



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, OCTOBER 27, 2020
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R20-74

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 October 13, 2020.

Correspondence

Council Disclosure of Ex Parte Communications

Ceremonial Calendar

Consent Items

NOTICE TO THE PUBLIC

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

2. Claims entered through 10/23/2020.
3. Approval of Payroll register for PPE 9/18/2020 totaling \$913.64.
4. Approval of Payroll Register for PPE 9/20/2020 totaling \$184,819.75.
5. Approval of Payroll Register for PPE 10/4/2020 totaling \$193,399.51.
6. Approval of Payroll Register for Union 316 Retro Pay totaling \$7,626.14.
7. Approval of Payroll Register for PPE 10/18/2020 totaling \$191,064.85.

Public Hearing

Reports of Boards and Commissions

8. Budget/Finance Committee Minutes of October 13, 2020.
Public Works Committee Minutes of September 21, 2020.
City/County Planning Board Minutes of September 16, 2020.
Laurel Urban Renewal Agency Minutes of October 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

- [9.](#) Resolution No. R20-74: A Resolution Granting Montana-Dakota Utilities Company A Franchise Agreement With The City Of Laurel
- [10.](#) Resolution No. R20-75: A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds.

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**

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DATES TO REMEMBER

File Attachments for Item:

Approval of Minutes of October 13, 2020.

MINUTES OF THE CITY COUNCIL OF LAUREL

OCTOBER 13, 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 6:29 p.m. on October 13, 2020.

COUNCIL MEMBERS PRESENT:	Emelie Eaton	Heidi Sparks
	Bruce McGee	Richard Herr
		Irv Wilke
	Richard Klose	Don Nelson

COUNCIL MEMBERS ABSENT: Scot Stokes

OTHER STAFF PRESENT: None

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 September 22, 2020, as presented, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through October 9, 2020, in the amount of \$262,803.13.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 9/18/2020, totaling \$913.64.**
- **Approval of Payroll Register for PPE 9/20/2020, totaling \$184,819.75.**

The Mayor asked if there was any separation of consent items. Both payroll registers were removed as there was no payroll register to sign. It will be placed on the October 27th Consent Agenda.

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

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of September 22, 2020.
- Library Board Minutes of June 9, 2020.
- Library Board Minutes of July 14, 2020.
- Library Board Minutes of August 14, 2020.
- Park Board Minutes of July 8, 2020.
- Tree Board Minutes of July 23, 2020
- Tree Board Minutes of August 20, 2020
- Tree Board Minutes of September 17, 2020.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of Clint Willis and Levi Dostal to the Laurel Volunteer Fire Department.**

Motion by Council Member Eaton to approve the Mayor's appointment of Clint Willis and Levi Dostal to the Laurel Volunteer Fire Department, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R20-69: A Resolution Of The City Council Approving Rules For Use Of The City's Riverside Park Campground.**

Motion by Council Member Sparks to approve Resolution No. R20-69, seconded by Council Member Wilke. There was no public comment.

A Council Member questioned if these rules would be enforceable by the Police Department or if they are enforceable by the campground host.

A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R20-70: A Resolution Approving An Amendment To The Engineer-Owner Agreement Between The City Of Laurel And Kadrmas, Lee & Jackson, Inc. ("KLJ") Extending The Term Of The Agreement To 2025 And Authorizing The Mayor To Sign The Amendment On The City's Behalf.**

Motion by Council Member Herr to approve Resolution No. R20-70, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R20-71: A Resolution Of The City Council Authorizing The Submission Of A CDBG Grant Application And To Commit The Matching Funds Required By The Creating Agency.**

Motion by Council Member Wilke to approve Resolution No. R20-71, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R20-72: A Resolution Of The City Council Authorizing The Property Owner At 112/114 3RD Avenue To Utilize Decorative River Rock Rather Than Grass Within The Boulevard Located Adjacent To His Property Pursuant To The Written Request.**

Motion by Council Member Klose to approve Resolution No. R20-72, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R20-73: Resolution To Correct A Mathematical Error In Fund 4000 Capital Projects Summary Schedule As Contained In The Fiscal Year 2020-2021 Budget.**

Motion by Council Member Nelson to approve Resolution No. R20-73, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA:

Payroll registers moved to the October 27th Consent Agenda.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Public Works Committee's next meeting is October 19, 2020, at 6:00 p.m.

DRAFT

Council Minutes of October 13, 2020

A Council Member noticed that one of the bathrooms at Riverside Park is locked. There is a lot of use outside of that bathroom. We will discuss this at next week's Workshop.

A Council Member noticed the tree removed south of the old Burger King. They mentioned that this is the entryway zoning and requested discussion at the next meeting.

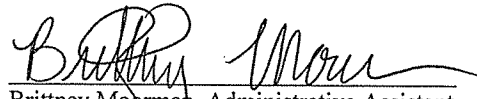
MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

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 seven council members present voted aye. Motion carried 7-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:48 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 27th day of October 2020.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

File Attachments for Item:

8. Budget/Finance Committee Minutes of October 13, 2020.

Public Works Committee Minutes of September 21, 2020.

City/County Planning Board Minutes of September 16, 2020.

Laurel Urban Renewal Agency Minutes of October 19, 2020.

**MINUTES
CITY OF LAUREL
PUBLIC WORKS COMMITTEE
MONDAY, SEPTEMBER 21, 2020**

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

No public attended.

General Items

Irv, Don, Dan, Richard and Marvin attended the meeting.

Irv led the meeting.

Approve minutes from August 17, 2020. It was moved Dan and seconded by Richard to approve the minutes of August 17, 2020. Minutes were approved.

Emergency Call outs for the last month. Kurt informed the committee that we only had one call out and that was to turn off water at a residence on Pennsylvania and East 9th Street.

New Business

Septic Hauler report. Kurt reported to the committee that the city received \$10,627.48 for the month of July and \$6,183.88 for the month of August for the septic dump station at the WWTP. This brings the total to \$35,243.64 so far for the 2020 year. Kurt also reported that we are continuing to sign up new septic haulers. Dan asked if the city accepted portable toilet waste. Kurt informed the committee we do not accept that waste as it provides no beneficial use and is mostly garbage. Kurt will be giving an updated report at the end of the year on the total revenue that the City will receive for 2020.

Old Business

Engineering Report. Kurt went over the KLJ Engineering report which is attached. Most of the 2020 projects are wrapping up and the planning is starting for projects for 2021. Kurt talked about the EDII project and the punch list items that Knife River must complete to finish the project. Richard asked if the streets are mostly chip sealed and Kurt stated that they are finished. Dan spoke about the work that was performed and complemented the City on completing the projects. Marvin informed the committee that the new trees planted in Riverside Park are needing water. Kurt stated that they would look at the trees. The bathrooms in Riverside park were discussed and Kurt informed the committee that the City did not have enough help to keep everything open. Irv stated that the City of Billings was down over 60 positions this summer. Richard asked if the waterline to Riverside Park was going to be maintained over the winter. Irv stated that the Jaycee's still have a lease until the 1st of the year. Irv indicated that it appears that the Jaycees are in the process of cleaning up their contents. It was discussed at length about the Riverside Park Campground and how the city is going to run and maintain the campground. Kurt informed the committee that plans on a new reservoir needs to start. A Community Development Clock Grant deadline is approaching. Kurt is hoping to apply for the grant for a water plan update. The committee discusses a water line

replacement under Laurmac Subdivision and how garages have been built close to or over the top of the water line. Kurt would like to reroute the waterline around this neighborhood.

Other Items

Dan asked about some patching that has taken place and wanted to say thanks for fixing the areas.

Announcements

Next Meeting is on October 19, 2020

It was moved and seconded by to adjourned the meeting at 7:20p.m.

September 21, 2020

Public Works Emergency Call-outs since last meeting in August

8-24-2020 Shut off Water at East 9th and Pennsylvania for a leak in a basement



City of Laurel Project Status Update
September 15, 2020



East Downtown Infrastructure Improvements (KLJ #1804-01309)

Reason for Project: Reconstruction and rehabilitation of streets, utilities and various other infrastructure improvements including Washington Ave., Idaho Ave. and Ohio Ave. generally bound between E. Main Street and E. 1st Street, as well as E. 1st Street generally bound between Washington Ave. and Alder Ave.

Project Scope: Preliminary engineering, design, bidding and construction.

Current Status:

- Project is currently being constructed
- Sewer main construction is complete
- Water main and Storm Sewer is complete
- Construction on street began May 18, 2020
- Subgrade prep and base gravel complete
- Curb and Gutter 90% Complete
- Substantial Completion Inspection September 17, 2020

Riverside Park Campground (KLJ # 1904-00634)

Reason for Project: New campground in Riverside Park

Project Scope: Work consists of surveying and designing a new campground within Riverside Park.

Current Status:

- Bid opening May 13, 2020
- Weave Consulting apparent low bidder (\$245,057.00)
- Contract Executed June 8, 2020
- Notice to Proceed July 13, 2020
- Substantial Completion Inspection September 26, 2020
- Seeding after October 1, 2020

2020 Pavement Maintenance (KLJ #1904-01874)

Reason for Project: This continues the City's annual pavement maintenance

Project Scope: This year's scope entails crack seal and chip seal on streets identified as having a Paser rating of 6. This excludes the MDT designated Urban Routes.

Milestones:

- Crack seal and overlays are complete
- Chip seal in 60 days (alloy crack seal to set)
- Substantial Completion - August 2020
- Final Completion - August 2020



City of Laurel Project Status Update September 15, 2020



- Project complete

Current Status: Project complete

Sanitary Sewer H₂S Remediation (KLJ #1804-00122)

Reason for Project: Buildup of H₂S within the WW collection system has led to deterioration of manholes and other system components.

Project Scope: Complete the design and construction administration to address H₂S build-up within the system.

Current Status:

- KLJ preparing scope of work for alternatives.
- Construction to begin Spring 2021

Data and Asset Management (KLJ # 1804-00461)

Reason for Project: Consolidate infrastructure information

Project Scope: Assemble city infrastructure data into a single source, which can be used to track and manage assets

Current Status:

- Draft Atlas Maps completed

Design Standards & Rules Update (KLJ # 1804-02569)

Reason for Project: Update old standards

Project Scope: Develop a set of cohesive and concise design standards for public improvements to help facilitate reviews of new developments and ensure the public improvements are designed in the City of Laurel's best interest.

Current Status:

- Drafts of the all sections of the manual are complete
- Final sections of streets, water and sewer are complete

Laurel Planning Services (KLJ #1804-00554)

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



City of Laurel Project Status Update September 15, 2020



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

Current Status:

- **Floodplain Management** – Joint Application for improvements at Riverside Park has been approved
- **Subdivision Review – Goldberg Sporting Estates**- On hold
- **Growth Policy Update** – This project is continuing with coordination between the Laurel City Planner and KLJ. Anticipated Completion December 15, 2020

On-Call Professional Services (KLJ #1804-00347)

Project Scope: Services may include engineering, surveying, planning or government relations.

Current Status:

- None

Other Notes and Information

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

Anticipated FY21 Projects

1. West Railroad Street Reconstruction- Proposal submitted
2. South Side Drainage Plan and Traffic Study
3. Water Storage Tank Recoat - 2021
4. Water System Planning
 - a. Master Plan Update (potentially update PER concurrently)
 - b. Booster station rehabilitation or replacement (task order forthcoming)
 - c. Water storage tank Preliminary Engineering Report
5. Capital Improvement Plan (CIP) assistance – pending further direction from the City.
6. Water Line/Yellowstone River Crossing
7. Sewer Main Repair of Elm Lifts station
8. WWTP Archimedes Screw Rehabilitation
9. 7th Street reconstruction from 1st Street to
10. Replace Water main located under houses in 12 Street

Other Potential Future Projects

1. West Side TIFF



**MINUTES
CITY OF LAUREL
LAUREL URBAN RENEWAL AGENCY
MONDAY, OCTOBER 19, 2020
11:00 AM
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

No Quorum. No Meeting was held.

Announcements

2. Next Meeting: November 16, 2020

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DATES TO REMEMBER



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, SEPTEMBER 16, 2020
5:35 PM
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

Chair called the meeting to order at 5:35PM

Evan Bruce
Roger Geise
Dan Koch
Ron Benner
Gavin Williams
Judy Goldsby

Nick Altonaga (City of Laurel)

General Items

2. Approve Meeting Minutes: August 19, 2020

Ron Motioned to Approve the Minutes from August 19, 2020 as written.
Evan Seconded.
Motion Carried.

3. Public Hearing: Review and Comments on Laurel High School Sign Replacement

Planning Director Altonaga provided an overview of the Laurel High School Sign and the required public process.

Wayne Fjare, Facilities Director of Laurel Public Schools was in attendance. He provided details on the sign that they plan to install. The sign will be an electronic reader board, and will be 20 inches higher off the ground, and a much higher resolution. The current sign is not working, so this will be a full replacement.

Ron asked if this will be a video sign?

Wayne answered that yes it will be able to do full video.

The Chair and other members want the School District to know that this is outside of the zoning parameters. It would not look good to allow signs like this.

Members reported that it might not look good when the district has developments like this. It might not look good when we allow the School District to install this type of sign versus private businesses being denied for these types of signs.

Gavin spoke for the sign. He reported that he is a Laurel High School graduate and is happy to see something presenting information about the school. There are a lot other issues distracting people than animated signs for the High School. Sign could boost community relations and help with making the school district more a part of the community.

Ron disagreed with it not being a distraction, stating that it might cause issues with more distraction, especially with kids and students crossing during the day.

Judy: There are some allowable uses for the sign, including 30 second repeats. We can work with the sign maker to come up with a middle ground.

Wayne stated that they do not want to create a hazard or an issue for the community. I will bring these concerns back to the School Board.

Nick will send along a set of baseline rules for the sign to pass along to the Board.

Roger: Would just like some more parameters, Board meetings, sporting events, upcoming events, Games, etc.

There were no proponents or opponents present at the hearing.

The Chair closed the Public Hearing.

New Business

4. Growth Management Policy - Chapter Review

Nick presented the Growth Policy for review. Nick reported that it has not changed much since the last review, but all chapters have been prepared.

Board members reviewed the plan and discussed a number of items.

Is there any update from MDT on road development off the new Interchange? It would impact Laurel if there are plans for more road network connections such as Buffalo Trail or towards the south.

Nick reported that there is nothing major that he is aware of.

Roger asked if there is any interest in companies developing by the new interchange?

Nick reported that no one has contacted him and is unaware of any other city departments hearing anything about development near there.

Ron: **Chapter 10:** Local routes and maintenance section: Add verbiage for adding roads, COMPLETING roads, improving roads. (Many roads are not full width and are lacking curbs and gutters). Have a goal of future development

Gavin: **Page 29: Chapter 4** – Student/Teacher ratio – Exactly the same as the United States? Please double check this. Try to find a better data source for this?

Ron: Should there be a disclaimer for the facts and figures? Possibly a **bibliography**? Should state the data sources?

Nick stated that he will see if that is the normal way things are done, or if it will be necessary, with only a few separate sources of information.

Nick asked the board members to please review the document and get back to him with any comments or concerns. He then discussed the updated schedule for review and approval of the Growth Management Policy.

Old Business

Other Items

5. Upcoming Items

Nick provided a summary of some projects that will be coming up in the next few months. These included The review and approval of the Growth Policy, the proposed Goldberg Sporting Estates which is under review by the Planning Department, and a Conditional Land Use Permit for 1009 East 6th Street.

Ron: Can Kurt be present at the meeting to discuss the Water and Sewer system for the upcoming subdivision?

Roger: Have you addressed any of the issues with Regal Land Development?

- Karen and the Planning Director are working on these issues.
- City Council has also discussed their concerns at length.

Ron: Many people have built their fences directly on the property line to the Soccer fields. Have you addressed the issue with fence setbacks or difficulty for players to retrieve balls?

- Planning has not been aware of this issue but can look into the issue.

Roger: Any movement on the Downtown District development or planning?

Nick reported that he would like to put together a downtown revitalization plan after the Growth Policy is completed, possibly next spring or summer.

Members generally discussed downtown development and possible projects to help the district.

- Different projects taking place
- Possible projects that could improve the area
- Nick mentioned the numerous vacant lots that could be used for infill development.

Judy discussed the recent session with outside Rural development specialists with Laurel Revitalization League to help with Laurel.

Ron: We need to see ourselves like the Heights, slow steady, consistent development to not have everyone just go to Billings for services.

Members discussed options for downtown and outside funding supports and parcels available for development or redevelopment. We could position ourselves as a regional hub for the nearby rural communities.

Announcements

6. Next Meeting: October 21, 2020

Ron Motioned to Adjourn.

Roger Seconded.

Motion Carried.

Meeting Adjourned at 6:44PM.

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File Attachments for Item:

9. Resolution No. R20-74: A Resolution Granting Montana-Dakota Utilities Company A Franchise Agreement With The City Of Laurel

RESOLUTION NO. R20-74

**A RESOLUTION GRANTING MONTANA-DAKOTA UTILITIES COMPANY A
FRANCHISE AGREEMENT WITH THE CITY OF LAUREL**

WHEREAS, the City of Laurel possesses self-governing powers including the general powers set forth in Title XI of the Montana Constitution, Title 7 of the Montana Code Annotated and Laurel City Ordinance O04-06 to require Franchises Agreements with applicants prior to them performing activities in, on, under or above a public right-of-way within the City of Laurel; and

WHEREAS, Montana Dakota Utilities Co. has applied for a fifteen (15) year Franchise Agreement pursuant to Laurel City Ordinance O04-06; and

WHEREAS, Montana Dakota Utilities Co.'s application is in compliance with Ordinance O04-06, and it is in the best interests of the City to grant the Franchise Agreement, attached hereto, to Montana Dakota Utilities Co. for a term of fifteen (15) years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that Montana-Dakota Utilities, Co., Franchise Agreement, attached hereto, is hereby approved and affirmed under the authority of Laurel City Ordinance O04-06.

BE IT FURTHER RESOLVED, this resolution is approved retroactive to September 6, 2020.

Introduced at a regular meeting of the City Council on October 27, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 27th day of October 2020.

APPROVED by the Mayor this 27th day of October 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter, Civil City Attorney

FRANCHISE AGREEMENT

AN AGREEMENT BETWEEN THE CITY OF LAUREL, MONTANA, A MUNICIPAL CORPORATION, AND MONTANA-DAKOTA UTILITIES CO., A CORPORATION, ITS SUCCESSORS AND ASSIGNS, GRANTING THE FRANCHISE AND RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE, WITHIN AND UPON, IN AND UNDER THE STREETS, ALLEYS AND PUBLIC GROUNDS OF THE

CITY OF LAUREL

A GAS DISTRIBUTION SYSTEM FOR TRANSMITTING AND DISTRIBUTING VAPORIZED NATURAL GAS PRODUCTS AND/OR MANUFACTURED GAS FOR PUBLIC AND PRIVATE USE.

BE IT AGREED BY

THE CITY OF LAUREL AND MONTANA-DAKOTA UTILITIES CO.

SECTION I. For the convenience, herein, said municipal corporation is designated and referred to as "Municipality" and Montana-Dakota Utilities Co. is designated and referred to as "Grantee." Any reference to either includes their respective successors and assigns.

SECTION II. There is hereby granted to Grantee, subject to the limitations herein stated, the right and franchise to occupy and use the streets, alleys and public grounds of the Municipality as now, or hereafter constituted, for the purpose of constructing, maintaining, and operating, within, upon, in and under the same, a gas distribution system for transmitting and distributing vaporized natural gas products and/or manufactured gas for public and private use.

SECTION III. Grantee shall maintain an efficient distribution system for furnishing vaporized natural gas products and/or manufactured gas for public and private use at such reasonable rates as may be approved by the Public Service Commission of the state wherein said Municipality is located and under such orders, rules or regulations as may be issued by a federal or state agency having jurisdiction thereof.

SECTION IV. This franchise shall not be exclusive and shall not be construed to prevent the Municipality from granting to any other party the right to use the streets, alleys, and public grounds of the Municipality for like purposes.

SECTION V. The Municipality reserves any right it may have, under its police power, or otherwise, to control or regulate the use of said streets, alleys, and public grounds by Grantee.

SECTION VI. Grantee shall indemnify and save and hold the Municipality harmless from any loss or damage due to the construction, installation, and maintenance of its distribution system, and its use of the streets, alleys, and public grounds of the Municipality.

SECTION VII. Grantee shall repair all damages to any Municipal property, street, alley or public grounds caused as a result of Grantee's construction, installation or maintenance of its gas distribution system.

SECTION VIII. Grantee shall perform and pay for any construction required for the operation of its system. Any construction shall conform to the Standards for Public Works Improvements and the Rules and Regulations Governing Utility Services and Streets for the Municipality to the extent the Municipality's standards, rules and regulations do not conflict with any applicable federal or state laws as well as any Montana Public Service commission regulations. All work is subject to the approval and review of the Municipality's Public Works Director.

SECTION IX. Grantee shall have the right to assign this franchise to any party, or corporation, but all obligations of Grantee hereunder shall be binding upon its successors and assigns.

SECTION X. Municipality reserves the right to revoke this Agreement pursuant to a violation of Laurel Municipal Ordinance No. O04-06, and enforce penalties provided therein.

SECTION XI. This Franchise Agreement shall continue and remain in full force and effect for a period of fifteen (15) years from the date upon which this Agreement is adopted by the Municipality.

MUNICIPALITY:

Adopted the _____ day of _____, 20____.

CITY OF LAUREL

Mayor

ATTEST:

City Clerk

GRANTEE:

Montana-Dakota Utilities Co.

By: _____
Eric P. Martuscelli
Vice President – Field Operations

Title

ACCEPTANCE OF FRANCHISE

Montana-Dakota Utilities Co., a corporation, hereby accepts the terms and conditions of that certain Franchise Agreement approved by the governing body of the City of Laurel, Yellowstone County, Montana, the same being an agreement granting to Montana-Dakota Utilities Co., its successors and assigns, a franchise to construct, maintain and operate, within and upon, in and under the streets, alleys and public grounds of said City of Laurel, Yellowstone County, Montana, a gas distribution system for transmitting and distributing vaporized natural gas products and/or manufactured gas for public and private use, and defining the extent and conditions of such rights and privileges, which agreement was duly and finally passed, adopted and approved by the governing body of the City of Laurel on the _____ day of _____, 20____.

Dated this _____ day of _____, 20____.

Montana-Dakota Utilities Co.

By _____
Eric P. Martuscelli
Vice President – Field Operations

I, the undersigned, the duly elected, qualified and acting Auditor of the City of Laurel, State of Montana, do hereby certify that I received the within Acceptance of Franchise on this _____ day of _____, 20____, and on said date duly filed the same in my office.

City Clerk

(SEAL)

File Attachments for Item:

10. Resolution No. R20-75: A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds.

RESOLUTION NO. R20-75

**A RESOLUTION REQUESTING DISTRIBUTION OF
BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS**

WHEREAS, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, the project to be funded is a Citywide Street Improvement Project; and,

WHEREAS, the local match for the allocated funds has been budgeted from Fund 2500 Street Maintenance Fund.

THEREFORE, NOW BE IT RESOLVED THAT:

1. The City of Laurel requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.
2. That the Council hereby empowers and authorizes the Mayor or other staff to execute such further documents as may be necessary to facilitate the distribution of said funds.

Introduced at a regular meeting of the City Council on October 27, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 27th day of October 2020.

APPROVED by the Mayor this 27th day of October 2020.

Mayor Thomas C. Nelson

ATTEST:

Bethany Langve Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

2020 HB 473 City Fuel Tax Allocations

City	City Allocation Funds	City	City Allocation Funds
ALBERTON	\$11,175.60	JORDAN	\$15,832.69
ANACONDA	\$115,044.08	JUDITH GAP	\$7,528.17
BAINVILLE	\$14,143.06	KALISPELL	\$445,646.47
BAKER	\$54,136.16	KEVIN	\$10,494.23
BEARCREEK	\$4,130.62	LAUREL	\$140,669.79
BELGRADE	\$162,848.26	LAVINA	\$8,146.08
BELT	\$14,501.27	LEWISTOWN	\$145,300.40
BIG SANDY	\$23,555.95	LIBBY	\$72,829.09
BIG TIMBER	\$47,403.04	LIMA	\$11,660.06
BILLINGS	\$1,987,022.20	LIVINGSTON	\$170,628.86
BOULDER	\$35,885.40	LODGE GRASS	\$12,760.85
BOZEMAN	\$847,408.15	MALTA	\$52,510.33
BRIDGER	\$22,081.03	MANHATTAN	\$48,648.16
BROADUS	\$16,999.10	MEDICINE LAKE	\$12,422.92
BROADVIEW	\$7,005.71	MELSTONE	\$7,041.52
BUTTE	\$660,410.53	MILES CITY	\$197,025.71
CASCADE	\$20,983.77	MISSOULA	\$1,277,511.16
CHESTER	\$28,597.16	MOORE	\$10,669.98
CHINOOK	\$36,712.36	NASHUA	\$14,415.40
CHOTEAU	\$57,198.15	NEIHART	\$4,639.92
CIRCLE	\$24,047.34	OPHEIM	\$7,842.17
CLYDE PARK	\$11,976.18	OUTLOOK	\$5,471.10
COLSTRIP	\$50,840.96	PHILIPSBURG	\$30,881.07
COLUMBIA FALLS	\$108,069.80	PINESDALE	\$22,958.44
COLUMBUS	\$53,892.54	PLAINS	\$26,937.21
CONRAD	\$64,455.86	PLENTYWOOD	\$46,588.44
CULBERTSON	\$24,962.92	PLEVNA	\$8,242.34
CUT BANK	\$68,506.08	POLSON	\$117,984.95
DARBY	\$18,046.59	POPLAR	\$20,467.63
DEER LODGE	\$77,682.99	RED LODGE	\$67,585.26
DENTON	\$12,065.43	REXFORD	\$3,431.49
DILLON	\$92,076.56	RICHEY	\$9,478.39
DODSON	\$6,627.98	RONAN	\$47,362.83
DRUMMOND	\$9,099.72	ROUNDUP	\$57,275.38
DUTTON	\$13,241.41	RYEGATE	\$10,940.81
EAST HELENA	\$53,668.62	SACO	\$10,877.98
EKALAKA	\$16,542.52	SAINT IGNATIUS	\$20,189.35
ENNIS	\$27,396.85	SCOBEE	\$35,097.63
EUREKA	\$34,186.17	SHELBY	\$101,597.63
FAIRFIELD	\$20,129.30	SHERIDAN	\$18,494.02
FAIRVIEW	\$29,182.90	SIDNEY	\$139,208.77
FLAXVILLE	\$4,795.27	STANFORD	\$16,493.67
FORSYTH	\$54,284.34	STEVENSVILLE	\$41,319.10
FORT BENTON	\$52,447.66	SUNBURST	\$20,976.01
FORT PECK	\$15,099.54	SUPERIOR	\$25,019.80
FROID	\$11,095.61	TERRY	\$32,682.05
FROMBERG	\$12,290.74	THOMPSON FALLS	\$40,528.82
GERALDINE	\$13,337.55	THREE FORKS	\$55,681.34
GLASGOW	\$75,677.35	TOWNSEND	\$45,974.51
GLENDALE	\$110,899.68	TROY	\$23,552.68
GRASS RANGE	\$5,592.83	TWIN BRIDGES	\$12,688.54
GREAT FALLS	\$1,088,839.94	VALIER	\$28,791.84
HAMILTON	\$100,824.20	VIRGINIA CITY	\$15,927.35
HARDIN	\$83,211.64	WALKERVILLE	\$28,725.51
HARLEM	\$22,492.53	WEST YELLOWSTONE	\$33,598.07
HARLOWTON	\$31,226.87	WESTBY	\$7,200.13
HAVRE	\$187,381.14	WHITE SULPHUR SPRINGS	\$37,249.55
HELENA	\$653,465.03	WHITEFISH	\$180,886.04
HINGHAM	\$7,590.24	WHITEHALL	\$28,076.51
HOBSON	\$10,726.18	WIBAUX	\$22,071.36
HOT SPRINGS	\$20,352.60	WINIFRED	\$9,753.21
HYSHAM	\$12,233.25	WINNETT	\$12,148.56
ISMAY	\$4,264.05	WOLF POINT	\$61,312.24
JOLIET	\$13,977.05		

Total City Allocations: \$11,831,997.18