think Police needs in order to achieve what they are tasked to do?

What do you think the Volunteer Fire needs in order to achieve what they are tasked to do?

What do you think the Volunteer EMS needs in order to achieve what they are tasked to do?

What do you feel are the biggest threats to our community?

POLICE

- 1.
- 2.
- 3.

FIRE

- 1.
- 2.
- 3.

EMS

- 1.
- 2.
- 3.

What are your concerns when Police responds?

What can be done to improve?

How can we achieve those goals?

What are your concerns when the Volunteer Fire responds?

What can be done to improve?

How can we achieve those goals?

What are your concerns when the Volunteer EMS responds?

What can be done to improve?

How can we achieve those goals?

On a scale of 1- 10 (10 being highest), what should be the priority for Responder safety?
Please explain

On a scale of 1- 10 (10 being highest), what should be the priority level in public safety?
Please explain

On a scale of 1- 10 (10 being highest), how important do you feel public education, awareness and prevention is?
Please explain

Anything else you would like to address?

As a Laurel Police Officer, we swear in our Oath of Office to support and defend the constitution of the United States and the State of Montana. In our Code of Ethics, we affirm that our fundamental duty is to serve mankind, safe guard life and property, protect all persons against deception, oppression; the peaceful against violence and disorder, and to respect the Constitutional rights of all people to liberty, equality, and justice. The Laurel Police Departments Mission statement is to be fair and consistent in all matters of Law Enforcement.

These are more than words on a paper. These are Oaths that we believe and enact in our professional and personal lives. They are written representation of our core values, that we express in our actions. When I have the honor of presenting a new Officer or Reserve Officer, who are coming from the citizenry and being placed in this position of trust, to never forget that their badge represents something greater than yourself.

I have always viewed the concept of Law enforcement as a partnership between the community and the police department; and that policing is based upon fair and equitable enforcement of the law. Each member of this department from the command staff to the newest officer is empowered to take responsibility for this goal.

I would like to personally thank the community of Laurel for their support. I have had several encounters where individuals have approached me and thanked me for my service. It is greatly appreciated and is a testament to the community we live in.

Our pledge to you, is that this department, its officers, and its dispatchers will continue to strive to earn that trust.

File Attachments for Item:

19. Laurel Urban Renewal Agency Minutes of November 16, 2020.

City/County Planning Board Minutes of October, 21, 2020.

Tree Board Minutes of November 19, 2020.



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, OCTOBER 21, 2020
5:35 PM
LAUREL CITY COUNCIL CHAMBERS**

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

1. Roll Call

The Chair called the meeting to order at: 5:35PM

Evan Bruce
Roger Giese
Dan Koch
Jon Klasna
Judy Goldsby
Nick Altonaga (City of Laurel)
Ron Benner (arrived at 5:40PM)

General Items

1. Public Hearing: USW Conditional Land Use for 1009 East 6th Street

The Chair moved the USW Conditional Land Use Public Hearing to the front of the agenda.

The chair opened the public hearing and asked the Planning Director to present the item. The Planning Director presented the items included in the agenda packet and summarized the situation and department findings.

The Chair called for proponents.

Steve Jansma, 2618 North Ramshorn Laurel, MT 59044

Mr. Jansma acted as a representative for the USW on the project. He provided additional information on the building and the situation. The building dates back to the 1920s. They are looking to reconstruct the building. We had previously gone through the neighborhood in 2013 and got signatures and approvals but were not able to make the time frame for the reconstruction. The design provided in the packet is very close to what they are hoping to finish at that time.

Keith Crookston, 3719 West Old Highway 10.

Local Union President. I think its been 10-15 years since the city came in and basically condemned the building. The building is not handicapped accessible, no means of egress, and prior to that we used to rent that hall out on a consistent basis for events but after that instruction by the city came out we basically could not do that.

It will give the city a nice building where those kinds of things can be held. We did that in the past and we are looking forward to doing it again. It will look nice and be a nice addition to the community.

The chair called for proponents.
None came forward.

The chair called for proponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The chair called for opponents.
None came forward.

The Chair closed the Public Hearing.

Planning Board members discussed the situation.

Ron: On the design, are there any plans for noise abatement for any evening events?

Keith Crookston: we normally have allowed for events during the daytime hours, but years ago no one ever had made complaints about the activities.

Since 2013 there has been more construction and residences created.

Ron: At other union meeting halls they have basically functioned as a private bar, will that be the case here?

Keith Crookston: there will be no regular bar function. There is alcohol served at union meetings but not like that. For many years there was not a problem with noise or alcohol with the surrounding neighborhood.

Judy: Was here in 2013, the parking was on the north side of the building, how will this work?

Keith Crookston: The new building will be built to the north of the existing building, plan to demolish the existing building, and adapt that are into more parking.

Dan: To go along with the abatement, would there be any fencing installed?

Keith: Will think on that because we have had the same situation for many years without a fence present.

Nick provided his suggested conditions for approval. These could include the possibility of abatement installed in the future.

The Chair entertained a motion on the conditional land use.

Dan motioned to approve the conditional land use with an additional condition that there will be noise abatement through fencing and/or visual guard.

Ron seconded.

Discussion took place on this motion.

Keith Crookston: What is there now has been there for many years, and what we are required to do for more funds. Do not like to be mandated for something which may not be needed.

Planning Director mentioned that the condition can be situational, not a mandate. Stated like: "Will work with the city if noise abatement becomes an issue for the surrounding neighborhood."

Motion was amended to suite this situation.

Dan Koch motioned to approve the conditional land use with an additional condition that the property owner will work with the city if noise abatement becomes an issue for the surrounding neighborhood.

Ron Seconded.

Motioned Carried.

2. Public Hearing: Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 1 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report.

Initial discussions by members took place on related but unaddressed issues stemming

Evan: Would like to see the existing roadway (previously called Ponderosa) to be extended.

Ron: What is south of the current Mulberry Avenue?

The Planning Director reviewed the YC GIS and found an existing structure present on the lot south of Mulberry Ave.

Jon: Question about extending the roadway.

Ron: Getting through town is tough enough, and if they want it to be an isolated area, they need to know that there are already traffic and access problems. Traffic flow is a major concern. There is no good controlled access. Thinks it should align with Mulberry.

Ron: If this realigns with Mulberry it could prompt new development for E 7th Street.

Evan: Have read that the winding roads of a subdivision have impacted emergency response vehicles. Kind of disagree with some points in the staff report.

The Chair opened the floor to public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.

Ed Onaszko – 1602 E 8th Street, Adjacent property owner. I know that people are going to want to develop this property. Our main concern is the safety of that size of a development. Dr. Benner brought up the traffic amounts coupled now with Regal trailer court. This could be 300+ vehicles added to the roadway. How will the traffic pattern change along E 8th and the surrounding roadways? I have been there for 40 years and have seen the area change. This planned subdivision will bring in more children. Safety is a concern for all of us. It doesn't seem like it will impact me or my property other than the traffic. And what is going to happen to East 8th to accommodate that traffic? The Middle School is west down East 8th street. Will sidewalks and road be redeveloped all the way down to the school? With the increase in traffic lately, cars move 40-60 miles an hour. We are concerned about that.

The Planning Director responded to the comment. As properties along East 8th Street annex into the city and develop or are redeveloped, they will be required to bring the adjacent roadway and pedestrian areas up to city standards. This includes curbing, gutter, sidewalks.

Dan: Eleanor Roosevelt portion is considered a trail in some sources, and no one even knows the specifics. The East 8th street portions need to be figured out and established. We need to establish the routes of East 8th and Eleanor Roosevelt and figure out how to access those lots before we go further with that. Can we hold off on this until the city or developer can figure out the situation?

The Planning Director responded to the comment. The developer/owner has previously provided a title report on the segment of roadway that is immediately near the proposed subdivision. This area is where we should focus on for these discussions.

Ed Onaszko: It might be advantageous to have a straight shot into the subdivision which would alleviate some of the pressure off of East 8th Street.

Board members discussed how this redesign could be a better solution to traffic flow.

The Chair asked for opponents.
None came forward.

The Chair asked for opponents.
None came forward.

The Planning Director provided a summary of the departments and the board's decision-making and suggested conditions.

Since there is no further public comment, the Chair closed the public hearing

The Board had additional thoughts on the variance application.

Roger: What I find disturbing is that they have submitted this 3 times, and none of the parties have been here at the hearings to provide additional information. I have questions I want to ask them, but they aren't here. It shows a bit of disrespect for the board. And this is a big project, its not just a couple of houses.

Roger suggested the Board move forward with a motion.

Roger Motioned to deny the variance request for Street Continuity with the staff recommendations as discussed.

Jon Seconded

Motion Carried.

Ron added one more point to the discussion: The idea and concept is good, but the street alignment needs to happen, for both Krieghoff and towards the corner near East Main Street.

3. Public Hearing: Variances for Roadway Widths and Right-of-Way Dedication for the Proposed Goldberg Sporting Estates Subdivision

The Chair opened the public hearing. The Chair directed the Planning Director to present the item.

The Planning Director presented the Variance 2 and Variance 3 items that were included in the agenda packet and summarized the situation and department findings and background in the staff report. The two variances involve right-of-way widths and right-of-way dedication.

Planning Board members had minor questions about the situation, with clarifications needed for items presented in the Staff Report.

The Chair opened the floor for public comment.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for proponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair called for opponents.
None came forward.

The Chair directed the Planning Director to respond to any responses.

With there being no public comment or board questions, the Chair closed the public hearing.

Ron motioned to deny the variance applications for right-of-way widths and right-of-way dedication with the recommended staff conditions.

Dan Seconded.

Roger Seconded

Motion Carried.

4. Public Hearing: Growth Management Policy Review and Approval

The Chair opened the public hearing on the Growth Policy review and approval.

Chair directed the planner to present the item.

The Planning Director presented the current draft of the plan. This is much the same as the recent meetings, with slight changes. There are some alternations needed prior to finalization at City Council. These will be worked out between the Planning Director and the city contractors at KLJ Inc.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for proponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

The Chair called for opponents.

None came forward.

With there being no proponents or opponents present or questions from board members, the Chair closed the public hearing.

Ron Motioned to approve the Laurel 2020 Growth Management Policy with amendments to be completed prior to City Council approval.

Evan Seconded.

Motion Carried.

New Business

5. Approve Meeting Minutes: September 16, 2020

Ron Motioned to approve the meeting minutes from September 16, 2020.

Evan Seconded.

Motion Carried.

Old Business

Other Items

6. Meeting Scheduling: Officially set for 3rd Wednesday

Nick presented the current schedule of meetings. The board will need to officially vote to change it to 3rd Wednesdays of each month.

Evan Motioned to have the official meeting date of Planning Board be the 3rd Wednesday of the month.

Jon Seconded.

Motion Carried.

Discussion on Regal debris and trash and fencing that doesn't allow kids to get soccer balls.

Jon asked about the 8th Avenue affordable housing. Nick presented the update that It was just recently approved for funding.

Announcements

7. Next Meeting: November 18, 2020

Roger moved to adjourn

Jon Klasna

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

DATES TO REMEMBER



**MINUTES
CITY OF LAUREL
LAUREL URBAN RENEWAL AGENCY
MONDAY, NOVEMBER 16, 2020**

11:00 AM

ONLINE - JOIN WITH:

**[HTTPS://US02WEB.ZOOM.US/J/84410084351?PWD=OXV5ZEFKEFN6AZER
N0J2BTBXYXFRUT09](https://us02web.zoom.us/j/84410084351?pwd=OXV5ZEFKEFN6AZERNOJ2BTBXYXFRUT09)**

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.*

1. Roll Call

The Chair called the meeting to order at 11:12AM.

Mardie Spalinger
Daniel Klein
Janice Lehmen
Judy Goldsby
Nick Altonaga (City of Laurel)

General Items

2. Approve Meeting Minutes: August 17, 2020

Members reviewed the meeting minutes from August 17, 2020.

Mardie motioned to approve the minutes from August 17, 2020.

Daniel Seconded.

Motion Carried.

3. Big Sky EDA Update
4. Beartooth RC&D Update

Nick provided a minor update on BSEDA and Beartooth RC&D activities.

New Business

5. Small Grant Application - Allen Rice - 105 E Main St

Nick presented the grant and members discussed the current grant application and the previous owners and grants that were approved for this location.

Mardie motioned to approve a General Small Grant of \$2,800 for 105 E. Main Street.

Daniel Seconded.

Motion Carried.

Mardie motioned to approve an Awning Grant of \$3,000 for 105 E Main Street.

Daniel Seconded

Motion Carried

Old Business

6. Dragon Palace LURA Application Follow-Up

Members discussed the Dragon Palace and the recent work that has taken place.

Daniel motioned to amend the previous General Small Grant to the Dragon Palace with an additional \$1424.00, for a total of \$4,999.00.

Mardie Seconded.

Motion Carried.

7. Small Grant - Pelican Cafe Technical Assistance

Nick presented the Chad Page Technical Assistance application and the necessary housekeeping.

Mardie Motioned to approve a grant of Technical Assistance Grant of \$4,000 for the Pelican Café

Daniel Seconded.

Motion Carried.

Other Items

8. Budget Review

Members Reviewed the TIF District Budget.

Has the Street Money been committed yet? What was the bonded amount and the annual bond payments?

Discussion of the Red Rooster Café and their most recent.

9. Projects Discussion

Nick reported on the West Laurel Interchange and ongoing efforts with BSEDA and Beartooth about funding and possible project ideas.

Are we still paying off the Bond on Main Street? Across the Street where they ran water lines? Project was approximately 6 years ago.

Nick reported that the Goldberg Sporting Estates subdivision went in front of council for review of variances. There has been some confusion as to scheduling it and it might have to come back to Council.

There is a possible subdivision planned for the area between the Elena Subdivision and Cherry Hills Subdivision.

The Former Hardees lot and corner lot are open for development. Daniel discussed the proposed plan for that corner lot on East RR and S. 1st Ave. Possibly a strip-type development with general commercial or offices.

No firm commitments yet.

Dean mentioned that Jimmie Johns is committed to going into the Solberg commercial development.

Some of the hospitals previously talked about a clinic or express care in Laurel but this has not been addressed in quite some time. A routine care facility would be a great asset to Laurel. Judy mentioned that she has spoken to people interested in living closer to local services.

Daniel – The pandemic might change how healthcare functions, with smaller facilities that are less risky in regards to full-high traffic locations.

Patio homes and similar developments would go like crazy.

Announcements

Meeting Adjourned at 12:01pm

Next Meeting: December 21, 2020

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DATES TO REMEMBER

Minutes
City of Laurel
Tree Board
11/19/20 9:30 AM

Zoom meeting

Attending: LuAnne Engh, Dale Ahrens, Matt Wheeler, Nick Altogona, City Planner

1. Public Input
 - a. No public attending
2. General Items
 - a. Oct. minutes approved
 - b. Arbor Day May 4, 2021 at either South or Thomson depending on the construction of the dock at South.
 - c. Design will come from the Graff students – Lynn Peterson is leading that
 - d. Grants – Dale will continue to ask for the Walmart and NW Energy grants – we currently have \$700 in the school account \$2300 in the city
3. New Business
 - a. Several dead trees in the downtown area – many businesses have cut them down others are too large and expensive to remove.
 - b. Nick is looking into developing a grant to help business replace the trees through the TIFF money.
 - c. The tree board should recommend tree varieties that fit the space and do well without much water – as we don't want those trees to remain vacant.
 - d. Burger King lot owner, Rimrock Chevrolet has removed all vegetation on the interstate ramp to Laurel. Nick is looking at idea for that green

space and how we can replace trees on the outside of the property owner's fence.

4. Old Business

- a. Business on 8th Ave – Cenex station is not in the TIFF district so they would need to replace trees on their own

5. Other Items

- a. Dale received more thank you letters from the Graff 4th graders – LuAnne will forward them to our presenters.

6. Announcements

- a. Next meeting – Dec. 17th – 9:30

LuAnne Engh

File Attachments for Item:

20. Appointment of Kathy Brown, Samantha Kaufman, Tyrel Mraz, Aidan Cullingworth, and Collen Timmons-Lee to the Laurel Volunteer Ambulance Service.



**CITY OF LAUREL
MONTANA**
EMERGENCY MEDICAL SERVICES
215 W 1ST ST
LAUREL, MONTANA – 59044
OFFICE: (406) 628 – 1611 | DISPATCH: (406) 628 - 8737



Dear Mayor and City Council,

We are very excited to announce that we have EMS providers interested in joining our EMS service as volunteers. We have interviewed the following people and would be excited to bring them onto our team.

- Kathy Brown, paramedic, she was an AMR medic and FTO for many years and is now full time with the Billings Police Department. She misses patient care, teaching EMS providers and running on an ambulance and feels like this would be a perfect fit for her. I believe she will be a great asset and will be able to help us with training because of her years of experience as well as take excellent care of patients.
- Samantha Kaufman, paramedic, RN, Sam has about 20 years of EMS experience, some of this in Montana but most being in Texas, she was the manager of PHI the helicopter service for all of Texas, she has vast EMS experience with AMR as a paramedic, manager and trainer. She is currently the manager at StVs ED but really wants to work on an ambulance again as she misses EMS patient care. Again, I believe this will be a great asset for us as she is an excellent practitioner and an amazing educator.
- Tyrel Mraz, paramedic, he was an AMR medic, supervisor and FTO, and he worked in Lame Deer on an ambulance for many years. Tyrel is now going to nursing school and would like to volunteer his time as a paramedic to be able to continue to take care of patients. Again, with his great experience, rural with volunteers as well as urban, he will be an asset to teaching and patient care.
- Aidan Cullingworth, EMT, is a fairly new licensed EMT with very minimal experience from a rural fire department but is a very willing to learn and has a great personality and I believe will fit in great with our team and be excited to learn to take care of patients on an ambulance.
- Collen Timmons-Lee, EMT, newly licensed EMT and has not had the opportunity to utilize her EMS skills on an ambulance, however she has many years of experience as a Montana Highway Patrol Officer. With this great experience she brings a different kind of skill to our department but one of which translates well from law enforcement to EMS. She recently had a baby and moved to the Laurel area and feels that she can be part of the community by volunteering her services. I believe she will be a great asset to our service and the interview board felt like she would be a good fit for our team.

Thank you very much for your consideration on these candidates.

Lyndy Gurchiek, NRP, Director
Laurel EMS
215 W 1st Street
Laurel, MT 591044
lgurchiek@laurel.mt.gov
406-860-8233

File Attachments for Item:

21. Appointment of Evan Bruce to Yellowstone Historic Preservation Board for a two-year term ending December 31, 2022.

From: [Evan Bruce](#)
To: [Brittney Moorman](#); [City Mayor](#)
Subject: Yellowstone Historical Preservation Board
Date: Monday, November 9, 2020 12:38:07 PM

Dear Mayor, Thomas Nelson

My term with the Yellowstone Historical Preservation Board is coming up at the end of December. I am asking you to re-appointment me for the next 2 year term.

Evan Bruce
evanblaurel@gmail.com
406-598-7883

File Attachments for Item:

22. Appointment Phyllis Bromgard to Park Board for a four-year term ending December 31, 2024.

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

MAYOR

DEPARTMENT

November 12, 2020

Phyllis Bromgard
216 Yellowstone Ave
Laurel, MT 59044

Dear Phyllis,

Thank you for the time and effort you have given the City of Laurel on the Park Board. Your current term expires on December 31, 2020. If you are interested in being reappointed, you must submit a letter of interest addressed to me by Tuesday, December 8, 2020, and return it to:

Administrative Assistant
City of Laurel
P.O. Box 10
Laurel, MT 59044

We appreciate your willingness to serve on the Park Board and commend you for your involvement. Again, thank you.

Respectfully,

Thomas C. Nelson, Mayor

TCN/bm

Enclosure

Dear Mayor
I am very much interested
staying on the Parks Board
Thank you for sending
this letter to me.

Phyllis
Bromgard

File Attachments for Item:

23. Appointment of Richard Herr to the Park Board for a four-year term ending December 31, 2024.

Mr Mayor

Please place me back on The Park Board
I have enjoyed being on it.

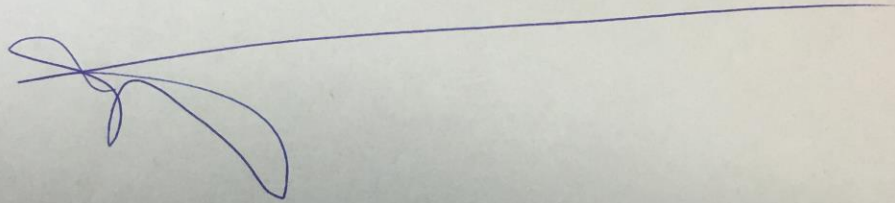
Thanks
Rick Herr,

File Attachments for Item:

24. Appointment of Scot Stokes to the Park Board for a four-year term ending December 31, 2024.

12-15-2020

I Scot Stokes would like
to be on parks Board
for the upcoming 4 years

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

File Attachments for Item:

25. Appointment Daniel Klein to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2024.

From: dan@danieljklein.com
To: [Brittney Moorman](#); [City Mayor](#)
Subject: Letter
Date: Monday, December 7, 2020 10:50:31 AM

Good morning,

I received the letter from Tom Nelson regarding my service on the LURA board. After having been involved for all of these years I would like to continue to help for sure. Is this email adequate for that? Also I believe it is a 4 year appointment, is that correct?

Best regards,

Daniel J Klein
REALTOR/Owner
GRI, CRS, ABR
A Haus of Realty, Inc.
406.855.9528

File Attachments for Item:

26. Appointment Dennis Eaton to the Laurel Urban Renewal Agency for a four-year term ending December 31, 2024.

November 25, 2020

Mayor Nelson
Post Office Box 10
Laurel, Montana 59044

Dear Mayor Nelson:

I wish to express my interest in filling one of the vacant seats on the LURA Board.

I work for Advanced Pump and Equipment whose Laurel offices are in the Canyon Creek office complex within the LURA boundaries. Those offices are also closely located to the office maintained by Dean Rankin, owner of the Canyon Creek office complex and former member of LURA. I have spent many hours listening to comments made by Mr. Rankin regarding LURA, the City of Laurel and desires for improvements to the LURA District. While I do not agree 100% with all the comments or sentiments, I have heard I do say that I still care about improving Laurel, improving Laurel's business districts and drawing new businesses to the community. I would like to work with the LURA board members, the City Planner and the City Council to improve the TIF district so changes can be made that help businesses as well as residents be proud of this community.

Regarding my qualifications, as I stated, I am part of a business that has offices in Laurel, Montana. I have worked with that company for over six years and it is because of me that they have an office in Laurel rather than Billings, Montana. I presently work frequently with engineering companies, other municipal employees and land developers. I have lived in Laurel for over forty years, having served previously on the City County Planning Board. My position within APE has recently changed, allowing me to set my own work hours and schedule as well as my availability for meetings.

I look forward to your response.

Sincerely,

Dennis Eaton

File Attachments for Item:

27. Appointment of Dianne Lehm to the Laurel Urban Renewal Agency Advisory Board for a four-year term ending December 31, 2024.



BIG SKY ECONOMIC DEVELOPMENT

EDA • EDC CREATING MONTANA BUSINESS OPPORTUNITIES

November 24, 2020

Mayor Thomas Nelson
City of Laurel
P. O. Box 10
Laurel, MT 59044

Dear Mayor Nelson,

I am submitting my letter of interest in serving on the City of Laurel's LURA Advisory Board for an additional term.

I enjoy my work with the City of Laurel and the LURA Advisory Board to assist in growing a vibrant healthy economy for Yellowstone County. LURA has accomplished great work for the City of Laurel and has plans to continue redevelopment and development for the benefit of the residents of Laurel.

Thank you for allowing my participation in the LURA Advisory Board over the past few years. I would be excited to continue my service on this Board if selected.

Sincerely,

Dianne Lehm
Community Development Director

GRANITE TOWER
222 NORTH 32ND ST. SUITE 200
BILLINGS, MT 59101-1948

P 406.256.6871
F 406.256.6877

BIGSKYECONOMICDEVELOPMENT.ORG

File Attachments for Item:

28. Resolution No. R20-83: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding With The United States Marshals Service For Participation In The Fugitive Task Force Program.

RESOLUTION NO. R20-83

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
SIGN A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES
MARSHALS SERVICE FOR PARTICIPATION IN THE FUGITIVE
TASK FORCE PROGRAM.**

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

Section 1: Approval. The Memorandum of Understanding (“MOU”) is hereby recommended by Staff and the Mayor, and a copy is attached hereto and incorporated herein, and hereby approved.

Section 2: Adoption. The MOU is adopted and the City’s Mayor and Chief of Police are hereby authorized to execute the MOU on the City’s behalf.

Introduced at a regular meeting of the City Council on December 22, 2020, by Council Member ____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this 22nd day of December 2020.

APPROVED by the Mayor this 22 day of December 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

File Attachments for Item:

29. Resolution No. R20-84: A Resolution Approving A Task Order Between The City Of Laurel And KLJ Engineering For Engineering To Replace The Insulated Water Main That Crosses Highway 212 Over The Yellowstone River.

RESOLUTION NO. R20-84

**A RESOLUTION APPROVING A TASK ORDER BETWEEN THE CITY OF LAUREL AND
KLJ ENGINEERING FOR ENGINEERING TO REPLACE THE INSULATED WATER MAIN
THAT CROSSES HIGHWAY 212 OVER THE YELLOWSTONE RIVER.**

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

Section 1: Approval. The Task Order between the Parties is attached hereto and incorporated herein as part of this resolution, and is accepted and hereby approved by the City Council.

Section 2: Execution. The Mayor and City Clerk/Treasurer of the City of Laurel are hereby given authority to accept and execute the attached Task Order on behalf of the City.

Section 3: Effective date. The effective date for the Task Order is upon adoption and approval of this resolution.

Introduced at a regular meeting of the City Council on December 22, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 22nd day of December 2020.

APPROVED by the Mayor this 22nd day of December 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter, Civil City Attorney

TASK ORDER

This is Task Order for KLJ Engineering Project No. 2004-00542 consisting of 4 pages.

Task Order- Yellowstone River Water Main Crossing

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated October 13, 2020 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- A. Effective Date of Task Order: _____
- B. Owner: City of Laurel
- C. Engineer: KLJ Engineering LLC
- D. Specific Project (title): Yellowstone River Water Main Crossing
- E. Specific Project (description): KLJ will provide engineering for the replacement of the existing 6" insulated water line over the Highway 212 Yellowstone River Bridge.

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. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are set forth 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:

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 begin in 2019. As such, Engineer's services will commence upon contract authorization with the intent to complete the Bidding Phase in the spring of 2019. The final schedule is dependent on funding availability and results of Preliminary Design Phase findings.

6. Payments to Engineer

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

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)		
a. Design Phase (A1.02, A1.03)	\$ 10,500	Hourly
b. Bidding or Negotiating Phase (A1.04)	\$ 4,000	Hourly
c. Construction Phase (A1.05)*	\$ 15,000	Hourly
TOTAL COMPENSATION (lines 1.a-h)	\$ 33,000	
2. Additional Services (Part 2 of Exhibit A)	(N/A)	Hourly

*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.

- 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.

OWNER:

By: _____

Print Name: _____

Title: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: _____

E-Mail
Address: _____

Phone: _____

ENGINEER: KLJ Engineering LLC

By: _____

Print
Name: _____

Title: _____

Firm's Certificate No. (if
required): _____
State of: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Matt Smith, P.E.

Title: Project Manager

Address: 2611 Gabel Road
Billings, MT 59101

E-Mail
Address: _____

Phone: _____

Engineer's Services for Task Order

PART 1—BASIC SERVICES

A1.01 Preliminary Design Phase

A. As Basic Services, Engineer shall:

1. 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.
2. Visit the Site, to review existing conditions and facilities. Review owner provided designs and "as-built" drawings.
3. 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.
4. If requested to do so by Owner, assist Owner in identifying opportunities for enhancing the sustainability of the Specific Project, and pursuant to Owner's instructions plan for the inclusion of sustainable features in the design.
5. Prepare Preliminary Design Phase documents consisting of final design criteria, preliminary drawings, outline specifications, and written descriptions of the Specific Project.
6. Visit the Site as needed to prepare the Preliminary Design Phase documents.
7. Advise Owner if additional reports, data, information, or services of the types described in Exhibit B are necessary and assist Owner in obtaining such reports, data, information, or services.
8. Based on the information contained in the Preliminary Design Phase documents, prepare a opinion of probable Construction Cost, and assist Owner in tabulating the various cost categories which comprise Total Project Costs.
9. 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. Bidding documents shall be based on the Montana Public Works Standard Specifications.
10. Pursuant to the Task Order schedule, furnish the required number of 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. Within the time established in the Task Order schedule, Owner shall submit to Engineer any comments regarding the furnished items.

11. Pursuant to the Task Order schedule, revise the Preliminary Design Phase documents, opinion of probable Construction Cost, and any other Preliminary Design Phase deliverables in response to Owner's comments, as appropriate, and furnish to Owner the required number of copies of the revised Preliminary Design Phase documents, revised opinion of probable Construction Cost, and any other Preliminary Design Phase deliverables.
- B. Engineer's services under the Preliminary Design Phase will be considered complete on the date when Engineer has delivered to Owner the revised Preliminary Design Phase documents, revised opinion of probable Construction Cost, and any other Preliminary Design Phase deliverables.

A1.02 *Final Design Phase*

- A. As Basic Services, Engineer shall:
 1. Prepare final Drawings and Specifications indicating the scope, extent, and character of the Work to be performed and furnished by Contractor.
 2. Visit the Site as needed to assist in preparing the final Drawings and Specifications.
 3. Provide technical criteria, written descriptions, and design data for Owner's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design; assist Owner in consultations with such authorities; and revise the Drawings and Specifications in response to directives from such authorities, as appropriate.
 4. Advise Owner of any recommended adjustments to the opinion of probable Construction Cost.
 5. Prepare or assemble draft bidding-related documents based on the Montana Public Works Standard Specifications.
 6. Pursuant to the Task Order schedule, furnish for review by Owner, its legal counsel, and other advisors, two copies of the final Drawings, Specifications and draft bidding documents and any other Final Design Phase deliverables, and review them with Owner.
 7. Revise the final Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related 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.

A1.03 *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. Provide information or assistance needed by Owner in the course of any review of proposals or negotiations with prospective contractors.
4. Consult with Owner as to the qualifications of prospective contractors.
5. Consult with Owner as to the qualifications of Subcontractors, suppliers, and other individuals and entities proposed by prospective contractors, for those portions of the Work as to which review of qualifications is required by the issued documents.
6. 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.
7. Attend the bid opening, prepare bid tabulation sheets to meet Owner's schedule, and assist Owner in evaluating bids or proposals, assembling final contracts for the Work for execution by Owner and Contractor, and in issuing notices of award of such contracts.

- B. The Bidding or Negotiating Phase will be considered complete upon commencement of the Construction Phase or upon cessation of negotiations with prospective contractors (except as may be required if Exhibit F is a part of this Task Order).

A1.04 *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 (2013 Edition), 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. *Selection of Independent Testing Laboratory:* Assist Owner in the selection of an independent testing laboratory to perform the trench compaction services.
3. *Pre-Construction Conference:* Participate in a pre-construction conference prior to commencement of Work at the Site.
4. *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.
5. *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.
6. *Baselines and Benchmark.* Establish a benchmark on each side of the river for locating the Work which in Engineer's judgment are necessary to enable Contractor to proceed.
7. *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. 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.

- c. Periodic visits to the site will be limited to 20 hours of RPR time.
- 8. *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.
- 9. *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.
- 10. *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.
- 11. *Field Orders:* Subject to any limitations in the Construction Contract Documents, Engineer may prepare and issue Field Orders requiring minor changes in the Work.
- 12. *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.
- 13. *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.

14. *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.
15. *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.
16. *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.2 of this Exhibit A.
17. *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.
18. *Change Proposals and Claims:* (a) Review and respond to Change Proposals. 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.
19. *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.
20. *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.17. 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.
21. *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.

22. *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 in the form attached hereto as Exhibit E (“Notice of Acceptability of Work”) (also available as a construction form, EJCDC® C-626 (2013)) that the Work is acceptable (subject to the provisions of the Notice and Paragraph A1.05.A.21.b) 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.
23. *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 as indicated in Paragraph A1.03.C, then Construction Phase services may be rendered at different times in respect to the separate contracts. Subject to the provisions of Article 3, 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.

A1.05 *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.
- 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.

A1.06 *Other Services*: Each specific Task Order may include Basic Services that do not fit into the categories above. Such services should be expressly stated in the specific Task Order itself.

PART 2—ADDITIONAL SERVICES

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

- A. *Advance Written Authorization Required*: During performance under a Task Order, Owner may authorize Engineer in writing to furnish or obtain from others Additional Services of the types listed below. Unless expressly indicated above or in the specific Task Order to be included Basic Services, the following services are not included as part of Basic Services and will be paid for by Owner as Additional Services, using the basis of compensation for Additional Services, as indicated in the specific Task Order.
1. Preparation of applications and supporting documents (in addition to those furnished under Basic Services) for private or governmental grants, loans, or advances in connection with 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.
 2. Services to make measured drawings of existing conditions or facilities, to conduct tests or investigations of existing conditions or facilities, or to verify the accuracy of drawings or other information furnished by Owner or others.
 3. 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 or are due to any other causes beyond Engineer's control.
 4. Services resulting from Owner's request to evaluate additional Study and Report Phase alternative solutions beyond those agreed to in Paragraph A1.01.A.1 and 2.
 5. Services required as a result of Owner's providing incomplete or incorrect Specific Project information to Engineer.
 6. Providing renderings or models for Owner's use, including services in support of building information modeling or civil integrated management.
 7. Undertaking investigations and studies including, but not limited to:
 - a. detailed consideration of operations, maintenance, and overhead expenses;
 - b. based on the engineering and technical aspects of the Project, the preparation of feasibility studies (such as those that include projections of output capacity, utility project rates, project market demand, or project revenues) and cash flow analyses, provided that such services do not include rendering advice regarding municipal financial products or the issuance of municipal securities;

- c. preparation of appraisals;
 - d. evaluating processes available for licensing, and assisting Owner in obtaining process licensing;
 - e. detailed quantity surveys of materials, equipment, and labor; and
 - f. audits or inventories required in connection with construction performed or furnished by Owner.
- 8. Furnishing services of Consultants for other than Basic Services.
 - 9. Providing data or services of the types described in Exhibit B, when Owner retains Engineer to provide such data or services instead of Owner furnishing the same.
 - 10. Providing the following services:
 - a. Services attributable to more prime construction contracts than specified in Paragraph A1.03.C or the specific Task Order.
 - b. Services to arrange for performance of construction services for Owner by contractors other than the principal prime Contractor, and administering Owner's contract for such services.
 - 11. Services during out-of-town travel required of Engineer, other than for visits to the Site or Owner's office as required in Basic Services.
 - 12. 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 constructibility 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.
 - 13. 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.
 - 14. Assistance in connection with bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services, except when such assistance is required to complete services required by Paragraph 5.02.A and Exhibit F.
 - 15. Preparing conformed Construction Contract Documents that incorporate and integrate the content of all Addenda and any amendments negotiated by Owner and Contractor.
 - 16. 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.
 - 17. Preparing Record Drawings, and furnishing such Record Drawings to Owner.

18. Supplementing Record Drawings with information regarding the completed Project, Site, and immediately adjacent areas obtained from field observations, Owner, utility companies, and other reliable sources.
 19. 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.
 20. Preparation of operation, maintenance, and staffing manuals.
 21. Protracted or extensive assistance in refining and adjusting of Project equipment and systems (such as initial startup, testing, and balancing).
 22. Assistance to Owner in training Owner's staff to operate and maintain Specific Project equipment and systems.
 23. Assistance to Owner in developing systems and procedures for (a) control of the operation and maintenance of Project equipment and systems, and (b) related recordkeeping.
 24. 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.
 25. Overtime work requiring higher than regular rates.
 26. Providing construction surveys and staking to enable Contractor to perform its work other than as required under Paragraph A1.05.A.8, 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.
 27. Providing more extensive services required to enable Engineer to issue notices or certifications requested by Owner.
 28. Excessive services during any correction period, or with respect to guarantees called for in the Construction Contract (except as agreed to under Basic Services).
 29. Provide assistance in responding to the presence of any Constituent of Concern at any Site, in compliance with current Laws and Regulations.
 30. 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. Services in connection with Work Change Directives and Change Orders to reflect changes requested by Owner.
2. 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.
3. Services resulting from significant delays, changes, or price increases occurring as a direct or indirect result of materials, equipment, or energy shortages.
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.