

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, SEPTEMBER 21, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on September 21, 2021.

COUNCIL MEMBERS PRESENT:

<input 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:

Nathan Herman, Utilities Plant Superintendent
Brent Peters, Fire Chief
Stan Langve, Police Chief
Juliane Lore, City Prosecutor
Jean Kerr, Judge

Public Input:

Brent Peters, 1995 Saddleback Dr., read the attached statement into the record.

General Items

1. Appointment of Alan Kasemodel to the Laurel Airport Authority.

Mayor Nelson stated Mr. Kasemodel was not able to attend this evening. He is qualified. His letter of interest is attached to these minutes.

2. Appointment of Timothy Frick and Brittney Patterson to the Laurel Volunteer Fire Department.

Brent Peters, Fire Chief, briefly reviewed the attached letter. Mr. Frick works for Stillwater Mine and was unable to attend tonight's meeting. The recommendation for Ms. Patterson has been withdrawn.

Executive Review

3. Resolution - A Resolution Approving An Increase In Firefighter Call-Out Pay For The City Of Laurel Fire Department.

Brent Peters, Fire Chief, stated this increase was budgeted. This is an increase from \$8.50 to \$10.50 per hour to keep in line with the drill pay. The last increase was in 2016; before that was

2006. The Fire Chief has not had an increase in stipend in 12 years. Stipend positions will not receive an increase.

4. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With MP Environmental For Services Relating To Cleaning Of The City's Backwash Pond.

Nathan Herman, Utilities Plants Superintendent, stated the refinery needed to work on the City's backwash pond. They brought in equipment out of Cody. Since the equipment is here, it will save the City \$6,600. The City cleans out the backwash pond approximately every three years. It usually is \$12k to \$15k each time the backwash pond is cleaned out.

Mayor Nelson clarified that CHS dumped two loads of sludge in our pond. CHS provided the operator and an extended boom and bucket to clean up this error.

5. Resolution - A Resolution Declaring The Existing Playground Equipment Located At Kids' Kingdom "Surplus Property" And Authorizing Its Removal And Disposal By City Staff And Volunteers.

Nathan Herman, Utilities Plants Superintendent, stated that the group fundraising to replace Kids Kingdom had surpassed their goal. The City needs to declare the current playground equipment as surplus so it can be removed. New equipment should be here in November.

Michelle Mize, 508 5th Avenue, asked if the slides and swings still in good condition would be reused for other parks with cracked and damaged equipment.

It was clarified if those items can be reused, they will be.

Park Board recommends declaring the playground equipment surplus as well.

6. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign An Agreement With Lexipol, LLC For Services Provided For The City's Police Department.

Stan Langve, Police Chief, stated he first learned of Lexipol when he attended the FBI Command College. He started researching ways to fund this program. The value of this program is being explored in Montana. MMIA has seen the value in this program. He tried to get Laurel in on the initial pilot program. Three departments were selected for the initial pilot program; Laurel was not one of them. MMIA decided to expand the program this year, and Laurel was selected this year. MMIA is investing \$250k per year for this program. Their goal is to have all departments on the tier one program. This proposal includes \$3,000 to include tier two as well as tier one. His goal is to bring in tier three at a later date. The Police Departments' policy manual was updated seven years ago. It is now out of date. Lexipol works with a group of attorneys that help update high-risk policies in real-time. Court proceedings can change policies. Lexipol will have training updates for officers regularly. It helps protect not only the citizens but also the officers. The money has been budgeted for.

7. Resolution - A Resolution Requesting Distribution Of Bridge And Road Safety And Accountability Program Funds

Mayor Nelson read the attached letter from the Clerk/Treasurer. He reminded Council that the State requires the City to apply for gas tax funds each year. If the City does not apply for them, we don't get them. This is the most significant portion of the City's gas tax funds.

8. Ordinance - An Ordinance Amending Certain Chapters Of Title 8 Of The Laurel Municipal Code Relating To Health And Safety Matters, Including Nuisances For The City Of Laurel.

Juliane Lore, City Prosecutor, stated she is before Council not only as the City Prosecutor that will be in charge of the enforcement of these provisions but also as a resident. The Building Official has been working on this ordinance for a while now. She was unable to attend this evening's meetings as she is away at an awards ceremony. She has heard a lot about the magnitude of the issues of public nuisances; she also learned why those nuisances could not be addressed. They began to revise Title 8 entirely to transfer Code Enforcement to the Police Department. Captain Pitts has also reviewed this proposed code to look for holes that would not allow for enforcement. This code is very much in line with what is current in other municipalities. It does include what MCA will allow the City. It does keep most of the Laurel Municipal Code. She briefly reviewed the proposed changes. In 8.12, it was previously called nuisances; now, it will be called criminal nuisances. They are now misdemeanors. The penalties are now included, and issues can be dealt with. The first violation is no jail time with a fine of \$100 to \$500. The second offense is up to 30 days in jail with a \$300 to \$500 fine. And third and subsequent is up to 90 days in jail and a \$500 fine. After penalties are abatement, the abatement procedure was good, but it was in community decay and could not be enforced. They added in a temporary immediate injunction as abatements can take some time. In the cases of egregious harm that is ongoing, a temporary immediate injunction can be filed.

Stan Langve, Police Chief, stated many people had reviewed this ordinance before coming before Council. The Building Official is getting an award in Code Enforcement today and was unable to make it this evening. He is happy to have something coming forward. Discussions were spirited and productive. The goal was to set the parameters wide and work to specific instances. It offers every option to enforce this code.

Jean Kerr, Judge, stated Public Defenders do not represent defendants for City ordinances.

It was clarified that the ordinance would not be rewritten to allow the appointment of indigents to the State. Should they be charged with a subsequent nuisance violation and need a Public Defender but are charged under local statutes, that is an issue for Helena.

Stan Langve, Police Chief, stated yesterday they were out chasing someone with \$150k in warrants. There is an understanding that generally handles municipal as a civil process. The State does allow for it to be listed as a misdemeanor. Looking at starting large if the possibility it ever

comes that far. At least have that option. The Police Commission code mirrors the State code; when the State code gets revised, the City's code is automatically updated. This ordinance makes all the appropriate references to MCA. It gives enforcement options, and adjustments can be made if needed. This is a living document and will need to be updated from time to time.

Barbra Anne Sprague Eminith, 501 Alder Ave, briefly read the attached statement into the record.

Mayor Nelson thanked all those who worked on this ordinance.

Council Issues

9. Discuss Resolution No. R15-51.

Mayor Nelson stated Resolution No. R15-51 is included in your packet with supporting documents. A discussion at the Budget/Finance Committee asked for this item to be placed on the Workshop. The Clerk/Treasurer stated during that Budget/Finance Committee meeting that it is Council's responsibility to set the Judge's wage each year. There are different methods of doing that. That could be similar to what the City and the Union member employees do, which is a percent increase each year. Council decided to install a matrix. The current matrix is attached to these minutes.

Council noted that this matrix seems to be falling behind in relation to other employees.

Jean Kerr, Judge, clarified that one of her Court Clerks is making \$1,500 more than she is as Judge. She recommends looking at not just what the City wants now but also in the future. There are a lot of different ways to look at a salary increase. Some judges received longevity with yearly increases. One Judge in Billings received 77.5% of what the District Court Judge makes. She used to receive longevity. She has 24 years of service. If there is a new Judge in one year or four years, what is the base salary? Her wage is still below the average income in the State of Montana.

It was questioned if someone came in as Judge, would they start at \$35k. Council would like to see a higher starting salary, COLA, longevity. Starting with a good base salary.

Council also noted that the Judge is currently receiving a ½% increase each year. Council noted it should be more consistent with what other Staff are making.

It was questioned what other City's pay their Judges. Judge Kerr was unsure. It was clarified that a new Court Clerk would start at \$17 something an hour. Then move to \$18 something after probation as it is a Union position.

Council noted that the new Parking/Barking Officer would be making \$40k. They did not feel the base wage of \$35k was fair. It was clarified that the wage for the Parking/Barking Officer is still in flux as there are ongoing negotiations with the Union on that matter. It is looking like it will be in the high \$16's.

It was clarified that most positions also incur approximately the same amount of benefits. The Judge does not have vacation, etc. She does have insurance, and she does pay into PERS. She receives half the benefits that a regular employee would get. The Judge also asked for back pay for the number of years she received inequitable pay.

Council asked if this should go back to the Budget/Finance Committee to hash out the specifics. Council asked for information on what other municipalities around the State pay their judges.

Mayor Nelson stated he would have three or four examples provided of courts that are similar. It is a Council issues and can be discussed at the Workshop.

Other Items

Review of Draft Council Agendas

10. Review of Draft Council Agenda for September 28, 2021.

Removal of Ms. Patterson from the appointment for FD.

Attendance at Upcoming Council Meeting

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

Announcements

Council stated they would like to get Riverside Park open.


A Council Member recalled asking that the LURA Large Grants be brought back to a Workshop. Council would like to see those in the near future. It was clarified that there would be a presentation at the next Workshop.

Emergency Services Committee is scheduled to meet on September 27, 2021, in Council Chambers at 6:00 p.m.

Mayor Nelson read into the record how the last City Council meeting had been noticed; see attached. City Council Meetings have always been held at 6:30. The meeting was posted in the legally required posting locations as it always is.

The council workshop adjourned at 7:48 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.

The parking issue is here for a while. Laurel does need more downtown parking. I think that has been identified and agreed upon by many. Including the City Council and Officials. The problem here is the method that this situation came about. Robbing city streets for a personal gain. It's the same as taking someones private driveway to park your vehicle. The streets outside the buildings do not belong to the landlords or owners. They are public streets with public parking owned and managed by the City of Laurel. The proper methods was not followed, and approval was not given. The last workshop the responsible admitted wrongful doing of changing the parking so why are we still dealing with this? The street should be restored to normal, and the proper procedure followed to complete this legally. There has been talks and slander on the other streets that have diagonal parking. What method was used to approve and make those happen? Would a parking lot or garage on the South side of Main Street with crosswalks provide enough parking?

I understand that in today's world the fights and bickering happens on social media. I more old school and if there is a problem then let's talk it out. That's why I don't have Facebook or any of those others. It's too easy to be a coward behind them and say what you normally wouldn't say to resolve a problem. It's easier to slander or bully someone or a group on social media. In this case instead of doing the right and legal thing lets bully and threaten the City to change or go against their codes, policies and laws. Unfortunately, I still hear what is said on social media. All of our contact information is on the City of Laurel website. If it's feelings that's trying to be touched by calling us THUGS, or BULLIES or my favorite FIRE NAZIS it's not going to work. I have been called a lot worse. Other than the fact I lost relatives in the holocaust, so calling me a Nazi does hit close to home. Especially with my mom. But I have learned to have a thick skin and know that I represent and that is to serve the people of this city and community, and I do it the best I can. All the firefighters serve each and every person here.

Lastly, I hear all this complaining of how the city is and what the city is stopping but not once have I heard those complaining that they are going to step up and truly make a difference. There are several Boards and Commissions in this city government that frequently needs committee members. These members discuss issues and make recommendations to the City Council. If this problem has gone on for years, I don't remember seeing the responsables or anyone else's name on a ballot running for City Council. So, are these complaints only a personal issue for the properties involved or is a concern for all the business district and for the City of Laurel in a whole?



Leslie Atkins · 45:23 But it's hard for people to live here because the parking in a high density area is being removed by the city!!

6d



Leslie Atkins · 28:09 The worst thing, the city wants to be "big" but there is no parking to keep our main street functioning. Stop harassing people. Keep our parking on 3rd!

6d



Leslie Atkins · 56:33 "Growth" can't happen with a "dead" Main Street. Keep our parking on 3rd.

6d



Leslie Atkins · 12:53 The city of Laurel is a bully. Parking is an absolute need for residents and businesses in the central business district. The fact that you hypocrites have told me to my face that the parking is a great idea and needs to be addressed, but you never do it. Spending money to remove the parking that was put on 3rd is outrageous. Let's put THAT up to a vote!

6d



Barb Emineth · 2:09 Wondering what happened to our fast forward?

4d



Barb Emineth · 7:07 Got it

4d



Leslie Atkins · 1:15:13 Preach!!

6d

Most Relevant is selected, so some comments may have been filtered out.

**Ben Lyons**

14 hours ago

It make it less congested and better for everyone over in that area

❤️ 0

[Report](#)**Leslie Atkins**

14 hours ago

Parking is the biggest deterrent for business in the central business district. The city would rather punish business than make the problem better. They'd rather charge me with a crime for having the lines painted (with what I assumed was permission) than to understand that the central business district is dying because of their inability to be decent humans.

❤️ 0

[Report](#)**Jessica Cummings**

15 hours ago

It would be advantageous for the local city government to listen to the citizens and find a workable solution for all. There... [Read more](#)

❤️ 2

[Report](#)

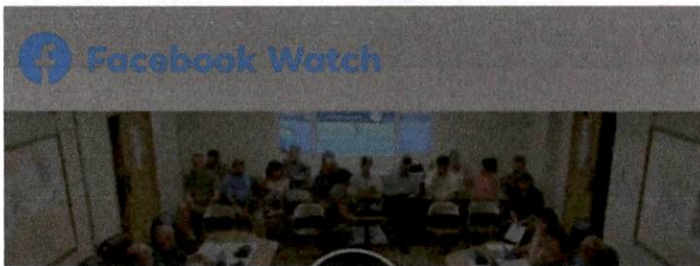


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Comments

Done

on Tue Like Reply



Leslie Atkins

The city of Laurel is a bully. Parking is an absolute need for residents and businesses in the central business district. The fact that you hypocrites have told me to my face that the parking is a great idea and needs to be addressed, but you never do it. Spending money to remove the parking that was put on 3rd is outrageous. Let's put THAT up to a vote! 2

on Tue Like Reply



Leslie Atkins

Preach!!

on Tue Like Reply

View more comments...



Leslie's Post



15h Like Reply

1



Leslie Atkins

Parker Wolcott there are several places in Laurel with angled parking. The city simply doesn't want me or my tenants to have angled parking. If I had a liquor license I could certainly have the parking I need. My tenants need the parking. The city has given me lip service for over a decade about the parking issues. They had a parking study done about 10 years ago to have angled parking throughout the central business district. But there are officials that just don't want it. The fire chief and his thugs for one. Kurt Markeguard for another. One council member doesn't want it. The people who LIVE in the central business district NEED the parking. Everyone I've spoken to says they are happy it was done. I gave the city a solution that gives us proper parking and makes the fire nazis happy too but apparently it's not good enough.

14h Like Reply



Leslie Atkins



Write a comment...



News Feed



News



Dating



Notifications



Menu

8/29/21

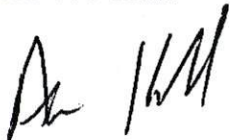
City of Laurel
City of Laurel Mayor Tom Nelson
Box 10 Laurel MT 59044

Dear Mayor Nelson,

Please consider me for appointment to the open seat on the Laurel Airport Authority Board. I have strong aviation background that started in the Army as a certified air traffic control specialist. I then achieved my aircraft mechanics and pilots licenses in the mid 80's. I then utilized my training from the armed services and was an air traffic controller in Billings until my retirement this year. I retired as a staff support specialist. I have also been a flight instructor for the past 11 years. I am very familiar with Laurel Airport and have rented a hangar there and utilized the airport for many years. I believe my broad range of skills and knowledge of aviation, FAA regulations and business and staff management would be an asset to the Laurel Airport Board.

Thank you for your consideration.

Alan Kasemodel
3759 Granger Ave West
Billings MT 59101
406-670-6322

A handwritten signature in black ink, appearing to read 'Alan Kasemodel', is written below the typed name and address.



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

September 10, 2021

Mayor and Laurel City Council,

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

Firefighter

Timothy Frick
Brittney Patterson

They have been selected unanimously by the Department, approved by the Chief of the Department, and are seeking your appointment.

A handwritten signature in blue ink, appearing to read "B. Peters", is written over a horizontal line.

Brent Peters
Fire Chief
Laurel Volunteer Fire Department

Brittney Moorman

From: Bethany Langve
Sent: Tuesday, September 21, 2021 1:45 PM
To: City Mayor; Brittney Moorman
Subject: Item 7

Mayor and Brittney

Regarding item 7 on tonight's agenda, since I will not be attending the meeting due to illness. This is the annual resolution requesting HB 473 Gas Tax funds from the State. We must do the request every year by the end of November. We use these funds for our Citywide Street Maintenance projects.

Bethany Langve
City Clerk/Treasurer

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Hello, my full name is Barbara Anne Sprague Emineth and I live at 501 Alder Avenue

I would like to thank Karren Kortney (^{our} code enforcer), police chief Stan Languey, and city prosecutor Juliane Lore for bringing forward a comprehensive, enforceable nuisance code that includes penalties for violators.

If the council approves and adopts it Laurel will benefit in many far reaching ways

- #1 We will become more attractive to visitors which will help your local businesses.
- #2 It will improve your citizens physical as well as mental health.
- #3 It should lessen the amount of neighborhood fights over yard debris.
- #4 It will teach children that it's not o.k. to pile junk in your yard where your neighbors have to look at it.
- #5 It will possibly give the city an avenue to pursue condemning and demolishing properties that warrant such action instead of waiting for the property owner to die! It doesn't matter if the property is on Main Street or Birch Avenue.

I know very well how tolerant Laurel has been with the hobos that come with the railroad, years ago my mother-in-law who lived in Riverside park would feed them, maybe let them stay the night in the bunk house and then they'd be on their way. That is not what's been happening at 506 Birch. These people go uptown and bring home whoever they can and they steal from us and it has gone on for years now.

The reality is Michaela Herren has maintained a public nuisance for far to long and I feel the city has been neglectful by not dealing with the situation.

At one time in her life Michaela was a beauty queen then she was in a bad car accident. Some of the injuries she sustained are visible and some are not.

I wish Michaela had family that cared what happens to her but if she does they are nowhere to be seen. She is disabled, she is venerable and can be easily taken advantage of. I hope she can get the help she needs soon. She is living in a house that was never cleaned up from a meth bust 20 years ago. An attempt was halted because of concerns ^{over} Hunter virus from all the mouse droppings.

this is also a case of hoarding, she had 30 cats in her house at one time. Judging by the pickup full of garbage out back and the big pile of garbage in the backyard I suspect the hoarding has continued. Hoarding is a mental illness which is certainly not a crime but when the result is negatively affecting an entire neighborhood the city needs to step up and step in!

my intentions are honorable. I am concerned with the safety of my neighbors and the well being of future generations.

Other agencies may need to become involved such as adult protection, health + human services, mental health, animal control just to name a few.

There are solutions if we all focus on what can be done as opposed to what cannot!

I know in my heart I ^{have done} ~~am doing~~ the right thing by getting the ball rolling on this and now the ball is in your court please do not drop it.

I encourage each of you to approve and adopt the code that's been brought forward.

Sincerely,
 Paula Anne Sprague Emmitt

RESOLUTION NO. R15-51

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAUREL, MONTANA,
SETTING THE SALARY FOR THE CITY COURT JUDGE.**

WHEREAS, during each budget cycle the City Council sets the salary of the City Court Judge, including increases; and

WHEREAS, the City Council desires to establish a salary schedule for the City Court Judge's position to provide certainty and fairness for the City and the elected City Judge; and

WHEREAS, the date of salary increases should be clarified and certain; and

WHEREAS, it is in the best interests of the citizens that the position of City Court Judge of the City of Laurel be sufficiently compensated to attract and retain quality candidates willing to serve in this fundamental position; and

WHEREAS, the City Council has the authority pursuant to the Laurel Municipal Code 2.68.100, to set the salary of the City Court Judge.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana that, effective July 1, 2015, the salary of the elected City Court Judge is set pursuant to the attached schedule including salary increases;

BE IT FURTHER RESOLVED, that the current elected City Judge's salary shall be adjusted on July 1, 2015, and shall remain within the attached salary schedule and the City shall continue to provide health insurance and retirement.

Introduced at a regular meeting of the City Council on June 2, 2015, by Council Member Mountsier.

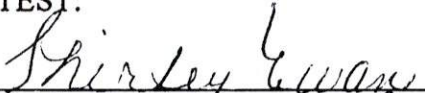
PASSED and APPROVED by the City Council of the City of Laurel this 2nd day of June, 2015.

APPROVED by the Mayor this 2nd day of June, 2015.

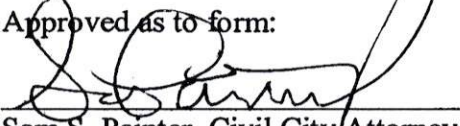
CITY OF LAUREL


Mark A. Mace, Mayor

ATTEST:


Shirley Ewan, Clerk/Treasurer

Approved as to form:


Sam S. Painter, Civil City Attorney

R15-51 Judge's Salary

Years of Service	Additional Pay Re-Election	Yearly Salary
Year 1		\$ 35,000.00
Year 2		\$ 35,254.00
Year 3		\$ 35,508.00
Year 4		\$ 35,762.00
Year 5	\$ 500.00	\$ 36,516.00
Year 6		\$ 36,770.00
Year 7		\$ 37,024.00
Year 8		\$ 37,278.00
Year 9	\$ 500.00	\$ 38,032.00
Year 10		\$ 38,286.00
Year 11		\$ 38,540.00
Year 12		\$ 38,794.00
Year 13	\$ 500.00	\$ 39,566.00
Year 14		\$ 39,820.00
Year 15		\$ 40,074.00
Year 16		\$ 40,328.00
Year 17	\$ 500.00	\$ 41,082.00
Year 18		\$ 41,336.00
Year 19		\$ 41,590.00
Year 20		\$ 41,844.00
Year 21	\$ 500.00	\$ 42,598.00
Year 22		\$ 42,852.00
Year 23		\$ 43,106.00
Year 24		\$ 43,360.00
Year 25	\$ 500.00	\$ 44,132.00
Year 26		\$ 44,386.00
Year 27		\$ 44,640.00
Year 28		\$ 44,894.00
Year 29	\$ 500.00	\$ 45,648.00

\$500 Additional Salary for Re-Election - Beginning January 1 after re-election

AFFIDAVIT OF PUBLICATION NO. 284

Crystal Nagel, being first sworn, deposes and says: That she is the Office Manager of the Laurel Outlook, a weekly newspaper published every Thursday in the City of Laurel, in the County of Yellowstone, State of Montana, and has charge of the advertisements thereof;

That the printed notice,

NOTICE

The August 17, 2021 City Council Workshop meeting has been combined with the August 24, 2021 City Council meeting. This is to allow the City Council and Mayor to participate in on-site training August 17, 2021. The City will notice this training as no official city business will be conducted during the training.

Special budget meetings will be held on August 23, 2021 and August 30, 2021 at 6:30pm in Council Chambers.

A special City Council meeting will be scheduled for September 7, 2021 immediately after the scheduled City Council workshop. This special City Council meeting will allow the City Council to pass the Fiscal Year 2022 City Budget per MCA.

(Published Laurel Outlook 08-12-21) MNAXLP

a true copy of which is hereunto annexed, was published in the regular and entire issue of the weekly edition of said newspaper for ONE successive issues, commencing on the 12th day of August, 2021 and ending on the 12th day of August, 2021 (inclusive), making in all ONE publications.

The rate charged for the above legal printing does not exceed the minimum going rate charged to any other advertiser for the same publication, set in the same size type and published for the same number of insertions.

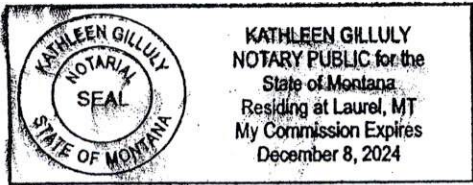
Signed and acknowledged before me this 12th day of August, 2021

by: Crystal Nagel

Kathleen Gilluly

Notary Public in and for the State of Montana, residing at Laurel, Montana.

My commission expires: 12/8/24



- *notice via fb 8/31
Special city Council meeting
- *website -> calendar -> Sept 21
9/17 Workshop start time @ 6:30
Special Council start time @ 7:00
- * next meeting sign in hallway
Posted before 8/17 meeting
- * Both agendas posted in the legal posting location
9/3 before 5:00 p.m.