

**MINUTES  
CITY OF LAUREL  
CITY COUNCIL WORKSHOP  
TUESDAY, MAY 19, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tomas Nelson at 6:35 p.m. on May 19, 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 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  
Stan Langve, Police Chief  
Kurt Markegard, Public Works Director  
Karen Courtney, Code Enforcement Officer

**Public Input:**

There were none.

**General Items**

1. Appointment of Dustin Riveland to the Laurel Police Reserves.  
Stan Langve, Police Chief, briefly introduced Dustin Riveland to Council. He read the attached letter.

**Executive Review**

2. Resolution - Approve Bid for Riverside Park Campground

Matt Smith, KLJ, stated bids were opened on May 13<sup>th</sup>. There were six bids. The low bid was Weave Consulting with 245k. The top bid was for approximately 261k. The Engineers' probable costs were 346k. The recommendation is to award Weave Consulting the bid.

Kurt Markegard, Public Works Director, stated that this project had been a long time coming. They have worked with the National Resources Damage Program and went out to bid. The goal was to complete it by Memorial Day. Can get started as soon as Council awards the bid. This project has a 30-day contract time. The vault toilet has a 90-day lead to get here. Will have the crews get started and put the toilet in when it arrives.

It was questioned if the existing toilets will be open for use until the new toilet arrives. It was clarified all toilets were closed due to Covid. It is impossible to sterilize them appropriately. People are also stealing the toilet paper out of toilets across the region.

3. Ordinance No. O20-02: An Ordinance Amending Title 2 Chapter 2.60 Of The Laurel Municipal Code Relating To The City's Police And Police Commission.

There will be a public hearing on this ordinance at next week's meeting.

Stan Langve, Police Chief, stated they went through the code and cleaned up the language, made language gender-neutral. There were many changes to the Police Commission defaulting to what MCA states; that way, the code is automatically reflected in LMC if the state statute changes.

### **Council Issues**

4. Discussion on Draft Noise Ordinance

Nick Altonaga, Planning Director, stated that Karen Courtney, Code Enforcement Officer, worked on this ordinance for the past few weeks. He had passed the information on from Council's original discussion.

Karen Courtney, Code Enforcement Officer, briefly reviewed the attached Staff report.

Stan Langve, Police Chief, stated that it is his opinion that the noise ordinance needs to be its own code as the disorderly conduct mirrors MCA. This is a great tool when a situation needs to be addressed, but due to time doesn't warrant a charging under MCA. It is a civil citation to address and move on—two very distinctive statutes. There are benefits to using the civil process over the criminal process. The amount of evidence needed for the civil process is 51%, whereas the criminal process is beyond a reasonable doubt. There is more satisfaction with a noise ordinance as this way it's clear when noise can be made. Example roofers wanting to get started before the heat of the day.

It was questioned if the City had established a baseline. A Council Member remembers back in the day when they would use the meters to check mufflers so people could ensure they wouldn't receive a ticket. It was clarified that the baselines still need to be established. The suggested limits are much higher than in other towns. The railroad, refinery, and interstate may affect the ambient noise levels.

It was questioned if railroad crossings would be included in this ordinance. It was clarified that there were discussions about quiet zones. To have the application for a quiet zone looked at requires a 10k deposit. The City would also be required to pay for upgrading all crossings to quiet crossings.

Council noted that it is good timing with the budget discussions coming up. The 5k for the unit can be added to the budget. This is less than the contract Council was looking at

for the pool and less than the request for a recently approved lawnmower. The training can be budgeted as well. The constituent that made the complaint was happy with the draft ordinance.

It was questioned if events need to conclude by certain times on nights and weekends. It was further questioned if the Central Business District had its own range and/or times. It was clarified that the Central Business District would have to have events concluded by 11 p.m. If the bars have an event, that event would need to be shut down by 11 p.m. Outside of the Central Business District, such as at a house would need to be wrapped up by 9 p.m. or 10 p.m. It was further questioned if an event could go from 6 a.m. to 10 p.m. It was further clarified that the hours are to let people know what time they need to quiet down by.

Council expressed the simplicity of having two-time windows of day/night. The verbiage can be adjusted to make it clearer.

It was questioned if the City can get a baseline study done without purchasing a unit. It was further questioned if there is a company that does this for communities. The Code Enforcement Officer stated she would see if there are companies that do baseline measurements. It is her assumption that there is someone who does do that. She will find the cost associated with the baseline study.

To move forward the baseline needs to be established, and the ordinance needs to be run through legal review. This item will be brought forward at a future Workshop.

### **Other Items**

There were none.

### **Review of Draft Council Agendas**

5. Review Draft Council Agenda for May 26, 2020.

There were no suggested changes.

### **Attendance at Upcoming Council Meeting**

Everyone in attendance plans to attend the next meeting.

### **Announcements**

Due to Covid-19, plans have changed for Memorial Day activities. The Friday before Memorial Day is Poppy Day, which has been postponed to the fall. On Saturday at 8:30 a.m., the American Legion will be putting flags at the City Cemetery. At 9:00 a.m. American Legion will place the 5x8 flags at the National Cemetery. The National Cemetery cannot hold organized activities, so there will be a short film shown on



Memorial Day. Anyone who would like to put out a flag may do so. At noon on Saturday, the National Cemetery manager will raise the flag back up to full staff. The American Legion and VFW will do a closed ceremony at 9:00 a.m. There will be a salute to the flag, a short prayer, and volleys and taps.

Council reminded residents to stay safe if traveling.

Mayor Nelson stated that today Governor Bullock announced the move from Phase One to Phase Two beginning on June 1, 2020. This allows for larger crowds with social distancing, increased capacity in restaurants, no quarantine period for people traveling from out of state. Should Yellowstone County have, an increase in cases Yellowstone County Health Officials can issue additional mandates.

Mayor Nelson stated he would be absent at next week's meeting. Council President Eaton will run the meeting. This meeting will be in person under social distancing guidelines. We will continue to broadcast on Facebook as well. Subcommittees will resume meeting in person; should they have a meeting, they expect large public attendance, then they will be broadcasted. Masks should be worn as a courtesy to others.

The council workshop adjourned at 7:26 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brittney Moorman", is written over the typed name and title.

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.**



# Laurel Police Department

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

**Chief of Police Stanley J Langve**

May 5<sup>th</sup>, 2020

To: Mayor Tom Nelson

From: Chief of Police Stanley J Langve

RE: Reappointment of Dustin Riveland to the Laurel Police Reserves

Greetings,

Dustin Riveland is a former Laurel Police Reserve Officer who resigned in good standing on June 21<sup>st</sup> of 2019 after 6 years of service. Dustin resigned as the personal demands of a new job did not allow him to complete his obligations to the City.

I have recently spoken to Dustin and he has expressed his desire and ability to return to the Laurel Police Reserves. On May 4<sup>th</sup>, 2020 I received a completed application from Dustin Riveland. I am writing you to request his appointment to the Laurel Police Department.

Respectfully,

A handwritten signature in blue ink, appearing to be "SJL", written over a horizontal line.

Chief of Police  
Stanley J Langve

CITY HALL  
115 W. 1<sup>ST</sup> ST.  
PUB. WORKS: 628-4796  
WATER OFC.: 628-7431  
COURT: 628-1964  
FAX 628-2241

# City Of Laurel

P.O. Box 10  
Laurel, Montana 59044



Office of Code Enforcement

May 14, 2020

## Regarding Noise Ordinance Draft

Mayor Nelson and City Council,

The draft that I have completed is intended for conversation purposes at this time. The draft has not gone through legal review nor have we finalized some sections

There are some considerations that staff feels should be taken into consideration when discussing moving forward with possible adoption of a Noise Ordinance.

1. With the passing of the Noise Ordinance professional decibel readers would have to be purchased to meet the American National Standards Institute (ANSI) standards with the ability to show the levels for the duration put in the ordinance. The readers that I have found that would allow for recordable readings and print out (needed as evidence should it go to court) of such readings have been in the range of over \$5,000 each. This includes the reader, calibration equipment, case, and software. These units meet the standards and read up to 140 dB(A). The number of meters to be purchased would need to be decided upon for budgeting.
2. Anyone using these devices would need to have proper training on the proper use, reading and calibration of the equipment in order for it to be a document of submissible evidence in a court of law. Do not have a cost on this training currently to present an estimate to the council.
3. Baseline dB(A) readings would need to be established in different areas of the City so that the ambient noise levels are taken into consideration when enforcing this code. The city would need to establish the best course of action on how to accomplish this project.

The duration time was changed from what was suggested to allow for the reading to show if there is a violation while not requiring the enforcement officer to stay at location for the 20-minute time duration that was suggested.

Commercial and Industrial zones were added as there are areas within the city where the separate zoning areas merge.

Per suggestion three separate time zones were listed in table, however staff suggests that only two time zones be used in order to maintain simplicity when enforcing the code.

Respectfully,

Karen Courtney, CCEO, CPSI, CBI, CFI1  
Code Enforcement Officer/Safety Officer