

MINUTES OF THE CITY COUNCIL OF LAUREL

August 13, 2024

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 Dave Waggoner at 6:30 p.m. on August 13, 2024.

COUNCIL MEMBERS PRESENT:

Thomas Canape	Heidi Sparks
Casey Wheeler	Jessica Banks
Richard Klöse	Irv Wilke
	Jodi Mackay

COUNCIL MEMBERS ABSENT:

Michelle Mize

OTHER STAFF PRESENT:

Michele Braukmann, Civil City Attorney
Brittney Harakal, Administrative Assistant
Kelly Strecker, Clerk/Treasurer
Kurt Markegard, Planning Director
Nick Owens, City Prosecutor

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

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of July 23, 2024, as presented, seconded by Council Member Sparks. With no objection, the minutes of the regular meeting of July 23, 2024, as presented, were approved. There was no public comment or Council discussion.

CORRESPONDENCE:

- Fire Monthly Report – July 2024
- Police Monthly Report – July 2024

COUNCIL DISCLOSURE OF EX-PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- **Public Hearing: Resolution To Approve Street Vacation For Portion Of South Montana Avenue, Laurel, Montana.**

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Kurt Markegard, Planning Director, introduced the item. Both adjacent landowners have signed the petition to vacate. There are utilities in this public right of way. There was one public comment received. However, it was in regard to the section over by Taco Bell.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Waggoner asked if there were any proponents.

Jane Kukes-Penny, 1739 Grand Avenue, Billings, Montana, stated that she has worked for the McDonald family for 28 years. They have worked very closely with the City regarding this property. A site survey and traffic study have been conducted. They have been a good neighbor to Albertson's and want Albertson's to succeed.

Mayor Waggoner asked again if there were any proponents.

Tom Smith, Moulton Bellingham, stated he represents both McDonald Land Holdings and Fox Lumber on this matter. This vacation puts the property back on the tax rolls and will benefit the taxpayers. McDonald Landholdings has had issues with developing this property due to the

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undeveloped street. Albertson's does have a CCR in place for lot 8. They have mutual access agreements in place. If they build a road, they will work with Albertson's regarding the depth of the road needed to be designed.

Mayor Waggoner asked a third and final time if there were any proponents. There were none.

Mayor Waggoner asked three (3) times if there were any opponents. There were none.

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

Mayor Waggoner closed the public hearing.

CONSENT ITEMS:

- **Claims entered through August 9, 2024.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 7/21/2024 totaling \$246,398.89.**
- **Approval of Payroll Register for PPE 8/4/2024 totaling \$264,979.28.**
- **Council Workshop Minutes of July 16, 2024.**
- **Council Workshop Minutes of August 6, 2024.**

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

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Wilke. With no objection, the Consent Agenda of August 13, 2024, as presented, were approved. There was no public comment or Council discussion.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of July 23, 2024.
- Park Board Minutes of August 1, 2024.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Resolution No. R24-57: Resolution To Approve Street Vacation For Portion Of South Montana Avenue, Laurel, Montana.**

Motion by Council Member Sparks to approve Resolution No. R24-57, seconded by Council Member Mackay. There was no public comment.

Some Council Members noted that they hate to give away City property. It was clarified that the landowner gave the land for the purpose of a public right of way to allow legal access to all lots. Parkland dedications are forever and MCA does state fair market value. That is not the case for rights of way. The City will start receiving 3 cents per square foot to go towards street maintenance once this additional square footage is added to the tax rolls.

It was questioned if there would be any issues down the road between both adjoining property owners.

Representation for the parties clarified that both parties are in agreement. Both parties do plan to have a merger deed for Fox Lumber to transfer the former right of way over to McDonald Land Holdings.

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

- **Resolution No. R24-58: A Resolution Of The City Council Declaring Certain City Of Laurel Property As “Surplus” Available For Sale Or Trade To The Public Or Other Governmental Entities Or Vendors.**

Motion by Council Member Canape to approve Resolution No. R24-58, 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. R24-59: A Resolution Of The City Council Approving Agreement Regarding School Resource Officer Program By And Between The City Of Laurel And Laurel Public Schools, District 7 & 7-70.**

Motion by Council Member Banks to approve Resolution No. R24-59, 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. R24-60: A Resolution Of The City Council Approving A Commitment Of Funding For The Completion Of The West Railroad Street Project.**

Motion by Council Member Mackay to approve Resolution No. R24-60, 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. R24-61: A Resolution Of The City Council Authorizing The Mayor To Execute The Consultant Agreement With Peaks Planning And Consulting LLC.**

Motion by Council Member Wheeler to approve Resolution No. R24-61, 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

The Public Works Committee’s next meeting is Monday, August 19, 2024, at 6:00 p.m. in Council Chambers.

MAYOR UPDATES:

The Container Site is now open 6.5 days a week.

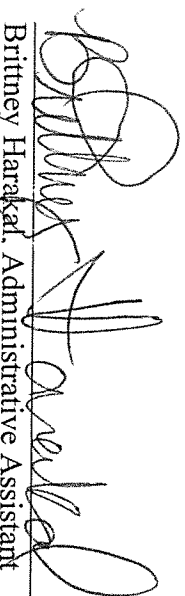
UNSCHEDULED MATTERS:

The new City Prosecutor was introduced to the Council.

ADJOURNMENT:

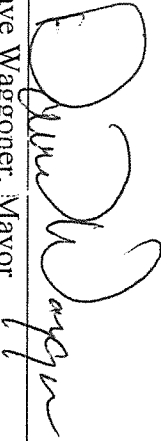
Motion by Council Member Mackay to adjourn the council meeting, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

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


Britney Harakal, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 27th day of August 2024.





Dave Waggoner, Mayor

Attest:



Kelly Streckler, Clerk/Treasurer

