



**AGENDA
CITY OF LAUREL
SPECIAL CITY COUNCIL MEETING
WEDNESDAY, NOVEMBER 10, 2021
7:00 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R21-121

NEXT ORD. NO.
O21-05

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

Correspondence

Council Disclosure of Ex Parte Communications

Public Hearing

Consent Items

NOTICE TO THE PUBLIC

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

Ceremonial Calendar

Reports of Boards and Commissions

Audience Participation (Three-Minute Limit)

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

Scheduled Matters

1. Resolution No. R21-121: A Resolution Of The City Council Authorizing The Mayor And City Clerk To Execute An Underground Gas Pipeline Easement For Northwestern Corporation D/B/A Northwest Energy For The Purpose Of Constructing, Operating, And Maintaining An Underground Pipeline To Be Installed And Located Under The City's Riverside Park.

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. Resolution No. R21-121: A Resolution Of The City Council Authorizing The Mayor And City Clerk To Execute An Underground Gas Pipeline Easement For Northwestern Corporation D/B/A Northwest Energy For The Purpose Of Constructing, Operating, And Maintaining An Underground Pipeline To Be Installed And Located Under The City's Riverside Park.

RESOLUTION NO. R21-121

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN UNDERGROUND GAS PIPELINE EASEMENT FOR NORTHWESTERN CORPORATION D/B/A NORTHWEST ENERGY FOR THE PURPOSE OF CONSTRUCTING, OPERATING, AND MAINTAINING AN UNDERGROUND PIPELINE TO BE INSTALLED BENEATH THE CITY'S RIVERSIDE PARK.

WHEREAS, the City and Northwest Energy's previous negotiated agreement was not approved by the City Council and both Parties, by and through their authorized representatives, negotiated a new Easement that contains newly proposed terms and conditions; and

WHEREAS, the most recent Easement entitled "Underground Gas Pipeline Easement" between the City of Laurel as Grantor and the Northwestern Corporation d/b/a Northwest Energy as Grantee has been approved as an offer to the City Council by Northwest Energy for consideration and approval; and

WHEREAS, the Parties have agreed to an increase in the annual fee and a one-time cash gift to be utilized for park improvements as provided in the attached documents; and

WHEREAS, a copy of the Easement and Map (Exhibit A) detailing the terms of the Easement and location of the pipeline to be installed is attached hereto and incorporated herein; and

WHEREAS, the issuance of the easement is in the best interests of all Parties.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby accepts the offer and approves the attached Underground Gas Pipeline Easement and Exhibit A and authorizes the Mayor and Clerk Treasurer to execute the same on the City's behalf.

Introduced at a regular meeting of the City Council on November 10, 2021, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 10th day of November 2021.

APPROVED by the Mayor this 10th day of November 2021.

CITY OF LAUREL

Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

RETURN TO:
NORTHWESTERN ENERGY
Lands & Permitting Department
11 East Park Street
Butte, MT 59701-1711

UNDERGROUND GAS PIPELINE EASEMENT

CITY OF LAUREL, PO Box 10 Laurel, MT 59044-0010, ("**GRANTOR**"), in consideration of an annual payment of \$1,500.00 and a one-time gift of \$15,000.00 to enhance the City Park, as consideration, in hand paid, the receipt of which is acknowledged, does grant and convey to **NORTHWESTERN CORPORATION, a Delaware corporation, d/b/a NORTHWESTERN ENERGY, ("GRANTEE")**, of 11 East Park Street, Butte, Montana 59701-1711, its successors, assigns, and apportionees, a permanent easement, four hundred forty six and a half feet (446.5') in length and forty feet (40') in width, upon which to construct, operate, maintain, replace, upgrade, and remove a natural gas transmission pipeline, together with all necessary appurtenances, over, under, along, and across that certain real property located in **Yellowstone County, Montana**, and particularly described as follows:

TOWNSHIP 2 SOUTH, RANGE 24 EAST, M.P.M.

SECTION 15: Tract 1 of Certificate of Survey 3387, as described on Document No. SP3491272, recorded 1/9/2009, with Clerk and Recorder of Yellowstone County, MT as shown on Exhibit "A" attached hereto and made a part hereof.

NOTE: The permanent easement will be centered off the installed gas transmission line.

TOGETHER with reasonable right of access to and from the easement area over lands of the Grantor using existing roads and trails where practicable; the right to use and keep the easement area free and clear of any permanent structures, except fences and walking paths; and the right to clear and remove all timber, brush or vegetation **ONLY** from any maintenance area of the easement that may, in Grantee's sole opinion, endanger the pipeline, or necessary appurtenances. Grantee will not clear cut the easement path at any time.

GRANTOR covenants with the Grantee that the Grantor is lawfully seized and possessed of the real estate above-described, and that the Grantor has a good and lawful right to convey it, or any part thereof.

The annual payment shall be due by Grantee and paid to Grantor each year on the anniversary date of the final date of execution of this easement by Grantor.

DATED this _____ day of _____, 20__

GRANTOR: City of Laurel

By: _____ Its: _____

By: _____ Its: _____

(Acknowledgements appears on following page)

STATE OF _____)
)ss.
COUNTY OF _____)

This document was acknowledged before me on _____
_____, 20____, by _____, the _____
Of the City of Laurel, Montana

(NOTARY SEAL)

Notary Signature: _____
Notary Print Name: _____
Notary Public for the State of _____
Residing at _____
My Commission Expires _____ 20____
Project: Gas Line Project
Sap No. _____
Acquired by: _____
Qrm# _____

STATE OF _____)
)ss.
COUNTY OF _____)

This document was acknowledged before me on _____
_____, 20____, by _____, the _____
Of the City of Laurel, Montana

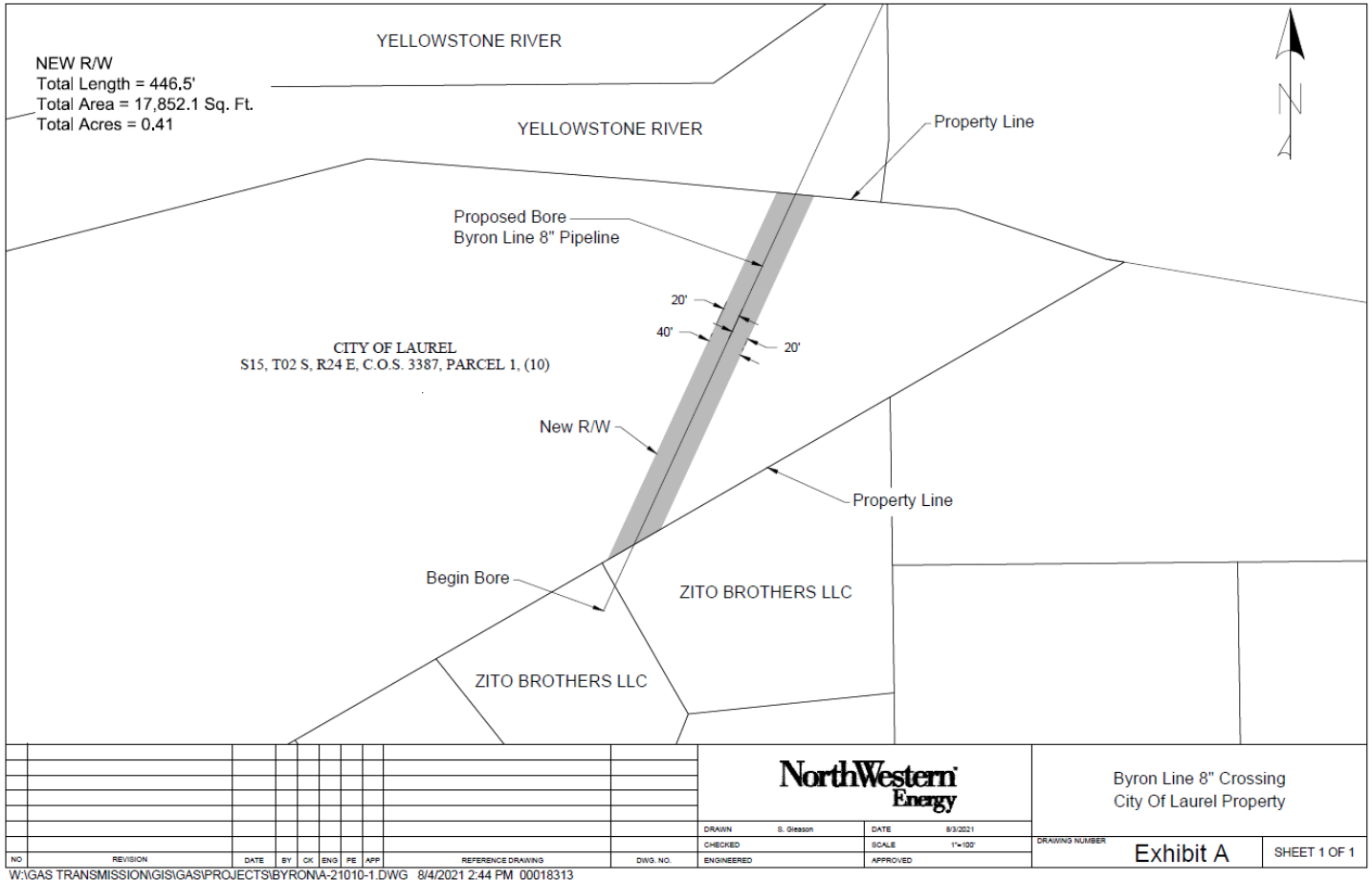
(NOTARY SEAL)

Notary Signature: _____
Notary Print Name: _____
Notary Public for the State of _____
Residing at _____
My Commission Expires _____ 20____

Project: Byron Gas Line Project
Sap No. _____
Acquired by: R.Ishkanian/C. Smith
Qrm# 26000500-0110

Exhibit "A"

The following is made a part of that certain Underground Gas Pipeline Easement dated _____ by and between City of Laurel, Montana. "Grantor" and Northwestern Corporation, a Delaware corporation, d/b/a NorthWestern Energy "Grantee"



TOWNSHIP 2 SOUTH, RANGE 24 EAST, M.P.M.

SECTION 15: Tract 1 of Certificate of Survey 3387, as described on Document No. SP3491272, recorded 1/9/2009, with Clerk and Recorder of Yellowstone County, MT