

**MINUTES
CITY OF LAUREL
SPECIAL CITY COUNCIL WORKSHOP
TUESDAY, FEBRUARY 28, 2023**

A Special Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 7:35 p.m. on February 28, 2023.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Michelle Mize	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Casey Wheeler	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Jodi Mackay

OTHERS PRESENT:

Michele Braukmann, Civil City Attorney
Brittney Moorman, Administrative Assistant
Kurt Markegard, Public Works, and Planning Director
Kelly Strecker, Clerk/Treasurer
Matt Wheeler, Public Works Superintendent
Stan Langve, Police Chief

Public Input:

There were none.

General Items

1. Role of City Attorney

Civil Attorney Braukmann read the attached document into the record.

Police Chief Langve read the attached document into the record.

Jayson Nicholson, 320 7th Avenue, stated that he meant no disrespect to the current Clerk/Treasurer and had meant to reference the previous Clerk/Treasurer. When asked through formal channels where and how a fish tank was purchased, they received no response. Coming to speak at Council was at the recommendation of the Civil City Attorney. They were limited to only speaking for three minutes and tried their best to follow that. Things might have been taken out of context because they could not explain them. That is why they asked to work with Council; they apologize if it came across as adversarial. There may have been people who posted about the Civil City Attorney personally, but it was not members of the Fire Department. They would like to apologize and work together to move forward.

Brent Peters, 1995 Saddleback Drive, started by apologizing to the Clerk/Treasurer and the Finance Department from the Fire Department. He stood up for Kelly to be chosen as the new Clerk/Treasurer because of the years of dedication she has given to this City. She was exactly

what the City needed. As previously stated, there is only a three-minute limit, and they wanted to address a lot of information within that three minutes. He stated he had had many candid conversations with the Civil City Attorney. They may not always agree on the Fire Department's direction, but he respects her and that she is the right fit for the City of Laurel. There is a perception of what is going on, and a lot of that is stemmed from a lack of communication. He has not had the best communication with the Mayor since he has taken office. The Fire Department has chosen him to continue to be the Fire Chief. If he is chosen to continue to be the Chief, he will work to fix those gaps in communication. He has requested to withdraw his letter of resignation, but that is up to all of you to make that decision. He looks forward to working with Mayor Waggoner, Civil City Attorney Braukmann, and Clerk/Treasurer Strecker in the future. He would love to apologize for the Facebook posts. However, he cannot. The ones who posted them he has no control over. The men and women who have shown up were not the ones posting on Facebook. Facebook is no place to air out your laundry. Cannot say what the family members, friends, or others post. He knows what it is like to be raked over the coals via Facebook, but taking on the responsibility of being a Department Head is a choice. He believes the right people are in place and would like to continue to work with them.

Clerk/Treasurer Strecker stated she fully supports Civil City Attorney Braukmann. She is contracted for 20 hours per week but often works many more hours each week on things for the City.

Council Member Mize stated she was the only Council Member who voted no to contract Civil City Attorney Braukmann. She has earned her trust and respect.

Various Council Members stated that Civil City Attorney Braukmann is the greatest asset for the City of Laurel.

Ken Olson, 1702 Groshelle Boulevard, spoke positively of Clerk/Treasurer Strecker.

Mayor Waggoner read the attached statements from Ambulance Director Gurchiek, Library Director Schmidt, and Utility Billing Clerk Patrick into the record.

Public Works and Planning Director Markegard stated he had been here for 19 years. Mayor Waggoner is the 4th Mayor he has worked under. These are the kinds of people you want in leadership.

Executive Review

Council Issues

Other Items

There were water issues in Elena and Cherry Hills today, and many calls regarding the water. The City lost a pump, and it will take 2 to 3 weeks to get the parts to repair it. Currently running on pump 2; however, pump 2 is either on or off.

If there is a fire in those neighborhoods in the meantime, the Fire Department will respond with a tender.

Attendance at Upcoming Council Meeting

Announcements

There is Hunters Education next week. Registration is still open if anyone would like to attend.

Park Board's next meeting is Thursday at 5:30 p.m. in Council Conference Room.

The council workshop adjourned at 8:32 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.

City Attorney Role: Conversation with CC

I am honored to stand here in front of you, esteemed City Council Members, Honorable Mayor Waggoner, our City Staff and public that is present here this evening, as well as all members of the Laurel community that are watching this Special Council Workshop online. By way of introduction and for the record, I am Michele Braukmann, and I am the Civil City Attorney for the City of Laurel. The City of Laurel is my client through my private law firm, wherein I also serve multiple other clients throughout this community and the State of Montana.

By way of a little background, for those that are newer to CC and for the general public – I am a University of Montana and a University of Notre Dame graduate. I hold Bachelors' Degrees from the University of Montana, highest honors, and Juris Doctorate degree from the University of Notre Dame Law School, Summa Cum Laude. I have practiced in municipal liability work in the State of Montana for 2 ½ decades. This is one of my specialty practice areas. I have represented large Cities throughout Montana (including Billings, Bozeman, Missoula, and others), as well as many small Cities and Towns. I have handled many matters for many Departments, including Fire Departments, Police Departments, Public Works and Planning Departments, etc.

I was asked to take over the Civil City Attorney work in Laurel in late 2021, upon the prior City Attorney's resignation. I had previously handled several City of Laurel cases, including with EMS, the LPD, and public works. It was an honor to me to be asked, and I felt confident that I could help serve Laurel, moving forward. I have worked to do so, since coming on board. I am contracted at 20 hours per week in Laurel, through my private law firm, but I have worked exceptionally hard to be as available as much as possible for our City.

In the course of the past week or so, I have been witness to and become aware of multiple comments being circulated in our community implying that our City governance is corrupt, that the Mayor and City Staff are holding "closed door meetings," that multiple of us are not acting in the best interests of City residents, that I, in particular, am not "staying in my lane," and that there is information hidden from the public by the Mayor, myself, our Finance Department, and other City Staff.

I respectfully disagree with these comments, and I believe they lack context and a full understanding of the daily workings of City operations.

I want to first speak to what my experience is like working with Mayor Waggoner. Mayor Waggoner puts in exceptionally long hours and it is my experience that he cares deeply about our community. He is available to myself and other City Staff at all times of the day – including weekends and evenings. He is in constant communication with City Staff, he listens to and evaluates all perspectives, and I believe he is genuinely leading this community in a direction that looks forward, versus backwards. My experience working with Kelly Strecker, our Clerk/Treasurer, and the other members of the Finance Department is equally positive. Kelly has put in countless hours the past year to improving every aspect of the Finance Department. Contrary to statements made last week that the City has an opaque system of accounting, I find Kelly incredibly transparent, working exceptionally hard to get Department Heads what they need in order to appropriately manage their individual Department Finances. Like the Mayor, Kelly has been available to me for questions and analysis on many evenings and weekends.

I simply cannot agree that the Mayor or our Finance Department – and, for that matter, our other City Staff, are not working in our public's best interests.

I want to next address comments about my alleged failure, as a City Attorney, to “stay in my lane,” in the work that I perform. With all due respect, there is, frankly, no single “lane” for a City Attorney. The job of a City Attorney could be more aptly described as a 12 lane freeway, with numerous on and off ramps, construction zones, and toll ways. Traffic sometimes goes 75 miles per hour, with cars weaving in and out of various lanes. At other times, traffic is at an entire standstill, because of something that has arisen. The job for me, as a driver in these many lanes, is to try to keep as much predictability and stability in place for the many moving parts on this roadway.

I am not a decision-maker for the City of Laurel, nor is any City Attorney. However, it can often seem, to those looking from the outside in, that decisions are being made by a City Attorney, because the City Attorney is often the person charged with communicating messaging, giving advice in public forums, and handling personnel and other City Department management issues.

I will always provide my candid and thorough recommendations to the Mayor and CC. And, often, as a result of these recommendations, I then, in turn, have to communicate with City Staff about various pending matters. I understand that people may not always agree with my recommendations. People may also not always agree with the decisions made by the Mayor or CC. However, I assure you that this work is not taken lightly, either by myself, the Mayor, City Staff, or City Council Members.

City Attorneys serve in an advisory role, an educational role, an advocacy role, a defense role, a human resources role, a general administrative support role, and numerous other roles – if they are doing their job properly. All of this work is done in active consultation with relevant City Staff, the Mayor, and to the extent appropriate, City Council. This role does not operate in a vacuum.

Finally, I want to speak to my experience working with our City Council Members. I believe our community is incredibly fortunate to have the CC that we do. They routinely ask questions of myself and City Staff between meetings, on additional follow-up information they need to make informed decisions, and they work exceptionally hard on multiple Committees, Boards, and Commissions. It is not easy being an elected official, whereby members of the public sometimes “play arm-chair quarterback” regarding the decisions made. I am grateful for these hard-working members of our community.

I have asked that, if any Department Heads or Staff want to speak to any of these issues, in order to dispel some of the misconceptions that appear to exist, they are welcome to.

Finally, I want to address a procedural matter that I am aware of conversations about. This relates specifically to the handling of matters at the CC Workshop last week and tonight, during the public meeting. Members of the public might not be aware that, legally, there are specific rules of procedure and order that govern City Council Meetings. At meetings, a non-agenda item cannot be debated or involve extensive discussions by City Council and the Mayor. The public time to speak is available for anyone to show up and speak to any matter of substantial public interest. Discussion, debate, and decisions made, however – have to follow specific rules of procedure – which means that the item has to be an Agenda item. That is why, for example, as in last week, public comments are not addressed in a formal manner by City Council. That does not mean that City Council, the Mayor, myself, or City Staff is not listening to the comments and

evaluating what needs to occur thereafter. But, silence should not be construed as a lack of attention or a disregard for a particular persons/group of people's concerns. It is simply following parliamentary procedure.

I want to close by expressing my sincere gratitude to everyone involved in the City governance in Laurel for their hard work. My experiences working with the Mayor, City Council, our Department Heads, and many City Staff have been nothing but positive. I am honored to be witness to all of your hard work, and stand next to each of you and serve this community. I wholeheartedly do not endorse any theory by which there is corruption in our City government, closed door meetings, or efforts made not to work in our residents' best interests. It has been my full and complete experience, during my tenure, that City Staff, myself, and the Mayor are working exceptionally hard to grow this community in a positive direction, keep residents and their taxpayer dollars protected, and meet the needs of all of our City Departments.

I am happy to answer any questions that the Council may have, and if not, I'll turn the floor over to anyone else that wishes to speak.



Laurel Police Department

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

Chief of Police Stanley J Langve

February 28th, 2023

This is an open letter to all,

In my experience Mayor Dave Waggoner is a caring, studious, and engaged Mayor. I have found him to be a humble public servant, to the point I believe he would far more likely prefer to be called "Dave" rather than "Mayor". In my experience, Mayor Waggoner has been very open, engaging, and readily available to the Cities departments and to the citizens of Laurel. I appreciated the Mayors willingness to listen and critically examine issues with an open mind. I fully believe that Mayor Waggoner consistently bases his decisions and actions on what is in the best interest of the City of Laurel as a whole.

I have had the pleasure of working with our Clerk / Treasurer Kelly Strecker for many years. I have always admired Kelly for her hard work, diligence, and knowledge. Kelly has always been someone I have trusted to have open and honest conversations with. If she did not know the answer to a particular question she would research and provide me with reliable information. I do not know if many people can truly appreciate the courage and dedication to the city it took to step up and take over her current position. She showed incredible commitment to the city stepping up into that maelstrom. She has and continues to be an incredible asset to this community.

In my humble opinion, our Civil Attorney Michele Braukmann has been one of the greatest gifts the City of Laurel has ever had. I can not overstate the level of respect I have for her. Michele is incredibly experienced, knowledgeable, professional, ethical, and has a level of accessibility that is extraordinary. Perhaps the highest accolades that I can articulate to you is the esteem that Captain Travis Pitts has for Michele and her work. Michele Braukmann's efforts and candor have been an incredible guiding force for our department and the City of Laurel. She has constantly given of herself personally and professionally far more than could ever reasonable ever be expected. Michele has my full faith, support, and respect!

I stand before you in support of Mayor Dave Waggoner, Clerk/ Treasurer Kelly Strecker, and Civil Attorney Michele Braukmann.

A handwritten signature in black ink, appearing to read "S. J. Langve".

Stanley J Langve
Chief of Police

A handwritten signature in black ink, appearing to read "Travis L. Pitts".

Travis L. Pitts
Captain

February 23, 2023

Dear Mayor and City Council Members,

I apologize that I am not able to be here tonight to speak in person. I just wanted to take a moment to voice my thoughts in regards to Michele L. Braukmann, Civil City Attorney for Laurel and Mayor Waggoner.

I will be honest and say that I am not aware of all the issues/events that have occurred with the LVFD that have caused the recent discussions. I will also say that I feel that I, as well as my department, have a good working relationship with the Fire Department. We share a few volunteers, several of them drive for us when we don't have a full crew and we rely heavily on them to help with calls that involve extrication, extra hands when needed etc. I appreciate all that they do for us and our patients.

During the discussions between the LVFD and City Council, as I understand it, there were concerns that were brought forward regarding Ms. Braukmann and Mayor Waggoner. I feel that it is important to share my experiences working with them as the Ambulance Director.

I will start with the Mayor. I am very appreciative of Mayor Waggoner. He has taken the time to learn about our service and the care that we provide. He truly seems to understand the issues that we face as a city in being able to respond to calls for service. He has been available, approachable and open to hearing about issues and concerns that our department faces. It has been obvious to me that he appropriately researches and asks good questions to make informed decisions to help us progress. When he says no to a request, even if I don't like it or disagree, I know that it comes with a valid well thought out reason. Most importantly I feel that he supports us. He relies on me to do my job and I feel his trust in me to do so. He is gracious to me and my crew and I feel that he genuinely cares about them. He often expresses thanks and his concern for our safety. I truly do feel his appreciation to our department, and I believe that he wants to find a way for us to grow and provide the best care possible to the citizens of Laurel.

Ms. Braukmann has truly been an asset to our service. Quite frankly, I am in awe that we were so lucky to have her join our City Department. She has an incredible resume and, speaking from an ambulance industry, knows so much about the inner workings of public and private ambulance services, and from many conversations with her, she understands all aspects of emergency services. From daily operational questions to updating many aspects of our service such as moving our department from all volunteer to part paid/part volunteer, from EMT to EMT/Paramedic providers, updating policies and training etc, I so appreciate the fact that I can continually run ideas and drafts past her to make sure that we are keeping the city's liability low and doing the best that we can. She responds to questions and concerns literally day and night. She offers guidance in areas that I didn't even realize she could help with. She truly goes above and beyond to support us in so many ways. I absolutely feel her care, support and appreciation

towards myself and my crews and know that she will help to move our department forward in the future to ensure that the citizens of Laurel are receiving the best possible care that we can provide. I also would like to very clearly state that if the ambulance department ever ends up in litigation for any reason, I really hope we do not, but if we do, I would 100 % want Ms. Braukmann representing myself, my crews and the city. I am confident that she would be the best representation we could ask for.

I would also like to take a brief moment to say that since I joined this department, I have been extremely impressed and grateful for the support of all departments I have worked with. I appreciate the Emergency Services Committee and City Council's work. You all have been great with wanting to learn about our departments goals and progress and have been very supportive. I understand that we aren't always going to get everything that we want but so appreciate the willingness to learn and listen and let us continue to move forward with progress.

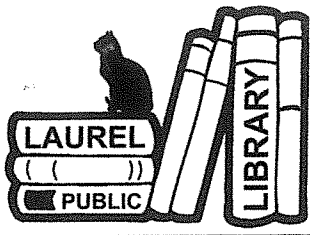
I am amazed at the work City Clerk Strecker and her staff have been able to accomplish this past year. They obviously faced huge challenges. Mrs. Strecker is always responsive to questions and willing to help. I would not be able to do my job without the help that she provides.

I appreciate you letting me share my experiences and am happy to answer any questions. Again, I am sorry I was not able to be present in person.

Respectfully,

Lyndy Gurchiek, NRP, Director
Laurel EMS
215 W 1st Street
Laurel, MT 59044
lgurchiek@laurel.mt.gov
406-860-8233





Laurel Public Library

720 W 3rd St. • Laurel, MT 59044

(406) 628-4961 • library@laurelpubliclibrary.org • www.laurelpubliclibrary.org

February 27, 2023

Council Members:

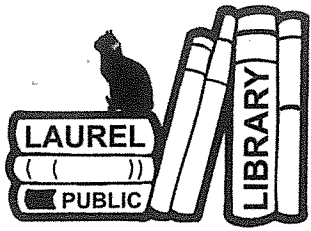
I would like to express my support for our City Attorney Michele Braukmann. I haven't spent a lot of time working with Ms. Braukmann over the last year, but my few meetings with her have been very productive. We haven't always understood what the other person has been trying to convey during our conversations which could have resulted in misunderstandings between us. We've kept our tone amicable, respectful and professional and persevered in finding a common goal for both the city and the library. At no time have I ever felt that the library was the 'least' of her concerns. Nor has she ever given the impression that any one department within the City is more important to her than any other department. Ms. Braukmann understands that I answer to other entities beside our City Administration when it comes to making decisions for the library (i.e., State Library, Board members, Library Federation) which can be frustrating at times. It is refreshing to have someone that is willing to listen to my reasons for what I do and how my goals should be accomplished to everyone's benefit.

After dealing with a previous administration that had taken steps to "get rid of the director" it is wonderful to have someone that is willing to put personal feelings aside and work for the good of our patrons and our city residents. I have been amazed at the number of times I've sent an email to Ms. Braukmann and received an answer back within a day or two. I had gotten to the point with our previous attorney that I didn't expect answers back to any questions regardless of how important the question was. Many times I would find another way to get the information that I needed to continue my work. Michele Braukmann has been great with the legal help she has given to the library and its board members when we asked for guidance. She has also been careful to not try to give us information that we haven't asked for because she suspects we may already have a good understanding of what the library needs to work but we only want clarification from a legal standpoint.

I also have to state how wonderful it has been to work with Kelly Strecker as the new Clerk/Treasurer. She has worked tirelessly over the last (almost) year to get all of our finances in order. She has been a powerhouse when it comes to getting her work completed and updated correctly.

I also want to say that Mayor Waggoner has gone out of his way to help the library succeed this year. We have been on a very, very limited budget for the 4 years of the previous administration which has resulted in cuts to the services we offer our patrons and the number of new items that we are able to purchase for patron use. Mayor Waggoner has set about helping us find ways in which the library can increase its budget through donations. One such idea is the new license plate design that will benefit the library (and the parks). We all have to work with the funds coming from the same pie, it's the slicing of the pie that makes the differences.

I just want to say, again, that I have found that working with Michele Braukmann, Kelly Strecker, and Mayor



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Waggoner has been a definite improvement over the last few years. It goes without saying that all of the other departments in the city have been very helpful to the library over the years. They have all gone out of their way to make us feel that ALL of us are part of this beautiful place we call our home or at least spend many hours working in – LAUREL. There are many places that have growing pains but we've overcome many of them. We will see this trying time through to the end and make Laurel even stronger for what we have experienced. If there is one thing that I could add to this letter it is that we should all be careful what we say and who we listen to everyday. What we may consider a simple statement could very well be taken as a 'gospel truth' by someone else.

Thank you for the opportunity to share my thoughts and opinions tonight.

With kind regards,

Nancy L Schmidt
Director
Laurel Public Library

Michelle Patrick
512 Idaho Avenue
Laurel, Montana 59044

Dear Mayor Waggoner and Council,

I am unable to be present tonight due to other obligations. I would like to speak as to my support of our Civil Attorney Michele Braukmann.

Michele works very hard and long hours to do the work she does for our city. The dedication and drive behind Michele's work speaks to her work ethic and how much she cares about the job she performs.

I am disheartened by some of the recent comments directed towards or about Michele that were very negative and undeserved. I would ask anyone that would like to know more about the work that Michele does, and where she stands, to make an appointment to speak with her in person.

Do not make your judgements based on information that may be incomplete or second hand from comments of others.

Sincerely,
Michelle Patrick

Michelle Patrick
2/28/2023