



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, MARCH 10, 2020
6:30 PM
CITY COUNCIL CHAMBERS**

NEXT RES. NO.
R20-09

NEXT ORD. NO.
O20-02

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 February 25, 2020.

Correspondence

Council Disclosure of Ex Parte Communications

Public Hearing

2. Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.

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.*

3. Claims for the month of February 2020.
4. Approval of Payroll Register for PPE 2/23/2020 totaling \$196,091.12.
5. Approval of Workshop Minutes of February 4, 2020.
6. Approval of Council Workshop Minutes of February 18, 2020.

Ceremonial Calendar

Reports of Boards and Commissions

7. Budget/Finance Committee minutes of February 25, 2020.
Public Works Committee minutes of February 19, 2020.
REVISED Park Board minutes of February 6, 2020.

City/County Planning Board minutes of February 12, 2020.
City/County Planning Board minutes of February 26, 2020.
Emergency Services Committee minutes of January 27, 2020.
Library Board minutes of January 14, 2020.
Laurel Urban Renewal Agency minutes of February 24, 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.

Announcements

8. Declare Vacancy on Emergency Services Committee

Scheduled Matters

- [9.](#) Appointment of Makayla Kostecky to the Laurel Volunteer Fire Department
10. Motion to approve Council Member Sparks to be absent from the City of Laurel for more than ten days (LMC 2.12.060)
11. Motion to approve Council Member Stokes to be absent from the City of Laurel for more than ten days (LMC 2.12.060)
12. Motion to approve Council Member McGee to be absent from the City of Laurel for more than ten days (LMC 2.12.060)
- [13.](#) Resolution No. R20-09: A Resolution Of The City Council Adopting The laurel Transportation System Coordination Plan.
- [14.](#) Resolution No. R20-10: A Resolution Of The City Council Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.
- [15.](#) Resolution No. R20-11: Resolution Awarding Knife River The Contract For The City Of Laurel's East Downtown Infrastructure Improvements Project And To Authorize The Mayor To Sign All Required Contract And Related Documents On The City's Behalf.
- [16.](#) Resolution No. R20-12: A Resolution Of The City Council Amending Policies And Procedures For The Laurel Cemetery.
- [17.](#) Resolution No. R20-13: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding For Operation And Cost Sharing For Public Transportation Services With The Adult Resource Alliance Of Yellowstone County.
- [18.](#) Resolution No R20-14: A Resolution Of The City Council Authorizing The Mayor To Execute A Cooperative Purchasing Memorandum Of Understanding Between The City Of Laurel And The Montana Department Of Administration To Allow The Purchase Supplies And Services From Vendors At State Prices.

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

Item Attachment Documents:

1. Approval of Minutes of February 25, 2020.

MINUTES OF THE CITY COUNCIL OF LAUREL

FEBRUARY 25, 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 6:30 p.m. on February 25, 2020.

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

COUNCIL MEMBERS ABSENT: Scot Stokes

OTHER STAFF PRESENT: Bethany Langve, Clerk/Treasurer

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 February 11, 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:

- Laurel Chamber of Commerce Agenda for February 13, 2020; Laurel Chamber of Commerce Minutes of January 9, 2020.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims for the month of February 2020 in the amount of \$38,688.29.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Clerk/Treasurer Financial Statements for the month of January 2020.**
- **Approval of Payroll Register for PPE 2/9/2020 totaling \$199,117.60.**

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 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 February 11, 2020, were presented.
- Tree Board Minutes of January 16, 2020, were presented.
- Library Board Minutes of December 10, 2019, were presented.
- LURA Minutes of January 27, 2020, were presented.
- City/County Planning Board Minutes of January 8, 2020, were presented.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Taryn Massa, 304 Cedar Avenue #3, stated she was here tonight to advocate for the Ambulance mill levy to be put before Council for a June 2nd vote.

SCHEDULED MATTERS:

- **Mayor's re-appointment of Linda Frickel to the LURA Advisory Board for a four-year term ending December 31, 2023.**

Motion by Council Member Eaton to approve the Mayor's re-appointment of Linda Frickel to the LURA Advisory Board for a four-year term ending December 31, 2023, 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.

- **Appointment of Nicole Leverenz to the Laurel Ambulance Service**

Motion by Council Member Klose to approve the Mayor's appointment of Nicole Leverenz to the Laurel Ambulance Service, 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. R20-08: A Resolution Of The City Council Authorizing The Submission Of An Application To The Montana Historic Preservation Grant Program.**

Motion by Council Member Wilke to approve Resolution No. R20-08, 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Member Sparks requested that her request to be absent more than ten days is on the next Workshop.

Council Member Wilke stated he would be absent March 3rd as he will be teaching hunters education that night.

Emergency Services Committee removed a member due to a lack of attendance. It will be in the minutes and should trigger the Mayor's appointment of a new individual to that committee.

It was requested that the Council have discussion at the next Workshop about a safety levy for the ambulance.

Council Member McGee stated he will be absent from more than ten days and would need that put on the agenda for next week as well. He will be gone from the 10th to the 22nd.

MAYOR UPDATES:

Mayor Nelson stated that former Mayor Chuck Rodgers passed away last Thursday. He was asked if he could get the governor to give him permission to lower the flags to half-mast for his funeral. He did receive that permission. All the City's flags (Library, FAP Building, City Hall) will be lowered on Friday, February 28, 2020. Chuck Rodger's funeral will be Friday, February 28, 2020, at 10:30 at the Methodist Church for those that would like to attend.

UNSCHEDULED MATTERS: None.

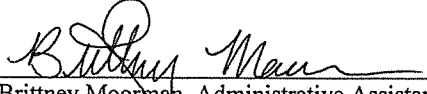
ADJOURNMENT:

Motion by Council Member Herr to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

DRAFT

Council Minutes of February 25, 2020

There being no further business to come before the council at this time, the meeting was adjourned at 6:44 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 10th day of March 2020.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

Item Attachment Documents:

5. Approval of Workshop Minutes of February 4, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, FEBRUARY 04, 2020**

A Council Workshop was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on February 4, 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 checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Don Nelson

OTHERS PRESENT:

Nick Altonaga, Planning Director
Kurt Markegard, Public Works Director
Brent Peters, Fire Chief
Denis Pitman, Yellowstone County Commissioner

Public Input:

Denis Pitman, Yellowstone County Commissioner address 726 Aquarius Place Billings, stated he has promised to get out here and visit every once and a while. He stated he spoke with the Mayor to reinitiate the City/County meetings and have an informational meeting. This would be a casual conversation on how things are going. He stated he and the Mayor would coordinate a time to schedule this meeting.

Mayor Nelson stated that this meeting would be establishing a relationship for things that may affect County residents. Talk about the future and brainstorm a bit.

General Items

1. Appointment of Colton McCleary and Kently Kuntz to the Laurel Volunteer Fire Department.
Brent Peters, Fire Chief, stated Kently Kuntz is one of two selected by the Department to seek Councils' blessing to be a volunteer firefighter. Colton McCleary is in an EMT class Tuesday evenings and will not be able to attend either tonight or next week's Council meetings.

It was questioned how many volunteers does the department have after these two appointments. It was clarified that the Department would have 36 out of 45 firefighters. Trying to build up the numbers again before grass season.

Mayor Nelson stated Laurel's Volunteer Fire Department is one of the best volunteer departments throughout the State of Montana.

Executive Review

2. Resolution - A Resolution Of The City Council Authorizing City Staff To Nominate Riverside Park For Inclusion On The National Registry Of Historic Places.

Nick Altonaga, Planning Director, stated he had come before Council a few weeks ago. He gave a brief summary of his recommendation, see attached. All previous concerns were addressed through his research. There are some variances for the floodplain regulations that Council will have to grant. He stated he made sure that the City is not burdened by the floodplain regulations. The City will need to maintain the historic character of the buildings. Overall this is mostly a good thing. He stated that he had not seen many negatives, a lot of those have been dealt with. There are two options for variances; once this project gets going will bring an ordinance forward when finalized.

It was stated that the Park Board has a meeting on Thursday and are slated to discuss the building that is scheduled to be torn down. It was questioned if this will hinder the ability to tear down that building. It was clarified that this designation does not hinder the ability to tear down any buildings unless there was federal grant money. The building would be documented prior to demolition.

Council Member Wilke stated that someone had approached him stating that years ago, there was a grant from the Federal Government that was given to the City and never paid back. Planning Director Altonaga did not have knowledge of that grant but would look into it.

3. Resolution - Resolution Approving Certain Public Infrastructure Improvements In The Laurel Urban Renewal District As An Urban Renewal Project; Making Findings With Respect Thereto And Approving The Issuance Of Tax Increment Urban Renewal Bonds To Pay Costs Thereof; Preliminarily Authorizing The Issuance And Private Negotiated Sale Of Bonds And Authorizing The Process For Selecting A Purchaser Thereof (Public Hearing 2.11.2020)

Mayor Nelson stated there is a public hearing scheduled on February 11, 2020. This resolution allows the City to solicit offers on the purchase of the bonds for the EDII project.

It was questioned what the difference was between this week's resolution and last week's resolution. It was clarified that last week's resolution was the intent where this allows the City to solicit offers for the purchase of bonds. This allows the City to know where it is when the bids come in instead of securing bonding after the fact.

Council Issues

4. West Railroad Discussion

Kurt Markegard, Public Works Director, stated since the last Workshop, he has been brainstorming the best way to move forward on West Railroad. He stated he has been working on getting everything associated with West Railroad into one file. Will need funding no matter what option the City chooses to go with. He stated he spoke with Rod Nelson last week to see if having KLJ work on this project would be beneficial. Unless the City is doing the project on its own, having KLJ work on this would not be beneficial.

In researching additional ways to fund this project, the Public Works Director stated he went to the DOT website and found a case study from the City of Billings. They created an arterial road network fee. Billings passed an ordinance and then a resolution to create the arterial road network fee. The arterial fees just go towards roads designated as arterials. That fee can be bonded against and can help with the gap funding. Attached is the letter the City received from the State regarding funding the gap in this project. The gap could be funded by Street Maintenance dollars, but the Public Works Director did not feel that was a good idea because there are roads in town that need to be crack/chip sealed. This fee is assessed every year from every property within the City. As the City grows, this may be a great option to address those streets used more heavily. The Public Works Director reviewed what Walmart is paying in Laurel vs. Billings for taxes. The City of Laurel received approximately \$1,600 in Street Maintenance from Walmart each year. The City of Billings receives approximately \$30,000 in Street Maintenance from the Walmart located on the west end.

He reiterated the only reason 8th Avenue got built was because of the ARRA funds. They started that project in 2000. It took three years to design. The DOT upped the project when they received ARRA funds. They choose to spend that money in Laurel. If the City agrees to pay the gap and there are any overages, the City is on the hook for those overages. In reviewing the arterial fee, the Public Works Director looked at a lot that was R6000; the total cost was \$59 per year for the arterial fee. He spoke with both the Mayor and Clerk/Treasurer about this and the ability to bond. As the City moves forward with this project, we need to either reduce the scope of the project or find the gap funding. If the Council would like to reduce the scope of the project to 1st to 5th, they would need to pass a joint resolution with the County reducing the project and submit it to the DOT. As the City grows, it should be looking at an arterial fee anyways as a mechanism to fund those streets.

The TIF District was created to the stormwater on SE 4th Street. Storm drain will be required to put in on West Railroad. A SID of the surrounding properties would cover that cost.

The Arterial Fee would give the City something to borrow against. As soon as it is created, the City would then pass a bond and set up a payment plan. The Street Maintenance would stay for residential streets only. It would be imperative that the public understands this fee would only be used for arterials. South 4th Street would be classified as an arterial, as it is being used as an arterial.

It was questioned if this Council Member understood correctly. That the City has decided to submit the Urban Route funding and make up the gap funding, it was clarified that Council had not made a decision on pursuing this project, originally requested Urban Route funds.

It was questioned if there are any funding options at the County level. County Commissioner Pitman stated that there may be PELT money, and he could check with the Counties Public Works Director and see if they have anything else. He stated that he served eight years on Billings City Council and understood the arterial fee well. The arterial fee is a way that all residents pay for the improvements on arterials. The property owners on those roads aren't billed for the maintenance on a road that everyone uses. This fee is a way to manage high-density roads that get worn out faster compared to a typical residential street.

It was questioned where the map came from. It was clarified the map is from the 2014 Transportation Plan. The City would need to update this map to reflect the current arterials. West Railroad is not a collector street, an example of a collector would be a subdivision with one road to get out of it. That road would be considered a collector. In the instance of West, Railroad people are coming in from the County and going through; this is not a collector. In order to make an update to the map Council would pass an amendment to the Transportation Plan. It is important to create an ordinance, whereas the City grows, the arterials can be defined by development. Would reference the Transportation Plan as it would change as the City grows. For example, S. 4th Street is being used as an arterial. Once that street is fixed, the City can work on fixing in between streets.

Council questioned Mr. Pitman if Billings needed to have money in the fund to borrow against the fund. Mr. Pitman stated that Billings did have issues with Bond Counsel and to check with Dave Mumford on the details. He also stated that the funds built up quickly in that fund. It would take a couple of years to be able to fund a project. There is a specific use for these funds and cannot be used for anything else.

Kurt stated he would check with Dave and Debi from Billings on the specifics. He went off the resolution for tonight's meeting. Billings passed its resolution in 2004 and has worked well. The example was given of the road going to Walmart. There is heavy semi traffic on that road. A fee of about \$35 dollars would ensure a good road going to Walmart. East Railroad also has heavy traffic. The County-owned half the street, they did an overlay and gifted it to the City. This road will degrade over time.

It was questioned how long it took this process to go from discussions to being passed by Billings City Council. It will take as long as needed to place the ads and pass the ordinance. Will need to set the definition for an arterial. There needs to be flexibility as the community changes. Will be assessed on taxes to accumulate funds. It will take approximately a year or two to be able to bond, need to show the revenue stream. Billings looked at bonding against their fee to build the interbelt loop. County Commissioner Pitman stated he just texted Billings' Mayor and will look into it. If your

house faces an arterial, you will pay the same as if you lived on a residential street. The difference would be paid by the arterial fee. Every resident pays the fee based on zoning and does include vacant lots. There is still travel to vacant lots; it may just be less frequent. This is taken into consideration in determining the assessed value.

Council President Eaton stated that she would like to see a resolution come before Council stating that Council would like to use the Urban funds that are in reserve for the improvement of West Railroad. She further stated she does not want the intent lost and would like this Council's intention to be preserved, so future Councils and future Staff know what is trying to be done. It will take time, as this is a time-consuming project.

Mayor Nelson stated he would speak with the City Attorney and see if something like this can be put together. Council will discuss bridging the funding above the Urban Route funds. Will also have answers from Bond Counsel if the City were to pursue the arterial route assessment.

Public Works Director Markegard asked if Council would want to look into the costs associated with just doing 1st to 5th. In order to get an answer on if this would be more feasible, the Council would need to identify the project. This would be a logical option. Both the City and the County would have to agree on shortening the project.

Various Council Members expressed reluctance to only address the first five blocks as this road has heavy truck traffic. While getting the first five blocks done would be a start, it could also end up costing more money in the long road and put a bigger strain on the last three blocks. It was clarified that the DOT would take at least three to four years to design this project.

It was questioned if we know the State is going to take up to five years to design the project; can we commit to this project knowing that by the time the State gets around to doing this project, we will have the funds available. It was clarified that the City would enter into a construction agreement with the DOT to start design work. They would take the 4 million from Urban Route Funds and start design. They will select an engineering firm to get working on the project. When the bills are due the City will cover the costs.

It was questioned how will the resolution spoken about tonight differs from the joint resolution the City and County both passed. The resolution passed was presented to the State, saying this is what we want to do. It was further questioned how they would be different. It was clarified the Mayor would follow up.

It was stated that it seems like the Transportation plan needs to be updated to move forward with the arterial fee option. Is that something Council would need to vote on, or is that something the Mayor can direct Staff to begin working on. Mayor Nelson clarified he could direct Staff to be working on this and bring forward to Council and updated Transportation Plan.

It was questioned if Council needs to review the documentation for the arterial fee and have further discussion in two weeks on the next steps.

Public Works Director Markegard asked if Council was interested in reducing the project to 1st to 5th. If so, he would need to approach the County and get that change approved for the State to be able to give an estimate on the cost of the project. Various Council members were opposed to that idea. They felt that there would be a burden on the section of unimproved road. That it was in the best interest to complete the entire project, even if the project was delayed due to funding. The Council can explore various funding opportunities to make up the gap funding. Council expressed an interest in exploring the arterial fee option.

Mayor Nelson stated he would follow up with Sam to see if another resolution would be needed for this project.

Other Items

Mayor Nelson stated that this is a contract with the new Prosecutor. The Mayor brought the Council's attention to the cost for the month of February. The pay is less because the City Civil Attorney will work with the new Prosecutor. The new Prosecutor will tail them and see where the City Attorney is leaving off on cases and where she will need to pick them up. It will also give a chance to introduce her to Court Staff and the Police Chief. She has agreed to the pay reduction for February.

It was questioned if the Prosecuting Attorney will stay on after 2022. It is only a two-year contract because this attorney does not intend to stay past this date? It was clarified that the contract would be renegotiated at that time. These contracts have expiration dates.

It was noted that the end date for the contract was listed as June 31, 2022. There are only 30 days in June; this typo will be fixed.

It was stated that the language should be changed as it infers that the person is going to leave in June of 2022. Mayor Nelson stated that he would speak with the City's Civil Attorney and ask for clarification.

It was questioned where the figures came from and did Council to these figures, or is it something that is being proposed. It was clarified that this is what is being proposed. Past Prosecutors stated that this does not pay enough for the work that has to be done. Without the increase in pay, it will continue to be a revolving door.

Review of Draft Council Agendas

5. Review Draft Council Agenda for February 11, 2020.

Mayor Nelson stated the Prosecutor's contract would be added to next week's agenda.

Attendance at Upcoming Council Meeting

Council Member McGee will be absent.

Announcements

Council thanked Yellowstone County Commissioner Denis Pitman for attending tonight's meeting and for the discussion on West Railroad Street.

Council thanked Public Works Director Markegard for his work on West Railroad.

Council stated they are looking forward to the meetings between the City and County to start up again.

Public Works Committee has been moved to February 19, 2020, due to the holiday.

Park Board's next meeting is Thursday, February 6, 2020, at 5:30 p.m.

The council workshop adjourned at 8:00 p.m.

Respectfully submitted,



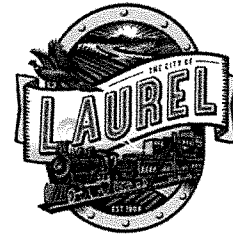
Brittney Moorman
Administrative Assistant

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

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

January 17, 2020

Regarding the Recommendation of Riverside Park for Inclusion on the National Registry of Historic Places

Mr. Mayor,

After reviewing the federal guidelines, resources, and information available regarding inclusion on the National Registry of Historic Places I am in support of placing Riverside Park on the National Registry of Historic Places (NRHP). There have been many concerns about the NRHP designation previously raised regarding:

- Floodplain regulations,
- Design and improvement constraints, and
- Federal oversight of local efforts.

The National Floodplain Insurance Program (NFIP) has specific regulations for structures regarding substantial improvement for both upgrades and repairing damage. Historic structures do not have to meet floodplain management requirements so long as they maintain their historic structure designation (44 CFR 49.1). The NFIP provides exemptions and variances for historic structures that localities can implement for their jurisdictions. The NFIP recommends considering improved construction and mitigation measures during rehabilitation despite their exemption from floodplain management requirements. The Laurel Floodplain Hazard Management Regulations updated in 2018 presents a basic variance process for historically designated structures which matches the NFIP program. This is described in Section 12.4.2.2.

Inclusion on the National Register of Historic Places does not overlay restrictions on a property owner nor does it mandate the preservation of that property in the future. Activities such as demolition, structural upgrades, replacement of features, and rehabilitation are all allowable by the building or site owner.

Communities have the option of choosing to adopt provisions for addressing the unique needs of "historic structures" and their improvement and alternation. Unless Federal funding is secured to improve/upgrade the site, direct oversight of activities will remain low. Inclusion of a site in the NHRP does not place undue burdens upon the owner in regards to color, removal and replacement of features, and site improvements unless federal licenses, funding, and permits are involved which would elicit review and compliance through Section 106 of the National Historic Preservation Act.

I support the inclusion of Riverside Park on the National Register of Historic Places. I have provided some documentation that supports my position on the matter. Please review the attached and annotated FEMA and Code of Federal Regulations documents for further information. Please let me know if you have any questions or comments on this item. Thank you for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Nick Altonaga', with a stylized, flowing script.

Nick Altonaga
Planning Director



National Flood Insurance Program (NFIP)

Floodplain Management Bulletin **Historic Structures**

FEMA P-467-2

May 2008



FEMA

Floodplain Management Bulletin

Historic Structures

This Floodplain Management Bulletin addresses how the National Flood Insurance Program (NFIP) treats historic structures. This bulletin also identifies mitigation measures that can be taken to protect historic structures from floods. The bulletin addresses the following topics:

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The NFIP and Historic Structures	3
Definition of “Historic Structures”	3
Floodplain Management Requirements that Provide Relief for Historic Structures	4
Historic Structures in the Floodway	5
New Construction and Non-contributing Structures in Historic Districts.....	6
Substantial Improvements to Existing Structures in Historic Districts	7
Flood Insurance for Historic Structures	8
Minimizing the Impacts of Flooding on Historic Structures.....	9
Protection Measures for Historic Structures	9
Hazard Mitigation Planning Can Benefit Historic Structures.....	19
Further Information	20
State and Local Mitigation Planning “How-To” Guides	20
Other Mitigation Documents	21
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Introduction

The National Flood Insurance Program (NFIP) gives special consideration to the unique value of one of our Nation's most significant resources – its historic buildings, landmarks, and sites. It does so in two ways.

First, the NFIP floodplain management regulations provide significant relief to historic structures. Historic structures do not have to meet the floodplain management requirements of the program as long as they maintain their historic structure designation. They do not have to meet the new construction, substantial improvement, or substantial damage requirements of the program. This exclusion from these requirements serves as an incentive for property owners to maintain the historic character of the designated structure (44 CFR §60.3). It may also serve as an incentive for an owner to obtain historic designation of a structure.

Secondly, a designated historic structure can obtain the benefit of subsidized flood insurance through the NFIP even if it has been substantially improved or substantially damaged so long as the building maintains its historic designation. The amount of insurance premium charged the historic structure may be considerably less than what the NFIP would charge a new non-elevated structure built at the same level. Congress requires that the NFIP charge actuarial rates for all new construction and substantially improved structures (National Flood Insurance Act of 1968, 42 U.S.C. 4015).

Although the NFIP provides relief to historic structures from having to comply with NFIP floodplain management requirements for new construction, communities and owners of historic structures should give consideration to mitigation measures that can reduce the impacts of flooding on historic structures located in Special Flood Hazard Areas (44 CFR §60.3). Mitigation measures to minimize future flood damages should be considered when historic structures are rehabilitated or are repaired following a flood or other hazard event. Qualified professionals such as architects, historic architects, and engineers who have experience in flood mitigation techniques can help identify measures that can be taken to minimize the impacts of flooding on a historic structure while maintaining the structure's historic designation.

The purpose of this floodplain management bulletin is to explain how the NFIP defines historic structure and how it gives relief to historic structures from NFIP floodplain management requirements (44 CFR §60.3). This bulletin also provides guidance on mitigation measures that can be taken to minimize the devastating effects of flooding to historic structures.

Background on the NFIP

Congress created the NFIP in 1968 to provide federally supported flood insurance coverage, which generally was not available from private companies. The NFIP is based on a mutual agreement with communities that have been identified as having Special Flood Hazard Areas. The Federal Emergency Management Agency (FEMA) will make flood insurance coverage available in a

community provided that it adopts and enforces floodplain management regulations that meet or exceed the minimum requirements of the NFIP (44 CFR §60.3). This is accomplished through local floodplain management regulations.

The NFIP minimum building and development regulations that communities must adopt require that new and substantially improved and substantially damaged residential buildings be elevated so that the lowest floor is at or above the Base Flood Elevation (BFE) determined for the site. Non-residential buildings have the option of elevation or dry floodproofing to the BFE [44 CFR §60.3(c)(2), (c)(3), and (e)(4)]. Dry floodproofing means making a building watertight, substantially impermeable to floodwaters to the BFE.

Substantial improvement means *“any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed.”*

Substantial improvement also includes the repair of buildings that have been substantially damaged. Substantial damage means *“damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.”*

In summary, structures that are “substantially improved” and “substantially damaged” must be brought into compliance with the community’s floodplain management requirements [44 CFR §60.3(c)(2), (c)(3), and (e)(4)].

The NFIP and Historic Structures

This section provides information on the NFIP definition of “historic structure” and the floodplain management requirements that will be included in community floodplain management ordinances.

Definition of “Historic Structures”

The definition section of the NFIP [Code of Federal Regulations (CFR) 44 Part 59], defines “historic structure” as *“any structure that is:*

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (This includes structures that are determined to be eligible for listing by the Secretary of the Interior as a historic structure. A determination of “eligibility” is a decision by the Department of the Interior that a district, site, building, structure or object meets the National Register criteria for evaluation although the property is not formally listed in the National Register.)*

- (2) *Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;*
- (3) *Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or*
- (4) *Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:*
 - (a) *By an approved state program as determined by the Secretary of the Interior or*
 - (b) *Directly by the Secretary of the Interior in States without approved programs."*

This definition was coordinated with the Department of Interior when it was added to the NFIP Regulations in 1989.

The purpose of this definition is to provide NFIP communities with criteria to distinguish between "historic structures" and the other existing buildings which remain subject to NFIP floodplain management requirements (44 CFR §60.3). While it is important to preserve historic structures and other cultural resources, it is also critical to ensure that other existing flood-prone structures are protected from flood damage when they are substantially improved or substantially damaged.

Floodplain Management Requirements that Provide Relief for Historic Structures

The NFIP floodplain management requirements contain two provisions that are intended to provide relief for "historic structures" located in Special Flood Hazard Areas:

- (1) The definition of "substantial improvement" at 44 CFR 59.1 includes the following exclusion for historic structures,
 - "Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as an "historic structure".*
 - The same exemption also applies to "historic structures" that have been "substantially damaged".

This provision exempts historic structures from the substantial improvement and substantial damage requirements of the NFIP.

- (2) The other provision of the NFIP floodplain management regulations that provides relief for "historic structures" is the variance criteria at 44 CFR 60.6(a). This provision states:
 - "Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure."*

Under the variance criteria, communities can place conditions to make the building more flood resistant and minimize flood damages, but such conditions should not affect the historic

character and design of the building. *See* the section on Minimizing the Impacts of Flooding on Historic Structures for ideas on conditions that could be established to make the building more flood resistant and to minimize flood damages.

Communities have the option of using either provision for addressing the unique needs of “historic structures”. Communities should adopt only one option to address “historic structures.” Some communities have chosen to adopt an ordinance that requires variances for improvements or repairs to “historic structures” and do not exclude such improvements from the substantial improvement definition in their ordinance. Other communities include the “historic structures” exemption as part of their “substantial improvement” definition. In either case, “historic structures” can be excluded from the NFIP elevation and floodproofing requirements. Whether a community exempts a “historic structure” under the substantial improvement definition or through the variance process, the exemption of the “historic structure” from the NFIP floodplain management requirements should be documented and maintained in the community permit files.

However, if plans to substantially improve a “historic structure” or repair a substantially damaged “historic structure” would result in loss of its designation as an “historic structure”, the structure no longer qualifies for the exemption and would be required to meet the NFIP floodplain management regulations (44 CFR §60.3). This determination needs to be made in advance of issuing a permit. This provides an incentive to the property owner to maintain the structure’s historic designation rather than altering the structure in such a way that it loses its designation as a “historic structure”.

Even if a “historic structure” is exempted from the substantial improvement and substantial damage requirements, consideration should be given to mitigation measures that can reduce the impacts of future flooding. There are mitigation measures that can reduce flood damages to historic structures without affecting the structure’s historic designation. *See* the section on Minimizing the Impacts of Flooding on Historic Structures.

Historic buildings may also be subject to the local building codes. Many States and communities use the International Codes as the basis for their buildings codes. The International Codes contain provisions for addressing historic buildings in a manner consistent with the NFIP.

Historic Structures in the Floodway

The NFIP floodplain management requirements could apply to an addition to a “historic structure”, if the structure or addition is located in a floodway. The floodway includes the channel of the river and the adjacent floodplain that must be reserved in an unobstructed condition in order to discharge the base flood without increasing flood levels by more than one foot (44 CFR § 59.1, “regulatory floodway”). All structures and improvements to structures, including additions to “historic structures”, must comply with the floodway encroachment provisions of 44 CFR § 60.3(c)(10) and (d)(3) of the NFIP Regulations.

44 CFR § 60.3(c)(10) applies to rivers and streams where FEMA has established BFEs, but has not provided the community with the data necessary to designate a floodway:

Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM [Flood Insurance Rate Map], unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

§ 60.3(d)(3) applies to rivers and streams where FEMA has provided both established BFEs and provided the community with the data necessary to designate a floodway:

Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

As an example, an addition, or any portion thereof, to a “historic structure” that expands the square footage of the structure beyond its footprint into the floodway must comply with the regulatory floodway criteria [44 CFR §60.3(c)(10) and (d)(3)]. These additions can obstruct flood flows and increase flood stages. Under 44 CFR § 60.3(d)(3), such an addition would be prohibited if any rise in the flood level would result from the addition. FEMA defines “any” as meaning a zero increase.

New Construction and Non-contributing Structures in Historic Districts

Generally, registered historic districts contain a mix of buildings. In addition to structures that contribute to the historic significance of the district, there will generally be structures in historic districts that have no historical significance and which do not contribute to the historic significance of a registered historic district (called “non-contributing” structures). In addition, there may be sites in these districts that are undeveloped or vacant land. Whole districts cannot be exempt from floodplain management regulations and a blanket variance cannot be issued for all land within these districts. The non-contributing structures and vacant lots in historic districts remain subject to all of the floodplain management requirements that apply to new construction and substantial improvements (44 CFR §60.3).

Some communities have argued that they should be allowed to grant variances for new buildings or for substantial improvements to non-contributing buildings in historic districts. They claim that requiring that the new structures or substantially improved structures be elevated to BFE could be harmful to the historic significance of the district. FEMA maintains that this would be contrary to the purposes of the NFIP and could result in greatly increased flood damages and, in some instance,

even result in loss of life. There are ways to elevate or floodproof new structures and substantially improve non-contributing structures so that they comply with the NFIP regulations, but that are still in harmony with the historic nature of the district. While the NFIP requires protection to the BFE, it does not specify the means (44 CFR §60.3). An architect should be able to design a new building that is both compliant with NFIP floodplain management requirements and compatible with the historic nature of the district. For example, the protection does not have to be achieved by unsightly mounds of dirt or bare pilings or other elevated foundations. The structure could be elevated on pilings or other foundation elements and the lower area then covered by an architecturally pleasing façade that will not impair the aesthetics of a historic district. The foundation could be camouflaged with landscaping, porches, or staircases (*See* the examples in latter sections of this bulletin).

The NFIP was specifically established by Congress to reduce threats to lives and the potential for damages to new construction in flood hazard areas in exchange for providing flood insurance. Exempting new construction from the NFIP elevation requirements in historic districts would be contrary to the National Flood Insurance Act of 1968, as amended, and it would create a significant flood risk to structures and to the health and safety of the population. Potentially thousands of buildings would be placed in harms way, if new or non-contributing structures are not protected.

Substantial Improvements to Existing Structures in Historic Districts

Some property owners have wanted to substantially improve a non-contributing structure in a historic district, so that it can become a contributing structure to the historical significance of the registered historic district. For example, this type of improvement could involve removal of modern additions to the building, replacement of modern siding or roofing materials with historic materials, and other actions to restore the historic nature of the structure. If the improvement is a substantial improvement to a non-contributing structure, the structure still could qualify for relief from the NFIP floodplain management requirements in the following ways (44 CFR §60.3):

- The property owner could apply through their State Historic Preservation Officer or Tribal Historic Preservation Officer for contributing status for the structure as is, prior to any improvements. If the building qualifies as “contributing to the historical significance of a registered historic district”, the community can grant a variance or exclude the improvements from the NFIP substantial improvement requirement depending on which provision the community has adopted [44 CFR §60.3(c)(2), (c)(3), and (e)(4)].
- The property owner could undertake the minimum work necessary to make the building a contributing structure, as long as the work is less than a substantial improvement. Once the structure is designated as “contributing”, any additional improvements including a substantial improvement could qualify for relief from the NFIP floodplain management requirements, so long as those improvements do not interfere with the designation as “contributing to the historical significance of a registered historic district” (44 CFR §60.3).
- If the property owner chooses to undertake a substantial improvement of the building all at once or the owner needs to undertake the substantial improvement in order for the building

to qualify as “contributing to the historical significance of a registered historic district”, the owner should contact the community for guidance on how they might qualify for relief from the NFIP substantial improvement requirement [44 CFR §60.3(c)(2), (c)(3), and (e)(4)]. In this situation, the community would have to issue a variance from the floodplain management ordinance. The community should obtain documentation for assurance that the improvements being proposed would qualify the building for “contributing” status before signing off on permits that would grant them relief under the NFIP. The owner should seek guidance from their State Historic Preservation Officer or Tribal Historic Preservation Officer on proposed improvements and on what documentation is needed to obtain preliminary approval. This information should be shared with the community.

In all cases, the property owner should discuss their proposed plans with the community and seek guidance from the State Historic Preservation Officer or Tribal Historic Preservation Officer before undertaking any improvements to make sure the proposed work would qualify the building for the designation as a contributing structure. For any of the options described above, the community should also encourage the property owner to undertake flood damage reduction measures as part of the improvement, as long as measures do not interfere with its designation as a “historic structure”.

Flood Insurance for Historic Structures

In addition to the relief from the NFIP floodplain management requirements described above, owners of “historic structures” can obtain and maintain flood insurance at subsidized rates. Flood insurance coverage is required for most mortgage loans and for obtaining Federal grants and other financial assistance. The ability to obtain flood insurance coverage is also important to ensuring that historic structures can be repaired and restored after a flood event.

The National Flood Insurance Act of 1968, as amended, requires that FEMA charge actuarial rates reflecting the flood risk to buildings built or substantially improved on or after the effective date of the initial Flood Insurance Rate Map (FIRM) for the community or after December 31, 1974, whichever is later. Actuarial rating assures that the risks associated with buildings in flood prone areas are borne by those located in such areas and not by the taxpayers at large. These buildings are referred to as Post-FIRM. The NFIP flood insurance rates are based on the degree of the flood risk. The flood insurance premium calculations take into account a number of factors including the flood risk zone shown on the FIRM, elevation of the lowest floor above or below the BFE, the type of building, the number of floors, and the existence of a basement or an enclosure. The NFIP floodplain management requirements not only are designed to protect buildings constructed in floodplains from flood damages; they also help keep flood insurance premiums affordable (44 CFR §60.3). Buildings not properly elevated will be charged a much higher flood insurance premium due to the increased flood risk. If substantially improved historic structures were not elevated and made subject to these rates, the annual insurance premiums could be many thousands of dollars a year. Allowing historic structures to continue to be insured at subsidized rates, even when they are substantially improved or substantially damaged, represents a significant financial benefit to these building owners.

Flood insurance at subsidized rates is available whether the “historic structure” is exempt from the NFIP substantial improvement requirement or is granted a variance under the variance provision. “Historic structures” are considered Pre-FIRM under the NFIP and are charged subsidized rates similar to existing structures. As long as a historic structure meets the definition of “historic structure” under the NFIP, it will not be actuarially rated (44 CFR §59.1).

If a “historic structure” is substantially improved such that it loses its historic designation without meeting the elevation requirements of the NFIP, it will be actuarially rated as a Post-FIRM structure. This can be significantly higher than the subsidized rate on a “historic structure.” Thus, the subsidized flood insurance rate on “historic structures” also serves as an incentive to maintain the historic designation of the structure.

Property owners of historic structures are encouraged to purchase NFIP flood insurance. Flood losses are not covered by homeowner’s insurance. Disaster assistance will not take care of all the financial needs, if the historic structure is damaged by flood. Even if disaster assistance is available, it is often in the form of a low-interest loan which has to be repaid, and it is only available if the President formally declares a disaster. Flood insurance compensates for all covered losses and is the best form of financial protection against the devastating effects of floods. Flood insurance policies purchased by individual property owners help them recover from flooding more quickly.

Increased Cost of Compliance (ICC) coverage is not available to a historic structure that is exempt from the floodplain management requirements if a historic structure is substantially damaged (44 CFR §60.3). ICC coverage provides for the payment of a claim for the cost to comply with State or community floodplain management laws or ordinances after a direct physical loss by floods. When a building covered by a State or community declares the building to be substantially or repetitively damaged, ICC will help pay up to \$30,000 for the cost to elevate, floodproof, demolish, or relocate the building. However, if an exemption is granted administratively through the community’s variance process, and conditions are placed in the variance requiring one of the mitigation measures that meet the local floodplain management criteria, ICC will be available if the structure is declared substantially damaged or repetitively damaged.

Minimizing the Impacts of Flooding on Historic Structures

Protection Measures for Historic Structures

The primary damage to historic buildings in a flood disaster is from immersion of building materials in floodwaters and the moving force of floodwaters that can cause structural collapse. Storm and sanitary sewer backup during flooding is also a major cause of flood damage to buildings. In addition, floods may cause a fire due to ruptured utility lines; result in the growth of mold and mildew; and lead to swelling, warping, and disintegration of materials due to prolonged presence of moisture.

- 12.4.1.4 Any enclosure including a crawl space must meet the requirements of Section 10.2.14, Wet Flood Proofing if the enclosure interior grade is at or below the Base Flood Elevation;
- 12.4.1.5 Granting of a variance will not result in increased flood heights to existing buildings, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with other existing local laws or ordinances;
- 12.4.1.6 The proposed use is adequately flood proofed;
- 12.4.1.7 The variance is the minimum necessary, considering the flood hazard, to afford relief;
- 12.4.1.8 Reasonable alternative locations are not available;
- 12.4.1.9 An encroachment does not cause an increase to the Base Flood Elevation that is beyond that allowed in these regulations; and
- 12.4.1.10 All other criteria for a Floodplain permit besides the specific development standard requested by variance are met.

12.4.2 An exception to the variance criteria may be allowed as follows:

- 12.4.2.1 For either new construction of a structure outside of the Floodway only or for substantial improvements or an alteration of a structure, on a lot of one-half acres or less that is contiguous to and surrounded by lots with existing structures constructed below the Base Flood Elevation; or
- 12.4.2.2 For Historic Structures – variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum relief necessary to preserve the historic character and design of the structure. The historic nature of the building must be designated as a preliminary or historic structure by U.S. Secretary of Interior or an approved state or local government historic preservation program.

12.5 DECISION

12.5.1 The City Council shall:

- 12.5.1.1 Evaluate the Floodplain permit application and Variance application using the criteria in Section 12.4, and the application requirements and minimum development standards in Section 9 and 10;

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be made payable to: *National Park Services*. A certification decision will not be issued on an application until the appropriate remittance is received. Fees are nonrefundable.

(c) The fee for review of proposed or ongoing rehabilitation projects for projects over \$20,000 is \$250. The fees for review of completed rehabilitation projects are based on the dollar amount of the costs attributed solely to the rehabilitation of the certified historic structure as provided by the owner in the Historic Preservation Certification Application, Request for Certification of Completed Work (NPS Form 10-168c), as follows:

Fee	Size of rehabilitation
\$500	\$20,000 to \$99,999
\$800	\$100,000 to \$499,999
\$1,500	\$500,000 to \$999,999
\$2,500	\$1,000,000 or more

If review of a proposed or ongoing rehabilitation project had been undertaken by the Secretary prior to submission of Request for Certification of Completed Work, the initial fee of \$250 will be deducted from these fees. No fee will be charged for rehabilitations under \$20,000.

(d) In general, each rehabilitation of a separate certified historic structure will be considered a separate project for purposes of computing the size of the fee.

(1) In the case of a rehabilitation project which includes more than one certified historic structure where the structures are judged by the Secretary to have been functionally related historically to serve an overall purpose, the fee for preliminary review is \$250 and the fee for final review is computed on the basis of the total rehabilitation costs.

(2) In the case of multiple building projects where there is no historic functional relationship among the structures and which are under the same ownership; are located in the same historic district; are adjacent or contiguous; are of the same architectural type (e.g., rowhouses, loft buildings, commercial buildings); and are submitted by the owner for review at the same time, the fee for preliminary review is \$250 per structure to a maximum of \$2,500 and the fee for final re-

view is computed on the basis of the total rehabilitation costs of the entire multiple building project to a maximum of \$2,500. If the \$2,500 maximum fee was paid at the time of review of the proposed or ongoing rehabilitation project, no further fee will be charged for review of a Request for Certification of Completed Work.

PART 68—THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

Sec.

68.1 Intent.

68.2 Definitions.

68.3 Standards.

AUTHORITY: The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 *et seq.*); sec. 2124 of the Tax Reform Act of 1976, 90 Stat. 1918; EO 11593, 3 CFR part 75 (1971); sec. 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).

SOURCE: 60 FR 35843, July 12, 1995, unless otherwise noted.

§ 68.1 Intent.

The intent of this part is to set forth standards for the treatment of historic properties containing standards for preservation, rehabilitation, restoration and reconstruction. These standards apply to all proposed grant-in-aid development projects assisted through the National Historic Preservation Fund. 36 CFR part 67 focuses on "certified historic structures" as defined by the IRS Code of 1986. Those regulations are used in the Preservation Tax Incentives Program. 36 CFR part 67 should continue to be used when property owners are seeking certification for Federal tax benefits.

§ 68.2 Definitions.

The standards for the treatment of historic properties will be used by the National Park Service and State historic preservation officers and their staff members in planning, undertaking and supervising grant-assisted projects for preservation, rehabilitation, restoration and reconstruction. For the purposes of this part:

(a) *Preservation* means the act or process of applying measures necessary to sustain the existing form, integrity

and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

(b) *Rehabilitation* means the act or process of making possible an efficient compatible use for a property through repair, alterations and additions while preserving those portions or features that convey its historical, cultural or architectural values.

(c) *Restoration* means the act or process of accurately depicting the form, features and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

(d) *Reconstruction* means the act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

§ 68.3 Standards.

One set of standards—preservation, rehabilitation, restoration or reconstruction—will apply to a property undergoing treatment, depending upon the property's significance, existing physical condition, the extent of documentation available and interpretive goals, when applicable. The standards will be applied taking into consideration the economic and technical feasibility of each project.

(a) *Preservation*. (1) A property will be used as it was historically, or be given a new use that maximizes the retention of distinctive materials, features,

spaces and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.

(2) The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

(3) Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.

(4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(6) The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color and texture.

(7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(b) *Rehabilitation*. (1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

(3) Each property will be recognized as a physical record of its time, place and use. Changes that create a false

sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

(4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(9) New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(c) *Restoration.* (1) A property will be used as it was historically or be given a new use that interprets the property and its restoration period.

(2) Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.

(3) Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.

(4) Materials, features, spaces and finishes that characterize other historical periods will be documented prior to their alteration or removal.

(5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the restoration period will be preserved.

(6) Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.

(7) Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

(8) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(9) Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(10) Designs that were never executed historically will not be constructed.

(d) *Reconstruction.* (1) Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.

(2) Reconstruction of a landscape, building, structure or object in its historic location will be preceded by a thorough archeological investigation

to identify and evaluate those features and artifacts that are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.

(3) Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.

(4) Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color and texture.

(5) A reconstruction will be clearly identified as a contemporary recreation.

(6) Designs that were never executed historically will not be constructed.

PART 71—RECREATION FEES

Sec.

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- 71.3 Designation.
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- 71.14 Public notification.
- 71.15 The Golden Eagle Insignia.

AUTHORITY: Sec. 4, Land and Water Conservation Fund Act of 1965 (16 U.S.C.A. 4601-6a (Supp., 1974)), as amended by Pub. L. 93-303; and sec. 3, Act of July 11, 1972, 86 Stat. 461; sec. 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262).

SOURCE: 39 FR 33217, Sept. 16, 1974. Redesignated at 44 FR 7143, Feb. 6, 1979, and 46 FR 34329, July 1, 1981; correctly redesignated at 46 FR 43045, Aug. 26, 1981, unless otherwise noted.

§ 71.1 Application.

This part is promulgated pursuant to section 4, Land and Water Conservation Fund Act of 1965, 16 U.S.C.A. 4601-6a (Supp., 1974), and section 3, Act of July 11, 1972, 86 Stat. 461. Any Federal recreation fee charged by any bureau of the Department of the Interior shall be charged according to criteria set forth in this part.

§ 71.2 Types of Federal recreation fees.

There shall be three types of Federal recreation fees:

(a) Entrance fees, charged either on an annual or single-visit basis, for admission to any Designated Entrance Fee Area;

(b) Daily recreation use fees for the use of specialized sites, facilities, equipment or services furnished at Federal expense; and

(c) Special recreation permit fees for specialized recreation uses, such as, but not limited to, group activities, recreation events, and the use of motorized recreation vehicles.

§ 71.3 Designation.

(a) An area or closely related group of areas shall be designated as an area at which entrance fees shall be charged (hereinafter "Designated Entrance Fee Area") if the following conditions are found to exist concurrently:

(1) The area is a unit of the National Park System administered by the Department of the Interior;

(2) The area is administered primarily for scenic, scientific, historical, cultural, or recreation purposes;

(3) The area has recreation facilities or services provided at Federal expense; and

(4) The nature of the area is such that entrance fee collection is administratively and economically practical.

(b) Any specialized site, facility, equipment or service related to outdoor recreation (hereinafter "facility") shall be designated as a facility for which a recreation use fee shall be charged (hereinafter "Designated Recreation Use Facility") if:

(1) For each Designated Recreation Use Facility, at least one of the following criteria is satisfied:

(i) A substantial Federal investment has been made in the facility,

FAQs about the National Register of Historic Places

If the following questions and answers leave you still wondering, please feel free to call us at the Montana State Historic Preservation Office. We are always glad to talk with you on the phone or in person about the National Register if there is something you'd like clarified. Please write us or give us a call: 1301 E Lockety, P.O. Box 201202, Helena, MT 59620-1202, (406) 444-7715.

1. What is the National Register of Historic Places?

The National Register is the official list of the Nation's historic buildings and archaeological sites that are considered to be worthy of preservation. The Register was established in 1966 to help property owners, communities and neighborhoods recognize their important historic properties, to offer realistic incentives for preservation, and to insure that Federal actions do not harm these properties without alternatives being considered. The National Register was not designed as a major regulatory program nor as just an honor roll. The Register was intended to be broad rather than exclusive and includes many different kinds of properties important to the Nation, the State, a region or a local community.

2. If I list my home or business in the National Register, what restrictions will be placed on my rights to modify or sell the property?

Listing in the National Register in of itself does not interfere with an owner's right to manage their property as they see fit. You may paint, remodel, administer, sell, or even demolish your property. You may alter your building at any time, unless you use Federal funds or the Federal tax incentives to rehabilitate it, in which case the alterations are reviewed by the agency in consultation with the State Historic Preservation Office (this is true not only for National Register properties but also for those eligible for listing—see Section 106 of the National Historic Preservation Act). Placing a property in the Register also does not obligate an owner to make any repairs or improvements. Moreover, the State or Federal government will not attach restrictive covenants to properties or seek to acquire them as a result of National Register-listing. Local governments may adopt, design, or review zoning ordinances affecting properties listed in the National Register of Historic Places. Please check with your local preservation office or planning office to see if your community has adopted such provisions.

3. Does Register listing mean that my property must be opened to the public on a regular basis?

As the owner of a property listed in the Register, you will not be required to open your house, place of business, or historic site for public visitation. Your private property rights are in no way changed by Register listing, unless, again, you have accepted Federal funds for rehabilitation, in which case the public must be allowed to visit the property for a few days each year.

4. Can I get money to fix up my historic building if it is listed in the Register?

National Register property owners may apply for Federal grants for buildings rehabilitation when Congress appropriates such funds. However, these funds are extremely limited and most property owners will not receive such funding. If you are a Community Cultural Organization, we encourage you to check with the Montana Arts Council (444-6430) to determine whether the project you are considering would qualify for Cultural and Aesthetic Grant monies appropriated biennially by the Montana Legislature.

5. Is there some kind of tax credit I can get if I plan to repair my historic building?

Yes. If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 allows you to credit 20 per cent of the rehabilitation costs against your federal tax liability for the substantial rehabilitation of income-product properties such as commercial, farm, industrial, and residential rental buildings. Work must meet certain standards and be reviewed and approved by the State Historic Preservation Office and the National Park Service. Because tax provisions are complicated, individuals should consult their accountants for assistance in determining the tax consequences of the above provisions.

6. So what are the results of listing my property in the Register? Why should I consider doing so?

Recognition

Most of all, Register listing provided your property **recognition** for its historic value and rewards you for your efforts in preserving it. Listing of a building, site or district also afford it prestige that can enhance its value and raise community awareness and pride. While National Register properties do not have to be preserved, listing does insure that preservation is taken to be an important consideration whenever a building's or site's future is in question

Technical Assistance

Owners of Register properties are also able to seek advice from the Montana Historic Preservation Office on appropriate methods to maintain and rehabilitate older buildings or sites.

Signs

Owners of listed properties may apply for funds to obtain Montana's official National Register interpretive plaque to mount on a stand or hang on an outside wall of their building. The applicant pays only a \$35.00 shipping and handling fee or \$55.00, depending upon the type of sign, the balance coming from the Montana Historical Society.

Government Agency Compliance Review

The National Historic Preservation Act and the Montana State Antiquities Act require federal and state agencies to consider the impacts of all projects occurring on public lands, or with federal funding, that affect historic properties eligible for or listed in the National Register. In addition, the Surface Mining and Control Act of 1977 requires consideration of historic values in the decision to issue surface coal mining permits.

7. How do you decide whether something is significant enough to be listed in the National Register?

The National Register carefully evaluates the quality of significance of each property being considered for listing. To be eligible for the Register designation, a property must meet one of more of the following criteria:

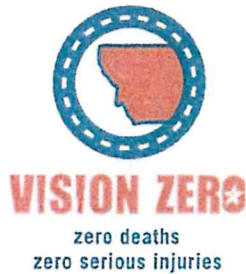
- A. Be associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Be associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may likely to yield, information important in prehistory or history.

In addition, properties must possess a high degree of integrity to qualify for listing in the Register – in other words, they must be relatively unchanged in appearance from the historic period.

Generally speaking, a property must be at least 50 years old to be considered for the Register, unless it is of exceptional significance, or if it is an integral part of a historic district. Non-historic properties that are located within the boundaries of historic districts are also listed in the Register as “non-contributing” components of those historic districts.

Who can nominate properties to the Register?

Anyone can prepare a nomination for listing a historic property on the National Register -- from private owners to local historians to public lands manager to historic preservation professionals. Important properties worthy of listing are identified by people across Montana, who frequently are most familiar with their local history and properties deserving recognition. Eligible properties may also be identified by federal and state lands agencies, which must routinely consider historic resources as a part of their permitting and project activities. The owner of a private property must concur in the nomination of a private property to be listed in the National Register of Historic Places. In the case of multiple owners and historic districts, the majority of private owners must object for an approved property not to be listed.



Montana Department of Transportation

2701 Prospect
PO Box 201001
Helena MT 59620-1001

Steve Bullock, Governor
Michael T. Tooley, Director

January 31, 2019

Thomas C. Nelson
Mayor
P.O. Box 10
Laurel, Montana 59044

Subject: Laurel Urban Area Urban Highway System funding priority

Mayor Nelson,

The Montana Department of Transportation (MDT) received your request to program an urban funded project on West Railroad Street from South 1st Avenue to South 8th Avenue. The desired scope of work is full reconstruction to a three-lane road with a two way left turn lane (TWLTL), curb, gutter, and sidewalks.

MDT has developed a cost estimate for your requested project, detailed below:

Cost Estimate:	\$4,400,000 - \$6,200,000
FFY19 Urban Funding:	<u>\$3,673,000</u>
Shortfall:	(\$727,000) - (\$2,527,000)

On Tuesday, January 22, 2019, MDT Billings District and Planning staff met with the City of Laurel Public Works and Administration staff to discuss the project scope, cost estimates, and funding shortfall.

If the City of Laurel wishes to move forward, a complete funding package needs to be in place before the MT Transportation Commission will approve the use of federal funds. The City of Laurel will need to contribute local funds to address the funding shortfall, rescope the project (i.e. change design elements, shorten the project, etc), or delay this project until funding is available. The cost estimate was developed with the best information we have and is preliminary; as project development progresses this estimate will likely change and any shortfalls beyond what is known to date will be the responsibility of the City of Laurel.

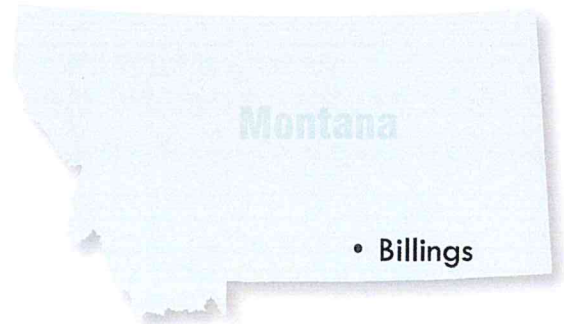
Please work with your Public Works and Administration staff and both the City Council and County Commission to determine how you would like to move forward.

Carol Strizich
Supervisor, Statewide and Urban Planning

copies: Rod Nelson, MDT Billings District Administrator, Acting
Mike Taylor, MDT Billings Project Manager
Kurt Markegard, City of Laurel Public Works Director
Matt Lurker, City of Laurel Chief Administrative Officer
Yellowstone County Commission
file

The Setting

The City of Billings (population 100,000) is located in Southeast Montana within Yellowstone County. Healthcare, energy, financial, engineering & technical services, and agriculture are the primary industries in Billings. Billings is also home to Montana State University-Billings and Rocky Mountain College. Recreational activities and three National Parks (Yellowstone, Teton, and Glacier) are in close proximity to Billings.



The City of Billings does not have impact fees to fund transportation system improvements; they rely primarily on grant money and traditional funding sources for transportation system improvements. The arterial construction fee formula levies a fee on all properties within the city limits and the resulting revenue (approximately \$3 million annually) is used specifically for constructing or reconstructing arterial roads within Billings. Assessments are based on parcel square footage and zoning to categorize properties with respect to their current or potential ability to contribute traffic to the arterial street system. For example, commercial and multi-family properties pay more because they generate more traffic. The square footage (and resulting arterial construction fee assessment) of residentially zoned properties is capped because the size of the residence does not generate additional trips. City staff used the Institute of Transportation Engineers (ITE) Trip Generation Handbook to develop trip generation rates

for each generic zoning classification in the City. This effort took 3 months to complete. Arterial construction fee revenues may be used to construct or reconstruct arterial roadways within the Billings city limits.

The City instituted the arterial construction fee program in 2004 as the result of a funding gap and complaints over the assessment fees being charged property owners in

Special Improvement Districts (SID). At that time, the City's existing revenue sources were not sufficient to meet the community's arterial construction and reconstruction needs. The City decided to explore other approaches to generate revenue to fund improvements to the transportation system. This arterial construction fee assessment is unique in Montana and is an example of a funding mechanism used to finance the local transportation system.

This case study relates to:

- Workshops;
- Resource and funding coordination;
- Urban Transportation District
- Transportation Utility Fee

Billings Arterial Construction Fee



Lessons Learned:

The success in developing the arterial construction fee in the City of Billings was the direct result of public outreach and stakeholder involvement from the beginning stages. These stakeholder groups easily could have been opponents of the arterial construction fee. Because these stakeholder groups were brought into the committee, they understood the situation and were empowered to help solve the funding problem. Their support of the process drove the development of the arterial construction fee as a mechanism for the City to effectively meet community transportation needs. The stakeholders presented and fully supported the arterial construction fee option before the City Council.

The Project

The arterial construction fee addresses the construction or reconstruction of arterial roadways within the city limits as defined within the Transportation Plan. The fee is currently administered by the public works department. Arterial construction fees are annually assessed citywide regardless of the parcel's proximity to designated arterial roadways. The arterial construction fee is a community cost, borne by all city residents. Arterial construction fee assessment rates are set annually and the assessments are included on property tax statements. The arterial construction fee assessments are collected and credited to the municipal arterial construction system fund, which is maintained by the financial services manager as a separate and special fund.

The Process

According to Montana Code Annotated, Title 7, Chapter 6, Part 16, as a self-governing entity, the City of Billings is enabled to establish impact fees to help pay for roads, water, sewer, storm water, parks, fire and police, library, and solid waste facilities.

The arterial construction fee is a financing tool that took about a year to develop. The public works department began discussing arterial construction funding constraints with the City Council. The City Council created an ad hoc committee to discuss options to address arterial construction funding constraints. The committee included City Council members, City staff, and representatives of various stakeholder groups (Home Builders Association, Billings Association of Realtors, local developers, etc.). City staff outlined arterial construction project needs, project costs, and the City's projected funding revenue. It became clear to the committee that existing arterial construction revenue sources were not sufficient to meet community needs. The committee discussed the pros and cons of implementing a citywide arterial construction fee assessment. The proposed ordinance language was developed and refined. Public meetings and service group presentations on the

Billings Arterial Construction Fee

proposed arterial construction fee were conducted before the City Council held a public hearing and took action on the ordinance's adoption. The Billings City Council passed Ordinance 04-5300 adopting the arterial construction fees in 2004.

Trying this at home

Arterial construction fees could possibly be implemented in other jurisdictions if their respective laws allow it (City Charter, municipal code, and state code).

Additional information about Billings' arterial construction fee assessments are available at:
<http://ci.billings.mt.us/DocumentView.aspx?DID=1018>

Or you may contact:
Public Works Administration
City of Billings
(406) 657-8230
pubworks@ci.billings.mt.us

Additional information about the arterial construction fee can be found in the Billings Montana City Code Sec. 22-1000 available online at: http://library1.municode.com:80/1287/template.htm?view=browse&doc_action=setdoc&doc_keytype=tocid&doc_key=2c49d301b4e0c17af60f13005b16c0e9&infobase=10441

Information about the Transportation Plan is available at:
<http://mt-billings.civicplus.com/index.aspx?NID=1466>

photo on p.1 from http://commons.wikimedia.org/wiki/File:Billings_Pano.JPG
photo on p.2 from <http://ci.billings.mt.us/photogallery.aspx>

ARTICLE 22-1000. - ARTERIAL CONSTRUCTION FEE

Sec. 22-1001. - Duties of city engineer.

The city engineer shall have full authority and control over the arterial roadway system of the city, subject to the supervisory control of the city administrator and pursuant to policies adopted by the city council.

(Ord. No. 04-5300, § 1, 9-13-04)

Sec. 22-1002. - Duties of financial services manager.

The financial services manager shall have full responsibility for billings and collection of all arterial construction accounts in the manner provided in this article, and the financial services manager shall be deemed agent of the public works department.

(Ord. No. 04-5300, § 2, 9-13-04)

Sec. 22-1003. - Rates for arterial construction.

- (a) For the purpose of paying the cost of construction and/or reconstruction of arterial roadways and depreciation and replacement of arterial roadways to provide safe facilities on which citizens and visitors may travel, including the principal and interest on all revenue bonds to be issued for that purpose, as authorized by MCA Title 7 Chapter 7 Part 44 or Title 7 Chapter 13 Part 43, as amended, an annual arterial construction fee is imposed and made applicable to all premises within the city limits. The financial services manager shall report to the city council when all revenue bonds issued for the construction or reconstruction of such arterial roadways, and bond refunding the same, have been fully paid and redeemed, and the city council shall then provide for the reduction of the charge to such amount as will be sufficient to pay the reasonable expense of the construction or reconstruction of arterial roadways. The charge shall be based on both the area of the parcel of land and its zone classification. Charges against properties zoned Residential-5000 (R-50), Residential-6000 (R-60), Residential 6,000 Restricted (R-60R), Residential-7000 (R-70), Residential 7,000 Restricted (R-70R), Residential-8000 (R-80), and Residential-9600 (R-96) shall be capped at a maximum of the applicable rate for that zoning classification times 9600 square feet per parcel. Other residential zoning classifications created in the future will be similarly treated, except that Residential Multi-Family (RMF), Residential Manufactured Home (RMH), Residential Professional (RP), and Residential Multi-Family-Restricted (RMF-R) will not be subject to any such maximum square footage cap. Planned Development (PD) zones will be charged based on their underlying zoning classifications and will be subject to the maximum 9600 square

footage cap for the underlying zoning classifications of R-50, R-60, R-60R, R-70, R-70R, R-80, and R-96. All other underlying zoning classifications will not be subject to any such maximum square footage cap. If the underlying zoning does not match any zoning classification listed in article 27-300, zoning districts and official maps, the parcel will be charged at the rate of the most reasonably comparable zoning classification. If there is no reasonably comparable zoning classification, the parcel will be charged at the Planned Development (PD) zoning rate. The city council may provide an exemption to commercially zoned and Residential Manufactured Home (RMH)-zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the public works department by August 31 of each year. The per square foot charges for each parcel shall be set by resolution and shall be made to the owner of the parcel as the same shall appear according to the tax code number or account number thereof in the office of the Department of Revenue, Yellowstone County, Montana:

The arterial construction assessment rates shall be established on an annual basis consistent with state law by resolution passed by a simple majority of the city council, but the assessment rates may only be changed through passage of a resolution by a super-majority of the city council consisting of at least two-thirds (2/3) of all council members present and voting. The zone classification shall be that which is on the official map on record at the city-county planning department.

- (b) The financial services manager shall, on or before the last day of October of each year, cause to be mailed by the county treasurer to every owner of a lot or parcel within the city, on the same date and in the same manner as are real property taxes, a separate statement of arterial construction charges setting forth the annual charge to be assessed on the lot or parcel for arterial roadway construction thereto. Such charge shall be due and payable on or before 5:00 p.m. on the thirtieth day of November of each year. Upon failure of the owner to pay the charge, the same will be in arrears and delinquent on December 31st of such year, and shall be collected by the financial services manager according to the provision and authority of MCA §§ 7-1-101 through 7-1-120, and the City Charter.
- (c) All arterial construction charges shall be collected as provided in this article and credited to a fund to be known as the "municipal arterial construction system fund", which fund shall be at all times segregated and maintained by financial services manager on the books of the city as a separate and special fund. Upon adoption by the city council of a resolution authorizing the issuance of revenue bonds of the city payable from arterial roadway construction charges or otherwise establishing a system of funds and accounts for such charges, all arterial construction charges shall be applied and accounted for in the manner provided in such resolution.
- (d) Any party who considers the charges applicable to his premises unfair, inequitable or unreasonable may apply to the public works director for adjustment thereof, stating the facts and grounds of complaint, and the public works director may notify the owner of any

premises as to which he considers the rates and charges to be inadequate. In either case, the public works director shall cause appropriate investigation and report to be made by himself or his duly authorized representative.

- (e) The public works director, or his duly authorized representative, shall consider each and all of such complaints and reports and communicate his findings with respect thereto to the city council. The city council shall have the right to order a public hearing as to any such matter and, if convinced that an adjustment of the charges for such premises is necessary to provide reasonable equality with those charged to others, it shall so provide, either by ordinance amendatory hereto, or by resolution fixing special charges for individual premises during the period of continuance of special circumstances which make the standard charges unfair, inequitable, unreasonable or inadequate.

(Ord. No. 04-5300, § 3, 9-13-04; Ord. No. 05-5322, § 1, 4-11-05; Ord. No. 08-5478, § 1, 9-22-08)

RESOLUTION 06 -18434

A RESOLUTION LEVYING AND ASSESSING ARTERIAL
CONSTRUCTION FEES FOR PROPERTIES WITHIN THE
CITY OF BILLINGS, PROVIDING FOR NOTICE, HEARING
AND FINAL ADOPTION

WHEREAS, the Billings, Montana City Code did establish the rate table for Arterial
Construction Fee assessments; and

WHEREAS, extension of these charges have been made on individual properties to
be assessed annually.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF BILLINGS, MONTANA, AS FOLLOWS:

1. ANNUAL ARTERIAL CONSTRUCTION FEE FOR FISCAL YEAR 2007.

That for the purpose of paying the cost of construction and/or reconstruction of arterial
roadways and depreciation and replacement of arterial roadways to provide safe facilities
on which citizens and visitors may travel, including the principal and interest on all revenue
bonds to be issued for that purpose, as authorized by MCA Title 7 Chapter 7 Part 44 or
Title 7 Chapter 13 Part 43, as amended, an annual arterial construction fee assessment is
imposed for the fiscal year 2007, upon all lots or portions of lots as identified in the city's
property tax record files. Rates are hereby levied and assessed as listed and described on
EXHIBIT "A" attached hereto and by this reference said exhibit is made a part hereof.

2. EXEMPTION. Arterial Construction Fee assessments shall not be paid
by the City General Fund, Public Safety Fund, Library Fund, or MET Transit Fund.

3. DISPOSITIONS OF COLLECTIONS. Monies collected from taxes shall be
paid into the Municipal Arterial Construction System Fund, of Billings, Montana.

4. NOTICE OF HEARING. On Monday, **June 12, 2006**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk published notice hereof twice, on June 1 and June 8, 2006, in the Billings Times.

5. CERTIFICATION. The City Clerk is hereby directed upon final passage and approval of this resolution to certify a copy thereof to the City Administrator of the City of Billings, Montana, who shall certify a copy to the Yellowstone County Clerk and a copy to the Yellowstone County Assessor.

6. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council on the 12th day of **June, 2006**

CITY OF BILLINGS:

BY: _____
Ron Tussing, MAYOR

ATTEST:

BY: _____
Marita Herold, CMC/AE CITY CLERK

Exhibit A

Arterial Construction Fee

ZONE	RATE	
VACANT	988.00	Cap
AT RATE	0.00125	
P	0.00212	
R-96	0.00371	
R-80	0.00404	
R-70	0.00425	
R-70R	0.00425	
RMH	0.00477	
R-50	0.00512	
PD	0.00585	
R-60	0.00638	
R-60R	0.00638	
RP	0.00692	
RMF-R	0.00721	
RMF	0.00748	
NC	0.00824	
ELC	0.00824	
MCPZD	0.00850	
CC	0.00879	
EGC	0.00902	
PZD	0.00892	
HC	0.00902	
CI	0.00960	
HI	0.01068	
CBD	0.01279	
ELI	0.00902	
EMU	0.00879	



Yellowstone County, Montana

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Detail Property Tax Information

Disclaimer: The tax information was updated on 2/4/2020. Please notify the Treasurer's Office of any inaccuracies. Online Tax Billing History is available from Tax Year 2000 forward. If you wish information for prior tax years contact the Treasurer's Office. [Pay Taxes Online](#)

Tax ID: B03167 Tax Year: 2019

LAUREL URBAN RENEWA TAX I

Code	District	1st Half	2nd Half	Total
#113	#113 LAUREL SID	659.60 P	659.60	1,319.20
	LAUREL URBAN RENEWA TAX I (Levy District)	39,731.38 P	39,731.38	79,462.76
7TI1	WEST BANK URBAN RENEWAL A	37,040.70 P	37,040.70	74,081.40
LSM	LSM LAUREL STREET MAINT	800.00 P	800.00	1,600.00
NUDD	NUTTING DRAIN DISTRI	5.00 P	5.00	10.00
SOIL	SOIL SOIL CONSERVATION	51.69 P	51.69	103.38
TIDU	TIDU TID - UNIVERSITY MILLAGE	376.04 P	376.03	752.07
Totals		78,664.41	78,664.40	157,328.81

Date Paid 11/29/2019

Close Window



Yellowstone County, Montana

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Detail Property Tax Information

Disclaimer: The tax information was updated on 2/4/2020. Please notify the Treasurer's Office of any inaccuracies. Online Tax Billing History is available from Tax Year 2000 forward. If you wish information for prior tax years contact the Treasurer's Office. [Pay Taxes Online](#)

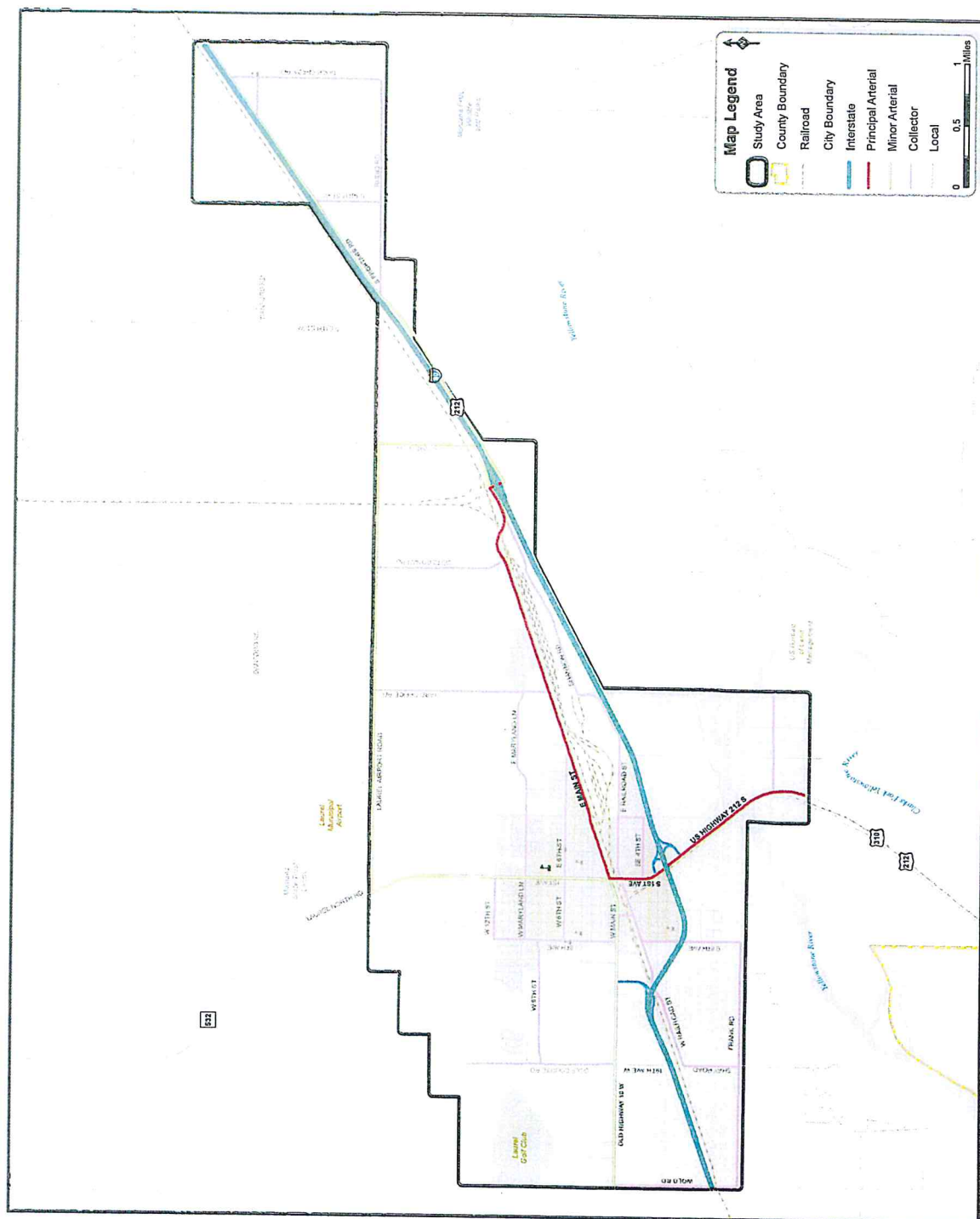
Tax ID: A27826 Tax Year: 2019

BILLINGS

Code	District	1st Half	2nd Half	Total
	BILLINGS (Levy District)	130,052.26 P	130,052.25	260,104.51
BACF	BACF BLGS ARTERIAL CONST FEE	5,511.69 P	5,511.69	11,023.38
BLSW	BLSW BILLINGS STORM SEWER	4,869.78 P	4,869.78	9,739.56
BS#2	BS#2 BLGS STREET MAINT #2	5,117.43 P	5,117.43	10,234.86
L235	0235 BLGS LIGHT MAINT	40.85 P	40.85	81.70
L257	0257 BLGS LIGHT MAINT	884.28 P	884.28	1,768.56
PD01	BILLINGS PARK DISTRICT	1,793.26 P	1,793.26	3,586.52
SOIL	SOIL SOIL CONSERVATION	74.23 P	74.23	148.46
Totals		148,343.78	148,343.77	296,687.55

Date Paid 11/29/2019

Close Window



RESOLUTION NO. R20-__

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
CONTRACT FOR THE CITY'S PROSECUTOR DUTIES BETWEEN THE
CITY OF LAUREL AND LORE LAW FIRM PLLC.**

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

Section 1: Approval. The contract negotiated between the City of Laurel and Lore Law Firm, P.L.L.C. for the City Prosecutor duties is accepted and hereby approved. A copy is attached hereto for convenience.

Section 2: Execution. The Mayor and City Clerk/Treasurer of the City of Laurel are hereby given authority to accept and execute said agreement on behalf of the City.

Section 3: Effective date. The effective date for the attached contract is hereby approved effective February 1, 2020.

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

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this __ day of _____, 2020.

APPROVED by the Mayor this __ day of _____, 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

PROSECUTOR
ATTORNEY CONTRACT

THIS AGREEMENT, made and entered into by and between the City of Laurel, hereinafter referred to as Client, and Lore Law Firm, P.L.L.C. hereinafter referred to as "Attorney."

ATTORNEY CLIENT RELATIONSHIP: Client hereby employs Attorney to exercise and perform the criminal prosecutorial duties of the City Attorney for Client, which includes the provision of prosecution services for Client for matters assigned and directed by Client. Client's Mayor shall be the primary contact for Attorney and shall assign and direct the Attorneys' provision of criminal prosecution services in city court as well as all subsequent appeals. Attorney agrees to provide his/her own office, staff and equipment at no additional charge to Client. Client agrees to provide on-site workspace for Attorney immediately prior to and during any required court appearances. Client also agrees to provide copy paper upon request for services under this contract. Attorney agrees to spend a minimum of two (2) hours per week at Laurel City Hall in order to meet with pro se criminal defendants living in the Laurel area.

FEES AND BILLING: For services performed for Client by Attorney, Client agrees to pay Attorney as follows:

- For the time period February 1, 2020 through February 29, 2020 City shall pay Client \$2800.00;
- Commencing March 1, 2020 and each subsequent month thereafter, City shall pay client \$5600.00 per month.

In addition to the fees provided above, Client agrees to reimburse Attorneys for costs incurred during the course of representation. Attorney agrees to provide Client an invoice each and every month itemizing services rendered and costs incurred each and every month. Client agrees to pay Attorney each and every month for services rendered and costs incurred. Client understands that Attorney billing schedule is monthly.

COSTS: Costs are defined as all filing fees, court costs, subpoena costs, certified driving records for defendants, mail costs, copies of video-taped or DVD evidence, depositions, court report charges, expert witness fees, expert reports, witness statements, and travel expenses except as set forth herein, and any other disbursements or expenses incurred by Attorneys while representing Client. Photocopies shall be reimbursed at \$.05 per page. These costs may be billed monthly by Attorneys and, if unpaid, shall bear interest at the rate of one percent (1%) per month.

Travel costs beyond local travel shall be undertaken only upon Client's request. Client shall reimburse Attorney his/her actual costs of travel (other than local) and pay per diem at rates established by the State of Montana.

DURATION: This contract shall immediately commence on February 1, 2020 and continue until June 31, 2022. Attorney agrees to assist with the transition when a new Prosecutor is contracted.

MODIFICATION AND TERMINATION: This contract or any provision thereof may be modified at any time upon mutual consent expressed in a mutually signed writing. The contract may be terminated at any time by either party without cause.

DATED this _____ day of _____, 2020.

CITY OF LAUREL

Thomas Nelson, Mayor

ATTEST.

Bethany Langve, Clerk/Treasurer

ATTORNEY:

Juliane E. Lore, Lore Law Firm P.L.L.C.

Item Attachment Documents:

6. Approval of Council Workshop Minutes of February 18, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, FEBRUARY 18, 2020**

A Council Workshop was held in the Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on February 18, 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 checked="" 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
Levi Vandersloot, Interim Ambulance Director
Bethany Langve, Clerk/Treasurer

Public Input:

There were none.

General Items

1. Mayor's re-appointment of Linda Frickel to the LURA Advisory Board for a four-year term ending December 31, 2023.
Council had no questions.
2. Appointment of Nicole Leverenz to the Laurel Ambulance Service.
Levi Vandersloot, Interim Ambulance Director, introduced Nicole to Council. He stated that she is a paramedic and was a critical care medic in the military. She will be a good asset to the team. Council had no questions.

Executive Review

3. Resolution - A Resolution Of The City Council Authorizing The Submission Of An Application To The Montana Historic Preservation Grant Program.
Nick Altonaga, Planning Director, stated he had known of this grant for a while. He had been hesitant to apply as he thought there would be some barriers. After sitting down with the Public Works Director to go over what these monies could be used for, he saw there were no barriers, as previously thought. These monies would be to help support improvements in Riverside Park. Applications are due next Friday. Grants can be awarded up to \$500k with no matching funds for municipalities. Eligible projects include brick and mortar projects to help improve infrastructure, building renovation, maintenance, building code issue updates, any improvements that enhance security, climate control, or fire protection. This is the perfect opportunity to help those

buildings. The Riverside Master Plan did most of the work needed to submit for this grant. It can be used to investigate asbestos in the buildings, lead remediation, and general building stabilization and rehabilitation, and site floodproofing. This grant will be available in the 2023 biennium. He stated he has also been in contact with Jon Rutt from the Laurel Community Foundation. He is also in contact with Yellowstone Historic Preservation Board.

It was questioned how many buildings need work. It was clarified that all the buildings need some work. The Rifle Club building, the Rod and Gun Club building, the American Legion building, Jaycee Hall, and the Caretakers building. The Caretakers building will be gone at some point. The Jaycee Hall building is in relatively good shape. Its floor has been patched for the time being but does need to be repaired or replaced. It was clarified that this grant also has a section on feasibility studies that the City can apply for as well.

It was questioned if these monies can only be used on the buildings. It was clarified that a lot is for the buildings but hoping to include other things from the master plan as well.

It was questioned if lead removal in the field could be done with these monies. The Planning Director clarified that he had left a message on what is fully allowable and would follow up. It was further clarified that the period for championing the buildings is over. No one came forward.

A Council Member commented on how completing the Riverside Park Master Plan has been a good move on the City's part. That has been apparent at various times.

It was questioned when the City would hear back if they had been awarded any of these monies. It was clarified that we should hear back within approximately six months.

It was asked if there is a question on the application if the project will move forward regardless of receiving grant funding. The Planning Director stated he was unsure if the application included that question, but that he would look into it. It was further clarified that the City is currently working on projects in the park. The fact that there are other projects being completed in the park will be mentioned in this application.

It was questioned if there were any reason we would not want to apply for this grant. It was clarified there are not too many strings attached to these funds.

It was questioned if they award their grants by giving a portion to all eligible projects or if they give the full ask to one community and tell another no. It was clarified that the applications would be weighted, but it is unclear how the monies will be disbursed.

Council Issues

4. West Railroad Discussion.

The Public Works Director has been requested to attend this meeting; however, he is attending to a break in a sewer line.

The Clerk/Treasurer was also requested to attend this meeting to discuss the financial aspects of West Railroad. It was requested the Clerk/Treasurer discuss all funding mechanisms to fund the gap on the West Railroad project. There were questions if the City can bond against Street Maintenance. It was clarified that MCA 7-12-44 governs what Street Maintenance is able to do. The Clerk/Treasurer spoke with Bond Counsel to see if Street Maintenance could bond. They wanted to see how our Street Maintenance was created. It should have been created via ordinance. In 1921 there was a poll tax, every able-bodied male between the ages of 18-85 paid \$2.00 into the poll tax, and that fund was used to fix streets in town. In 2004 Council adopted O04-02 to update the existing chapter 12.04, but how 12.04 came to exist, we cannot find. There are large sections of ordinances not in Laserfiche, need to go look through the very old paper copies of these ordinances. Without knowing that is was created from MCA, they cannot be certain that the City can bond. The City has to follow MCA rules regarding bonding.

It was questioned if this Council can pass that retroactively. The Clerk/Treasurer clarified that it has to exist. The City shouldn't be strolling down this street without this ordinance. Need to find it in those books to prove to Bond Counsel.

It was stated that recently the City increased the amount that people are assessed for Street Maintenance, does the City need to wait a year to find out how much is available to bond against that. It was clarified that Street Maintenance is not like the TIF or General Fund. The City should only assess what it needs to maintain the streets each year. There should be a zero balance at the end of the year. If the City takes out a bond, you need to prove how you are going to pay the bond and continue to provide the maintenance that residents deserve. If you need to raise the assessments again, it could burden taxpayers.

It was questioned with the annual raising of the Street Maintenance Assessment after a period of not raising it, will it look bad if the City raise the assessment again next year. There is a need for improvement in the streets. How does bonding against the Street Maintenance District affect the ability to raise the assessment each year and service the bond(s)? It was clarified that Bond Counsel would need to answer that. The City would have to have enough to take care of the debt service and take care of the citizen's needs. Whatever that amount is, and not burden our taxpayers.

It was questioned if the City knows how much it can ask for. It was clarified no; they do not.

It was questioned if 1st to 5th can use TIF District funds. It was clarified that yes, the City could use TIF District funds. The TIF can bond as long as it is paid off prior to the bond the City is getting ready to sell. The City can also use the cash reserves towards whatever the TIF can contribute to.

It was questioned how much is too much debt for the City to get into. It was clarified that it depends on the fund. There are formulas to figure out how much debt service a fund can have. Bond Counsel reviews all of that. They look at what other debt services the fund has. They look at the bond and what it was taken out, and how much is in reserves for the bond.

It was questioned how the City would finance the infrastructure underneath the road. It was clarified that 1st to 5th is in the TIF, and the TIF can pay for almost whatever it wants to, to a certain extent. The water and sewer funds would pay for 5th-8th.

It was questioned how both water and sewer funds are looking. It was clarified; they are both looking good.

It was questioned if there was still hope for this project. It was stated yes, especially after the bid opening the other day. The bids for the EDII project came in way under the engineer's estimates. Council does need to look at LMC 12.04.060 regarding cost assessments. MCA has many methods of determining the cost assessment; the current LMC restricts the Public Works Director significantly. He cannot currently use multiple assessment methods or use traffic flow to determine the cost assessment.

It was questioned what is the best way to address section 12.04.060 in LMC. Council can request that the Mayor sit down with the City Attorney and get this going. The Mayor stated he has already planned to address this and bring it forward to Council.

It was questioned that two weeks ago, there was a discussion on an arterial fee, is that not assessed via traffic flow. Billings model, yes. It was further questioned that during that discussion, they said we would need to update our traffic study to update traffic flow if traffic flow isn't allowed for this, then we can't do the arterial routes. It was clarified that the Mayor would need to speak with Sam and see if the Public Works Director can use MCA instead of LMC to do the assessments.

The Clerk/Treasurer stated that she looked into the arterial fee but didn't know much about it. It sounds like a tax on the City as a whole that goes towards only building those specified streets.

It was questioned with regard to funding how many years will it be to combine funding to cover the gap to build this project. It was clarified that was up to the Council as a whole. The Clerk/Treasurer can bring various options forward, but at the end of the day, the Council makes the final decision. It was further questioned if it would be economically feasible in the year 2020 to say that there were enough funds available through whatever to cover the gap and get the work on West Railroad done. The Clerk/Treasurer stated that the Council could request the Mayor to direct her to look into all the options. It would require some digging.

Mayor Nelson stated that within the next month, the City would be selling the bonds for the EDII project. At that point, the Clerk/Treasurer can figure out what the City can

bond against the TIF for the West Railroad project. This will be a more clear picture of where we are at on this project. Then find out where the Street Maintenance came from. Council can look at tweaking that after the Mayor speaks with the City Attorney. Then the Public Works Director can then use something similar to what Billings is using on their arterial assessment. It's not based on traffic, but zoning. We should know this spring what is available to cover that gap. The Mayor warned Council that if the gap is more than what we were lead to believe, the City will need to pay it.

Need to find the creation document for Street Maintenance. If those assessment restrictions are removed, it opens up a lot of ways for the Public Works Director to assess for Street Maintenance.

It was questioned if the Clerk/Treasurer can give an update on if she was able to find the creation document for Street Maintenance and give an update on the financials after the EDII project.

It was questioned if the City can also look into utilizing Beartooth RC&D's resources towards infrastructure projects.

It was stated that with the discussion from two weeks ago on the arterial fee, it sounds good. Have we done any further digging into this or had the City Attorney review. Is the City interested in moving forward? The Mayor clarified that Dave Mumford, Billings Public Works Director, was supposed to attend tonight, but due to the holiday needed to attend Billings City Council meeting. The Mayor also clarified that we need to look at the current income streams first and then look into other income streams.

The Clerk/Treasurer stated that the City needs to fix some streets before trying to add more taxes. Very little winter damage has occurred this year. This year's funding will go almost entirely toward projects such as crack and chip sealing. Hoping to get a good bid opening as we did for the EDII project. She would like a sign that states, "Paid for by your Street Maintenance taxes," so residents know their taxes are being used.

Council thanked the Clerk/Treasurer for the light at the end of the tunnel on this matter.

Other Items

Review of Draft Council Agendas

5. Draft Council Agenda for February 25, 2020.
There were none.

Attendance at Upcoming Council Meeting

All in attendance will be present at next week's meeting.

Announcements

Public works Committee meets tomorrow, February 19, 2020, at 6:00 p.m. in Council Conference Room.

Council Member Stokes asked that he be put on the next agenda for being absent for more than ten days, he will be gone from April 11th to the 26th.

Emergency Services Committee meets next Monday, February 24, 2019, at 6:00 p.m. in Council Chambers.

Mayor Nelson stated that he wouldn't drop the West Railroad project. He hopes to manage to put in some mechanism that is not disparaging to allow the City to also take care of other challenging streets. Hopefully, Council is thinking of those projects too.

The council workshop adjourned at 7:27 p.m.

Respectfully submitted,

A handwritten signature in black 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.

Item Attachment Documents:

7. Budget/Finance Committee minutes of February 25, 2020.
Public Works Committee minutes of February 19, 2020.
REVISED Park Board minutes of February 6, 2020.
City/County Planning Board minutes of February 12, 2020.
City/County Planning Board minutes of February 26, 2020.
Emergency Services Committee minutes of January 27, 2020.
Library Board minutes of January 14, 2020.
Laurel Urban Renewal Agency minutes of February 24, 2020.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, February 25, 2020**

Members Present: **Emelie Eaton**
 Richard Klose

Bruce McGee

Others Present: **Mayor Nelson**

Bethany Langve

The Meeting was called to order by Chair Eaton at 5:30 pm.

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

General Items

- Review and approve the minutes of the February 11, 2020 meeting. Richard Klose made a motion to approve the minutes of the February 11, 2020 Budget and Finance Committee meeting. Bruce McGee seconded the motion to approve the February 11, 2020 Budget and Finance Committee meeting minutes, all in favor, motion passed.
- Review and approve the January 2020 Month End Balance Sheet. The Clerk/Treasurer stated that the January 2020 Month End Balance Sheet was not completed. She stated that she had some important meetings to schedule and attend. She will bring the January 2020 Month End Balance Sheet to the March 10th meeting. The Committee agreed that would be acceptable.
- Review and approve the January 2020 Financial Statements. The Committee reviewed the January 2020 Financial Statements and had no questions or comments. Richard Klose made a motion to approve the January 2020 Financial Statements. Emelie Eaton seconded the motion to approve the January 2020 Financial Statements, all in favor, motion passed.
- Review and recommend approval to Council Claims entered through 02/21/2020. Richard Klose reviewed the Claims Detail report and the Check Register for accuracy. There were no questions regarding the claims. Richard Klose made a motion to recommend approval to Council the claims entered through 02/21/2020, Bruce McGee seconded the motion, all in favor, motion passed.
- Review and approve Payroll Register for pay period ending 02/09/2020 totaling \$199,117.60. The two-page summary was reviewed, signed and dated. Bruce McGee made a motion to approve the payroll register for pay period ending 02/09/2020 totaling \$199,117.60. Richard Klose seconded the motion, all in favor, motion passed.

New Business – One member of the Committee stated that the Ambulance mill levy would be brought up at the Council Meeting and asked to be put on a workshop for a discussion. Another Committee member asked if the needs assessment had been completed, and the answer was no. The Emergency Services Chair had been provided DA Davidson as a contact. They can possibly be a company that can provide guidance throughout the process of drafting the mill levy. The Ambulance Director will need to provide the needs assessment numbers to the Emergency Services Committee, and what the department needs to run full-time. The information is needed 85 days prior to the Council saying yes. There is no time to put the mill levy on the primary ballot, and Emergency Services doesn't want this going on the November ballot. If this mill levy doesn't pass the Emergency Services Committee needs to find out

why, correct the mistakes, and go out for the mill levy again. There has been lots of talk regarding this mill being an Ambulance only mill levy versus a mill levy for all emergency services. The Emergency Services Committee feels that it needs to remain an Ambulance only mill levy. The Clerk/Treasurer stated that she would ask the auditors about restricting most of the mill levy and allowing a portion of the mill levy to be unrestricted.

Old Business – None

Other Items

- Review the Comp/Overtime Report for pay period ending 02/09/2020. The Committee reviewed the report and had no questions or comments.
- Review the January 2020 Journal Vouchers. The Committee reviewed the journal vouchers and had no questions or comments.
- The Clerk/Treasurer stated that she was going to look at the Safer Grant.
- The Mayor stated that he had nothing at this time.

Announcements –

- The next Budget and Finance Meeting will be held on Tuesday March 10, 2020 at 5:30pm
- Emelie Eaton will be reviewing claims for the next meeting

Respectfully submitted,

Bethany Langve
Clerk/Treasurer

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

Minutes
Public Works committee
Wednesday, February 19, 2020
Council conference room

Present:

Marvin Carter
Richard Herr
Don Nelson
Heidi Sparks, Committee Chair
Irv Wilke, Committee Vice-Chair
Kurt Markegard, Public Works Director

Meeting was called to order at 6:00pm.

There was no public input.

General Items:

Review and approved the January 20, 2020 minutes. Richard Herr made a motion to approve minutes, this was seconded by Irv Wilke. Motion carried.

New Business:

The committee reviewed the Engineering Report from KLJ (attached). Things of note include:

- East Downtown Infrastructure Project- Bids have been received and will be presented to council at the March 3, 2020 workshop
- 2020 Pavement Maintenance- Bid Advertisement will be on February 27, 2020 rather than the date listed in report

Old Business:

No old business to discuss

Other Items:

- A review of the Septic Dump Station Revenue for 2019 as well as January 2020. Reports attached.
- A review of the Emergency Call Outs since January 20, 2020 took place. The Emergency Call Out report is attached.
- Future agenda items:
 - KLJ will be attending committee meeting to present Design Standards and Rules Update when completed- possibly at March meeting
 - Discussion of alley situation by IGA and the vacant lot by Taco Bell

Announcements:

Next meeting is scheduled for Monday, March 16, 2020 at 6:00pm.

Meeting adjourned at 7:00pm

Respectfully submitted,
Heidi Sparks, Public Works Chair



WWTP Screw Press (KLJ #1804-00120)

Current Status:

- Warranty Inspection NLT August 2, 2020

WWTP Screw Pump "A" Replacement (KLJ #1804-0347, Task 6)

Reason for Project: This key component of the WWTP has failed and needs to be replaced asap

Project Scope: Replace screw press "A".

Current Status:

- Grouting is scheduled for March

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 for the proposed air injection/diffuser system to address H₂S build-up within the system.

Current Status:

- Preparation of a Pilot Study Memo is ongoing

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

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

Current Status:

- None

East 6th Street Improvements (KLJ #1804-00121)

- Warranty Inspection NLT August 15, 2020



City of Laurel Project Status Update
February 15, 2020



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:

- KLJ is progressing- Tentative Project completion 15 March

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:

- Work in progress

Tentative Schedule: February 13, 2020 - Bid Opening
March 3, 2020 - City Council Workshop
March 10, 2020 - City Council Awards Bid

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 are complete

2019 Pavement Maintenance (KLJ #1904-00230)

- Warranty Inspection NLT August 21, 2020



City of Laurel Project Status Update

February 15, 2020



Laurel Planning Services (KLJ #1804-00554)

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

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

Current Status:

- Floodplain Management – Joint Application for improvements at Riverside Park will need to be completed and a Floodplain Development Permit issued.
- Subdivision Review – **Goldberg Sporting Estates**- On hold
- Growth Policy Update – This project has just begun with coordination between the Laurel City Planner and KLJ.

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:

- 90% docs submitted for review March 6, 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 pavement rating of 6. This excludes the MDT designated Urban Routes.

Milestones:

- Bid Advertisement February 20, 2020
- Bid Opening, March 13, 2020
- Construction- April – July
- Substantial Completion-June
- Final Completion- July

Current Status: Design is on going



*City of Laurel Project Status Update
February 15, 2020*



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 FY20 Projects

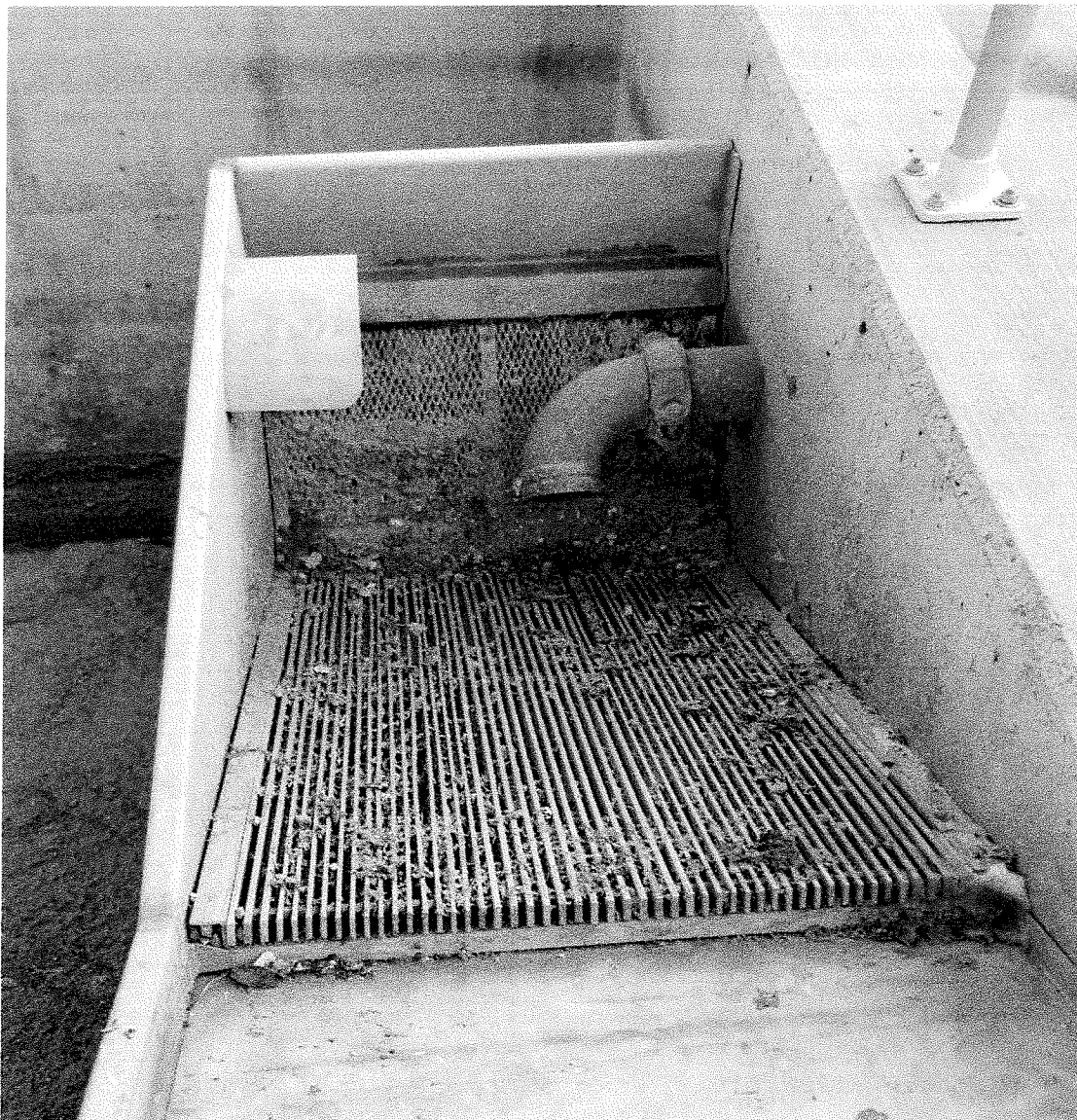
1. West Railroad Street Reconstruction- Proposal submitted
2. Water Storage Tank Recoat
3. Water System Planning
 - a. Master Plan Update (potentially update PER concurrently)
 - b. Booster station rehabilitation or replacement (task order forthcoming)
 - c. Water storage tank
4. Capital Improvement Plan (CIP) assistance – pending further direction from the City.

Other Potential Future Projects

1. WWTP Archimedes Screw Rehabilitation
2. Examining engineer review of 3rd Party submittals to City
3. On-call government relations
4. West Side TIFF
5. School Lot

Septic Dump Station for 2019

January	802.24
February	658.36
March	2134.52
April	1865.93
May	1164.28
June	2754.2
July	3122.08
August	3407.64
September	3724.76
October	2410.76
November	1628.88
December	1790.8
total	25464.45



Septic Dump Station for 2020

January	1506.96
February	
March	
April	
May	
June	
July	
August	
September	
October	
November	
December	
total	1506.96



Emergency Call-outs for Public Works February 19, 2020 PW meeting

1-22 Plugged Sewer Main possible

2-1 Water turn off for a house fire Village Subdivision

2-1 Water Leak on a service line on Durland Ave.

2-7 Sand Streets

2-9 Elm lift station alarm

2-13 Emergency locate and street closure for hit power pole East
Railroad Street

**REVISED MINUTES
CITY OF LAUREL
PARK BOARD
THURSDAY, FEBRUARY 6, 2020**

BOARD MEMBERS PRESENT:

Richard Herr, Phyllis Bromgard,
Jon Rutt, Evan Bruce, Scot Stokes
*Matt Wheeler

Other Presents

KLJ Rep (Matt Corcoran)

Public Input:

No public present

General Items

1. Approve Park Board minutes of January 2, 2020.

Jon Rutt Motioned for approval and Phyllis Bromgard Seconded. Voted 5-0 with approval.

New Business

2. Chamber Lease.

\$100 per year for a 5 lease. It was stated that the chamber is planning on adding a sidewalk from the driveway to the front door. The chamber will cover the cost themselves. No one had any changes to the lease at the time of this meeting. Their cost to rent from the railroad was brought into question but no answers were given. Scott motioned to keep the lease the same, Richard seconded, voted 5-0 with approval. They can come to the next meeting if they want changes to the lease.

Old Business

3. Riverside Park

1. Campground layout.
 - a. KLJ presented a new layout drawing. It was brought up that the existing

building for the pipeline will move this summer. the board was given several options for the vault toilets; build a dirt ramp, a deck with a ramp or build at ground level and use a flood barrier that can be installed in the door as needed. The temp flood barrier would be the cheaper option by far and the deck and dirt ramp options can be just as much or more than the restrooms themselves. Scott motioned to tell KLJ to move forward with the drawing present to finalize the drawings. Richard seconded, 5-0 voted in favor.

~~2. City staff failed to get a quote for the American Legion building repair.~~

4. Caretakers Building Bids

1. The board looked at the quotes to take down the caretaker's buildings and none of them had quotes for asbestos removal.
2. Evan motioned to have the caretakers building tested for asbestos. Phyllis seconded, 5-0 voted.

Other Items Announcements

The pool will be officially talked about in April.

Announcements

5. Next Park Board meeting March 5, 2020.

**MINUTES
CITY OF LAUREL
PARK BOARD
THURSDAY, FEBRUARY 6, 2020**

BOARD MEMBERS PRESENT:

Richard Herr, Phyllis Bromgard,
Jon Rutt, Evan Bruce, Scot Stokes
*Matt Wheeler

Other Presents

KLJ Rep (Matt Corcoran)

Public Input:

No public present

General Items

1. Approve Park Board minutes of January 2, 2020.

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4. Caretakers Building Bids

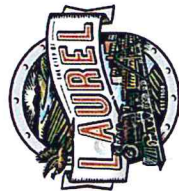
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Announcements

5. Next Park Board meeting March 5, 2020.



ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST
Riverside Park Campground
 Riverside Park
 City of Laurel, MT
 February 4, 2020



(PRELIMINARY)

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
101	Mobilization	1	LS	\$23,000.00	\$23,000.00
102	Taxes, Bonds & Insurance	1	LS	\$7,000.00	\$7,000.00
103	SWPPP & Erosion Control	1	LS	\$10,000.00	\$10,000.00
104	Seeding	50,023	SF	\$0.25	\$12,505.75
105	Trees	20	EA	\$800.00	\$16,000.00
106	Tree Clearing, Removal, Disposal	15	EA	\$2,000.00	\$30,000.00
107	Remove Structure	1	EA	\$24,500.00	\$24,500.00
108	Fire pit	24	EA	\$550.00	\$13,200.00
109	Vault toilet	2	EA	\$26,000.00	\$52,000.00
110	Picnic table	24	EA	\$1,000.00	\$24,000.00
111	Landscape Fencing	100	LF	\$75.00	\$7,500.00
112	Parking Bumpers	40	EA	\$150.00	\$6,000.00
113	Signs	10	EA	\$600.00	\$6,000.00
114	Bollards	40	EA	\$200.00	\$8,000.00
115	Spot Marker Post	24	EA	\$100.00	\$2,400.00
116	4" Gravel Surfacing	6,164	SY	\$2.50	\$15,410.00
Subtotal					\$257,515.75
Contingency (20%)					\$ 51,503.15
Total					\$ 309,018.90



PRELIMINARY - NOT FOR CONSTRUCTION



**MINUTES
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, FEBRUARY 12, 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.*

General Items

1. Roll Call

Chair called the meeting to order at 5:35PM

Evan Bruce
Roger Giese
Jon Klasna
Ron Benner
Gavin Williams
Judy Goldsby
Nick Altonaga (City of Laurel)

2. Approve Meeting Minutes: December 11, 2019
3. Approve Meeting Minutes: January 8, 2020

Members reviewed the two sets of meeting minutes on the agenda.

Evan moved to approve the minutes from December 11, 2019 and January 8, 2020 as presented.
Jon seconded.
Motion carried.

New Business

4. Growth Management Policy Chapter 4: Community Profile

Nick presented the Community profile and Employment forecast chapters. He discussed generally how he drafted it and some of the information that is included.

Ron: What sources were used for this data?

- Nick: US Census and ACS 5-Year estimates.

5. Growth Management Policy Chapter 5: Employment Profile

Members discussed the lack of specific numbers for refinery and railroad workers which do not appear to be represented. Members then discussed the Laurel city-county divide and the possible need to take those numbers into account. Should we include those area residents who are outside of the municipal boundary?

- Nick will follow-up with KLJ to see if this is necessary and if there is any accurate data.

- Nick recorded the specific board member notes on a copy of the GMP chapters.

6. Update: Goldberg Sporting Estates Subdivision

Nick provided a brief update as to the Goldberg Sporting Estates Subdivision. City staff and KLJ met with the Developer on January 31st to discuss the January 16 Sufficiency letter and major items which need to be addressed prior to moving forward.

Old Business

7. Growth Management Policy Chapter 1: Introduction, Purpose

Nick presented the updated Chapter 1 and asked members to review and comment on any needed changes. Members had no major comments besides minor spelling and grammar comments.

8. Growth Management Policy Chapter 3: Community Goals and Objectives

Members discussed the importance of sidewalks and community connectivity regarding parks and subdivision improvements.

Members also discussed the verbiage of some of the goals. It is important to edit them to keep things more general.

Members discussed the need for property owners to repair sidewalks and fixing sidewalks during building rebuilds. Who is responsible for sidewalk repair/ property owner or the city?

Discussion of in-fill development in downtown and vacant parcels.

Discussion of S. 1st Ave and needed pedestrian and accessibility improvements.

Nick will send out invitations to major state groups by the end of the week to schedule meetings with the Planning Board.

Members discussed the need for parks and more useable recreation land – Many developers have dedicated parkland that is useless or provided cash in lieu and have NO parkland.

Other Items

Members discussed the SE 4th pedestrian walkways and the old lighting district project.

Members discussed the underpass: A tool trailer and port-o-potty were set up near the tracks. There is work being done on the underpass for maintenance. – Cleaning, etc.

9. 2020 Meeting Schedule

There will be a public hearing on a variance for the Laurel Trading Post along East RR. Similar to the last one in the same area. Will have the packet by end of week.

I will be in Kalispell on March 11th for the Floodplain Managers Conference. Taking the CFM Exam. Suggest we cancel this meeting and have Future Land Use placed on the March 25th meeting with Housing.

Announcements

10. Next Meeting: February 26, 2020

Meeting adjourned at 6:53PM.

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
CITY/COUNTY PLANNING BOARD
WEDNESDAY, FEBRUARY 26, 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.*

General Items

1. Roll Call

Chair called the meeting to order at 5:35PM

Jon Klasna

Ron Benner

Evan Bruce

Roger Giese

Karl Dan Koch

Judy Goldsby

Nick Altonaga (City of Laurel).

2. Public Hearing: Laurel Trading Post Variances

Planning Director Altonaga presented the variance packet and went through the staff report. Representatives of the applicant were present to discuss the variance.

Chuck Henrichs, 720 Lohwest Lane, Billings, MT
(Designers and developer working with Greg and Allison Haux).

Chuck presented the case for the variances. The rustic aesthetic desired through the Community Entryway Overlay District is maintained by the design, while providing some flexibility. The intent of the code is met without utilizing the more expensive concealed fastener materials and fencing specified in the code.

In regards to the SE 4th Street Overlay District code, the applicant has worked to provide alternatives that meet the intent of the code

Ron: Staff report mentions barbed wire fencing?

Chuck Hendrichs provided answers:

- There is non-sight obscuring fencing already existing along the perimeter
- Existing chain link and some barbed wire fencing will remain along the west side of the property (boundary with Fiberglass structures)
- Chain link fencing exists along the East side of property.

Ron: What landscaping will be done? Will the bufferyard be tall unmaintained grass and weeds?

Chuck Hendrichs provided answers:

- Landscaping will be maintained grass
- Trees will be planted on north side of the property and in parking area.

Overall, the applicant has 150 trailers that he wants visible to market to the travelling public.

Have opted for boulder pit underground to not have a gravel pit along the interstate.

- French drain style
- Will be much more visibly appealing

Dan: What are the fire protection device locations? Fire Hydrants?

Chuck Hendrichs provided an answer:

- Applicant will be extending a hydrant leg down from East Railroad St.
- Dead end line: 6" water line.

Planning Director Altonaga clarified that the SE 4th St Overlay District variance for 17.26.060.A is unnecessary due to the property not being located along SE 4th St. as is noted as a requirement in 17.26.060.B. This was discussed at the variance meeting but was a minor point of confusion with all the other code questions happening. This variance is unnecessary and not needed for the project to move forward.

Kevin Lundin – EEC Inc.
720 Lohwest Lane, Billings, MT

The current plan is to have building mounted lighting with conduits installed to prepare for future lighting additions.

Mr. Lundin was going to clarify the code about the SE 4th 40% requirement but the Planning Director already made it.

We don't know who will be developing on the property east of the site, but the plan is to leave the current barbed wire and chain-link fence and negotiate what fence to put in at that time.

Lighting at the site will be adjusted downlights. Kevin asked if the Planning Director could specify more as it moves forward.

Planning Director Altonaga reviewed the Community Entryway Zoning and found that it does not contain requirements for wall-mounted lighting.

Kevin noted that the façade is made to mimic the western rustic appeal. The colors will not be as bright and vivid as the conceptual drawings. EEC worked to keep with the intent of the code with their design for the site.

Planning Director Altonaga presented his suggested conditions of approval in the staff report – straightforward conditions for approval.

Roger: Question about curbing and landscaping.

Kevin provided an answer:

- Will have curbing in place and gravel on most of the lot

Chair called for any proponents of the variance

Greg Haux, 620 SE 4th St. Owner of Laurel Trading Post (Business currently located)

Daughter Allison also present

Point out that merchandise like tires and metals will be out of sight of the interstate. And not visible from the east side of building. The only thing publicly visible will be trailers, carts, and similar storage devices. Wanted to follow-through with the letter of the law so things were done properly. Have been operating the business for 30 years and is looking to turn it over to the next generation.

Chair asked for additional proponents two times.

Chair asked for any opponents three times.

No opponents came forward.

Jon motioned to approve the variance with suggested staff conditions

Ron seconded.

Ron mentioned that if we have these standards in place, we either need to update them or do away with them so these issues do not need to keep being brought up. DO not want to have to see a variance for every development that goes in along the interstate.

Chair called a vote to approve the variance requests with the suggested staff conditions.

Unanimous vote in favor (7-0).

Motion Carried.

3. Approve Meeting Minutes: February 12, 2020

Members reviewed the meeting minutes from February 12, 2020.

Ron motioned to accept the minutes from February 12, 2020 as presented.

Roger seconded.

Motion Carried.

New Business

4. Review Building Plans: Laurel Trading Post

Planning Director Altonaga presented the Laurel Trading Post and the need to approve building plans as per the Community Entry Zoning District requirements.

Ron makes motion to approve plans as stated.

Evan seconded.

Motion Carried.

5. Review Building Plans: Wendy's, S. 1st Avenue

Planning Director Altonaga presented the plans for the proposed Wendy's of S. 1st Avenue and the need to approve building plans as per the Community Entryway Zoning District requirements.

Planning Director Altonaga explained how there was an ongoing discussion with Wentana on some issues but they were being addressed (building siding, landscaping, pedestrian access). Director will be providing the developer a description of the necessary pedestrian pathway to be made.

A staff member from the project team was present to discuss the building plans.

Mike Tracy, Wentana
210 Overland Avenue Billings, MT

A Traffic Study has been completed to support the project. Planning Director reported that it was done as per MDT specifications and fulfilled all current needs.

Members discussed the routes into the parcel and general ingress and egress. There are reciprocal access easements present. There are technically 4 ways in and out: S. 1st Ave next to Beartooth Grill, SE4th near Taco Bell, Alleyway between Cenex and Taco Bell, and Access between IGA lot.

Ron motioned to approve the plans as submitted with the addition of a designated pedestrian route.
Jon seconded
Motion carried.

The Planning Director and Chair called up Wayne Fjare, the new Director of Facilities for Laurel School District, to speak. He was present to introduce himself as the new facilities director and especially with the new land purchase having taken place. Wayne took questions from the board members.

What are the plans for developing on the lot?

- There will be some necessary steps to get the lot ready to be moved into the city and built on.
- The planned location for grades 3-5.

Dan – Will have to build a road and bridge.

Dan – Can we tear down the old middle school (the Admin building)?

- Options have been looked at.
- School District has many deficient structures which need replacement and repair.
- South School has a bad location due to RR tracks and is a candidate for relocation. Has boiler issues and some other issues.

6. Discussion: Growth Management Policy Chapter 6 - Land Use

Nick presented Chapter 6 and provided a brief summary of what was added and its contents. Members discussed downtown land use and how greenways and parks can be installed.

Old Business

7. Discussion: Growth Management Policy Chapters 1, 3, 4, and 5

Planning Director Altonaga noted that all these chapters have been sent to KLJ for review and comment and clean up. A list of needed maps and graphics will be sent to KLJ to help support the Land Use and Future Land Use chapters.

Other Items

Members discussed the sale of Rimrock Chevrolet and the Burger King property.

8. Growth Management Policy Schedule

Announcements

9. Next Meeting: March 25, 2020

Meeting Adjourned at 6:59PM.

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
EMERGENCY SERVICES COMMITTEE
MONDAY, JANUARY 27, 2020**

An Emergency Services Committee Meeting was held in the Council Chambers and called to order by Committee Chair Bruce McGee at 6:03 p.m. on January 27, 2020.

COMMITTEE MEMBERS PRESENT:

<input checked="" type="checkbox"/> Bruce McGee, Chair	<input checked="" type="checkbox"/> Richard Klose
<input checked="" type="checkbox"/> Irv Wilke	<input checked="" type="checkbox"/> Heidi Sparks
<input type="checkbox"/> Pat Kimmet	<input checked="" type="checkbox"/> Taryn Massa
<input type="checkbox"/> Richard Dawes	

OTHERS PRESENT:

Brent Peters, Fire Chief
Levi Vandersloot, Ambulance Director
Stan Langve, Chief of Police
Bethany Langve, Clerk/Treasurer

Public Input: None.

The Chair introduced Council Member Heidi Sparks, who is the new member of the Committee. She will be taking Bill Mountsier's recently vacated position on the Committee.

General Items:

1. Review and approve the minutes of the Emergency Services Committee meeting of October 28, 2019.

Motion by Council Member Wilke to Approve the minutes of the Emergency Services Committee meeting of October 28, 2019, seconded by Council Member Klose. A vote was taken on the motion, and all five committee members present voted aye. Motion carried 5-0.

2. Update from the Fire Chief, Brent Peters:

The Fire Chief stated that they made it through the year, and he was going to give the annual report instead of the monthly report. They closed the year with 351 fire calls, which caused an estimated \$198,000 in damage. Considering that the pre-estimate incident value was \$750,000 this value is good. This value does include total losses on structure fires. The department ended just shy of 3,000 total training hours for 2019. This was a little higher than previous years. The Fire Chief has a program that shows statistics for calls. It shows when calls come in and Thursday and Friday are the busiest days of the week. This trend has been consistent for the past 5 years. The time frame is from 6 o'clock until 8 o'clock. This year the department is at 27 calls, and that is an average of about 1 call a day.

The Fire Chief is working on a business plan for the Fire Department. There have been groups come in over the years to try to do this for the Fire Chief is going to do one for the department. He began working on it in December and it will take him approximately a year. He is creating a 5, 10- and 15-year plan for the department. The Chief is looking at mid-March of 2021 as his completion date for this project.

The Committee asked the Fire Chief if the fire damage amount of \$198,000 included extinguished damages. The Fire Chief stated it didn't include damages from auto accidents or anything like that.

it was damages only from structure fires. He stated that it is hard to determine damages from wildland fires. For instance, if a hay field burns, it is hard to determine the cost of those damages, so these estimates are from structure fires. The Committee asked if damages from structure fires include the damages caused from extinguishing the fire, such as breaking windows and doors to get to the fire. The Fire Chief stated that it was from lost property, the contents or the structure itself, and not from the act of extinguishing the fire. The Committee asked if the 27 calls this year were a mix of fires and auto accidents. The Fire Chief stated that they were a couple of structure fires, one possible arson, and several motor vehicle accidents. The department has had multiple alarm calls. The Fire Chief stated that he has a meeting with the school superintendent to discuss the alarm system due to the amount of alarm calls. The Chief stated that two years ago a fee was put on the schedule of fees and charges for excessive false alarm calls. The first one of the year is free, and from there it goes up to \$100 a call, and then up to \$400 a call. The Fire Chief stated that the department is extremely under priced on this, as other communities begin their pricing at \$400 a call. The amount of resources it takes to respond to a false fire alarm call is the same as it takes to respond to a real fire call. In order to stay compliant with ISO, the department must respond with the same number of responders and trucks. The High School is a large building, that requires 7500 3500 gallons of water a minute if the High School was fully engulfed. So, the department has to respond with the proper number of responders and equipment to be able to flow that amount of water. So, it takes a lot of resources for a false alarm. They may not have the resources to fix or replace the alarm system, but something has to be done. Best Western's smoke detector will go off anytime popcorn burns in the lobby and the department has to respond. The Chief stated that one the alarm comes in, even if the place of business calls to cancel, the department must respond and verify that it is a false alarm. Not responding would be a liability issue for the City.

3. Update from Police Chief, Stan Langve:

The Police Chief stated that the total calls for Police, Fire, and Ambulance were 9,628. He does expect the total number of calls to exceed 10,000 for the year 2020. He stated that crime calls totaled 1,203 for 2019. He stated that it is busy, and it continues to get busier. The department worked on abandoned vehicles in December and took care of 46. There were 129 traffic stops in December. The Chief stated that he had one officer return from the academy, however, since Friday he is down an officer. He had an officer go to the Department of Fish, Wildlife and Parks. The internal postings are up to replace that officer, and then the job will be posted externally. The Chief stated that he expects to have another officer move back to Helena so he will be hiring two officers. He stated that as of 5:00pm today the departments are at 607 calls for service already. He stated that the Police Department's case numbers are in the mid 70's. He said that since the last meeting the NextGen 911 system has been installed. He said that when the State is ready to switch over to this system, Laurel is ready to be fully compatible with them. The system is working with Zurcher. The Chief stated that he has new vests ordered through the bulletproof vest grant program. The three new MDTs should be delivered soon. The old ones are failing almost nightly, so these new ones are much needed. Another thing that has popped up is a camera system. With internet coming to the City Shop, the department wants to utilize that internet to monitor the Police storage area over there. There is a long list of items that need to be taken care of at the FAP but he is making some headway. A long-term item is the repeater/radio system. He is waiting on the VOIP system to be installed, and then the NextGen 911 system can be tied into it. This will allow an upgrade to the repeater system.

4. Update from the Ambulance Director, Levi Vandersloot:

The Ambulance Director stated that he is still going over the 2019 numbers. The department received 957 calls last year. The department missed 24% of those calls, however that was an improvement to 2018's 27%. In 2018 the department only received 929 calls. The department is improving, and this year's goal is 10% missed calls. With the 3 new hires, and other changes in the

department, the Director feels this goal is reasonable. He stated the department will never hit zero percent, and that is not reasonable. He stated that just the other day the department had three calls come in back to back, within 10 minutes of each other. He stated that the first two calls were not true 911 calls, however the department responds the same to all calls. The department is looking into adding a service fee for those calls that are non-emergent calls, because the department doesn't get paid for going to check on someone and then return, and also to try to curb the non-emergent use of the ambulance. The department is down volunteer, however with the hiring of the full-time staff, the first four days of the week are covered by them. The week is now about 75% covered now, between the full-time staff and the current volunteers. The current Director and the Mayor are working on hiring a full-time Ambulance Director.

The Committee asked if the Director had read about the Town Pump Grant published in the Laurel Outlook. He stated that it doesn't open until the 1st and they will be applying for it. He stated that the City Attorney must review the grant first. He stated that they must get a different stretcher system for the ambulances. The department bought a new stretcher last year and then six months later the requirements were changed regarding how it must lock into the ambulance. The system needed to allow it to lock into the ambulance is over \$20,000. The Committee thanked Levi for stepping into the Director roll. The Committee agreed that a non-emergent fee was a great idea and long overdue. They agreed it was a strain on the system. The Director stated that it was disheartening that the third call the other day was a true emergent call where an ambulance was needed but there wasn't one available because they were out on non-emergent calls. He stated that luckily there is still a good relationship with AMR, and they helped out with that third call. The Committee stated that is still time consuming because AMR must respond all the way out here, and the Director agreed. The Committee stated that they would still like to see zero percent missed calls be the goal of the department. They believe this is the best way to get the lowest percentage. The Committee asked if there are enough personnel available to send out two ambulances. The Director said that we currently have two ambulances ready to go if there are people ready to staff them. The Director stated that he doesn't want to provide the public with an unrealistic goal that cannot be met. He said that the department may be able to answer 100% of the calls but they may not be able to be answered within eight minutes. The Committee asked if some of the non-emergent calls are repeat clientele. The Director stated that is the case.

New Business:

The Chair wanted to discuss with the other Committee members changing the day of the week and/or the time of the meeting to possibly accommodate a better turnout. The Committee stated that they were fine with the meeting day and time the way it is. The Committee day and time will remain the same, which is the fourth Monday of every month.

Old Business:

The Chair stated that prior to the ambulance new hires there was a great discussion regarding the mill levy. The Chair stated that prior to going to the community and asking them to pay more taxes the Committee needs to have a substantial why. The Committee asked if the write up for the needs assessment ever get completed. The Ambulance Director was going to check on that. The Chair stated that the Committee needs a number for the community. He stated that the last mill levy amount was just too large, and the levy was not explained to the public very well. He doesn't want a repeat of that. If another levy is to move forward, he wants it to answer the who, what, when, how, and why questions. The Chair would like input on exactly how to implement a mill levy. The last mill levy was handed over to the Clerk/Treasurer, however he wants to know how all the dots are connected. The Committee agreed with the Chair, and stated that they feel this mill levy should be focused on the Ambulance Department as it is the most critical at this time. The Committee stated

that second to the Ambulance Department is the Police Department manpower wise. The Committee doesn't want to lose sight of this mill levy however, doesn't know where to go with it. The Chair stated that he has been talking with a Council Member in Billings that has stated after that last mill levy didn't pass for the Billings Police Department, they used some of the reserves and now they are facing shortfalls in funding. The Committee doesn't want to see the City of Laurel reserves fall so far that there are budget cuts and personnel being lost. The Chair is not going to remove this from the agenda. The Ambulance Director recommended the Committee speak with an outside person to help them. He stated there are people in Billings and in Belgrade. He stated that the outside firm would be able to walk the Committee through the process. The Committee asked the Director to provide them with the names of these firms or individuals. The Committee stated that Billings is currently considering a safety mill levy. Public listening sessions would be a very helpful item and the Committee would like to see this. All three-department having a 5, 10- and 15- year plan would be very helpful. Billings safety mill levy is all encompassing, and then from there they are prioritizing. Billings is working with a Lean Six consultant. The whole premise of Lean Six is cutting excess waste and making the department run as efficient as possible. Billings has BUFSa, and the Fire Chief stated that we have LUFSA. The Committee stated that Billings was talking about charging for callouts to automobile accidents, and DUI cost recovery. The Fire Chief stated that the City annually increases the Fire District contracts by 3-5%. He stated that if people are already paying for a service, such as fire protection, we need to be careful when billing them for an additional cost. He stated that right now he can bill the residents of the City and districts for negligent arson. For instance, if someone starts a fire when they are not supposed to start a fire, he can bill them for that. Outside of that it gets hard to bill people for things, and we need to stay compliant with the laws. The Committee agreed that they need a plan from the departments, regarding their needs, before any mill levy can move forward. The Committee stated that they had heard homeowner's insurance would pay money to fire departments for certain calls. They wanted to know if that was a viable funding source. The Fire Chief stated that he had never researched that. He stated that he had never billed any insurance companies on a fire call. The Committee stated that they had heard some insurance companies would pay the whole "kit-and-caboodle" they are told. The Fire Chief stated they are trying to get more into the billing. He stated there are a couple of cases of negligent arson where he has billed for it. Most of the ones they get are accidents on the interstate, and things that are passing through. The Committee asked if there was insurance reimbursement from a car wreck. The Fire Chief stated that he has never had one come to the fire department. He stated that he will be looking into it. The Committee asked if we did begin billing for stuff like this could we utilize the current billing company we have.

The Committee asked if the Ambulance Director has received any reports from the current billing company regarding collection rate, how much debt is outstanding, how much they are able to collect, how much it's costing the City. The Ambulance Director stated that both him and the Clerk/Treasurer get monthly reports. The Committee asked if those reports were reviewed at Budget and Finance, or if that was something that the Emergency Services Committee could start seeing. The Committee asked if the Ambulance Director felt the current billing and collection company is more successful than the last company. The Ambulance Director stated that he did feel that the current company is more successful than the last.

Other Items:

The Committee discussed the removal of Committee member Richard Dawes. Two Committee members have tried repeatedly to get ahold of this Committee member to no avail. They have tried different methods of communication and none have worked. The Clerk/Treasurer stated that she will ask the City Attorney and Mayor what the correct method is and let the Committee Chair know.

The Ambulance Director reminded everyone to be cautious of the Coronavirus. He has been proactive with his personnel and they are being very cautious.

Announcements

Next Emergency Services meeting will be held on February 24, 2020, at 6:00pm

Motion by Council Member Klose to adjourn, seconded by Council Member Wilke. A vote was taken on the motion. All five committee members present voted aye. Motion carried 5-0.

The Emergency Services Committee adjourned at 7:09 p.m.

Respectfully submitted,



Bethany Langve
Clerk/Treasurer

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

MINUTES
CITY OF LAUREL
Library Board
01/14/2020 06:05 PM
Laurel Library

COMMITTEE MEMBERS PRESENT:

X Dixie Feller, Board Chair	X Arthur Vogelee
X Bill Hanson, Vice-Chairman	X Samantha Barnhart – via phone
X Nancy Schmidt, Secretary	X Clair Killebrew – Foundation Liaison
Emilie Eaton	

OTHERS PRESENT:

1. Public Input

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

- a. No one addressed the Board.

2. General Items

- a. Arthur motioned the Library Board minutes for December 2019 be accepted as presented, Samantha seconded the motion; motion passed.
- b. The library foundation received a letter of appreciation from Yellowstone Boys and Girls Ranch about the books donated to them in the past couple years. Arthur explained that YBGR staff are using the donations to create a library for residents/students and as life experiences information. Those books that haven't sold after 3 or 4 sales will continue to be donated to YBGR.
- c. A letter from AFSCME Local 316 was delivered to the library by Hannah Nash, AFSCME Field Representative. Library staff have unanimously voted to join the union. A meeting will be scheduled later to discuss changes to the collective bargaining agreement (CBA).
- d. Circulation Report -Traffic: down 17.6%; circulation: all items circulated totaled 4,4366 (including 510 eBooks), book circulation was up 3.4%, media circulation was up 18.1%, eBook checkouts for this month was 13.9% of total book circulation, we circulated 916 items to partners and 140 items from other libraries; computers: internet use was down 37.1%, children's use was down 37.5%, wi-fi use: unavailable because of software issues; patron cards: city

registrations made up 60.5% of library users, county patrons 36% and non-resident registered patrons 4.1%. There were 52 tech assists in December.

3. New Business

- a. With the quick approach of the 2020 Census the State Library is offering training for library staff to help deal with issues that may come up when patrons use the library to fill out their census information. Library staff will be setting up two specific computers for census participation.
- b. OFFLINE Conference is being held in Helena this year. After reviewing the training being offered, Nancy decided that most of the topics have already been offered at either the Chico Fall Retreat or were being offered at MLA in April.
- c. MLA Annual Conference is being held in Missoula this year April 1st-4th. Trustees and staff that want to attend need to let Nancy know soon so that she can reserve the motel rooms at the conference rates.
- d. Just a quick reminder that the spring Federation meeting will be held in Laurel on Saturday, March 14th at the library. Lunch and snacks will be served. All staff and trustees are encouraged to attend.
- e. There have been many changes around the library in the last few weeks. We are experiencing growing pains because of lack of space. One area that has changed the most is where we have our copier. Mike's workspace was being crowded with patrons using the extra computer, so we moved that to the southwest corner of the circ area and we moved the copier to the wall next to the movies. The circular shelf with music is now over by the YA section. Don't be surprised if we make more changes in the future to help accommodate our growing library.
- f. Community Room use has also increased significantly over the last few years. We now have guitars lessons scheduled 4 days per week, violin on Mondays, Moms Group on Thursdays, book club meets on the second Tuesday, Bunco groups meet on the third Tuesday and Thursday of each month, Library Board on the second Tuesday, and various patrons request the use of the room for private meetings. Homeschool groups or Christian schools bring students to the library regularly as part of their studies. It may be time to start thinking about expanding the library to include a couple small study/activity rooms, a medium meeting room, a storage room, and a staff break room.

4. Old Business

- a. Nancy presented the latest statement for the Foundation to Clair Killebrew for her approval. Any items purchased through the foundation will be included in the statistics of expenses for the next year.

- b. Invoices were reviewed for December 2019 expenses. There were no questions concerning the current expenses.
- c. The library needs a new network key to count traffic on the Wi-Fi. One has been ordered and will be installed shortly after we receive it. Next month we should have a count of WIFI users.

5. Other Items

a. Upcoming Items:

There are three library staff that have too many vacation hours accrued for this year. We will be working hard at taking time off before the end of March, so we don't lose our time. Personal time will need to be scheduled and taken by the end of June.

6. Announcements

- a. Next regular meeting is Tuesday, February 11, 2020 at 6:00 pm in the Community Room of the Laurel Public Library.

Bill motioned to adjourn the meeting at 7:20pm, Arthur seconded the motion; motion passed.

Respectfully submitted,



Nancy L Schmidt
Secretary for the Board

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



**MINUTES
CITY OF LAUREL
LAUREL URBAN RENEWAL AGENCY
MONDAY, FEBRUARY 24, 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.*

General Items

1. Roll Call

Chair called the meeting to order at 1:00AM

Daniel Klein
Don Smarsh
Judy Goldsby
Nick Altonaga (City of Laurel)

2. Approve Meeting Minutes: January 27, 2020

Don made a motion to approve the meeting minutes from January 27, 2020
Daniel seconded.
Motion carried.

3. Big Sky EDA Update

Diane Lehm from Big Sky EDA was present. She presented a few major upcoming items.

Business Healthcare summit this week, 2/27, Thursday at the Northern Hotel. Guest speakers will hold sessions from 8AM-5PM. There is no attendance fee and lunch is provided.

Topics covered:

- Asset mapping,
- Economic impact of healthcare
- Roundtable discussions on healthcare, business, and their intersection
- Keynote from Mayo Clinic Discovery Square and how it came together
- MT Bioscience will be hosting a panel.
- Community Action Forum

Official closing of the MT Bank Building is happening on Friday, 2/28. Will then be able to transition the first two floors into incubator and coworking space for entrepreneurship support.

Steve Simonson from Beartooth RC&D:

- Helped write a support letter for the MT Bank Building purchase for BSEDA.
- Promoting that project will be a good way to boost business experience and knowledge

- More wind power projects going on
 - Public Service Commission is still reviewing projects
 - Southern Carbon County project is putting together their gravel stockpiles for foundation/pad build-out
 - They will be building out a major fiberoptic line
 - Will notify Council and Planning Board when tours will go through for the site

Will Fiberoptic lines be useable for area residents?

- Very few landowners nearby, but it makes sense to allow options for tapping into the system.

Joliet chosen as location for new Detention Center.

- Beartooth RC&D have been requested to put a USDA Grant for the project to help cover the costs.
- Will be very helpful for the region due to overcrowding in area jails.
- Will be behind the USDA Service Center.
- 20-30 acre parcel under discussion.
- 80-100 beds is the sweet spot for a detention center
- Sweetgrass and Stillwater Co. have put in letters of intent to have spaces reserved.

New Business

4. Discussion: Laurel Grant Application Form Update

Nick presented the updated application form and information packet. Members discussed the changes and if any other changes are necessary.

5. Discussion: Grant Program Info Packet Updates

Don: Can we update the reimbursable amount to \$4,000 or \$5,000 as a limit for Signage and Awnings?

- Any PROJECT that is over \$5,000 goes in front of City Council, regardless of separate grants.

Create a new bullet point on front page of application for Signage, Awning, etc. (Separate headings)

Steve mentioned that Beartooth has a Revolving Loan Fund available that are competitive with bank rates. Steve will send the Planner the contact info for the RLMF Manager. Will update forms to let Laurel residents know about this separate opportunity.

Old Business

Other Items

6. Budget

Members reviewed and discussed the up to date budget. Had questions about the currently unused funding in the Large Grant Account.

- Two outstanding reimbursements are Mtn Land Rehab and Pelican Café.
- Brian from Mtn Land Rehab stopped into the office last week and provided proof of payments for reimbursement.

Other Discussions:

- Steve suggested that Beartooth would be happy to support projects with Gap funding.
- Discussion on Owl Café and redevelopment. Will be at auction soon.

- Discussion of parking availability in downtown area.
- Rumors about LURA, new businesses? Selling of Rimock Chevrolet to Ford has been done, and there is a Wendy's coming in in SE 4th St.
- A senior resource center will be going into the Laurel Trading Post lot?

Announcements

7. Next Meeting: March 16, 2020

Daniel motioned to a adjourn.

Don seconded.

Meeting Adjourned 11:43AM.

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

Item Attachment Documents:

8. Appointment of Makayla Kostelecky to the Laurel Volunteer Fire Department



LAUREL FIRE/EMS

215 WEST 1ST STREET • LAUREL, MT • 59044
OFFICE 406.628.4911 • FAX 406.628.2185

City of Laurel
PO Box 10
Laurel, Mt. 59044

February 20, 2020

Mayor and Laurel City Council,

The following have been selected by the members of the Laurel Volunteer Fire Department to become volunteers.

Firefighters.

Makayla Koselecky aka Schessler
Bruce Middlemiss

Makayla is returning after a leave to obtain her nursing degree. She previously served from 2014- 2018.

They have both have been selected unanimously by the Department and are seeking your appointment.

All personnel have been approved by the Chief of the Department.

The Laurel Volunteer Fire Department also had 2 retirements and a resignation in February.

This will bring the total to:
Fire- 35 of 45

Brent Peters
Fire Chief
Laurel Volunteer Fire Department

Brittney Moorman

From: Brent Peters
Sent: Sunday, February 23, 2020 9:06 PM
To: Brittney Moorman
Subject: Middlemiss

Brittney,

Please remove Bruce Middlemiss name for an appointment to the Fire Department. He elected not to join after hearing the commitment.

Thank you

Brent S Peters
Fire Chief
Laurel Volunteer Fire Department.

Item Attachment Documents:

13. Resolution No. R20-09: A Resolution Of The City Council Adopting The laurel Transportation System Coordination Plan.

RESOLUTION NO. R20-09

**A RESOLUTION OF THE CITY COUNCIL ADOPTING THE
LAUREL TRANSPORTATION SYSTEM COORDINATION PLAN.**

WHEREAS, the City of Laurel has developed a transit plan to assist its citizens in obtaining and utilizing public transit; and

WHEREAS, the City has requested funding for the project through the State's Federal Transit Administration grant; and

WHEREAS, the State requires the City adopt a coordination plan annually.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the Laurel Transportation System Coordination Plan, a copy of which is attached hereto, is hereby adopted and approved as Laurel's Transportation System Coordination Plan.

Introduced at a meeting of the City Council on March 10, 2020, by Council Member

_____.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 10th day of March, 2020.

APPROVED by the Mayor this 10th day of March, 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter, Civil City Attorney

**TRANSPORTATION COORDINATION PLAN
LAUREL TRANSIT**

**MONTANA DEPARTMENT OF
TRANSPORTATION
FY-21**

Prepared by:

City of Laurel

Bethany Langve, Clerk/Treasurer

Scheduled for City Council Adoption: March 10, 2020

TAC Action:

Montana Coordination Plan Outline

Adoption by Transportation Advisory Committee:

The relevant transportation providers and agencies are described in more detail.

Laurel Transit:

Laurel Transit (also referred to as transit system) is working to provide a successful on-demand service for public transportation within the City limits of Laurel while offering regular service to Billings. Laurel Transit is looking to contract with as many agencies in the area as possible to provide expanded service. It is currently not feasible for Laurel to have a fixed route system; however, accommodations for such a system are being discussed such as bus benches and signs within the City.

Laurel Transit Schedules:

Laurel Transit operates Monday-Friday 10:00 AM – 4:00 PM. The Billings service route begins at 7:30 and in-town service begins at 10:00 am.

Agencies Involved:

- Adult Resource Alliance of Yellowstone County -- ARAYC has partnered with the City of Laurel to provide the driver for the bus and the cell phone. ARAYC previously operated the senior bus in Laurel, which was absorbed with the formation of Laurel Transit. The City works very closely with ARAYC to ensure the level of service delivered through the senior bus program is continued in Laurel Transit.
- Tender Nest Assisted Living—Contact with Tender Nest Assisted Living continues, and the facility has contracted with the City for vouchers.
- COR – There is a plan to include COR in future TAC meetings.
- Riverstone Health – The transit system is working to contract for demand/response service for Riverstone Health patients.

- Laurel Senior Center – The Sprinter bus is currently stored in a garage at the Senior Center. Frequent trips are taken to the senior center for rider visits.
- Laurel Health and Rehab- Continues to utilize the bus service for transportation purposes for their clients and residents.
- MET- contact with MET in Billings has been made in hopes to grow the Laurel Transit system and gain new ideas.

Public Involvement:

The Transportation Advisory Committee meets quarterly. Meetings notices are published on the City of Laurel website and at City Hall. Meetings are open to the general public. For more participation at TAC meetings more community outreach will be done to involve public participation.

Private Sector:

The City of Laurel does not have any private transportation system available.

Needs Assessment and Plan to Increase Ridership:

The Laurel Transit will be starting focus groups this fiscal year in order to determine the needs of the community and their transit provider. The focus groups will include current riding members, City staff, other transportation providers, healthcare employers, and other members from the community. The groups will focus on the current challenges the transit program faces and get a better idea of how to improve the system. In order to increase ridership a new 14-passenger bus be obtained, as the current bus is unreliable and breaking down. A capital grant application is going to be submitted this fiscal year.

The Laurel Transit System has stepped up its advertising strategies by designing and distributing flyers with route information and publishing that flyer in the Laurel Outlook on a regular basis.

Transportation Advisory Committee (TAC) Meetings:

The Laurel TAC meets on a quarterly basis. The TAC is comprised of City staff, community interested members and representatives from Residential Support Services, the Adult Resource Alliance of Yellowstone County and other interested parties. For more participation at TAC meetings more community outreach will be done to involve public participation.

Item Attachment Documents:

14. Resolution No. R20-10: A Resolution Of The City Council Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.

RESOLUTION NO. R20-10

A RESOLUTION OF THE CITY COUNCIL GRANTING A VARIANCE FROM THE CITY'S ZONING ORDINANCE TO DISREGARD THE BUFFERYARD REQUIREMENT, SIGHT-OBSCURING FENCE REQUIREMENT AND BUILDING DESIGN STANDARDS ON A PARCEL OF PROPERTY LOCATED ON EAST RAILROAD STREET.

WHEREAS, the property located on East Railroad Street (as further described herein) is currently zoned Community Entryway pursuant to 17.26 of the Laurel Municipal Code ("LMC"); and

WHEREAS, such zoning provides that all buildings must be completed on all sides, roofs shall be finished with material that is architecturally compatible in color and design with the construction of the building, must conform to specific façade requirements, and must have bufferyards that meet specific requirements of the City; and

WHEREAS, on January 31, 2020, the property owner prepared and filed a Variance Request Application seeking a variance from the zoning requirements for the property at issue as provided in his application which is part of the record in this proceeding; and

WHEREAS, the Laurel City-County Planning Board acting as the City's Zoning Commission held a public hearing on the variance request on February 26, 2020 at 5:35 pm. The Zoning Commission received public comment supporting the property owner's requested variance and no opposition to the requested variance; and

WHEREAS, the Zoning Commission's record and decision is contained in the City-County Planning Board meeting minutes which are incorporated as part of this resolution as well as all documents submitted into the record; and

WHEREAS, the Zoning Commission considered all of the documentary evidence in the record along with the testimony presented at the public hearing, and recommends the approval of the variance, subject to the conditions recommended by Staff as follows:

1. Property Owner shall ensure dust and gravel control measures are in place to keep road debris off of public right of way.
2. The lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.
3. The proposed pipe rail fencing and existing barbed wire fencing must be securely affixed and/or anchored to the ground.
4. The proposed pipe rail fencing must not become an eye sore due to lack of regular maintenance and/or repair.

WHEREAS, the City Council held a public hearing concerning this matter on March 10, 2020.

WHEREAS, based on the evidence contained in the record, including the Zoning Commission's File, the City Council of the City of Laurel hereby finds it is in the best interests of the residents of the City of Laurel to allow the variance since:

1. granting the variance in this case relates only to a special condition that is specific to the applicant;

2. the current hardship was not created by the applicant;
3. the variance requested appears to be within the spirit, intent and purpose of the zoning regulations; and
4. granting the variance will not injure or result in an injustice to others.

NOW THEREFORE, BE IT RESOLVED that the owner's request for a variance is hereby approved for the property located at East Railroad Street further described as follows:

Lots 2B, 2C, and 2D, Block 1, Entrainment Park Subdivision, Yellowstone County, Montana

BE IT FURTHER RESOLVED, pursuant to the variance, the Property Owner may disregard the buffereyard requirement, sight-obscuring fence requirement, and building design standards for the property described herein; and

BE IT FURTHER RESOLVED, that the variance is approved subject to the following conditions:

1. Property Owner shall ensure dust and gravel control measures are in place to keep road debris off of public right of way.
2. The lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.
3. The proposed pipe rail fencing and existing barbed wire fencing must be securely affixed and/or anchored to the ground.
4. The proposed pipe rail fencing must not become an eye sore due to lack of regular maintenance and/or repair.

Introduced at a regular meeting of the City Council on March 10, 2020 by Council Member

PASSED and APPROVED by the City Council of the City of Laurel, Montana this 10th day of March 2020.

APPROVED BY THE MAYOR this 10th day of March, 2020.

CITY OF LAUREL

Thomas C Nelson, Mayor

ATTEST:

Bethany Langve, Clerk/Treasurer

APPROVED AS TO FORM:

Sam S. Painter, Civil City Attorney



INSTRUCTIONS

CITY-COUNTY PLANNING VARIANCE REQUEST

These application instructions cover appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

This application form is supplied by the City and must be returned to the City.

The following is a list of information required for submittal to be considered complete.

1. It is mandatory that you meet with the City Planner prior to applying. The City Planner will provide you with a map of the property owners within 300' that you must have certified by a title company.
2. Provide a plot plan drawn to scale on paper not larger than 11"x17" which includes all existing and proposed structures and proposed variance measurements.
3. A set of three mailing labels for each surrounding property owner within the 300 feet.
4. A detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
5. Application, with fee (\$550 for residential; \$1,100 for commercial), must be made on or before the first day of the month prior to the month it will appear before the Laurel City-County Planning Board.

The public hearing before the City-County Planning Board is held on the 2nd Wednesday of the month at 5:35PM. in the City Council Chambers at 115 W. 1st Street, Laurel. **Applicant or Applicant Representative must be present at the meeting.**

The Laurel City-County Planning Board makes a recommendation to the City Council. The City Council will review the application at Council Workshop and then make a decision on the Council agenda.



Laurel Variance Request Application

This application covers appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

The undersigned owner or agent of the owner of the following described property requests a variance to the Zoning Ordinances of the City of Laurel as outlined by the laws of the State of Montana.

1. Name of property owner: Gregory H. Haux
2. Name of Applicant if different from above: Chuck Henrichs - EEC Inc.
3. Phone number of Applicant: 406.839.9151
4. Street address and general location: Entrainment Park Sub. Amd. Block 1, Lot 2B, 2C, & 2D
E. Railroad St., Laurel, MT 59044
5. Legal description of the property: Entrainment Park Sub., S15, T02 S, R24 E,
Block 1, Lot 2B, 2C, & 2D
6. Current Zoning: Highway Commercial (HC), Entryway Zoning Districts (EZD)
SE 4th Street Overlay District
7. Provide a copy of covenants or deed restrictions on property.

I understand that the filing fee accompanying this application is not refundable, that it pays part of the cost of process, and that the fee does not constitute a payment for a variance. I also understand I or my agent must appear at the hearing of this request before the Planning Board and all of the information presented by me is true and correct to the best of my knowledge.

Signature of Applicant: 

Date of Submittal: 1/31/20



01/31/19

Laurel City-County Planning Board
115 W. First Street
Laurel, MT 59044

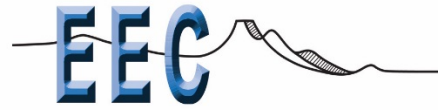
RE: City-County Planning Variance Request: Items #1-5

To whom it may concern,

Enclosed you will find completed, all the information required for our submittal to be considered for review and recommendation by the Laurel City-County Planning Board.

1. We met with the City Planner on 01/14/2020, to discuss this project/variance and provided a map of property owners within 300 feet of the property, see attached.
2. See attached 11x17 (Half-Scale) drawings, which includes all existing and proposed structures and proposed variance measurements. 9 sheets: C101, A101, A102, A201, A202, and four concept renderings.
3. See the provided set of three mailing labels for each surrounding property owner within the 300 feet.
4. With the following four proposed variance measures, we provide a detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
 - a) Reference Section 17.26.052 Development Standards – B. Building Design Standards which states *“All buildings shall be completed on all sides with one of the following finishing materials: ...architectural concealed fastener metal panels.”*

The material under review for this variance request is an exposed fastener PBR metal panel siding, see attached Exterior Elevations sheets A201/A202 for full scope. We are proposing leaving the architectural concealed fastener metal panels around the public frontage/entrance base as detailed, which meet the requirements set for under the Building Design Standards. However, at the shop we are proposing an exposed fastener PBR metal panel siding that does not meet the “concealed fastener” standard and one exception of the corrugated metal siding above the wainscot accenting the main/side entrances. The change in materials/texture allows the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance “would be within the spirit, intent, purpose and general plan of this title” and #6 the requested variance “would not affect adversely or injure or result in injustice to others.”



01/31/19

- b) Reference Section 17.26.054 Landscaping Standards – B. Landscaping Standards which states *“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...”* Furthermore, it states *“...The number of trees and shrubs required per one hundred feet of frontage: (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs...”*

The material under review for this variance request item is a proposed 25'-0" Bufferyard that meets the landscaping standard, however, does not provide the required five trees or ten shrubs per one hundred feet of frontage, see attached Site Plan sheet C101 for full scope. We have taken this direction after meeting with the City on a recent project, with the realization that there is an existing Sanitary Sewer line that runs directly under the bufferyard, the full extent of frontage on this property. It was clear that the City was not in favor of putting trees nor shrubs directly above this existing line, under any circumstance. We feel the same, it would be a design flaw and future maintenance issue. Please note, in addition to the proposed landscaped bufferyard we are proposing 25'-0" more landscaped area as part of a stormwater detention, this adds to the interstate buffer zone. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the requested variance meets requirement #2 *“Unless the grant relates to a condition or situation special and peculiar to the applicant;”* the existing location of the Sanitary Sewer line running directly under the bufferyard creates that special situation/condition.

- c) Reference Section 17.26.052 Development Standards – B. Additional Provisions for Commercial Uses, which 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.”*

The material under review for this variance request item is leaving in place the existing barbwire and 6' chain-link fencing with barbwire above, in replace of a site obstruction fence. Additionally, we propose a 5' pipe rail fence and gate facing East Railroad Street, that fits the western rural aesthetic of the area and the products supplied and sold on-site, see attached Site Plan sheet C101 for full scope. Laurel Trading Post is the leading provider of Trailers, Parts, and Service in Montana and offers a large selection of trailers, horse trailers, livestock trailers, flatbeds, construction, car trailers, cargo trailers, associated parts, and more. It is key for the public to have full visibility to Laurel Trading Post's merchandise available for sale. The intent of the proposal is that all sale merchandise for display along interstate I-90 will be outside an approved building and enclosed in the yard area appurtenant to the

01/31/19

building. With the proposed existing fencing and 5' pipe rail fence, merchandise for sale would be secure, still have the visibility to the public that the sight obscuring fence would not allow and would keep within the western rural aesthetic that Laurel Trading Post costumers are familiar with. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the requested variance meets requirement #2 "Unless the grant relates to a condition or situation special and peculiar to the applicant;" and requirement #3 "Unless the basis is something more than a mere financial loss to the owner." The 6' sight obscuring fence creates the inability to display merchandise for sale which is a special situation/condition to a trailer supply/service company and would easily create a basis for more than a mere financial loss.

- d) Reference Section 17.27.060 - Building Design Requirements, Section A which states *"Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade."*

The material under review for this variance request is the requirement to finish the front façade with a minimum 40 percent half log and/or rock accents, see attached Exterior Elevations sheets A201/A202 for full scope. We are proposing a 6025 structural box rib metal panel with a change in color/panel direction around the public frontage/entrance as detailed. We believe this approach would meet the requirements set forth under the Building Design Requirements and achieves its intent by providing a rustic western appearance without the need to add rock accents on the front façade. Our design strategy with this facility is to keep with this rustic western aesthetic throughout the facade, while utilizing the change in color/texture to allow the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

5. See attached completed Laurel Variance Request Application and associated fee of \$1,100 for a commercial property.

Sincerely,



Chuck Henrichs, P.E.
Vice President of Engineering, EEC, Inc.
Owners Representative

EEC, Inc.

406.839.9151

www.eecmt.com

720 Lohwest Lane

Billings, MT 59106

ENGINEERS • ARCHITECTS • SURVEYORS • BUILDERS

Page 3 of 3

Terry R & Judith L Krum
Tax ID D02667
1311 E Railroad Street
Laurel, MT 59044

George T. & Irene Forstner
Tax ID D02668
1321 E Railroad Street
Laurel, MT 59044

Montana Rail Link
Tax ID D13144C
P.O. Box 16624
Missoula, MT 59808-6624

CHS, Inc.
Tax ID D02712
P.O. Box 909
Laurel, MT 59044-0909

CHS, Inc.
Tax ID D02713
P.O. Box 909
Laurel, MT 59044-0909

Gregory H. Haux
Tax ID D03037A
620 SE 4th Street
Laurel, MT 59044-3310

Gregory H. Haux
Tax ID D03037B
620 SE 4th Street
Laurel, MT 59044-3310

Gregory H. Haux
Tax ID D03037C
620 SE 4th Street
Laurel, MT 59044-3310

Fiberglass Structures, Inc.
Tax ID D03037
1201 E Railroad Street
Laurel, MT 59044-3304

Diefenderfer Family Trust
Tax ID D03036
3619 Flagstone Drive
Billings, MT 59102-0301

Diefenderfer Family Trust
Tax ID D03036A
3619 Flagstone Drive
Billings, MT 59102-0301

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620 SE 4th Street
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Billings, MT 59102-0301

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Laurel, MT 59044

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Laurel, MT 59044-0909

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Laurel, MT 59044-3310

Gregory H. Haux
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620 SE 4th Street
Laurel, MT 59044-3310

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620 SE 4th Street
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Laurel, MT 59044-3304

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3619 Flagstone Drive
Billings, MT 59102-0301

Diefenderfer Family Trust
Tax ID D03036A
3619 Flagstone Drive
Billings, MT 59102-0301



Help
GIS web page
Cemetery gravesite lookup

^ Navigation Tools



Layers

Legend

Q Find

Draw

- Measurement

Print

Google Street View

- ^ Select and Buffer

By Attribute	By Shape
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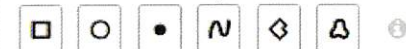
Select A Layer:

Parcels

Buffer: 300 Feet

Display Buffer Only: ☐

Select Features By:

 Stop DrawingAdd To Existing Results: ☒

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Basemaps



GENERAL NOTES:

1. NO SIGNAGE WITH THIS PACKAGE; A SEPARATE SIGN PERMIT WITH BE SUBMITTED FOR REVIEW.
2. WATER AND SEWER EASEMENT TO BE PROVIDED TO CITY OF LAUREL FOR MAINTENANCE.

LEGEND:

- LANDSCAPED AREA (SEE L101)
- CONCRETE
- ASPHALT
- GRAVEL
- NEW FENCE

ZONING:	HIGHWAY COMMERCIAL (HC), ENTRYWAY ZONING DISTRICTS (EZD)
SALES AREA:	2,535 S.F.
SHOP AREA:	3,920 S.F.
COVERED STORAGE AREA:	840 S.F.
TOTAL BUILDING AREA:	7,295 S.F.
LOT AREA:	130,723.56 S.F.
SETBACKS:	FRONT: 20' SIDE: 0' REAR: 0'
MAXIMUM LOT COVERAGE =	75%
ACTUAL LOT COVERAGE =	7 %
ALLOWABLE HEIGHT =	45'
ACTUAL HEIGHT =	22'-9"
LANDSCAPE REQUIRED(8%)	
130,723.56-7,295(.08) =	9,724 S.F.
LANDSCAPE PROVIDED =	23,291 S.F.

PARKING:

COMMUNITY COMMERCIAL:

1. 17.40.090 (J)(2) 1 SPACE FOR EA. 200 S.F. OF FLOOR AREA

SALES BUILDING AREA = 2,535 SF	
PARKING REQUIRED =	13 SPACES
HANDICAP PARKING: 2 PER 25-50 SPACES	
PARKING REQUIRED =	13 SPACES
PARKING PROVIDED =	13 SPACES

1 SITE PLAN
C101

LANDSCAPE:

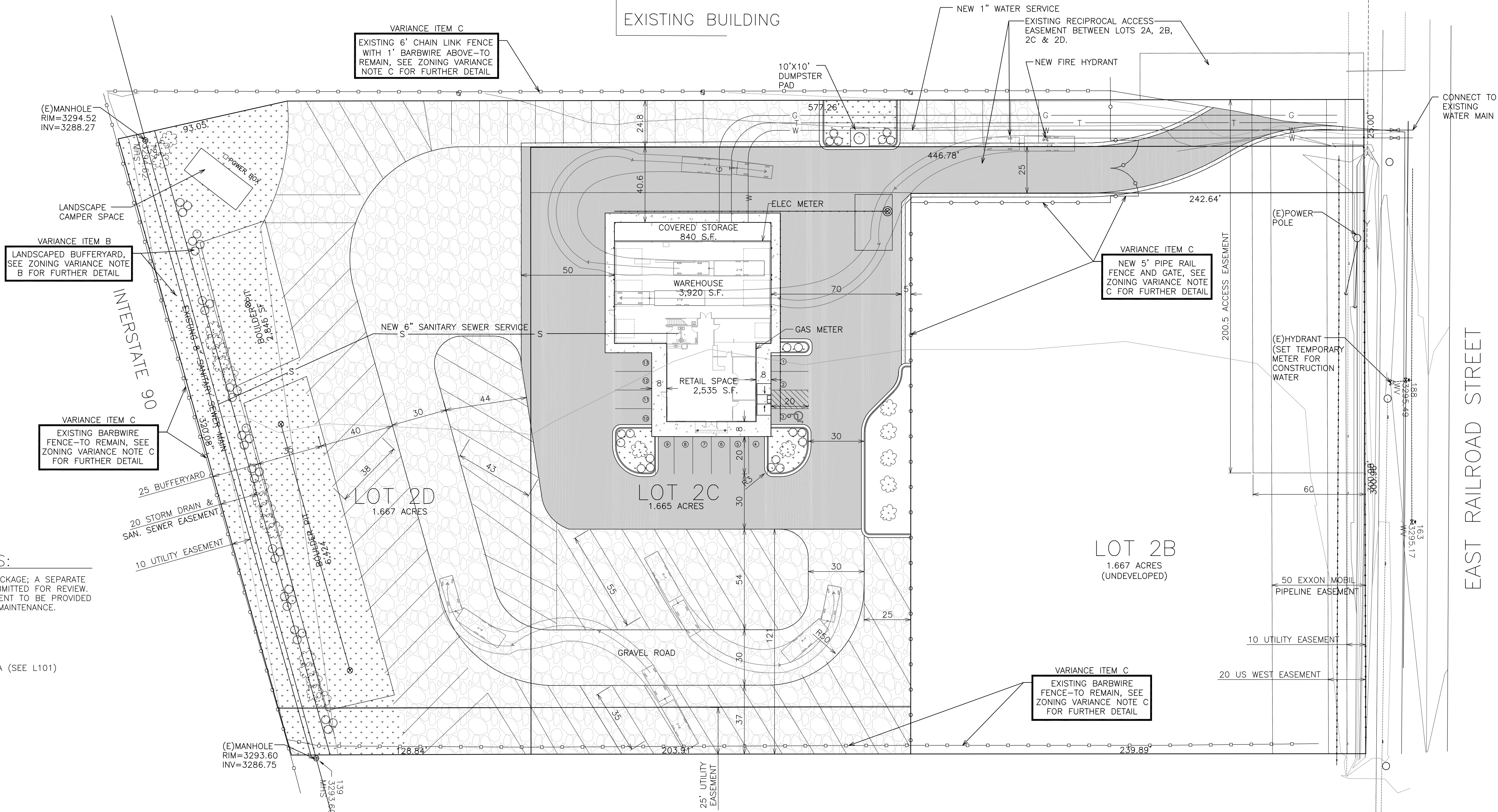
- ENTRYWAY ZONING DISTRICT--PARKING LOT CONTAINING > 10 SPACES:
- 20 S.F. OF LANDSCAPED AREA SHALL BE PROVIDED FOR EACH PARKING SPACE ON PARKING LOTS CONTAINING MORE THAN TEN SPACES.
 - REQUIRED PARKING LANDSCAPE: 20X34=680 SF
- 2 TREES AND FIVE SHRUBS SHALL BE REQUIRED FOR EVERY TEN PARKING SPACES OR COMPONENT THERE OF OVER TEN PARKING SPACES
- REQUIRES TREES = 4
 - REQUIRED SHRUBS = 10
- NO MORE THAN 25% OF LANDSCAPING AREA SHALL CONTAIN ROCK, BARK CHIPS, STEPPING STONES, OR SIMILAR MATERIALS
- MINIMUM WIDTH AND OR LENGTH OF ANY PARKING LOT LANDSCAPE AREA SHALL BE FIVE FEET.
- PARKING LOTS CONTAINING MORE THAN TEN SPACES SHALL CONTAIN INTERNAL AREAS OF LANDSCAPING TOTALING AT LEAST TEN PERCENT OF PARKING AREA.
- REQUIRED LANDSCAPING = 3,600 SF
 - PROVIDED LANDSCAPING = 3,604 SF

SCALE (22X34): 1" = 30'
SCALE (11X17): 1" = 60'

BUFFERYARD: SEE ZONING VARIANCE NOTE B ADJACENT.


ENTRYWAY ZONING DISTRICT:

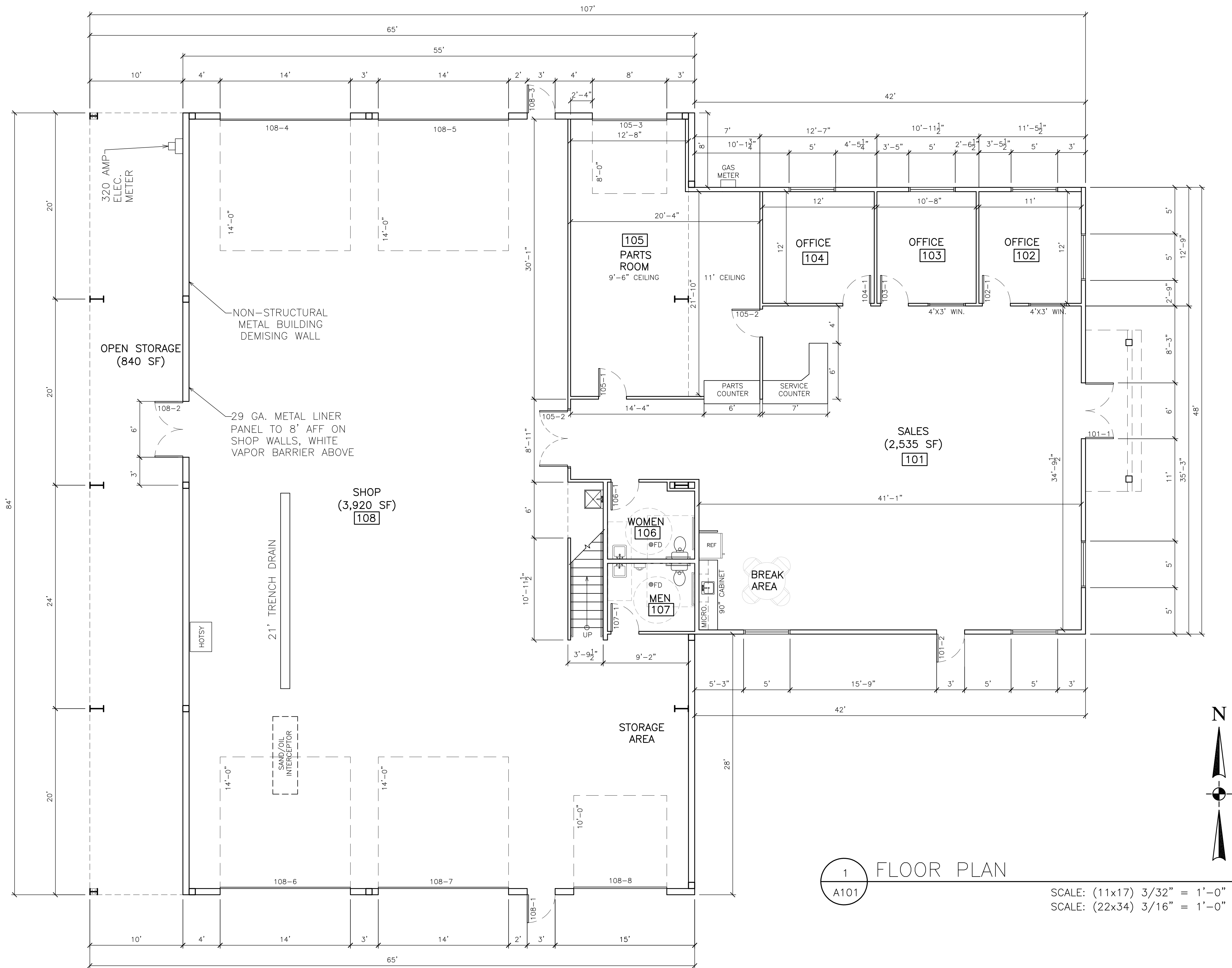
- TWENTY-FIVE FOOT WIDE BUFFERYARD: FIVE CANOPY OR EVERGREEN TREES, TEN SHRUBS PER 100' OF FRONTAGE
- TREES: 3.2X5= 17 TREES
- SHRUBS: 3.2X10= 32 SHRUBS



ZONING VARIANCE NOTES:

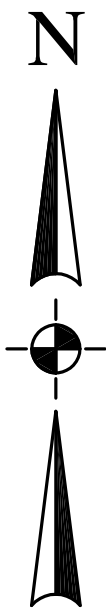
- A. BUILDING STANDARDS, NON-CONCEALED FASTENER METAL PANELS. THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST IS AN EXPOSED FASTENER PBR METAL PANEL SIDING AND CORRUGATED METAL PANEL SIDING, SEE ATTACHED EXTERIOR ELEVATIONS SHEET A201 AND DETAIL JUSTIFICATION FOR FULL SCOPE.
- B. BUFFER YARD -- A PROPOSED 25'-0" BUFFERYARD THAT MEETS THE LANDSCAPING STANDARD, HOWEVER, DOES NOT PROVIDE THE REQUIRED FIVE TREES OR TEN SHRUBS PER ONE HUNDRED FEET OF FRONTAGE, SEE SITE PLAN SHEET C101 AND DETAIL JUSTIFICATION FOR FULL SCOPE. WE HAVE TAKEN THIS DIRECTION AFTER MEETING WITH THE CITY, WITH THE REALIZATION THAT THERE IS AN EXISTING SANITARY SEWER LINE THAT RUNS DIRECTLY UNDER THE BUFFERYARD, THE FULL EXTENT OF FRONTAGE ON THIS PROPERTY. IT WAS CLEAR THAT THE CITY WAS NOT IN FAVOR OF PUTTING TREES NOR SHRUBS DIRECTLY ABOVE THIS EXISTING LINE, UNDER ANY CIRCUMSTANCE.
- C. IN REPLACEMENT OF THE SITE OBSTRUCTING FENCE, WE PROPOSE LEAVING IN PLACE THE EXISTING BARBWARE AND 6" CHAINLINK FENCING WITH BARBWARE ABOVE. WE PROPOSE A NEW 5' PIPE RAIL FENCE AND GATE FACING EAST RAILROAD STREET, THAT FITS THE WESTERN RURAL AESTHETIC OF THE AREA AND THE PRODUCTS SUPPLIED AND SOLD ON-SITE. IT IS KEY FOR THE PUBLIC TO HAVE FULL VISIBILITY TO LAUREL TRADING POST'S MERCHANDISE AVAILABLE FOR SALE. THE INTENT OF THE PROPOSAL IS THAT ALL SALE MERCHANDISE FOR DISPLAY ALONG INTERSTATE 1-90 WILL BE OUTSIDE AN APPROVED BUILDING AND ENCLOSED IN THE YARD AREA APPURTENANT TO THE BUILDING. WITH THE PROPOSED 5' PIPE RAIL FENCE, MERCHANDISE FOR SALE WOULD BE SECURE, STILL HAVE THE VISIBILITY TO THE PUBLIC THAT THE SIGHT OBSCURING FENCE WOULD NOT ALLOW AND WOULD KEEP WITHIN THE WESTERN RURAL AESTHETIC THAT LAUREL TRADING POST CUSTOMERS ARE FAMILIAR WITH. SEE DETAILED JUSTIFICATION FOR FULL SCOPE.
- D. THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST IS THE REQUIREMENT TO FINISH THE FRONT FAÇADE WITH A MINIMUM 40 PERCENT HALF LOG AND/OR ROCK ACCENTS, SEE ATTACHED EXTERIOR ELEVATIONS SHEETS A201/A202 FOR FULL SCOPE. WE ARE PROPOSING A 6025 STRUCTURAL BOX RIB METAL PANEL WITH A CHANGE IN COLOR/DIRECTION AROUND THE PUBLIC FRONTAGE/ENTRANCE AS DETAILED. WE BELIEVE THIS APPROACH WOULD MEET THE REQUIREMENTS SET FORTH UNDER THE BUILDING DESIGN REQUIREMENTS AND ACHIEVES ITS INTENT BY PROVIDING A RUSTIC WESTERN APPEARANCE WITHOUT THE NEED TO ADD ROCK ACCENTS ON THE FRONT FAÇADE.

ZONING VARIANCE 01-31-2020 SHEET#: C101	LAUREL TRADING POST ENTERTAINMENT PARK SUB. AMD. BLOCK 1, LOT 2B, 2C & 2D E. RAILROAD ST. LAUREL, MT 59044
EGGART ENGINEERING COMPANY 720 LOHWEST LANE BILLINGS, MT 59106 OFFICE: 406-839-9151 FAX: 406-839-9150 www.eecmt.com	
 ENGINEERS • ARCHITECTS • SURVEYORS • BUILDERS	
Drawn By: CH/KL/TK Checked By: Date: 01-31-2020 Project #: L.T.P. Cadd file:	



1 FLOOR PLAN
A101

SCALE: (11x17) 3/32" = 1'-0"
SCALE: (22x34) 3/16" = 1'-0"



Drawn By: CH/KL/TK
Checked By: RLB
Date: 01-31-2020
Project #: L.T.P.
Cadd file:



EGGART ENGINEERING COMPANY
720 LOHWEST LANE
BILLINGS, MT 59106
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www.eecmt.com

LAUREL TRADING POST
ENTERTAINMENT PARK SUB.
AMD. BLOCK 1, LOT 2B, 2C & 2D
E. RAILROAD ST.
LAUREL, MT 59044

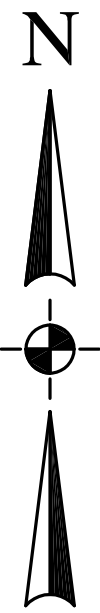
ZONING
VARIANCE
01-31-2020
SHEET#:
A101



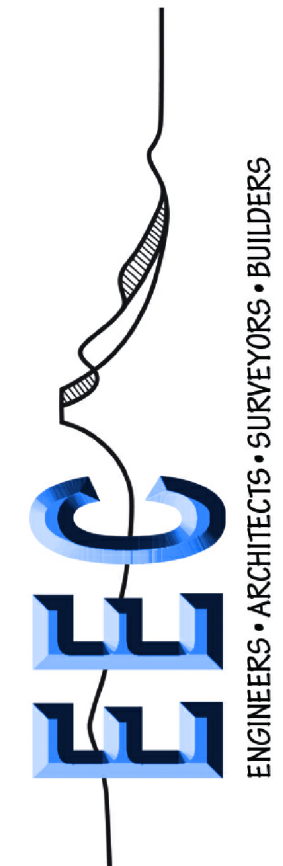
1
A102

MECHANICAL PLATFORM PLAN

SCALE: (11x17) 3/32" = 1'-0"
SCALE: (22x34) 3/16" = 1'-0"



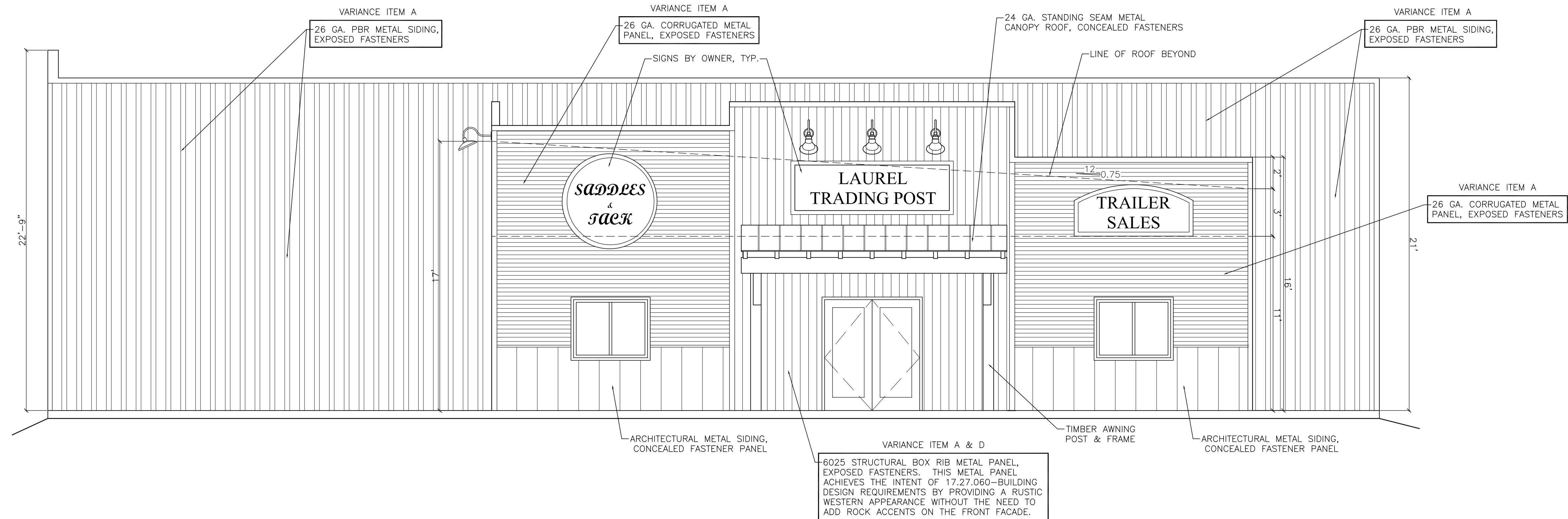
Drawn By: CH/KL/TK
Checked By: RLB
Date: 01-31-2020
Project #: L.T.P.
Cadd file:



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LAUREL TRADING POST
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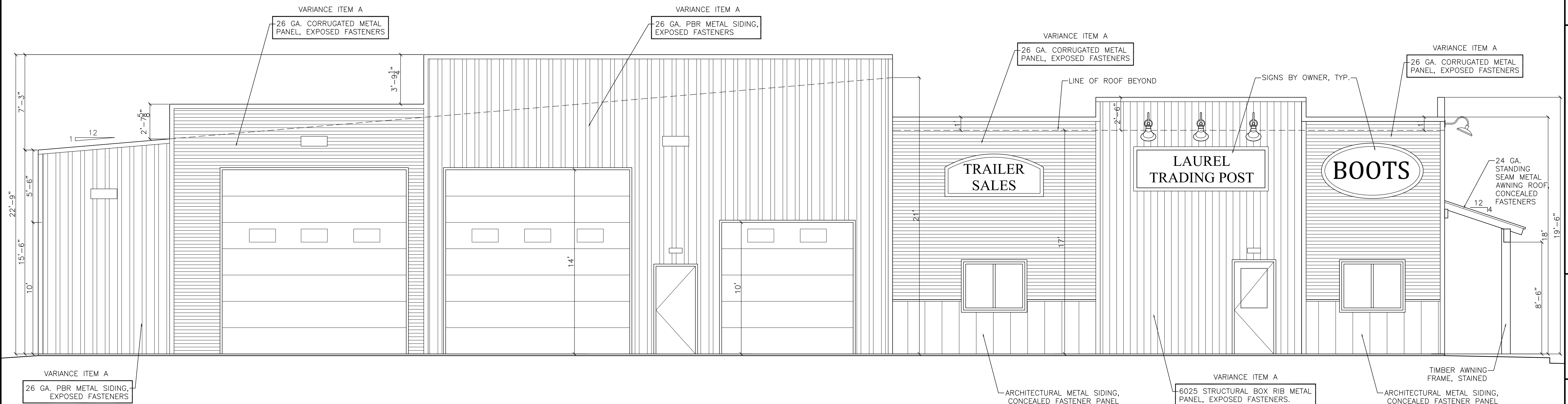
ZONING
VARIANCE
01-31-2020
SHEET#:
A102



1 EAST ELEVATION
A201

SCALE (11X17): 1/8" = 1'-0"
SCALE (22X34): 1/4" = 1'-0"

SCALE (22X34): 1/4" = 1'-0"



2 SOUTH ELEVATION
A201 SCA

SCALE (11X17): 1/8" = 1'-0"
SCALE (22X34): 1/4" = 1'-0"

SCALE (22X34): 1/4" = 1'-0"

EGGART ENGINEERING COMPANY
720 LOHWEST LANE
BILLINGS, MT 59106
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FAX: 406-839-9150
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7720 LOHWEST LANE
BILLINGS, MT 59106

BILLINGS, MT 59106

OFFICE: 406-839-9151

FAX: 406-839-9150
WWW.COCCM.COM

www.eecmil.com

ZONING
VARIANCE
01-31-2020

VARIANCE

01-31-2020

SHEET#:

A201

LAUREL | RAVING POST
ENTERTAINMENT PARK SUB.
AMD, BLOCK 1, LOT 2B, 2C & 2D

ENTERTAINMENT PARK SUB.
AMD. BLOCK 1 LOT 2B.2C & 2D

E. RAILROAD ST.

LAUREL, MT 59044

LAUREL, MT 59044

ENGINEERS • ARCHITECTS • SURVEYORS • BUILDERS

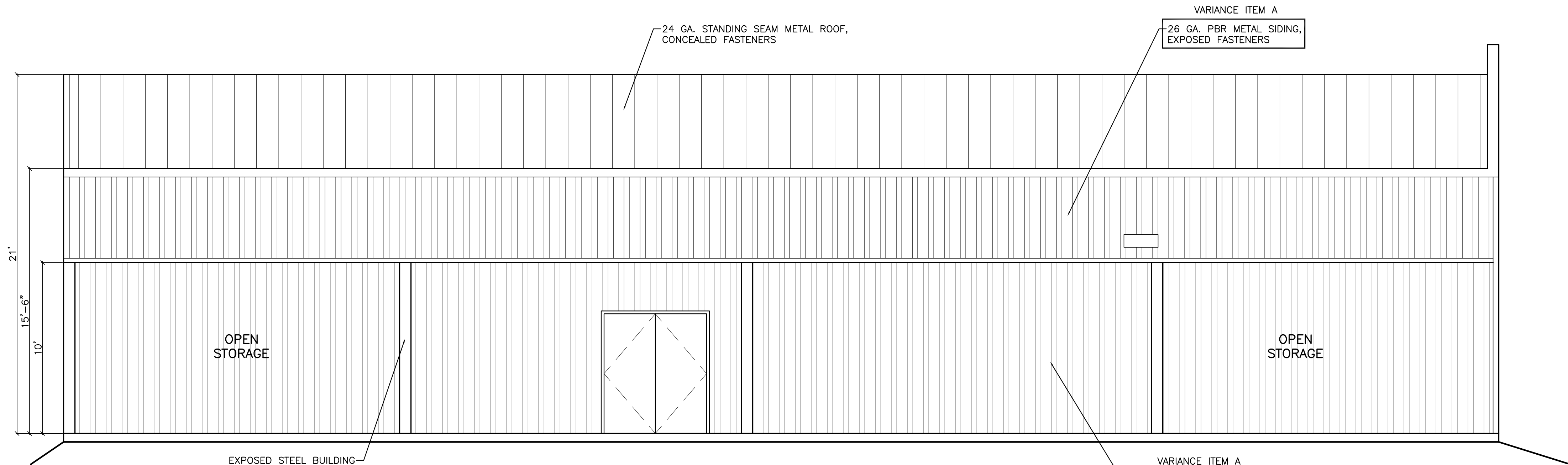
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Date: 01-31-2020

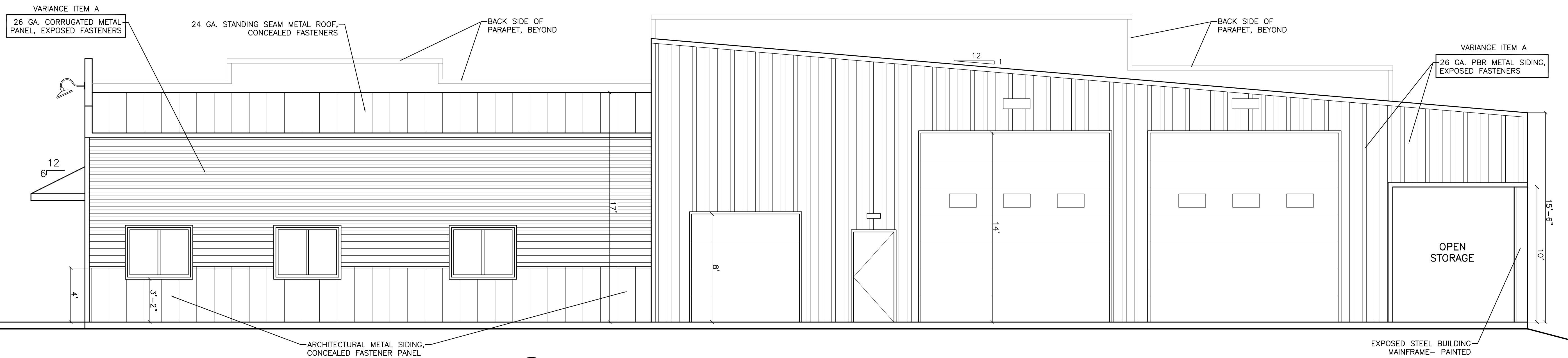
Project #: L.T.P.

Cadd file:

Cadd file:



1 WEST ELEVATION
SCALE (11X17): 1/8" = 1'-0"
SCALE (22X34): 1/4" = 1'-0"



2 NORTH ELEVATION
SCALE (11X17): 1/8" = 1'-0"
SCALE (22X34): 1/4" = 1'-0"

ZONING
VARIANCE
01-31-2020
SHEET#:
A202

LAUREL TRADING POST
ENTERTAINMENT PARK SUB.
AMD. BLOCK 1, LOT 2B.2C & 2D
E. RAILROAD ST.
LAUREL, MT 59044

EGGART ENGINEERING COMPANY
720 LOHWEST LANE
BILLINGS, MT 59106
OFFICE: 406-839-9151
FAX: 406-839-9150
www.eccmt.com



Drawn By: CH/KL/TK
Checked By: RLB
Date: 01-31-2020
Project #: L.T.P.
Cadd file:



Laurel Trading Post - Concept Rendering
January 31, 2020



Laurel Trading Post - Concept Rendering
January 31, 2020



Laurel Trading Post - Concept Rendering
January 31, 2020



Laurel Trading Post - Concept Rendering
January 31, 2020



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance – EEC Inc. and Gregory Haux (Laurel Trading Post)
DATE: February 25, 2020

DESCRIPTION/LOCATION:

Gregory Haux of the Laurel Trading Post submitted a request for four variances to LMC Chapter 17.26 – Community Entryway Zoning District and Chapter 17.27 – SE 4th Street Overlay 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 and SE 4th Street Overlay District. The applicant is requesting variances to disregard the bufferyard requirement, sight-obscuring fence requirement, and building design standards.

STAFF FINDINGS:

Applicant Data:

Owner:	Gregory H. Haux		
Legal Description:	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2B, 2C, & 2D		
Address:	E. Railroad St.		
Parcel Size:	4.99 Acres		
Existing Land Use:	Field		
Proposed Variance:	Design standards and landscaping standards within the Community Entryway Zoning District and SE 4 th Street Overlay District.		
Existing Zoning:	Highway Commercial		
Surrounding Land Uses:			
North: Zoning:	Heavy Industrial	Land Use:	Railroad
South: Zoning:	Interstate Highway	Land Use:	Interstate Highway
East: Zoning:	Highway Commercial	Land Use:	Midway Rentals
West: Zoning:	Highway Commercial	Land Use:	Fiberglass Structures Inc.

1. The variance application packet is attached and contains the application form, application cover sheet, detailed justification letter, fee receipt, a site plan, building design plans, and the 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, Number 1,
 - 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. The application is requesting a variance to LMC 17.27 – SE 4th Street Overlay District including:
 - a. 17.27.060 Building Design Requirements, Part A.
4. 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.
5. 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.
6. 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

7. LMC 17.27.060 – Building Design Standards, Part A:

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.

8. The applicant and staff discussed 17.26.052.B and the 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 same districts. The proposed design incorporates frontage and façade details and changes in materials and textures to keep with a rustic western aesthetic.

9. In regard to 17.26.B.1, there currently exists a sanitary sewer utility line running along the southern boundary of the property which would present serious future maintenance issues and conflicts with established City of Laurel Public Works standards if a bufferyard was constructed as per code.

10. 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' chain link fence topped with 1' of barbed wire along existing frontage and install a 5' pipe rail fence to secure merchandise while simultaneously allowing highway traffic to view merchandise stored on site as well as maintain a rustic aesthetic.

11. The Highway Commercial District was established to cater to the tourist, traveler, recreationist, and general traveling public. Requirements to block highway-focused businesses from marketing merchandise goes against the stated goal of the district.

12. Upon submittal it was found that the request for variance to 17.27.060 Part A was applied for in error. A variance is not required for this code as the property is not located directly on SE 4th Street as per 17.27.060 Part B.

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. The proposed pipe rail fencing and existing barbed wire fencing must be securely affixed and/or anchored to the ground.
2. The proposed pipe rail fencing must not become an eye sore by way of lack of maintenance and/or repair.
3. Ensure dust and gravel control measures are in place to keep road debris off of Public right of way.
4. Lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.

PROCEDURAL HISTORY:

- Gregory Haux and Chuck Henrichs and Kevin Lundin of Eggart Engineering and Construction (EEC Inc.) 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.
- The variance application packet was received on January 31, 2020 by the Planning Department.
- A public hearing for the variance request is scheduled to take place at the Laurel City-County Planning Board on February 26, 2020 at 5:35PM.
- A public hearing for the variance request is scheduled to take place at the Laurel City-Council Meeting on March 10, 2020 at 6:30PM.

Item Attachment Documents:

15. Resolution No. R20-11: Resolution Awarding Knife River The Contract For The City Of Laurel's East Downtown Infrastructure Improvements Project And To Authorize The Mayor To Sign All Required Contract And Related Documents On The City's Behalf.

RESOLUTION NO. R20-11

RESOLUTION AWARDING KNIFE RIVER THE CONTRACT FOR THE CITY OF LAUREL'S EAST DOWNTOWN INFRASTRUCTURE IMPROVEMENTS PROJECT AND TO AUTHORIZE THE MAYOR TO SIGN ALL REQUIRED CONTRACT AND RELATED DOCUMENTS ON THE CITY'S BEHALF.

WHEREAS, the City of Laurel planned and publicly advertised the project known as the East Downtown Infrastructure Improvements Project, and the City received responsive bids from qualified contractors; and

WHEREAS, the City's Engineers, KLJ, and City Staff considered the bids received and recommends the City Council award the project and that the award and contract is in the City's best interest; and

WHEREAS, Knife River submitted a bid of \$2,487,572.50 and both KLJ and the City Staff have determined that accepting the bid is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Laurel, Montana, finds that the City has followed its procurement policies and state law requiring competitive bidding; and

BE IT FUTHER RESOLVED the City Council hereby awards the project to Knife River for its submitted bid price of \$2,487,572.50. The Mayor and City Clerk are authorized to sign all necessary documents, agreements or contracts on the City's behalf consistent with this resolution.

Introduced at a regular meeting of the City Council on March 10, 2020, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 10th day of March 2020

APPROVED by the Mayor this 10th day of March 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney



February 17, 2020

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

Re: East Downtown Infrastructure Improvements – Recommendation of Award

Dear Kurt:

Bids for the East Downtown Infrastructure Improvements were received on February 13th, 2020. Five bids were opened and read aloud. The bids were checked for mathematical accuracy and no discrepancies were found. The low bidder was Knife River, with a total bid amount of \$2,487,572.50 for Base Bid Schedules 2-5 combined. We recommend the contract be awarded to Knife River, accordingly, for all bid schedules.

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 Knife River 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 black ink, appearing to read 'Travis Copper'.

Travis Copper, PE
Project Engineer

Enclosure(s): Notice of Award
Tabulation of Bids

Project #: 1804-01309
cc: Matt Smith, file

Notice of Award

Date: February 17, 2020

Project: East Downtown Infrastructure Improvements

Owner: City of Laurel

Owner's Contract No.:

Contract: Total Combined Bid of Schedules 1-3

Engineer's Project No.: 1804-01309

Bidder: Knife River - Billings

Bidder's Address: P.O. Box 80066

Billings, MT 59108

You are notified that your Bid dated February 13, 2020 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for East Downtown Infrastructure Improvements.

The Contract Price of your Contract is Two Million, Four Hundred Eighty-Seven Thousand, Five Hundred Seventy-Two Dollars and Fifty Cents (\$2,487,572.50).

4 copies of the proposed Contract Documents (except Drawings) and one additional agreement accompany this Notice of Award.

(tbd) sets of Drawings will be delivered separately or otherwise made available to you immediately.

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 Engineer four (4) fully executed counterparts of the Contract Documents and one additional signed agreement.
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

TABULATION OF BIDS
EAST DOWNTOWN INFRASTRUCTURE IMPROVEMENTS - KJ #1804-01309
CITY OF LAUREL, MONTANA
February 13, 2020



				Engineer's Opinion of Cost		COP Construction, LLC		FirstMark Construction, LLC		KLE Construction, LLC		Knife River - Billings		Wilson Bros. Constuction of Montana, Inc.	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
	BASE BID SCHEDULE 2 - STREET IMPROVEMENTS														
201	Mobilization	1	LS	\$ 89,700.00	\$ 89,700.00	\$ 70,000.00	\$ 70,000.00	\$ 50,000.00	\$ 50,000.00	\$ 105,000.00	\$ 105,000.00	\$ 134,500.00	\$ 134,500.00	\$ 195,000.00	\$ 195,000.00
202	Taxes, Insurance and Bonds	1	LS	\$ 44,900.00	\$ 44,900.00	\$ 9,200.00	\$ 9,200.00	\$ 38,000.00	\$ 38,000.00	\$ 35,000.00	\$ 35,000.00	\$ 19,000.00	\$ 19,000.00	\$ 60,000.00	\$ 60,000.00
203	Traffic Control	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 11,000.00	\$ 11,000.00	\$ 25,000.00	\$ 25,000.00	\$ 15,000.00	\$ 15,000.00	\$ 21,550.00	\$ 21,550.00	\$ 25,000.00	\$ 25,000.00
204	Stormwater Management and Erosion Control	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 21,000.00	\$ 21,000.00	\$ 3,500.00	\$ 3,500.00	\$ 7,500.00	\$ 7,500.00	\$ 12,650.00	\$ 12,650.00	\$ 6,500.00	\$ 6,500.00
205	Concrete Flat Work Removal	2,310	SY	\$ 14.00	\$ 32,340.00	\$ 23.00	\$ 53,130.00	\$ 9.60	\$ 22,176.00	\$ 12.00	\$ 27,720.00	\$ 13.20	\$ 30,492.00	\$ 13.50	\$ 31,185.00
206	Concrete Curb and Gutter Removal	5,020	LF	\$ 3.00	\$ 15,060.00	\$ 9.50	\$ 47,690.00	\$ 7.00	\$ 35,140.00	\$ 5.00	\$ 25,100.00	\$ 3.00	\$ 15,060.00	\$ 6.00	\$ 30,120.00
207	Remove Existing Tree (6" to 18")	2	EA	\$ 1,200.00	\$ 2,400.00	\$ 490.00	\$ 980.00	\$ 1,075.00	\$ 2,150.00	\$ 1,200.00	\$ 2,400.00	\$ 1,050.00	\$ 2,100.00	\$ 1,800.00	\$ 3,600.00
208	Remove Existing Tree (larger than 18")	3	EA	\$ 2,000.00	\$ 6,000.00	\$ 1,800.00	\$ 5,400.00	\$ 1,265.00	\$ 3,795.00	\$ 1,400.00	\$ 4,200.00	\$ 1,250.00	\$ 3,750.00	\$ 2,200.00	\$ 6,600.00
209	Unclassified Excavation	9,880	CY	\$ 21.00	\$ 207,480.00	\$ 22.00	\$ 217,360.00	\$ 31.00	\$ 306,280.00	\$ 19.00	\$ 187,720.00	\$ 14.80	\$ 146,224.00	\$ 16.00	\$ 158,080.00
210	Non-Woven Geotextile Fabric	17,470	SY	\$ 2.50	\$ 43,675.00	\$ 1.00	\$ 17,470.00	\$ 1.50	\$ 26,205.00	\$ 2.00	\$ 34,940.00	\$ 1.20	\$ 20,964.00	\$ 4.50	\$ 78,615.00
211	Geogrid	17,470	SY	\$ 3.50	\$ 61,145.00	\$ 1.50	\$ 26,205.00	\$ 2.10	\$ 36,687.00	\$ 2.50	\$ 43,675.00	\$ 1.80	\$ 31,446.00	\$ 7.00	\$ 122,290.00
212	3" Minus Sub-base Course	4,700	CY	\$ 54.00	\$ 253,800.00	\$ 39.50	\$ 185,650.00	\$ 42.00	\$ 197,400.00	\$ 31.00	\$ 145,700.00	\$ 38.30	\$ 180,010.00	\$ 44.50	\$ 209,150.00
213	1-1/2" Crushed Base Course	5,875	CY	\$ 36.00	\$ 211,500.00	\$ 41.50	\$ 243,812.50	\$ 27.50	\$ 161,562.50	\$ 28.00	\$ 164,500.00	\$ 24.60	\$ 144,525.00	\$ 32.00	\$ 188,000.00
214	Asphalt Concrete Pavement (4"Thick)	15,400	SY	\$ 23.00	\$ 354,200.00	\$ 20.00	\$ 308,000.00	\$ 20.30	\$ 312,620.00	\$ 21.00	\$ 323,400.00	\$ 19.70	\$ 303,380.00	\$ 24.00	\$ 369,600.00
215	Asphalt Concrete Pavement (6" Thick)	410	SY	\$ 34.50	\$ 14,145.00	\$ 36.00	\$ 14,760.00	\$ 31.90	\$ 13,079.00	\$ 39.00	\$ 15,990.00	\$ 31.60	\$ 12,956.00	\$ 43.00	\$ 17,630.00
216	Combined Curb & Gutter	4,376	LF	\$ 23.00	\$ 100,648.00	\$ 21.00	\$ 91,896.00	\$ 17.50	\$ 76,580.00	\$ 25.00	\$ 109,400.00	\$ 15.70	\$ 68,703.20	\$ 28.00	\$ 122,528.00
217	Concrete Valley Gutter	2,312	SF	\$ 25.00	\$ 57,800.00	\$ 13.50	\$ 31,212.00	\$ 8.50	\$ 19,652.00	\$ 16.00	\$ 36,992.00	\$ 6.60	\$ 15,259.20	\$ 15.00	\$ 34,680.00
218	Curb Turn Fillet	26	EA	\$ 2,200.00	\$ 57,200.00	\$ 740.00	\$ 19,240.00	\$ 465.00	\$ 12,090.00	\$ 2,000.00	\$ 52,000.00	\$ 440.00	\$ 11,440.00	\$ 1,800.00	\$ 46,800.00
219	Concrete Driveway Approach	6,189	SF	\$ 12.00	\$ 74,268.00	\$ 12.50	\$ 77,362.50	\$ 9.50	\$ 58,795.50	\$ 16.00	\$ 99,024.00	\$ 6.00	\$ 37,134.00	\$ 11.00	\$ 68,079.00
220	Concrete Sidewalk (4-Inch Thick)	13,754	SF	\$ 11.00	\$ 151,294.00	\$ 7.00	\$ 96,278.00	\$ 6.75	\$ 92,839.50	\$ 13.00	\$ 178,802.00	\$ 6.10	\$ 83,899.40	\$ 9.00	\$ 123,786.00
221	Concrete Sidewalk (6-Inch Thick)	2,531	SF	\$ 14.00	\$ 35,434.00	\$ 10.50	\$ 26,575.50	\$ 8.50	\$ 21,513.50	\$ 14.00	\$ 35,434.00	\$ 7.20	\$ 18,223.20	\$ 11.00	\$ 27,841.00
222	Concrete Pedestrian Ramps	3,240	SF	\$ 16.00	\$ 51,840.00	\$ 14.00	\$ 45,360.00	\$ 10.80	\$ 34,992.00	\$ 18.00	\$ 58,320.00	\$ 7.60	\$ 24,624.00	\$ 11.00	\$ 35,640.00
223	Detectable Warning Panels	310	SF	\$ 35.00	\$ 10,850.00	\$ 60.00	\$ 18,600.00	\$ 23.00	\$ 7,130.00	\$ 40.00	\$ 12,400.00	\$ 24.00	\$ 7,440.00	\$ 48.00	\$ 14,880.00
224	Remove Existing Street Sign & Post	11	EA	\$ 140.00	\$ 1,540.00	\$ 68.00	\$ 748.00	\$ 100.00	\$ 1,100.00	\$ 100.00	\$ 1,100.00	\$ 97.00	\$ 1,067.00	\$ 150.00	\$ 1,650.00
225	New Signpost	16	EA	\$ 280.00	\$ 4,480.00	\$ 250.00	\$ 4,000.00	\$ 250.00	\$ 4,000.00	\$ 250.00	\$ 4,000.00	\$ 239.00	\$ 3,824.00	\$ 260.00	\$ 4,160.00
226	New Signs	122	SF	\$ 20.00	\$ 2,440.00	\$ 18.00	\$ 2,196.00	\$ 18.00	\$ 2,196.00	\$ 19.00	\$ 2,318.00	\$ 17.00	\$ 2,074.00	\$ 20.00	\$ 2,440.00
227	4" Wide Pavement Stripe (Epoxy)	902	LF	\$ 2.60	\$ 2,345.20	\$ 2.00	\$ 1,804.00	\$ 1.75	\$ 1,578.50	\$ 2.20	\$ 1,984.40	\$ 1.70	\$ 1,533.40	\$ 2.00	\$ 1,804.00
228	8" Wide Pavement Stripe (Epoxy)	382	LF	\$ 5.50	\$ 2,101.00	\$ 3.50	\$ 1,337.00	\$ 3.50	\$ 1,337.00	\$ 4.50	\$ 1,719.00	\$ 3.40	\$ 1,298.80	\$ 4.00	\$ 1,528.00
229	24" Wide Pavement Stripe (Epoxy)	225	LF	\$ 20.00	\$ 4,500.00	\$ 11.00	\$ 2,475.00	\$ 11.00	\$ 2,475.00	\$ 13.00	\$ 2,925.00	\$ 10.50	\$ 2,362.50	\$ 12.00	\$ 2,700.00
230	Handicap Symbol	3	EA	\$ 200.00	\$ 600.00	\$ 110.00	\$ 330.00	\$ 110.00	\$ 330.00	\$ 125.00	\$ 375.00	\$ 102.00	\$ 306.00	\$ 800.00	\$ 2,400.00
231	Curb Paint (Epoxy)	1,457	LF	\$ 4.75	\$ 6,920.75	\$ 4.00	\$ 5,828.00	\$ 4.50	\$ 6,556.50	\$ 5.00	\$ 7,285.00	\$ 4.00	\$ 5,828.00	\$ 3.00	\$ 4,371.00
232	Landscape Restoration (Seeding)	1,490	SY	\$ 5.25	\$ 7,822.50	\$ 4.50	\$ 6,705.00	\$ 13.00	\$ 19,370.00	\$ 5.00	\$ 7,450.00	\$ 10.00	\$ 14,900.00	\$ 6.00	\$ 8,940.00
	SCHEDULE 2 SUBTOTAL:				\$ 1,948,428.45		\$ 1,663,604.50		\$ 1,596,130.00		\$ 1,749,373.40		\$ 1,378,523.70		\$ 2,005,597.00
	BASE BID SCHEDULE 3 - STORM DRAIN IMPROVEMENTS														
301	Mobilization	1	LS	\$ 12,100.00	\$ 12,100.00	\$ 44,000.00	\$ 44,000.00	\$ 10,875.00	\$ 10,875.00	\$ 30,000.00	\$ 30,000.00	\$ 13,470.00	\$ 13,470.00	\$ 20,000.00	\$ 20,000.00
302	Taxes, Insurance and Bonds	1	LS	\$ 6,100.00	\$ 6,100.00	\$ 2,500.00	\$ 2,500.00	\$ 8,400.00	\$ 8,400.00	\$ 6,000.00	\$ 6,000.00	\$ 7,857.00	\$ 7,857.00	\$ 7,500.00	\$ 7,500.00
303	Traffic Control	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 3,600.00	\$ 3,600.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 13,670.00	\$ 13,670.00	\$ 2,500.00	\$ 2,500.00
304	Stormwater Management and Erosion Control	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 1.00	\$ 1.00	\$ 1,750.00	\$ 1,750.00	\$ 3,500.00	\$ 3,500.00	\$ 6,570.00	\$ 6,570.00	\$ 2,500.00	\$ 2,500.00

TABULATION OF BIDS
EAST DOWNTOWN INFRASTRUCTURE IMPROVEMENTS - KLJ #1804-01309
CITY OF LAUREL, MONTANA
February 13, 2020



				Engineer's Opinion of Cost		COP Construction, LLC		FirstMark Construction, LLC		KLE Construction, LLC		Knife River - Billings		Wilson Bros. Constuction of Montana, Inc.	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
305	Remove Existing Storm Drain Inlet	9	EA	\$ 450.00	\$ 4,050.00	\$ 580.00	\$ 5,220.00	\$ 187.00	\$ 1,683.00	\$ 250.00	\$ 2,250.00	\$ 173.00	\$ 1,557.00	\$ 800.00	\$ 7,200.00
306	Remove Existing Storm Drain Pipe	289	LF	\$ 8.00	\$ 2,312.00	\$ 6.00	\$ 1,734.00	\$ 9.00	\$ 2,601.00	\$ 14.00	\$ 4,046.00	\$ 9.20	\$ 2,658.80	\$ 10.00	\$ 2,890.00
307	48" diam. Storm Drain Manhole	7	EA	\$ 5,200.00	\$ 36,400.00	\$ 4,300.00	\$ 30,100.00	\$ 4,080.00	\$ 28,560.00	\$ 2,500.00	\$ 17,500.00	\$ 3,775.00	\$ 26,425.00	\$ 4,200.00	\$ 29,400.00
308	60" diam. Storm Drain Manhole	2	EA	\$ 6,000.00	\$ 12,000.00	\$ 5,600.00	\$ 11,200.00	\$ 5,733.00	\$ 11,466.00	\$ 3,500.00	\$ 7,000.00	\$ 5,306.00	\$ 10,612.00	\$ 5,500.00	\$ 11,000.00
309	60" diam. Storm Drain Manhole over Existing Storm Drain Pipe	2	EA	\$ 6,500.00	\$ 13,000.00	\$ 6,500.00	\$ 13,000.00	\$ 8,380.00	\$ 16,760.00	\$ 3,600.00	\$ 7,200.00	\$ 7,755.00	\$ 15,510.00	\$ 5,800.00	\$ 11,600.00
310	Concrete Collar Diamonds on Manholes	8	EA	\$ 750.00	\$ 6,000.00	\$ 840.00	\$ 6,720.00	\$ 875.00	\$ 7,000.00	\$ 1,200.00	\$ 9,600.00	\$ 568.00	\$ 4,544.00	\$ 500.00	\$ 4,000.00
311	2' x 3' Storm Drain Inlet	15	EA	\$ 3,100.00	\$ 46,500.00	\$ 3,300.00	\$ 49,500.00	\$ 3,197.00	\$ 47,955.00	\$ 2,250.00	\$ 33,750.00	\$ 3,061.00	\$ 45,915.00	\$ 3,500.00	\$ 52,500.00
312	30" diam. Storm Drian Inlet	1	EA	\$ 2,800.00	\$ 2,800.00	\$ 3,300.00	\$ 3,300.00	\$ 2,095.00	\$ 2,095.00	\$ 1,500.00	\$ 1,500.00	\$ 1,938.00	\$ 1,938.00	\$ 2,750.00	\$ 2,750.00
313	28x18 RCP Irrigation Pipe	6	LF	\$ 120.00	\$ 720.00	\$ 120.00	\$ 720.00	\$ 308.00	\$ 1,848.00	\$ 125.00	\$ 750.00	\$ 295.00	\$ 1,770.00	\$ 125.00	\$ 750.00
314	Relocated 28x18 RCP FES	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 570.00	\$ 570.00	\$ 507.00	\$ 507.00	\$ 500.00	\$ 500.00	\$ 480.00	\$ 480.00	\$ 750.00	\$ 750.00
315	24" diam. Storm Drain Pipe	594	LF	\$ 87.00	\$ 51,678.00	\$ 76.00	\$ 45,144.00	\$ 102.00	\$ 60,588.00	\$ 90.00	\$ 53,460.00	\$ 99.00	\$ 58,806.00	\$ 50.00	\$ 29,700.00
316	18" diam. Storm Drain Pipe	456	LF	\$ 78.00	\$ 35,568.00	\$ 65.00	\$ 29,640.00	\$ 61.00	\$ 27,816.00	\$ 78.00	\$ 35,568.00	\$ 60.00	\$ 27,360.00	\$ 28.00	\$ 12,768.00
317	15" diam. Storm Drain Pipe	75	LF	\$ 71.00	\$ 5,325.00	\$ 63.00	\$ 4,725.00	\$ 54.00	\$ 4,050.00	\$ 65.00	\$ 4,875.00	\$ 52.00	\$ 3,900.00	\$ 24.00	\$ 1,800.00
318	12" diam. Storm Drain Pipe	562	LF	\$ 65.00	\$ 36,530.00	\$ 60.00	\$ 33,720.00	\$ 46.00	\$ 25,852.00	\$ 50.00	\$ 28,100.00	\$ 45.00	\$ 25,290.00	\$ 20.00	\$ 11,240.00
319	Street Trench Repair	570	SY	\$ 125.00	\$ 71,250.00	\$ 130.00	\$ 74,100.00	\$ 155.00	\$ 88,350.00	\$ 95.00	\$ 54,150.00	\$ 142.00	\$ 80,940.00	\$ 50.00	\$ 28,500.00
	SCHEDULE 3 SUBTOTAL:				\$ 345,333.00		\$ 359,494.00		\$ 358,156.00		\$ 304,749.00		\$ 349,272.80		\$ 239,348.00
	BASE BID SCHEDULE 4 - WATER IMPROVEMENTS														
401	Mobilization	1	LS	\$ 9,000.00	\$ 9,000.00	\$ 225,000.00	\$ 225,000.00	\$ 37,670.00	\$ 37,670.00	\$ 30,000.00	\$ 30,000.00	\$ 29,600.00	\$ 29,600.00	\$ 45,000.00	\$ 45,000.00
402	Taxes, Insurance and Bonds	1	LS	\$ 5,500.00	\$ 5,500.00	\$ 8,000.00	\$ 8,000.00	\$ 14,800.00	\$ 14,800.00	\$ 12,000.00	\$ 12,000.00	\$ 13,775.00	\$ 13,775.00	\$ 15,000.00	\$ 15,000.00
403	Traffic Control	1	LS	\$ 5,500.00	\$ 5,500.00	\$ 13,000.00	\$ 13,000.00	\$ 10,000.00	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00	\$ 16,020.00	\$ 16,020.00	\$ 2,500.00	\$ 2,500.00
404	Stormwater Management and Erosion Control	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 1.00	\$ 1.00	\$ 1,750.00	\$ 1,750.00	\$ 3,500.00	\$ 3,500.00	\$ 4,576.00	\$ 4,576.00	\$ 2,500.00	\$ 2,500.00
405	Temporary Water System	1	LS	\$ 60,000.00	\$ 60,000.00	\$ 44,000.00	\$ 44,000.00	\$ 16,540.00	\$ 16,540.00	\$ 35,000.00	\$ 35,000.00	\$ 15,300.00	\$ 15,300.00	\$ 30,000.00	\$ 30,000.00
406	Asbestos Inspection	1	LS	\$ 7,500.00	\$ 7,500.00	\$ 1,200.00	\$ 1,200.00	\$ 1,320.00	\$ 1,320.00	\$ 2,000.00	\$ 2,000.00	\$ 1,225.00	\$ 1,225.00	\$ 2,500.00	\$ 2,500.00
407	Remove Existing Water Main	1,592	LF	\$ 30.00	\$ 47,760.00	\$ 6.00	\$ 9,552.00	\$ 11.00	\$ 17,512.00	\$ 12.00	\$ 19,104.00	\$ 10.50	\$ 16,716.00	\$ 5.00	\$ 7,960.00
408	Remove Existing Fire Hydrant Assembly	4	EA	\$ 2,000.00	\$ 8,000.00	\$ 290.00	\$ 1,160.00	\$ 230.00	\$ 920.00	\$ 500.00	\$ 2,000.00	\$ 214.00	\$ 856.00	\$ 500.00	\$ 2,000.00
409	Remove Existing Valve	10	EA	\$ 550.00	\$ 5,500.00	\$ 110.00	\$ 1,100.00	\$ 143.00	\$ 1,430.00	\$ 80.00	\$ 800.00	\$ 133.00	\$ 1,330.00	\$ 200.00	\$ 2,000.00
410	Fill & Abandon Existing Water Main	3	CY	\$ 1,000.00	\$ 3,000.00	\$ 860.00	\$ 2,580.00	\$ 308.00	\$ 924.00	\$ 250.00	\$ 750.00	\$ 285.00	\$ 855.00	\$ 1,000.00	\$ 3,000.00
411	Connect to Existing Water Main	14	EA	\$ 4,000.00	\$ 56,000.00	\$ 2,000.00	\$ 28,000.00	\$ 3,528.00	\$ 49,392.00	\$ 2,800.00	\$ 39,200.00	\$ 3,265.00	\$ 45,710.00	\$ 1,200.00	\$ 16,800.00
412	12" C900 PVC Water Main	5	LF	\$ 200.00	\$ 1,000.00	\$ 200.00	\$ 1,000.00	\$ 176.00	\$ 880.00	\$ 150.00	\$ 750.00	\$ 163.00	\$ 815.00	\$ 80.00	\$ 400.00
413	10" C900 PVC Water Main	100	LF	\$ 100.00	\$ 10,000.00	\$ 46.00	\$ 4,600.00	\$ 63.95	\$ 6,395.00	\$ 90.00	\$ 9,000.00	\$ 62.00	\$ 6,200.00	\$ 70.00	\$ 7,000.00
414	8" C900 PVC Water Main	2,600	LF	\$ 80.00	\$ 208,000.00	\$ 40.00	\$ 104,000.00	\$ 50.70	\$ 131,820.00	\$ 60.00	\$ 156,000.00	\$ 47.00	\$ 122,200.00	\$ 40.00	\$ 104,000.00
415	6" C900 PVC Water Main	390	LF	\$ 90.00	\$ 35,100.00	\$ 55.00	\$ 21,450.00	\$ 46.30	\$ 18,057.00	\$ 58.00	\$ 22,620.00	\$ 43.00	\$ 16,770.00	\$ 35.00	\$ 13,650.00
416	10" Gate Valve & Box	6	EA	\$ 3,000.00	\$ 18,000.00	\$ 2,600.00	\$ 15,600.00	\$ 2,865.00	\$ 17,190.00	\$ 3,200.00	\$ 19,200.00	\$ 2,653.00	\$ 15,918.00	\$ 2,800.00	\$ 16,800.00
417	8" Gate Valve & Box	23	EA	\$ 2,500.00	\$ 57,500.00	\$ 2,100.00	\$ 48,300.00	\$ 1,984.00	\$ 45,632.00	\$ 2,500.00	\$ 57,500.00	\$ 1,836.00	\$ 42,228.00	\$ 2,400.00	\$ 55,200.00
418	6" Gate Valve & Box	12	EA	\$ 2,300.00	\$ 27,600.00	\$ 1,800.00	\$ 21,600.00	\$ 1,653.00	\$ 19,836.00	\$ 1,850.00	\$ 22,200.00	\$ 1,530.00	\$ 18,360.00	\$ 2,000.00	\$ 24,000.00
419	Concrete Collar Diamonds on Valve Boxes	6	EA	\$ 600.00	\$ 3,600.00	\$ 190.00	\$ 1,140.00	\$ 485.00	\$ 2,910.00	\$ 1,100.00	\$ 6,600.00	\$ 495.00	\$ 2,970.00	\$ 800.00	\$ 4,800.00
420	8" Cross	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 960.00	\$ 960.00	\$ 1,650.00	\$ 1,650.00	\$ 1,900.00	\$ 1,900.00	\$ 1,530.00	\$ 1,530.00	\$ 1,100.00	\$ 1,100.00
421	10" X 8" Tee	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 1,000.00	\$ 2,000.00	\$ 1,430.00	\$ 2,860.00	\$ 1,250.00	\$ 2,500.00	\$ 1,230.00	\$ 2,460.00	\$ 1,100.00	\$ 2,200.00

TABULATION OF BIDS
EAST DOWNTOWN INFRASTRUCTURE IMPROVEMENTS - KLJ #1804-01309
CITY OF LAUREL, MONTANA
February 13, 2020



				Engineer's Opinion of Cost		COP Construction, LLC		FirstMark Construction, LLC		KLE Construction, LLC		Knife River - Billings		Wilson Bros. Constuction of Montana, Inc.	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
422	10" X 6" Tee	1	EA	\$ 1,800.00	\$ 1,800.00	\$ 970.00	\$ 970.00	\$ 1,430.00	\$ 1,430.00	\$ 1,250.00	\$ 1,250.00	\$ 1,230.00	\$ 1,230.00	\$ 1,000.00	\$ 1,000.00
423	8" X 8" Tee	4	EA	\$ 1,500.00	\$ 6,000.00	\$ 870.00	\$ 3,480.00	\$ 1,320.00	\$ 5,280.00	\$ 950.00	\$ 3,800.00	\$ 1,225.00	\$ 4,900.00	\$ 800.00	\$ 3,200.00
424	8" X 6" Tee	9	EA	\$ 1,300.00	\$ 11,700.00	\$ 820.00	\$ 7,380.00	\$ 1,035.00	\$ 9,315.00	\$ 900.00	\$ 8,100.00	\$ 969.00	\$ 8,721.00	\$ 725.00	\$ 6,525.00
425	6" X 6" Tee	2	EA	\$ 1,200.00	\$ 2,400.00	\$ 750.00	\$ 1,500.00	\$ 990.00	\$ 1,980.00	\$ 850.00	\$ 1,700.00	\$ 930.00	\$ 1,860.00	\$ 600.00	\$ 1,200.00
426	8" - 45° Bend	5	EA	\$ 900.00	\$ 4,500.00	\$ 690.00	\$ 3,450.00	\$ 750.00	\$ 3,750.00	\$ 950.00	\$ 4,750.00	\$ 700.00	\$ 3,500.00	\$ 500.00	\$ 2,500.00
427	8" - 22.5° Bend	5	EA	\$ 800.00	\$ 4,000.00	\$ 690.00	\$ 3,450.00	\$ 725.00	\$ 3,625.00	\$ 750.00	\$ 3,750.00	\$ 685.00	\$ 3,425.00	\$ 500.00	\$ 2,500.00
428	6" - 45° Bend	6	EA	\$ 700.00	\$ 4,200.00	\$ 620.00	\$ 3,720.00	\$ 650.00	\$ 3,900.00	\$ 700.00	\$ 4,200.00	\$ 600.00	\$ 3,600.00	\$ 450.00	\$ 2,700.00
429	12" X 8" Reducer	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 770.00	\$ 770.00	\$ 948.00	\$ 948.00	\$ 950.00	\$ 950.00	\$ 888.00	\$ 888.00	\$ 650.00	\$ 650.00
430	8" X 6" Reducer	2	EA	\$ 800.00	\$ 1,600.00	\$ 640.00	\$ 1,280.00	\$ 617.00	\$ 1,234.00	\$ 800.00	\$ 1,600.00	\$ 580.00	\$ 1,160.00	\$ 400.00	\$ 800.00
431	Fire Hydrant Assembly	10	EA	\$ 6,000.00	\$ 60,000.00	\$ 3,600.00	\$ 36,000.00	\$ 4,520.00	\$ 45,200.00	\$ 4,500.00	\$ 45,000.00	\$ 4,185.00	\$ 41,850.00	\$ 4,500.00	\$ 45,000.00
432	Water Service Reconnection at Main Incl. new saddle and corp. stop (≤ 1" Diameter)	25	EA	\$ 500.00	\$ 12,500.00	\$ 200.00	\$ 5,000.00	\$ 220.00	\$ 5,500.00	\$ 350.00	\$ 8,750.00	\$ 205.00	\$ 5,125.00	\$ 400.00	\$ 10,000.00
433	Water Service Line Replacement (≤ 1" Diameter)	875	LF	\$ 45.00	\$ 39,375.00	\$ 40.00	\$ 35,000.00	\$ 22.00	\$ 19,250.00	\$ 30.00	\$ 26,250.00	\$ 20.40	\$ 17,850.00	\$ 20.00	\$ 17,500.00
434	Curb Stop & Box (≤ 1" Diameter)	25	EA	\$ 500.00	\$ 12,500.00	\$ 500.00	\$ 12,500.00	\$ 220.00	\$ 5,500.00	\$ 350.00	\$ 8,750.00	\$ 204.00	\$ 5,100.00	\$ 500.00	\$ 12,500.00
435	Water Service Reconnection at Main Incl. new saddle and corp. stop (> 1" Diameter)	2	EA	\$ 700.00	\$ 1,400.00	\$ 250.00	\$ 500.00	\$ 727.00	\$ 1,454.00	\$ 550.00	\$ 1,100.00	\$ 683.00	\$ 1,366.00	\$ 750.00	\$ 1,500.00
436	Water Service Line Replacement (> 1" Diameter)	70	LF	\$ 50.00	\$ 3,500.00	\$ 50.00	\$ 3,500.00	\$ 41.90	\$ 2,933.00	\$ 35.00	\$ 2,450.00	\$ 40.90	\$ 2,863.00	\$ 25.00	\$ 1,750.00
437	Curb Stop & Box (> 1" Diameter)	2	EA	\$ 750.00	\$ 1,500.00	\$ 1,000.00	\$ 2,000.00	\$ 800.00	\$ 1,600.00	\$ 650.00	\$ 1,300.00	\$ 745.00	\$ 1,490.00	\$ 850.00	\$ 1,700.00
438	Type 2 Pipe Bedding	150	CY	\$ 25.00	\$ 3,750.00	\$ 41.00	\$ 6,150.00	\$ 29.70	\$ 4,455.00	\$ 45.00	\$ 6,750.00	\$ 32.00	\$ 4,800.00	\$ 30.00	\$ 4,500.00
439	Imported Trench Backfill	500	CY	\$ 25.00	\$ 12,500.00	\$ 30.00	\$ 15,000.00	\$ 29.70	\$ 14,850.00	\$ 35.00	\$ 17,500.00	\$ 33.70	\$ 16,850.00	\$ 20.00	\$ 10,000.00
440	Trench Plugs	10	EA	\$ 1,000.00	\$ 10,000.00	\$ 830.00	\$ 8,300.00	\$ 780.00	\$ 7,800.00	\$ 500.00	\$ 5,000.00	\$ 745.00	\$ 7,450.00	\$ 1,200.00	\$ 12,000.00
441	Insulation Board	1,712	SF	\$ 5.00	\$ 8,560.00	\$ 3.50	\$ 5,992.00	\$ 5.50	\$ 9,416.00	\$ 8.00	\$ 13,696.00	\$ 5.00	\$ 8,560.00	\$ 4.50	\$ 7,704.00
442	Exploratory Excavation	16	HR	\$ 500.00	\$ 8,000.00	\$ 260.00	\$ 4,160.00	\$ 485.00	\$ 7,760.00	\$ 250.00	\$ 4,000.00	\$ 460.00	\$ 7,360.00	\$ 185.00	\$ 2,960.00
443	Street Trench Repair	315	SY	\$ 125.00	\$ 39,375.00	\$ 252.00	\$ 79,380.00	\$ 180.00	\$ 56,700.00	\$ 120.00	\$ 37,800.00	\$ 174.00	\$ 54,810.00	\$ 50.00	\$ 15,750.00
	SCHEDULE 4 SUBTOTAL:				\$ 828,220.00		\$ 793,725.00		\$ 613,368.00		\$ 666,070.00		\$ 580,172.00		\$ 522,349.00
	BASE BID SCHEDULE 5 - SANITARY SEWER IMPROVEMENTS														
501	Mobilization	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 67,000.00	\$ 67,000.00	\$ 10,875.00	\$ 10,875.00	\$ 15,000.00	\$ 15,000.00	\$ 13,470.00	\$ 13,470.00	\$ 12,000.00	\$ 12,000.00
502	Taxes, Insurance and Bonds	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 3,200.00	\$ 3,200.00	\$ 4,500.00	\$ 4,500.00	\$ 4,000.00	\$ 4,000.00	\$ 4,185.00	\$ 4,185.00	\$ 4,250.00	\$ 4,250.00
503	Traffic Control	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 4,900.00	\$ 4,900.00	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 9,950.00	\$ 9,950.00	\$ 2,500.00	\$ 2,500.00
504	Stormwater Management and Erosion Control	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 1.00	\$ 1.00	\$ 1,750.00	\$ 1,750.00	\$ 2,500.00	\$ 2,500.00	\$ 3,050.00	\$ 3,050.00	\$ 2,500.00	\$ 2,500.00
505	By-Pass Pumping	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 16,000.00	\$ 16,000.00	\$ 10,360.00	\$ 10,360.00	\$ 15,000.00	\$ 15,000.00	\$ 9,800.00	\$ 9,800.00	\$ 20,000.00	\$ 20,000.00
506	Remove Existing Sanitary Sewer Main	788	LF	\$ 30.00	\$ 23,640.00	\$ 1.00	\$ 788.00	\$ 11.00	\$ 8,668.00	\$ 15.00	\$ 11,820.00	\$ 10.00	\$ 7,880.00	\$ 5.00	\$ 3,940.00
507	Remove Existing Sanitary Sewer Manhole	2	EA	\$ 1,500.00	\$ 3,000.00	\$ 580.00	\$ 1,160.00	\$ 286.00	\$ 572.00	\$ 500.00	\$ 1,000.00	\$ 270.00	\$ 540.00	\$ 2,200.00	\$ 4,400.00
508	Fill & Abandon Existing Sanitary Sewer Main	2.5	CY	\$ 1,000.00	\$ 2,500.00	\$ 860.00	\$ 2,150.00	\$ 350.00	\$ 875.00	\$ 500.00	\$ 1,250.00	\$ 340.00	\$ 850.00	\$ 1,000.00	\$ 2,500.00
509	Abandon Existing Manhole in Place	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 670.00	\$ 670.00	\$ 880.00	\$ 880.00	\$ 500.00	\$ 500.00	\$ 830.00	\$ 830.00	\$ 2,000.00	\$ 2,000.00
510	Connect to Existing Sanitary Sewer Main	2	EA	\$ 2,200.00	\$ 4,400.00	\$ 1,200.00	\$ 2,400.00	\$ 2,200.00	\$ 4,400.00	\$ 800.00	\$ 1,600.00	\$ 2,142.00	\$ 4,284.00	\$ 400.00	\$ 800.00
511	Connect to Existing Sanitary Sewer Manhole	4	EA	\$ 2,500.00	\$ 10,000.00	\$ 1,400.00	\$ 5,600.00	\$ 2,865.00	\$ 11,460.00	\$ 1,200.00	\$ 4,800.00	\$ 2,650.00	\$ 10,600.00	\$ 1,500.00	\$ 6,000.00
512	10" PVC Sanitary Sewer Main	390	LF	\$ 120.00	\$ 46,800.00	\$ 55.00	\$ 21,450.00	\$ 73.30	\$ 28,587.00	\$ 75.00	\$ 29,250.00	\$ 68.30	\$ 26,637.00	\$ 55.00	\$ 21,450.00
513	8" PVC Sanitary Sewer Main	535	LF	\$ 110.00	\$ 58,850.00	\$ 52.00	\$ 27,820.00	\$ 68.80	\$ 36,808.00	\$ 68.00	\$ 36,380.00	\$ 64.30	\$ 34,400.50	\$ 48.00	\$ 25,680.00
514	48" Sanitary Sewer Manhole	3	EA	\$ 4,000.00	\$ 12,000.00	\$ 3,200.00	\$ 9,600.00	\$ 4,189.00	\$ 12,567.00	\$ 3,000.00	\$ 9,000.00	\$ 3,980.00	\$ 11,940.00	\$ 5,500.00	\$ 16,500.00
515	Additional Manhole Depth	13.75	VF	\$ 350.00	\$ 4,812.50	\$ 90.00	\$ 1,237.50	\$ 196.00	\$ 2,696.00	\$ 95.00	\$ 1,306.25	\$ 194.00	\$ 2,667.50	\$ 185.00	\$ 2,543.75

TABULATION OF BIDS

EAST DOWNTOWN INFRASTRUCTURE IMPROVEMENTS - KLJ #1804-01309

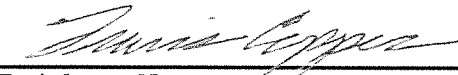
CITY OF LAUREL, MONTANA

February 13, 2020



				Engineer's Opinion of Cost		COP Construction, LLC		FirstMark Construction, LLC		KLE Construction, LLC		Knife River - Billings		Wilson Bros. Constuction of Montana, Inc.	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
516	Sanitary Sewer Service Replacement	350	LF	\$ 200.00	\$ 70,000.00	\$ 10.00	\$ 3,500.00	\$ 21.00	\$ 7,350.00	\$ 20.00	\$ 7,000.00	\$ 20.40	\$ 7,140.00	\$ 30.00	\$ 10,500.00
517	Type 2 Pipe Bedding	100	CY	\$ 25.00	\$ 2,500.00	\$ 41.00	\$ 4,100.00	\$ 50.50	\$ 5,050.00	\$ 60.00	\$ 6,000.00	\$ 51.00	\$ 5,100.00	\$ 30.00	\$ 3,000.00
518	Imported Trench Backfill	400	CY	\$ 25.00	\$ 10,000.00	\$ 30.00	\$ 12,000.00	\$ 29.70	\$ 11,880.00	\$ 35.00	\$ 14,000.00	\$ 33.70	\$ 13,480.00	\$ 20.00	\$ 8,000.00
519	Exploratory Excavation	8	HR	\$ 500.00	\$ 4,000.00	\$ 260.00	\$ 2,080.00	\$ 485.00	\$ 3,880.00	\$ 250.00	\$ 2,000.00	\$ 460.00	\$ 3,680.00	\$ 185.00	\$ 1,480.00
520	Gravel Alley Surface Repair	360	SY	\$ 35.00	\$ 12,600.00	\$ 17.00	\$ 6,120.00	\$ 7.00	\$ 2,520.00	\$ 25.00	\$ 9,000.00	\$ 12.00	\$ 4,320.00	\$ 18.00	\$ 6,480.00
521	Street Trench Repair	15	SY	\$ 150.00	\$ 2,250.00	\$ 380.00	\$ 5,700.00	\$ 300.00	\$ 4,500.00	\$ 225.00	\$ 3,375.00	\$ 320.00	\$ 4,800.00	\$ 50.00	\$ 750.00
	SCHEDULE 5 SUBTOTAL:				\$ 304,352.50		\$ 197,476.50		\$ 180,177.00		\$ 179,781.25		\$ 179,604.00		\$ 157,273.75
Total of Base Bid				\$	3,426,333.95	\$	3,014,300.00	\$	2,747,831.00	\$	2,899,973.65	\$	2,487,572.50	\$	2,924,567.75

This represents a true tabulation of bids opened and read on February 13, 2020.



Travis Copper, PE

Project Engineer

Date: February 14, 2020

Item Attachment Documents:

16. Resolution No. R20-12: A Resolution Of The City Council Amending Policies And Procedures For The Laurel Cemetery.

RESOLUTION NO. R20-12

**A RESOLUTION OF THE CITY COUNCIL AMENDING
POLICIES AND PROCEDURES FOR THE LAUREL CEMETERY.**

WHEREAS, the Laurel Cemetery Commission has considered and prepared policies and procedures for the control and management of the Laurel Cemetery, which regulations are set forth in Exhibit A, attached hereto, and

WHEREAS, the Laurel Cemetery Commission is recommending that the City Council adopt these amended policies and procedures.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the policies and procedures recommended by the Laurel Cemetery Commission and set forth in Exhibit A, attached hereto and by this reference made a part hereof, are hereby adopted as the Laurel Cemetery Policy & Procedures, and shall be the regulations for the control and management of the Laurel Cemetery.

Introduced at a regular meeting of the City Council on March 10, 2020, by Council Member

PASSED and APPROVED by the City Council of the City of Laurel this 10th day of March 2020.

APPROVED by the Mayor this 10th day of March 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney

POLICY & PROCEDURES

for the

City of Laurel Cemetery

Laurel, Montana



**Passed and Approved by the City Council
Resolution No. R20-____
Adopted on March 3, 2020**

1. CITY POLICY

- a. The City of Laurel has sole jurisdiction and overall responsibility for the policy, procedures, budget and operations of the Laurel Cemetery. The City shall ensure the Laurel Cemetery is maintained in an honorable and dignified manner to perpetually memorialize the deceased persons.
- b. The City of Laurel Public Works Department is responsible for the operation, maintenance, and opening /closing of the graves for the cemetery.
- c. The City Clerk's office is responsible for the collections of monies for plots and opening /closing of the graves.
- d. Cemetery Hours: The Laurel municipal cemetery shall be closed to the public on each day from sunset to seven a.m. No person shall enter or remain on cemetery grounds during hours of closure without prior approval from the cemetery commission. (LMC 2.84.110)
- e. Dogs or other pets are not allowed on cemetery grounds except for guide dogs of the legally blind.
- f. Recreational activities are not allowed on cemetery grounds including the consumption of alcohol or the use of illegal drugs.
- g. Vehicle traffic is limited to five (5) m.p.h. and must stay on designated cemetery roads.
- h. The City is not responsible for the theft or loss of personal belongings.

2. CEMETERY COMMISSION

- a. The commission consists of seven members. One member of the commission shall be the duly elected, qualified acting mayor of the city. Six remaining commission members shall be appointed by the mayor and approved by the council as follows: Two members shall be duly elected, qualified and acting alderpersons of the city; two members shall reside within the city limits; and two members shall reside at large in Yellowstone County. The term of office of each member shall be two years or sooner, as specified in the mayor's appointment and until his/her successor is appointed and qualified. Any vacancy shall be filled by appointment for the unexpired term. (LMC 2.84.010)
- b. Control and manage all things pertaining to the city cemetery. (LMC 2.84.020)
- c. The commission shall adopt rules and regulations for the control and management of the cemetery, which rules and regulations shall be established by resolution of the city council; and which may be changed or amended from time to time by resolution of the

city council as recommended by the commission and as the council may deem appropriate. (LMC 2.84.020)

3. INTERNMENT

- a. Hours of internment; Monday through Friday from 9:00 a.m. to ~~4~~3:00 p.m., Saturdays from 9:00 a.m. to 12 p.m. at overtime rate. Graveside funerals will not be scheduled after 3:00 p.m. No Sunday or holiday burial unless for religious reasons.
- b. Outer burial containers required for adult and baby casket burials. No outer burial container is required for ashes. We do not handle vaults; this is handled by private companies. Our minimum outer container requirement is fiberglass.
 - (1.) Outer burial container materials allowed: concrete, polyguard with base, or fiberglass with base.
 - (2.) A vault will protect the casket and prevent a cave-in of the ground, if there is deterioration of the casket.
- c. The City of Laurel reserves the right to require a minimum of 48 hours notice for burials.
- d. No person other than City authorized personnel shall excavate a gravesite unless authorized by the Mayor or his designee.
- e. The City of Laurel would encourage funeral directors to limit the internment time at the graveside to one-half (½) hour to facilitate the caretaker's work.
- f. A maximum of three burials are allowed in one plot. If there is a full burial, it must be first, and then two cremains are allowed on top. If there is no full burial, three cremains are allowed in one lot. In all cases, only one headstone and one foot stone per lot.
- g. The man is generally buried to the south, and the woman is buried to the north, but this is the preference of the individual.
- h. Bodies are placed in the grave with the head on the west end of grave.
- i. Typically cremains are buried at the head of the grave and at the foot of the grave, unless a family prefers a different arrangement.

4. HEADSTONES

- a. All headstones and footstones must be made of either granite, marble or bronze. No other materials are allowed.
- b. A maximum of two markers per lot, one headstone and one footstone.

- c. The City does not install headstones or footstones and requires prior notification of the placement of these monuments by calling the PWD at (406) 628-4796.
- d. The City is not responsible for the repair or replacement of headstones, footstones, or monuments from damages due to theft or vandalism.
- e. Headstones are placed at the head of the grave and may be read from either the east or west, at the discretion of the individual. Generally they are placed, as when reading them, when standing behind the head of the grave in a walkway, looking at the grave in front of you.
 - (1.) Where plots and lots have been previously started, the markers will be in accordance with the stones that have been previously placed.
 - (2.) Markers for unopened sections will be decided upon at the time the section is opened for burials.
 - (3.) Bevel style or flat markers are required in the following sections and all subsequent sections: Section B, Section G, **Section H**, Section J and Section O.
 - (4.) Section B, Section J, and all new sections have rebar markers on both sides to identify the front alignment of each grave row. Contractors setting foundations for headstone and markers are required to use the alignment established to set, when placing all concrete work. The front edge of the stone must line up with the established alignment. Concrete foundations may project into the walkway by eight inches.
- f. Single Headstone
 - (1.) Marker must be at least 24" long and no more than 30" long.
 - (2.) Marker width shall be at least 12" and no more than 14" wide.
 - (3.) Marker height for bevel style shall be at least 6" but no more than 8" in back, sloping to the front.
- g. Double Headstone
 - (1.) Marker must be at least 42" long and no more than 68" long.
 - (2.) Marker width shall be at least 12" and no more than 14" wide.
 - (3.) Marker height for bevel style shall be at least 6" but no more than 8" in back, sloping to the front.
- h. Baby Headstone – Baby Section K
 - (1.) Lot is 3' wide by 5' long.
 - (2.) Marker must be at least 18" long and no more than 20" long. (The most common baby size is 10" x 20".)
 - (3.) Marker width shall be at least 10" and no more than 14" wide.
 - (4.) Foundation regulations are the same as for other stones with a minimum 8" collar of cement.

5. **VETERAN'S SECTION - MARKERS / GRAVE INFORMATION**

- a. The white upright marble veteran headstone is only allowed in the designated veteran sections, Section C and Section J. Veteran footstones, made of granite or bronze, are placed in other sections as a footstone.
- b. Foundations must follow regulations for single markers regarding length, width and depth of concrete.
- c. The cremains of the veteran's spouse are allowed to be buried on the veteran's grave after the veteran is buried (exception to this rule will be made if both the veteran and spouse are cremation internments. A Veteran headstone must be ordered and purchased for the spouse at the time of internment. At the time of the Veteran's internment the spouses headstone will be replaced with a VA supplied headstone.
- d. The spouse's name and dates of birth and death are allowed to be engraved on the back of the stone after their death, in uniform lettering with the front of the stone, at the family's expense. No additional information is allowed.
- e. No additional graphics are allowed to be engraved on the upright white marble stone after placement. It voids the warranty and is considered vandalism by the military.
- f. Nothing is allowed to be tied or wired onto the headstone at any time. It will be removed and disposed of.
- g. No additional marker or footstone is allowed on the grave.

6. **FOOT STONES**

- a. Foot stones must be level with the ground and set in a proper foundation with the minimum 8" collar of cement.
- b. No floral vases allowed in foot stones.
- c. The marker must be at least 24" long and no more than 30" long (exception see e.)
- d. Marker width shall be at least 12" and no more than 14" wide (exception see e.)
- e. Where plots and lots have been previously started, the foot stones will be in accordance with the stones that have been previously placed in those sections

7. **MONUMENTS**

- a. No monument shall be erected on less than two joining lots, which should be of natural granite and not less than two and one-half feet in height. All existing monuments can remain.

8. **TEMPORARY PLAQUES**

- a. Some funeral homes put a temporary plaque in the dirt after the grave closing. This is not meant to be a permanent marker.

- b. **CITY'S POSITION:** The City is not responsible for damage to temporary markers. The caretaker will not remove them for maintenance. In the course of regular cemetery maintenance (moving, aeration, etc.) it is possible that these markers could be damaged. These markers, in no way, are considered permanent markers and cannot be cemented into the ground.

9. FOUNDATIONS

- a. All foundations must be made of concrete. No stone foundations are allowed. All concrete work must be completed as fast as possible under the inspection of the caretaker and materials not used, must be removed as the work is completed. All foundations shall be as follows:
 - (1.) 12" depth for all monuments, with an 8" collar extending all around.
 - (2.) 6" depth for all headstones or markers, with an 8" collar extending all around.
 - (3.) The concrete must extend the full width of the grave or whatever distance is required to connect it to an adjacent foundation.
 - (4.) No monument, slab, coping, curbing, hedging or enclosure of any nature will be permitted in a single grave row.
 - (5.) All concrete used must meet city specifications. (4000 PSI/6.5 bag)
 - (6.) Substandard concrete work will be replaced at installer's expense, within an acceptable period of time.

10. FLORAL VASES

- a. Veteran Sections – Section C & Section J
 - (1.) Floral PVC vases will be installed in the concrete foundation of the upright white marble stone when the stone is set.
 - (2.) One vase per stone installed and centered on the left (north) side, nine inches (9) from edge of stone to center of vase.
- b. Remaining Sections of Cemetery
 - (1.) No floral vases allowed in foot stones.
 - (2.) Only removable flower pot holders will be allowed to be installed in the concrete foundation. These vases must be installed at the time the concrete foundation is poured. (If done afterwards, there is too great a risk that it will crack the foundation and would then require replacement of the foundation.)
 - (3.) The only other option for the flower vase is to re-pour the entire concrete foundation and have the stone reset.
 - (4.) Vases must be placed on the north/south ends of the stone, even when using just one vase.

11. FLORAL POLICY - *The rule of thumb is: "If it is not a flower, don't leave it."*

- a. Flowers
 - (1). The gravesite is allowed a maximum of two flower containers for floral arrangements. The cost of the floral containers shall be paid by the family and/or the estate of the deceased.
 - (2). Flowers are allowed at any time for placement on gravesites in the floral containers. Flowers will be removed from gravesites when they become unsightly. Only fresh cut flowers, artificial flowers and plants, which can be inserted into the on-site floral containers, shall be allowed.
- b. No plantings of any type are permitted on cemetery grounds or on grave sites, other than those included in the landscape design of the cemetery. No potted plants, wreaths, flags, shepherd hooks, emblems, or other forms of decorative articles are permitted on grave sites, unless specifically authorized during defined holidays.
- c. Grave blankets of any size are not permitted.
- d. Christmas decorations and wreaths (18" in diameter or smaller) shall be permitted on graves beginning December 15th and shall be removed by cemetery personnel no earlier than January 15th.
- e. Wreaths and/or floral arrangements are permitted the week before and week after Memorial Day. Cemetery personnel will remove them the Monday following Memorial Day. To honor the veterans, wreaths and arrangements are also allowed in Veteran Sections C & J for the Veteran's Day holiday. Cleanup of this section will be the Monday following Veteran's Day.
- f. Flags may be placed on each veteran's grave in Veteran Sections C and J by veterans' organizations, only for the Memorial Day observance and will be removed at the end of the week. Any flag found on a grave other than the Memorial Day observance will be removed.
- g. Unacceptable items are: statues, vigil lights, permanent plantings, any glass object, commemorative items, memorabilia, pinwheels, balloons, any political affiliated items or signs, shepherd hooks and any grave decoration over 18 inches. The cemetery does not permit adornments which are considered offensive, inconsistent with the dignity of the cemetery or considered hazardous to cemetery personnel; examples are beads, wires, twine and string which may become entangled in mowers or other equipment and cause injuries.

12. TREES, SHRUBS & GRASS

- a. The cutting, breaking of, or injury to the trees, shrubs, grass or other plantings on the cemetery grounds are not permitted.
- b. Donations may be made for purchase of trees, but may only be planted in designated areas under the direction of the Public Works Department. The Tree Board and PWD determine the type of trees that will be planted.

13. GENERAL INFORMATION:

- a. Regular graves 4' x 10'
 "Walk-way" graves in old sections 6' x 10'
 Baby graves in designated "baby sections" 3' x 5'
 Walkways between rows of graves (North/South) 6'
 Cremation sections 4' x 5'
- b. A full grave is dug 4'x 8', starting at the foot of the grave. The remaining two feet at the head of the grave is left undisturbed for headstone placement.
- c. In the case of stillborn infants under 20 weeks gestation and no death certificate, the following rules apply:
 - (1.) The city requires a minimum of a fiberglass box, minimum size of 10"x10"x 6" and a maximum size of 12" x12"x12".
 - (2.) Verification from a doctor of stillborn infant.
 - (3.) No activity will take place without the city's knowledge.

CONTACT INFORMATION:

City of Laurel
 115 W. First Street
 PO Box 10
 Laurel, MT 59044

City Hall hours: Monday – Friday 8:00 a.m. to 5:00 p.m.

City Clerk's Office - (406) 628-7431
 Public Works Department – (406) 628-4796

For information and to schedule a burial, call the City Clerk's office.

Item Attachment Documents:

17. Resolution No. R20-13: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding For Operation And Cost Sharing For Public Transportation Services With The Adult Resource Alliance Of Yellowstone County.

RESOLUTION NO. R20-13

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
SIGN A MEMORANDUM OF UNDERSTANDING FOR OPERATION
AND COST SHARING FOR PUBLIC TRANSPORTATION
SERVICES WITH THE ADULT RESOURCE ALLIANCE OF
YELLOWSTONE COUNTY.**

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

Section 1: Approval. The Memorandum of Understanding ("MOU") between the City of Laurel and Adult Resource Alliance of Yellowstone County (ARA of YC) for operation and cost sharing for public transportation services, a copy attached hereto, is hereby approved.

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

Introduced at a regular meeting of the City Council on March 10, 2020, by Council Member _____.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 10th day of March 2020.

APPROVED by the Mayor this 10th day of March 2020.

CITY OF LAUREL

Thomas C Nelson, Mayor

ATTEST:

Bethany Langve, Clerk/Treasurer

Approved as to form:

Sam Painter, Legal Counsel
Thompson Painter Law

**MEMORANDUM OF UNDERSTANDING
FOR OPERATION AND COST SHARING
FOR
PUBLIC TRANSPORTATION SERVICES BETWEEN
THE CITY OF LAUREL, MONTANA AND THE ADULT
RESOURCE ALLIANCE OF YELLOWSTONE COUNTY.**

W I T N E S S E T H:

WHEREAS, the City of Laurel (City), Montana and Adult Resource Alliance of Yellowstone County (ARA of YC) desire to work together to provide public transportation services for residents living within a one-mile radius of the City limits; and

WHEREAS, the City intends to continue operation of an on-demand service for residents in addition to a regularly scheduled transportation service between the City of Laurel and City of Billings; and

WHEREAS, the City and ARA of YC desire to avoid duplicating services by coordinating their services and establishing an ongoing process to allow cooperation in the operation of public transportation services; and

WHEREAS, the City intends to continue operating a public transit system in FY 2020-2021 in cooperation with the ARA of YC to serve residents of the City of Laurel and Yellowstone County; and

NOW THEREFORE, based on the above recitals, the following Memorandum of Understanding is hereby entered into by the City and ARA of YC.

SECTION I

It is hereby agreed that the City of Laurel hereinafter referred to as "City", and Adult Resource Alliance of Yellowstone County, hereinafter referred to as (ARA of YC), agree to jointly participate to provide for the operation of public transportation services as described herein, which may be altered through an amendment of this MOU. The Parties to this MOU will be referred to as the "Parties" who acknowledge they each will share a portion of the fiduciary responsibility for operation of the public transit system. Individual and shared responsibilities in this effort shall be as follows:

SECTION II

1. Each Party will be responsible for reviewing the current system and any new policies and procedures related to the provision of the public transit system including but not limited to policies, service levels, fares, budgets, services for the disabled, information systems, environmentally sensitive technologies and other matters of concern. Meetings shall be scheduled as needed to evaluate the overall program and

contents of this agreement to determine if changes are necessary to improve services provided hereunder.

2. For the term of this MOU, the Parties will share the operation of the transit service through the provision of services as follows:
 - a. City shall provide for use, one transport vehicles, a Dodge Sprinter for everyday on demand use, with the ARA of YC bus, which is stored at the Laurel Senior Center, being used for back-up should the Sprinter break down. The City shall provide dispatching services through its existing staff. In addition, the City shall provide routine maintenance for its transport vehicles and the transport vehicle owned by the ARA of YC. Routine maintenance shall include oil changes, windshield wipers, filters, tire rotation, and basic fluids. Each Party agrees to pay for the cost of parts and major repairs after the State reimbursement rate for their respective vehicles. Major repairs are any repair costing over \$1000.00.
 - b. ARA of YC shall provide for use, one existing transport vehicle as back-up to the Laurel Transit System, one driver and back-up drivers as needed. ARA of YC shall utilize the City for dispatch services for purposes of scheduling on-demand service within Laurel and for regularly scheduled rides to/from Billings.
 - c. The City shall assist with the currently available demand/response service as needed and will additionally provide regular transit service between the City of Laurel and City of Billings.
 - d. The City will be the recipient of all funds derived from all federal and MDT (state) assistance or grants paid for the transit operation, along with any revenue received through vouchers or cash, daily.
 - e. The City shall provide marketing and public information services on transit operations including the preparation and distribution of timetables and another route and schedule information.
 - f. The City will prepare preliminary budget estimates, productivity reports and service summaries each year sufficiently in advance of City Council consideration to allow for analysis and input to the Council. These documents can be used by the Local Partners for planning in advance of the City's Recommended Annual Budget and would provide the basis for negotiating annual service agreements.
 - g. The City of Laurel will reimburse the ARA of YC quarterly at the State rate of 54% of the wage, benefits and fringe. The ARA of YC shall submit its financials to the City of Laurel by the 15th of the month following the end of the preceding quarter reflecting the reimbursement.
 - h. The current number of transit riders 60 and over is currently totaling 60% of the riders. After the 54% reimbursement from the State the ARA of YC will reimburse the City of Laurel for 60% of the remaining fuel charges. Unless the population of riders

significantly changes mid-year, the fuel budget will be modified yearly.

- i. Jointly implement policies and procedures that encourage the use of public transportation.
 - j. Jointly implement policies and procedures that follow the City of Laurel Transportation Program policies and procedures.
3. During the term of this agreement, the Parties may seek to add additional parties to this agreement in order to further enhance the provision of transit services provided hereunder. Further, the Parties may seek additional riders to expand the service.
4. The Parties will be responsible and cooperative in considering any requests for changes in service including additional services, as well as, service reductions if financially necessary. However, the Parties agree that this agreement requires service (service is defined as a split between dispatch and drivers) to be provided for 40 hours per week and no reduction in service may result in the service being offered less than 40 hours per week.
5. The Parties shall carry over any losses from the operation of the transportation system and incorporate such losses in the next year's budget for transit services allocating such losses proportionately to the Parties, taking into consideration all routes provided.
6. The City will on a timely basis review and negotiate its annual contract for public transportation services with terms in substantial agreement with the terms of this MOU.
7. The Parties shall support the operation of public transit services consistent with the terms of this MOU and any associated annual agreements.
8. The Parties agree that there will be fares charged to customers utilizing the transit system to off-set the cost of operation. The fares shall be reviewed as needed and increased to reflect the costs of the system

SECTION III

1. The Parties agree that the term of this MOU shall be one year, and will auto renew each March 10th unless terminated by either party. Either party may terminate its participation in this MOU by giving at least 180 days written notice of termination. The termination of the MOU will not affect the responsibilities established in any existing or future annual operating contract for transportation services that may be in effect at that time, such as a vanpool service, or contracts for service with public and/or private businesses within the City of Laurel.
2. In the event of any dispute, claim, question, or disagreement arising from or relating to this

Contract or the breach thereof, the parties hereto shall use their best efforts to settle the dispute, claim, question, or disagreement. To this effect, they shall negotiate informally to resolve the dispute. If such informal negotiations are not successful, the parties shall jointly select a mediator to mediate their dispute within 30 days of the dispute. If they do not reach such solution within a period of 60 days following the mediation, or if the parties cannot agree on a mediator, then, upon notice by either party to the other, all disputes, claims, questions, or differences shall be finally settled by arbitration administered by the American Arbitration Association in accordance with the provisions of its Commercial Arbitration Rules.

3. Controversy arising from this contract may result in litigation. Arbitration is not available. This Contract shall be governed by Montana law.
4. In the event of litigation concerning this Agreement, venue shall be in the First Judicial District of the State of Montana, Yellowstone County.

SECTION IV

1. ARA of YC understands this contract includes requirements specifically prescribed by Federal law or regulation and does not list all Federal laws, regulations, and directives that may apply to ARA of YC or its project. A comprehensive list of those Federal laws, regulations and directives is contained in the current FTA Master Agreement MA(24) at the FTA website: <https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/funding/grantee-resources/sample-fta-agreements/114766/fta-master-agreement-fy2018.pdf>. The clauses in this contract have been streamlined to highlight the most prevalent regulations that govern this award, however additional Federal laws, regulations and directives contained in the Master Agreement will apply. ARA of YC's signature upon this document acknowledges they have read and understand the Master Agreement.
2. No employee, officer, board member or agent of ARA of YC shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:
 - (1) The employee, officer, board member or agent;
 - (2) Any member of his or her immediate family;
 - (3) His or her partner; or
- (4) An organization which employs or is about to employ any of the above; has a financial or other interest in the firm selected for award. ARA of YC's employees, officers, board members or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties of Sub-agreements.

SECTION V

Any party to this MOU may request an amendment to the MOU by written request to the other Party. The Parties shall meet to discuss any requested amendment within thirty days of receipt of such request. Amendments to this MOU will be effective only after approval in writing by all parties and subsequent City Council approval.

IN WITNESS WHEREOF, the parties to this Memorandum of Understanding have been authorized to sign the same, the Mayor for the City as authorized by the City Council and ARA of YC Board of Directors.

CITY OF LAUREL

Thomas C Nelson, Mayor

Date

ATTEST

Bethany Langve, Clerk/Treasurer

Date

ADULT RESOURCE ALLIANCE of YELLOWSTONE COUNTY

Bea Ann Melichar, Executive Director

Date

Item Attachment Documents:

18. Resolution No R20-14: A Resolution Of The City Council Authorizing The Mayor To Execute A Cooperative Purchasing Memorandum Of Understanding Between The City Of Laurel And The Montana Department Of Administration To Allow The Purchase Supplies And Services From Vendors At State Prices.

RESOLUTION NO. R20-14

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
EXECUTE A COOPERATIVE PURCHASING MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF LAUREL AND THE MONTANA
DEPARTMENT OF ADMINISTRATION TO ALLOW THE PURCHASE SUPPLIES
AND SERVICES FROM VENDORS AT STATE PRICES.**

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

Section 1: Approval. The Cooperative Purchasing Memorandum of Understanding (“MOU”) between the City of Laurel and the Montana Department of Administration, copy attached hereto, is hereby approved.

Section 2: Execution. The Mayor of the City of Laurel is hereby authorized to execute the attached MOU on behalf of the City.

Introduced at a regular meeting of the City Council on March 10, 2020, by Council Member ____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this 10th day of March 2020.

APPROVED by the Mayor this 10th day of March 2020.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

COOPERATIVE PURCHASING MEMORANDUM OF UNDERSTANDING

1. This Memorandum of Understanding (MOU) is made and entered into between the Montana Department of Administration, ("STATE") and City of Laurel Montana, a local public procurement unit ("LOCAL UNIT") or tribal procurement unit ("TRIBAL UNIT") as defined in section 18-4-401, Montana Code Annotated (MCA).

Bethany Langve, Clerk/Treasurer, shall represent the LOCAL UNIT or TRIBAL UNIT in working with this Agreement. Meghan Holmlund, of the State Financial Services Division, Department of Administration shall represent the STATE.

2. The purpose of this Memorandum of Understanding is to permit the LOCAL UNIT or TRIBAL UNIT to purchase supplies and services from vendors at the prices, terms, and conditions contained in contracts between the STATE and those vendors. The methods by which the LOCAL UNIT or TRIBAL UNIT may participate in state contracts are through the Requisition Time Schedule for vehicles, Term Contracts, eMACS Marketplace, and Purchase Orders or Contracts established from Invitations for Bid or Requests for Proposal.
3. It is understood and agreed that this Memorandum of Understanding is entered into pursuant to the provisions of sections 18-4-401 through 18-4-407, MCA, and that no separate legal entity is hereby created. In compliance with this MOU, the LOCAL UNIT or TRIBAL UNIT shall indicate how it qualifies as a "Local Public Procurement Unit", as defined by 18-4-401(2), MCA:

- ☐ COUNTY
- ☒ CITY OR TOWN
- ☐ PUBLIC AGENCY
- ☐ EDUCATIONAL INSTITUTION*
- ☐ NONPROFIT HEALTH INSTITUTION*
- ☐ PUBLIC AUTHORITY*
- ☐ OTHER*

* Those organizations that are asserting qualification under these criteria must supply the STATE with written verification that they are currently receiving public funding. **Organizations that fail to provide such verification may be rejected.**

4. The STATE shall:
 - a. Conduct the procurement in compliance with the Montana Procurement Code, Title 18, (MCA) and the Administrative Rules of Montana (ARM), Title 2, Chapter 5.
 - b. Provide the LOCAL UNIT or TRIBAL UNIT with information on all eligible Term Contracts or Requisition Time Schedule items. All prices, terms, and conditions indicated on the listing are valid for the period stated therein.
 - c. Inform vendors that the LOCAL UNIT or TRIBAL UNIT is an eligible participant in any solicitation intended for cooperative purchasing.
 - d. Determine the specifications for the supplies and services.

5. The LOCAL UNIT or TRIBAL UNIT shall:

- a. Ensure that all local or tribal procurement requirements have been met prior to participation in a state contract.
- b. Ensure that purchase orders issued against state contracts are in accordance with the prices, terms, and conditions established in the state contract.
- c. Make timely payments to the vendor. Payment for supplies, services or taxes and inspection and acceptance of supplies and services ordered by the LOCAL UNIT or TRIBAL UNIT shall be the exclusive obligation of said unit.
- e. Be responsible for the ordering of supplies or services.

The exercise of any rights or remedies by the local public procurement unit or tribal procurement unit shall be the exclusive obligation of such unit; however, the STATE, as the contract administrator and without subjecting itself to any liability, may join in the resolution of any controversy should it so desire.

6. The LOCAL UNIT or TRIBAL UNIT agrees that it will be responsible for all disputes that may arise between it and a vendor. The LOCAL UNIT or TRIBAL UNIT shall hold the STATE harmless from any liability that may arise from its utilization of this cooperative purchasing Memorandum of Understanding.
7. It is understood and agreed that the STATE may, pursuant to section 18-4-406 (3), MCA, charge a management fee for services provided under this Memorandum of Understanding. Such fees will not be assessed unless the LOCAL UNIT or TRIBAL UNIT has been notified.
8. The LOCAL UNIT or TRIBAL UNIT authorizes the Contractor to release any information pertaining to a state contract when requested by the STATE.
9. This Memorandum of Understanding will take effect upon execution by both parties and shall continue until it is terminated by giving 30 days written notice to the other party.

Thomas C Nelson, Mayor
FOR THE LOCAL PUBLIC PROCUREMENT UNIT
OR TRIBAL PROCUREMENT UNIT

DATE

STATE PROCUREMENT BUREAU
DEPARTMENT OF ADMINISTRATION

DATE

PLEASE FILL IN THIS PORTION FOR CORRECT SHIPPING AND BILLING PURPOSES

City of Laurel
Attention: Bethany Langve
115 W 1st Street
PO BOX 10
Laurel, MT 59044
(406) 628-7431 ext 2
cityclerk@laurel.mt.gov

This agreement must be signed by a local government or tribal official and returned to:

State of Montana
State Procurement Bureau
coop purchasing@mt.gov