

MINUTES OF THE CITY COUNCIL OF LAUREL

April 23, 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 Council President Sparks at 6:28 p.m. on April 23, 2024.

COUNCIL MEMBERS PRESENT:

Thomas Canape	Heidi Sparks
Michelle Mize	Jessica Banks
Casey Wheeler	Irv Wilke
Richard Kloze	Jodi Mackay

COUNCIL MEMBERS ABSENT:

None

OTHER STAFF PRESENT:

Michele, Braukmann, Civil City Attorney, via phone
Brittney Harakal, Administrative Assistant
Kelly Streeker, Clerk/Treasurer
Kurt Markegard, Planning Director
Matt Wheeler, Public Works Director

Council President Sparks led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of April 9, 2024, as presented, seconded by Council Member Mize. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

CORRESPONDENCE:

- Fire Monthly Report – March 2024.

Clerk/Treasurer Streeker announced that the City had received all four grants it had submitted for the HB355; see the attached letters.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Public Hearing: Resolution Of Annexation Of Property Legally Described As The Amended Plat Of Lots 1 & 2 Of Nutting Brothers Subdivision, Second Filing, Lot 1a, Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.

Council President Sparks opened the public hearing and asked Staff to present the item.

Kurt Markegard, Planning Director, briefly reviewed the attached staff report.

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

Council President Sparks asked if there were any proponents.

Shane Sawndal, the owner's Representative, briefly reviewed the attached handouts. All permitting has been done through the State.

Brian Alexander Sanderson Stewart stated that they have worked with both the City and KLLJ to support the foundation for this annexation. He reiterated that pedestrian safety had been a priority for this project.

Ron Benner, 1408 E. Maryland Lane stated he was not opposed to the project but did have some concerns. He is concerned about the drainage; where will the surface water go? He is concerned

Council Minutes of April 23, 2024

about the traffic and no sidewalks on E. Maryland. He noted comments made during the February 12, 2024 School Board meeting. In particular, at minute 42, when Mr. Lorash stated, "don't want the City seeing as a short cut" and at minute 43:30, "...if the City makes us pay this Graff will be in a pile of dust and make the City deal with it." Behind the Middle School, there is an open ditch; it took 15 years for a fence to be put up, however, kids are still playing in the ditch.

Council President Sparks asked three (3) times if there were any opponents. There were none.

Council President Sparks asked both Staff and the School District if they would like to respond to questions.

Shane Swandal, the owner representative, stated a traffic study has been completed and is included in the packet. All stormwater will meet current DEQ standards. They are actively working on mitigating the issues with stormwater. Safety is the top priority.

Council President Sparks closed the public hearing.

CONSENT ITEMS:

- **Claims entered through April 19, 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 4/14/2024 totaling \$228,493.06.**

The Council President 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. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of April 9, 2024.
- Park Board Minutes of April 4, 2024.
- Public Works Committee Minutes of March 18, 2024.
- Library Board Minutes of February 13, 2024.
- Library Board Minutes of March 12, 2024.
- Laurel Urban Renewal Agency Minutes of April 1, 2024.
- Laurel Urban Renewal Agency Minutes of April 15, 2024.
- Cemetery Commission Minutes of April 18, 2023.
- Emergency Services Committee Minutes of March 25, 2024.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of Kurt Markegard as the Floodplain Administrator.**

Motion by Council Member Canape to approve the Mayor's appointment of Kurt Markegard as Floodplain Administrator, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-26: A Resolution Of The City Council Approving The 2024-2027 Collective Bargaining Agreement Between The City Of Laurel And Local Union 303, American Federation Of State, County, And Municipal Employees, AFSCME.**

Motion by Council Member Banks to approve Resolution No. R24-26, seconded by Council Member Wilke. There was no public comment.

The Council questioned if only agreeing to one year of wages would be a significant ask in the following years. It was clarified that was not part of the negotiations, and if there are any language changes they would need to go back into negotiations and discuss. It was noted that if a request is too large in the future Council can decline.

A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-27: A Resolution Of The City Council Authorizing The City Of Laurel And The Laurel Urban Renewal Agency (LURA) To Submit A Request For Proposal For A TIF Consultant.**

Motion by Council Member Mize to approve Resolution No. R24-27, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-28: A Resolution Of The City Council Authorizing The Mayor To Execute The Agreement For Provision Of Fire Services By And Between The City Of Laurel And Laurel Urban Fire Service Area (LUFSA).**

Motion by Council Member Wheeler to approve Resolution No. R24-28, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-29: A Resolution Of The City Council Authorizing The Mayor To Execute The Agreement For Provision Of Fire Services By And Between The City Of Laurel And Yellowstone Boys And Girls Ranch.**

Motion by Council Member Mackay to approve Resolution No. R24-29, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-30: A Resolution Of The City Council Approving A Memorandum Of Understanding By And Between The City Of Laurel And Yellowstone County For The W. 12th Street Overlay Project.**

Motion by Council Member Banks to approve Resolution No. R24-30, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-31: A Resolution Awarding The Bid And Authorizing The Mayor To Execute All Contract And Related Documents For 5th Avenue To 7th Avenue Sewer Line Replacement Project.**

Motion by Council Member Wilke to approve Resolution No. R24-31, seconded by Council Member Mize. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-32: Resolution Of Intent To Adopt Updated Growth Management Policy For The City Of Laurel-Yellowstone County Joint Planning Jurisdiction And Provide For A Thirty (30) Day Public Comment Period.**

Motion by Council Member Klose to approve Resolution No. R24-32, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

- **Resolution No. R24-33: Resolution Of Annexation Of Property Legally Described As The Amended Plat Of Lots 1 & 2 Of Nutting Brothers Subdivision, Second Filing, Lot 1a, Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.**

Motion by Council Member Wheeler to approve Resolution No. R24-33, seconded by Council Member Wilke.

Council asked for clarification on statement number two on the statement of facts provided by the District. It was clarified that the proposed site has high groundwater and high clay soils that contribute to the volume of stormwater. There will be stormwater detention ponds to collect the water. There is a City stormwater main at E. 8th Street and Cottonwood. The District is looking to extend a 6-inch line to the existing main. There would be a metered and predictable discharge rate.

Council questioned what kind of rainfall the stormwater is designed to withstand. It was clarified that the detention ponds would be designed to withstand a ten-year storm event with no discharge. It was further questioned if the Public Works Director agrees that this with address the issues with stormwater. It was clarified that the idea of releasing water slowly over time would help not to overwhelm our system; however, the Public Works Director has not seen the flow rates. It was further clarified that this water would not be going into the Nutting Drain. While the drain is located adjacent to the property, it is at its capacity and cannot take any more stormwater.

Council asked for clarification on the Development Agreement and would Council vote to approve that Development Agreement. It was clarified that if the Council passes this resolution this evening, the City and the District would need to come to an agreement on the Development agreement within a year. The Council would not vote to approve that agreement. If the Council would like to vote on the Development agreement, then the Development agreement would need to be negotiated. If a Development Agreement is not established within that year's timeframe, then the annexation would not occur. A property owner cannot move forward with finalizing their plans unless they know the City is willing to provide City services.

It was questioned if it is common for the building to have already started before annexation occurred. It was clarified that this is a unique situation. The District is trying to finish the school prior to the start of the 25-26 school year. It was clarified that the only reason this annexation is before the Council is because the taxpayers passed a bond referendum last May. Development agreements are needed prior to issuing a building permit. Because this property is still within the County, they moved forward with permitting through the State.

It was questioned who sits on the development agreement committee and what happens if the Council is not satisfied with the conclusion of the development agreement. It was clarified that City Staff would negotiate the development agreement. Council can request that the development agreement come back before them.

It was questioned what would happen if both parties could not agree on the development agreement. Then, the property would not be annexed. It was clarified that City Staff use the Public Works Standards when negotiating a development agreement. There will be give and take on both sides. However, annexation is the first step then the development agreement can be negotiated.

Multiple Council Members spoke regarding their support for the School District and that they voted for the bond last May. However, they have concerns regarding the development agreement.

Motion by Council Member Mackay to table Resolution No. R24-33 until the May 7th Workshop for further discussion, seconded by Council Member Mize. There was no public comment or Council discussion. A vote was taken on the motion. Council Members Canape, Mize, Wheeler, Klose, Mackay, and Wilke voted aye. Council Member Banks voted no. Council President Sparks did not vote. Motion carried 6-1.

Council feedback on the information they needed for the next Workshop.

Council noted that a resolution in 2006 talks about the improvements to be made to Alder, Washington, and E. 7th Street. None of these improvements have been made.

Council would like follow up on the concerns raised by Mr. Benner.

Council would like clarification on where sidewalks will be included.

Council indicated they would like a development agreement to be negotiated and bring forward a more formal agreement.

- **Ordinance No. O24-01: An Ordinance Amending Title 12 Of The Laurel Municipal Code Related To The Standards For Public Works. (First Reading)**

Motion by Council Member Mizze to adopt Ordinance No. O24-01, seconded by Council Member Wilke. There was no public comment or Council discussion. A roll call vote was taken on the motion. Council Members Canape, Mize, Wheeler, Klose, Mackay, Wilke, and Banks voted aye. Council President Sparks did not vote. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:
Arbor Day will be on May 7th at 11:00 a.m. in Kiwanis Park.

No Council next week as April is a five-Tuesday month.

There will be a Municipal Summit in Laurel on May 17th. If you are interested in attending, please contact the Clerk/Treasurer.

MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

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. Seven Council Members present voted aye. Council President Sparks did not vote. Motion carried 7-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:52 p.m.


Britney Harakal, Administrative Assistant

Approved by the Council President and passed by the City Council of the City of Laurel, Montana, this 14th day of May 2024.


Dave Waggoner, Mayor

Attest:


Kelly Streckler, Clerk/Treasurer

Handwritten initials in blue ink, possibly "DW".

April 17, 2024

Matt Wheeler, Public Works Director
Town of Laurel
PO Box 10
Laurel, MT 59044

RE: Notice of Grant Award - State-Local Infrastructure Partnership Act of 2023

Dear Public Works Director Wheeler:

Greetings! The Montana Department of Commerce has reviewed your State-Local Infrastructure Partnership Act ("SLIPA") grant application for compliance with [HB 355](#). SLIPA grants are funded by HB 355 and administered by the Department. The Department is pleased to inform you that your application **complies** with HB 355. The Town of Laurel is awarded up to a total of \$391,972.19 in State-Local Infrastructure Partnership Act ("SLIPA") **funds** for the following:

Priority Project # 1:

- Repair on the 8" sewer line between 7th Ave. and 6th Ave.
- Repair on the 10" sewer line between 6th Ave and 5th Ave.

The Department disburses SLIPA funds on a reimbursement basis only. This notice allows you to immediately begin incurring reimbursable project-related costs. In order to actually receive SLIPA funds, however, you must first meet all start-up conditions set forth in Section 12 of HB 355 and the [SLIPA Application and Guidelines](#), which include:

- I. completing a budget and implementation schedule for the project;
- II. completing a project management plan that is approved by Commerce;
- III. complying with the auditing and reporting requirements provided in § 2-7-503, MCA, and establishing a financial accounting system that reasonably conforms to generally accepted accounting principles;
- IV. entering into a completed contract with Commerce, a provision of which must document that local matching funds are available and committed to the project;
- V. certifying to the Department that Grantee has obtained all necessary local, state, and federal permits and approvals; and
- VI. completing a SLIPA Environmental Review Form and submitting additional documentation to the Department, if necessary.

Grant recipients must satisfy the conditions required by Section 12 of HB 355 and the [SLIPA Application and Guidelines](#) **prior** to signing a contract with the Department. Additionally, the Grantee's project(s) must be under contract with a contractor by December 31, 2024. Once you sign a contract, you will be able to request reimbursement for project-related costs. Section 6(7) of HB 355 requires grant recipients to provide a local cash match of at least 25% of the estimated total project cost; if costs actually incurred are different from the estimated costs, grant recipients' local cash match will change to be at least 25% of the total project costs actually incurred. If your project fails to meet start-up conditions, execute a contract with the Department, comply with the terms and conditions of the contract or grant authorization, or otherwise fails to comply with HB 355, any project costs incurred may be your sole responsibility.

The Department looks forward to working with you to improve local infrastructure. If you have any questions, please contact program staff at 406-841-2770 or email DOCCDD@mt.gov. Additional information on SLIPA can be found on the Department's website: <https://comdev.mt.gov/Programs-and-Boards/State-Local-Infrastructure-Partnership-Act>.

Sincerely,



Mandy Raribo
Deputy Director
MT Department of Commerce

April 17, 2024

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Town of Laurel
PO Box 10
Laurel, MT 59044

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- Priority Project # 2
- Asphalt maintenance on West 12th Street from Valley Drive to 1st Ave

The Department disburses SLIPA funds on a reimbursement basis only. This notice allows you to immediately begin incurring reimbursable project-related costs. In order to actually receive SLIPA funds, however, you must first meet all start-up conditions set forth in Section 12 of HB 355 and the [SLIPA Application and Guidelines](#), which include:

- I. completing a budget and implementation schedule for the project;
- II. completing a project management plan that is approved by Commerce;
- III. complying with the auditing and reporting requirements provided in § 2-7-503, MCA, and establishing a financial accounting system that reasonably conforms to generally accepted accounting principles;
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Sincerely,



Mandy Rambo
Deputy Director
MT Department of Commerce

April 17, 2024

Matt Wheeler, Public Works Director
Town of Laurel
PO Box 10
Laurel, MT 59044

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Priority Project # 3

- Maintenance of the air conditioning system in the City Hall building

The Department disburses SLIPA funds on a reimbursement basis only. This notice allows you to immediately begin incurring reimbursable project-related costs. In order to actually receive SLIPA funds, however, you must first meet all start-up conditions set forth in Section 12 of HB 355 and the [SLIPA Application and Guidelines](#), which include:

- I. completing a budget and implementation schedule for the project;
- II. completing a project management plan that is approved by Commerce;
- III. complying with the auditing and reporting requirements provided in § 2-7-503, MCA, and establishing a financial accounting system that reasonably conforms to generally accepted accounting principles;
- IV. entering into a completed contract with Commerce, a provision of which must document that local matching funds are available and committed to the project;
- V. certifying to the Department that Grantee has obtained all necessary local, state, and federal permits and approvals; and
- VI. completing a SLIPA Environmental Review Form and submitting additional documentation to the Department, if necessary.

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Sincerely,



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Deputy Director
MT Department of Commerce

April 17, 2024

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Town of Laurel
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Laurel, MT 59044

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Project Priority # 4

- Repairing of the City of Laurel Library fascia, soffit and entry way

The Department disburses SLIPA funds on a reimbursement basis only. This notice allows you to immediately begin incurring reimbursable project-related costs. In order to actually receive SLIPA funds, however, you must first meet all start-up conditions set forth in Section 12 of HB 355 and the [SLIPA Application and Guidelines](#), which include:

- I. completing a budget and implementation schedule for the project;
- II. completing a project management plan that is approved by Commerce;
- III. complying with the auditing and reporting requirements provided in § 2-7-503, MCA, and establishing a financial accounting system that reasonably conforms to generally accepted accounting principles;
- IV. entering into a completed contract with Commerce, a provision of which must document that local matching funds are available and committed to the project;
- V. certifying to the Department that Grantee has obtained all necessary local, state, and federal permits and approvals; and
- VI. completing a SLIPA Environmental Review Form and submitting additional documentation to the Department, if necessary.

Grant recipients must satisfy the conditions required by Section 12 of HB 355 and the [SLIPA Application and Guidelines](#) prior to signing a contract with the Department. Additionally, the Grantee's project(s) must be under contract with a contractor by December 31, 2024. Once you sign a contract, you will be able to request reimbursement for project-related costs. Section 6(7) of HB 355 requires grant recipients to provide a local cash match of at least 25% of the estimated total project cost; if costs actually incurred are different from the estimated costs, grant recipients' local cash match will change to be at least 25% of the total project costs actually incurred. If your project fails to meet start-up conditions, execute a contract with the Department, comply with the terms and conditions of the contract or grant authorization, or otherwise fails to comply with HB 355, any project costs incurred may be your sole responsibility.

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Sincerely,



Mandy Rambo
Deputy Director
MT Department of Commerce

CITY HALL
115 W. 1ST 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 the Planning Director

City Council for the Laurel School District Annexation and Initial Zoning

Applicant:

Laurel School District
410 Colorado Avenue
Laurel MT 59044

The School District represents 100% of the land ownership. Annexation pursuant to §7-2-4601 et. seq. MCA. (Annexation by Petition).

Request:

The Laurel School District representing 100% of the ownership of lands involved, has Petitioned the City of Laurel for Annexation of approximately 4.886 acres of property adjacent to the City of Laurel with an initial Zoning Designation of Public for concurrent review.

The subject property is generally described as that portion of NW 1/4 Section 10, Township 2 South, Range 24 East, P.M.M., Yellowstone County, Montana, for a proposed amended Nutting Brothers Subdivision Second Filing Lot1A. An annexation Exhibit, which is incorporated into this report by reference, has been submitted in support of the Petition and Requested Initial Zoning.

Process:

The annexation petition and requested initial zoning consideration was presented at a public hearing by the Laurel – Yellowstone City County Planning Board and Zoning Commission at 6 p.m. on Wednesday, March 20, 2024. The City Council now will hold a Public Hearing on April 23, 2024, to receive testimony for or against the annexation request and initial zoning of zoning of City of Laurel “Public”.

Analysis of the Request

- The Laurel School District represents 100% of the land ownership involved in the petition.
- The Laurel Growth Policy designates the property as a ‘growth area’ of the city.

- The current use of the property is a sports field that has been used by the school district for many years.
- The requested zone City Laurel “Public” provides for a small number of specific uses and is consistent with the requirements of R-08-22 that lands embraced by the city be assigned R-7500 or greater.
- The subject property was presumed to be zoned County Residential Tracts or is un-zoned Yellowstone County.
- Part 46 annexation requires that the land use designation be ‘consistent with the prevailing use of the property, consistent with the prevailing County Zoning Assignment, and/or consistent with the current growth policy’.
- In addition to the extension of urban scale services the City Zoning provides options for development that are not available to rural properties. These options include but are not limited to Planned Unit Developments
- The initial zoning must be considered under City Resolution R-08-22 (Annexation), the Laurel Municipal Code Title 17 (Zoning).
- The question of annexation and initial zoning must be heard by the Laurel – Yellowstone City County Planning Board and Zoning Commission.
- Is the requested annexation and initial zoning in the best interest of the City and Citizens of the City of Laurel.
- The property is situated such that street rights-of-way will need to be annexed with the subject property.

Findings:

- ✓ The subject property is adjacent to the City of Laurel.
- ✓ The City Council is not required to submit the question of annexation to the qualified electors of the area to be annexed as the petition is signed by 100% of the owners.
- ✓ The city may annex the property as 100% of the ownership of same has petitioned the city for annexation.
- ✓ The driver for the annexation request is the building of an elementary school on the property. The only way the development plan works is to extend the City water and sewer systems to the proposed school.
- ✓ The subject property was included as ‘institutional’ under existing land uses in the Growth Policy adopted by the City of Laurel. Additionally, the property has been identified as an annexation priority area of the Planning Jurisdiction Map in the 2020 Growth Policy. As such, the requested zoning is consistent with the Laurel Growth Policy.
- ✓ The proposed assignment of “Public” meets all the statutory requirements of Part 46 annexation and zoning assignment.
- ✓ The Laurel “Public” Zone is determined to be a “greater than” R-7500 classification density. Zoning assignments for government owned land is not subject to zoning regulations typically required to other applicants. The Laurel School District meets the definition of an “agency” in MCA 76-2-402 and therefore can use their property as they see fit as long as any changes in use contrary to local zoning regulations that the City Council holds a public hearing.

- ✓ The extension of city services will be at the owner's expense (R-08-22) and in accordance with the Annexation Agreement as approved by the City Council and the requirements of the Public Works Department.
- ✓ The city can provide services to the property both existing and proposed if extension of water, sewer, and storm water lines are extended.

12 Point Test for Zoning:

- I. Is the zoning in accordance with the growth policy;
 - The proposed zoning is consistent with having a public agency own the land and to plan for education for the community.
 - The Growth Policy identifies all of the property proposed for annexation as an annexation priority area.
 - Resolution R-08-22 requires zoning assignment at annexation at R-7500 or greater.
 - The Zone "Public" meets the definition as 'greater than' R-7500.

Finding:

The requested zoning is in accordance with the Growth Policy.

- II. Is the zoning designed to lessen congestion in the streets;
 - The proposed zoning is consistent with a school zone already in the area just east of this area.
 - The proposed zoning along with the annexation agreement will allow development of the property consistent with surrounding uses of property.
 - Proposed development that would potentially impact roads and streets would require a traffic impact analysis and associated improvements which has been completed.

Finding:

The requested zoning will have a material impact on congestion in the streets but should be mitigated by the suggestions in the traffic impact analysis.

- III. Is the zoning designed to secure safety from fire, panic, and other dangers;
 - The Growth Policy identifies this property as institutional in the existing use map.
 - Adequate public infrastructure exists or can be readily extended/expanded to serve the property for "public" designation.
 - Fire hydrants and water supply should be adequate if they meet the requirements from the Public Works Department.

Finding:

The requested zoning will not have an adverse impact on safety from fire, panic, or other dangers.

- IV. Is the zoning designed to promote health and the general welfare;
- The connection of the school building at the time of development to the Laurel municipal water and wastewater systems will have positive impacts to public health and general welfare.
 - Education meets the goals of promoting the growth management policy to serve the citizens of the Laurel area.

Finding:

The requested zoning will promote the public health and the general welfare.

- V. Is the zoning designed to provide adequate light and air;
- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
 - The proposed "Public" provides restrictions on structure height, setbacks, lot coverage. These standards exist to provide open spaces and adequate light and air.
 - The existing development has more than adequate separation from surrounding uses.
 - Open spaces are planned to be reserved north of this property that the school district owns.

Finding:

The requested zoning will provide adequate light and air.

- VI. Is the zoning designed to prevent the overcrowding of land;
- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.

Finding:

The proposed zoning will prevent the overcrowding of land.

- VII. Is the zoning designed to avoid undue concentration of population;
- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
 - The subject property is large enough to provide adequate separation from surrounding uses.
 - The property is not going to be used for residential development with the "public" designation.

Finding:

The proposed zoning will prevent the undue concentration of population.

- VIII. Is the zoning designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;
- The requested zoning will allow for a school building and will be required to provide for adequate water, sewerage or other public requirements.

Finding:

The requested zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Additionally, as the uses of the property change and the intensity of development changes, the city will be able to plan for and be prepared for the anticipated increased demands on their public systems.

- IX. Does the zoning give reasonable consideration to the character of the district and its peculiar suitability for particular uses;
- The requested zoning is consistent with the Growth Policy.
 - The property is compatible with surrounding development which is, for the most part, school use just west of the property and would be a consolidation of education facilities within the City of Laurel.
 - The water and sewer infrastructure with this annexation is for the intended use of the property and will need final approval from the City of Laurel City Council and the Public Works Department.

Finding:

The requested zoning is consistent with surrounding uses, the Growth Policy and provides for opportunities with suitable uses.

- X. Does the zoning give reasonable consideration to the peculiar suitability of the property for its particular uses;
- The requested zoning is consistent with the Growth Policy.
 - The property is compatible with surrounding development which is, for the most part, school to the west and low density to north and south of the property.
 - The water and sewer infrastructure proposed with the annexation will have to meet infrastructure requirements by the Public Works Department.

Finding:

The requested zoning is in keeping with the character of the development in the area.

- XI. Will the zoning conserve the value of buildings;
- The extension and availability of public water and sewer resultant from annexation and initial zoning will add value to buildings as the proposed use is substantially like or complementary to surrounding buildings and uses.
 - The requested zoning is consistent with the Growth Policy.
 - The proposed zoning is not anticipated that there would be any adverse effect on the value of surrounding buildings or lands.

Finding:

The value of existing buildings both on and adjacent to the requested zone will either be enhanced or not affected by the proposed zoning.

- XII. Will the zoning encourage the most appropriate use of land throughout the municipality?
- The requested zoning is consistent with the Growth Policy.
 - The requested zoning is consistent with the prevailing land uses and zoning surrounding the property.

Finding:

The requested zoning provides for the most appropriate use of land in the municipality as the school district has owned the property for some time and the annexation of the property into the City of Laurel will give the school district to plan for its future education needs.

Conclusion:

The petition for annexation into the City of Laurel with the initial zoning assignment of Laurel “Public “appears to be consistent with the requirements of Part 46 Annexation and City Council Resolution R-08-22. Additionally, the annexation, extension of services, and initial zoning assignment in the best interest of both the City of Laurel and the Laurel School District.

RECOMMENDATION

The Laurel – Yellowstone City County Planning Board recommends that the Laurel City Council adopt the Findings of Fact outlined in this Recommendation and approve the Annexation and Initial Zoning requested by the Laurel School District.

- That an Amended Plat or Certificate of Survey suitable for filing with Yellowstone County that describes the tract of land to be Annexed is submitted by the School District.
- That an Annexation Agreement is submitted for acceptance by the City Council.
- That any extensions of water, sewer and storm facilities be approved by the Public Works Department. Report attached to this report from KLJ Engineering.
- That any recommendations from the traffic study be implemented and approved by the City Council.
- A signed waiver of protest for the creation of special improvement districts must be completed with proper legal description of the proposed amended subdivision plat.
- East 8th Street be annexed as required for that portion south of the portion of Lot 1,2 of Nutting Brothers Sub 2nd Filing or also described as the amended plat of Lots 1 & 2 of Nutting Brothers Subdivision, Second Filing.

statement of facts.

PROJECT HIGHLIGHTS:

1. A traffic impact study has been completed and provided to the City for development of the new school. Recommendations of the traffic study have been implemented in the design, which include a new stop sign on E. 8th Street at the intersection of Alder Ave. and stop signs for all vehicular site egresses.
2. A storm water strategy has been developed in accordance with the current City drainage standards and in coordination with City staff.
3. A geotechnical analysis has been conducted, which provides detailed information regarding site soil and groundwater conditions, and has been integrated into the school foundation and site design strategies.
4. Water Connection and Water Service Loop Completion are included in the project; this improves water quality concerns of the existing dead end and provides system redundancy and improved residual system pressures in the easterly extents of the City water system.
5. Hydrant flow tests have been conducted, which confirm adequate flow and system pressures are available in the City water system, even in the current dead-end condition.
6. Sidewalk Extents are along the rights-of-way frontages (E. 8th Street and Alder Ave.) and included signing and striping to promote pedestrian safety between the site and existing middle school.
7. On-site parking provided within the school site exceeds the minimum requirements of the Laurel zoning code.
8. Alder Avenue along the extent of the site was annexed into the City of Laurel with previous projects/improvements.

RAMMIFICATIONS OF NON-ANNEXATION:

1. Water quality issues associated with groundwater well use for a public drinking water supply, which may require extensive treatment for disinfection, nutrient removal, hard water, etc.
2. Water loop not executed (benefits described above not realized).
3. Septic system size and impact necessitates removal of remaining sports fields.
4. Loss of use or remaining sports field for both school and community use.
5. Permitting complexity and timelines will impact ability to open school on time and negatively impact project budget.
6. Additional infrastructure, including septic and groundwater wells, will limit resources to complete the Graff School demolition and sports field redevelopment of the Graff site.

statement of facts.

BOND LANGUAGE:

"The Board of the Elementary District hereby calls and directs an election to be held on May 2, 2023 on the question of issuing the bonds, which date is not less than 70 days after the date of passage of this resolution, such election to be conducted by mail ballot pursuant to the applicable provisions of Montana law. The qualified electors in the Elementary District would vote on the question of whether the Board may sell and issue general obligation school building bonds of the Elementary District in one or more series in the aggregate principal amount of up to Fifty-Seven Million and No/100 dollars (\$57,000,000.00), for the purpose of paying the costs of designing, constructing, equipping, and furnishing improvements to accommodate student enrollment, enhance educational opportunities, and address deferred maintenance needs to include constructing a new elementary school building on Elementary District property located at the Mogan soccer fields off Alder Avenue near the middle school, to include classrooms, a library/media area, a kitchen and commons area, a gymnasium, support spaces, and associated site improvements, such as parking, access drives, and playgrounds; improving the West Elementary School, to include constructing classrooms and a new gymnasium, remodeling special education spaces, commons area, and support spaces, and related building and site improvements; demolishing the Graff Elementary School building and associated site work; and, to the extent bond proceeds are available after paying for the above improvements, repurposing the South Elementary School building for use as administration offices, meeting space, and storage; related costs and improvements; and paying costs associated with the sale and issuance of the bonds. Each series of the bonds shall be payable semi-annually during a term of not more than twenty (20) years, subject to redemption as required by law, and shall bear interest at a rate or rates to be determined at the time of the sale."

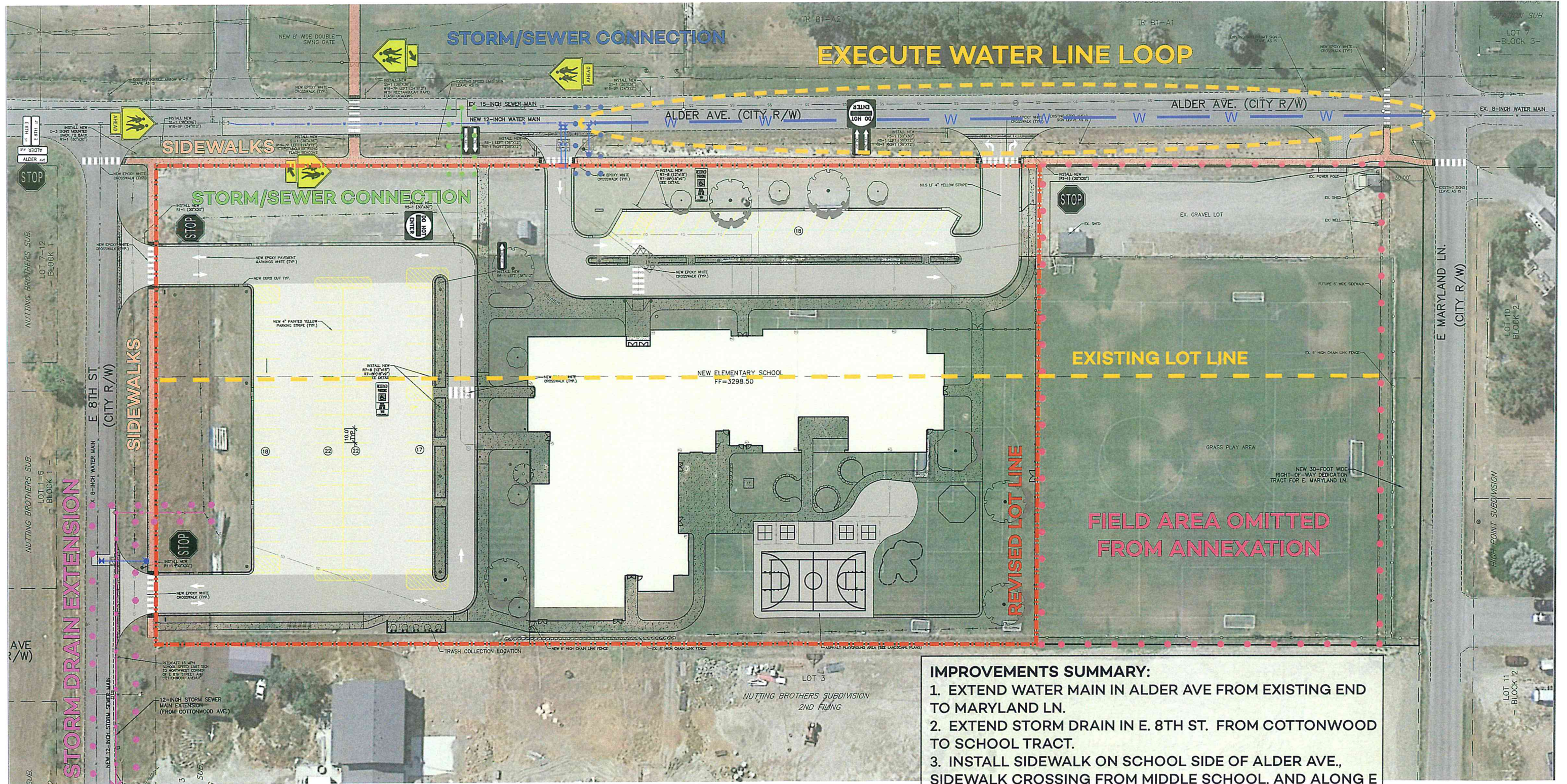
CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE, 16th February, 2023
(Bond Language)

deliverable timeline.

PROJECT INFORMATION AND DATES DELIVERED:

1. Initial correspondence with City of Laurel on Annexation - 08/23/2023
2. Annexation Application - 09/01/2023
3. Initial Hydrant Test to Engineering - 09/21/2023
4. Engineering meeting for storm strategy, check valves, & E 8th - 09/25/2023
5. Revised Hydrant Test result - 10/19/2023
6. Revised Hydrant Test result and Traffic Impact Study forward to Planning - 11/06/2023
7. Planning/Engineering meeting for annexation & infrastructure - 11/20/2023
8. Additional/revised information for Annexation Package (#1) - 12/18/2023
9. Annexation meeting @ KLJ. Origination of revised annexation boundary - 01/29/2024
10. Half-sized site packages for both West and Mogan School - 02/02/2024
11. School Board meeting to review revised annexation boundary - 02/12/2024
12. Full-sized site packages for both West and Mogan School - 02/16/2024
13. Correspondence from Planning recommending annexation petition withdrawal - 02/21/2024
14. Revised Annexation Package with revised boundary - 02/23/2024
15. Re-send Traffic Impact Study to Planning via email and hard-copy - 04/10/2024

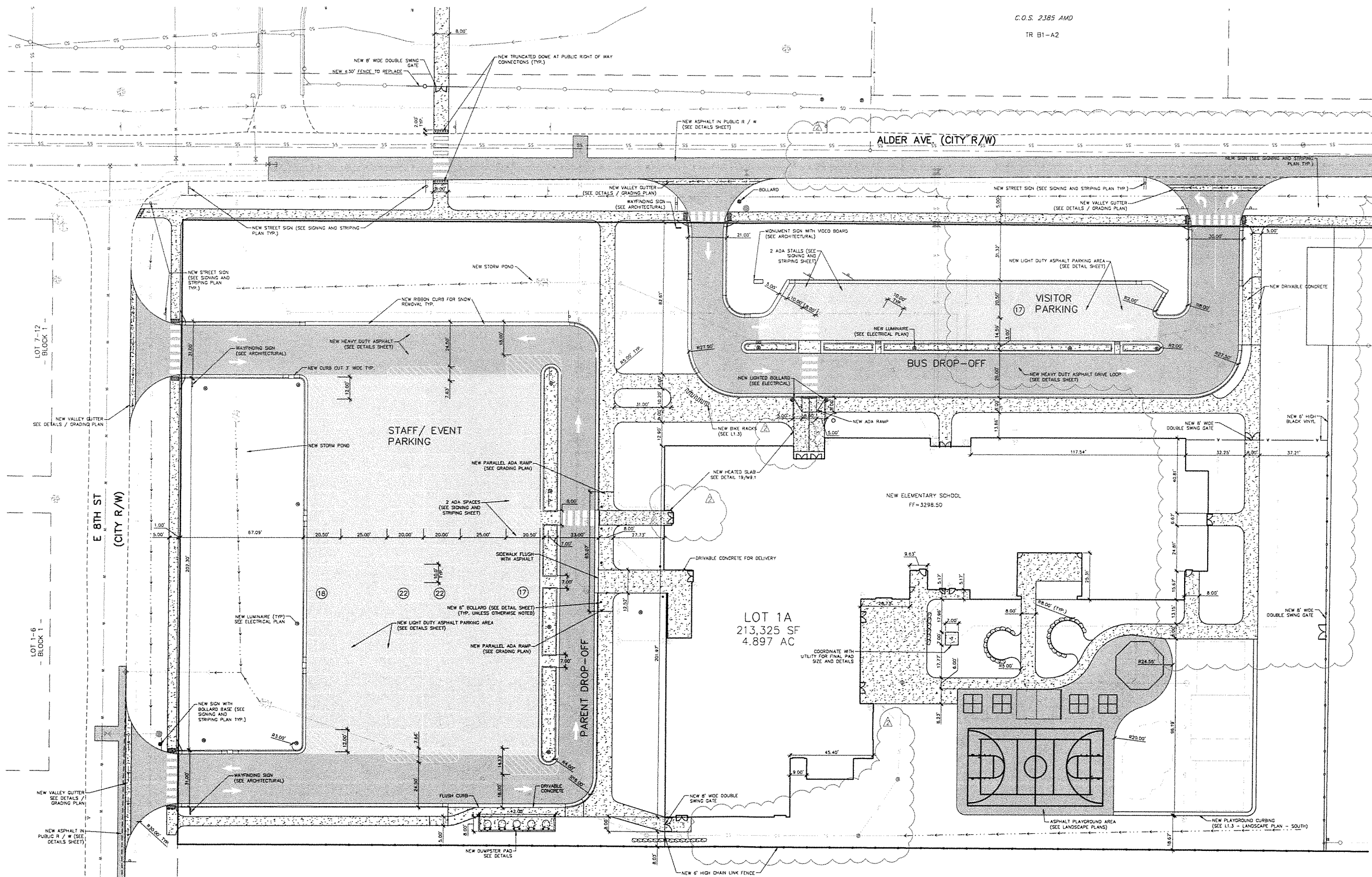
proposed improvements.



IMPROVEMENTS SUMMARY:

1. EXTEND WATER MAIN IN ALDER AVE FROM EXISTING END TO MARYLAND LN.
2. EXTEND STORM DRAIN IN E. 8TH ST. FROM COTTONWOOD TO SCHOOL TRACT.
3. INSTALL SIDEWALK ON SCHOOL SIDE OF ALDER AVE., SIDEWALK CROSSING FROM MIDDLE SCHOOL, AND ALONG E 8TH ST.

C.O.S. 2385 AMD
TR B1-A2



ALDER AVE. (CITY R/W)

E 8TH ST
(CITY R/W)

LOT 1A
213,325 SF
4.897 AC

NEW ELEMENTARY SCHOOL
FF=3298.50

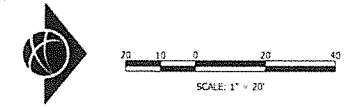
VISITOR PARKING

STAFF/ EVENT PARKING

PARENT DROP-OFF

BUS DROP-OFF

NEW SCHOOL SITE PLAN - SOUTH



90% CD'S - NOT FOR CONSTRUCTION



sheet DETAILED SITE PLAN
 project NEW 3-5 ELEMENTARY
 owner LAUREL PUBLIC SCHOOLS

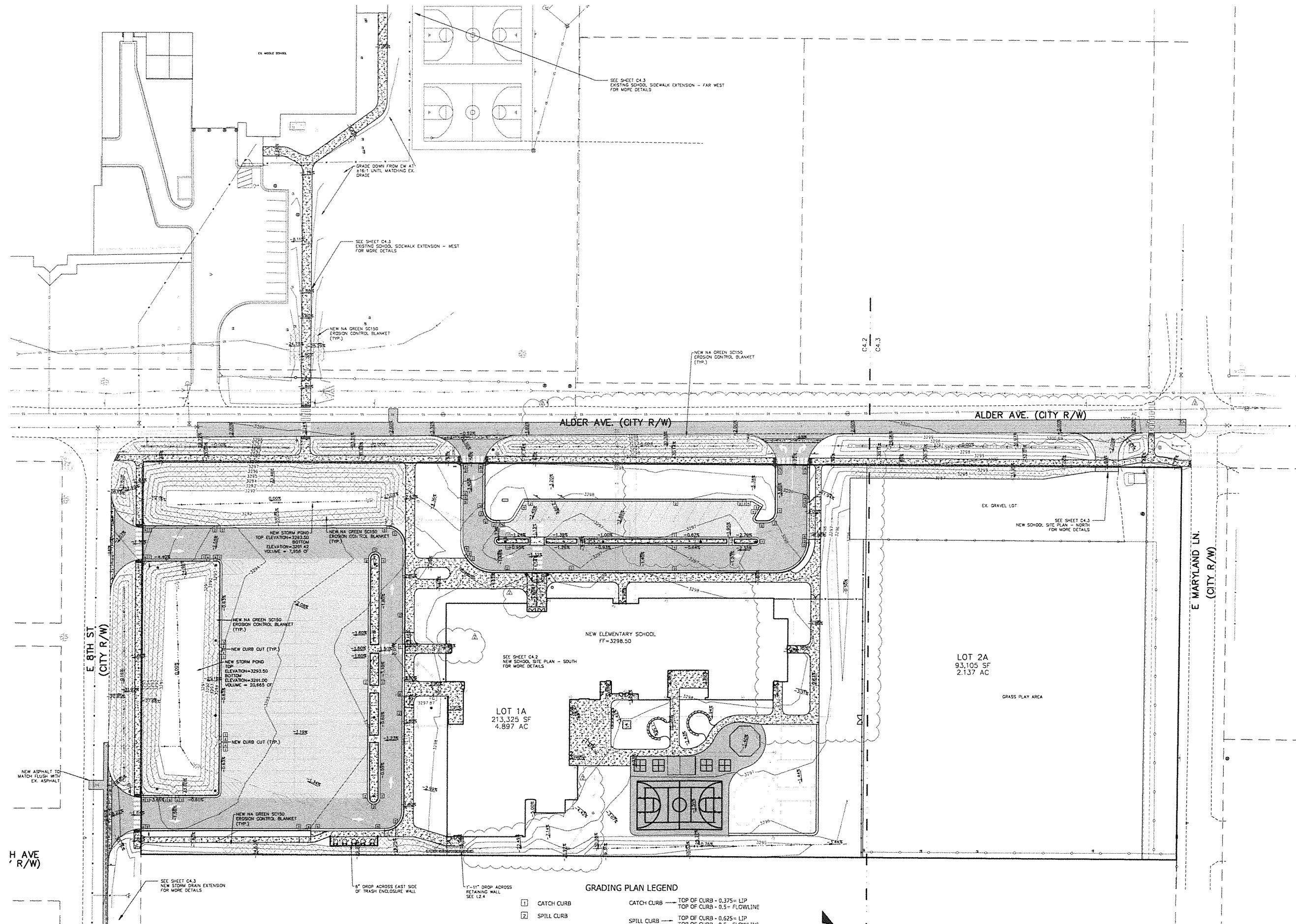
project #	22109-10
revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

phase
 90% CD'S - NOT FOR CONSTRUCTION



issue date
 03.06.24

CIVIL EXHIBIT SHEETS - REDUCED TO 11x17



ALDER AVE. (CITY R/W)

ALDER AVE. (CITY R/W)

E 8TH ST.
(CITY R/W)

E MARYLAND LN.
(CITY R/W)

H AVE
(R/W)

LOT 1A
213,325 SF
4.897 AC

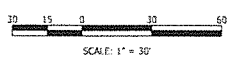
LOT 2A
93,105 SF
2.137 AC

NEW ELEMENTARY SCHOOL
FF = 3298.50

GRASS PLAY AREA

GRADING PLAN LEGEND

- | | |
|----------------------|--|
| 1 CATCH CURB | CATCH CURB — TOP OF CURB - 0.375' LIP
TOP OF CURB - 0.5' FLOWLINE |
| 2 SPILL CURB | SPILL CURB — TOP OF CURB - 0.525' LIP
TOP OF CURB - 0.5' FLOWLINE |
| 3 TRANSITION CURB | |
| 4 TAPER CURB HEAD 3' | |
| 5 RIBBON CURB | RIBBON CURB — SEE DETAILS SHEET: "RIBBON CURB" |



90% CD'S - NOT FOR CONSTRUCTION



sheet OVERALL GRADING PLAN
project NEW 3-5 ELEMENTARY
owner LAUREL PUBLIC SCHOOLS

project # 22109-10

revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

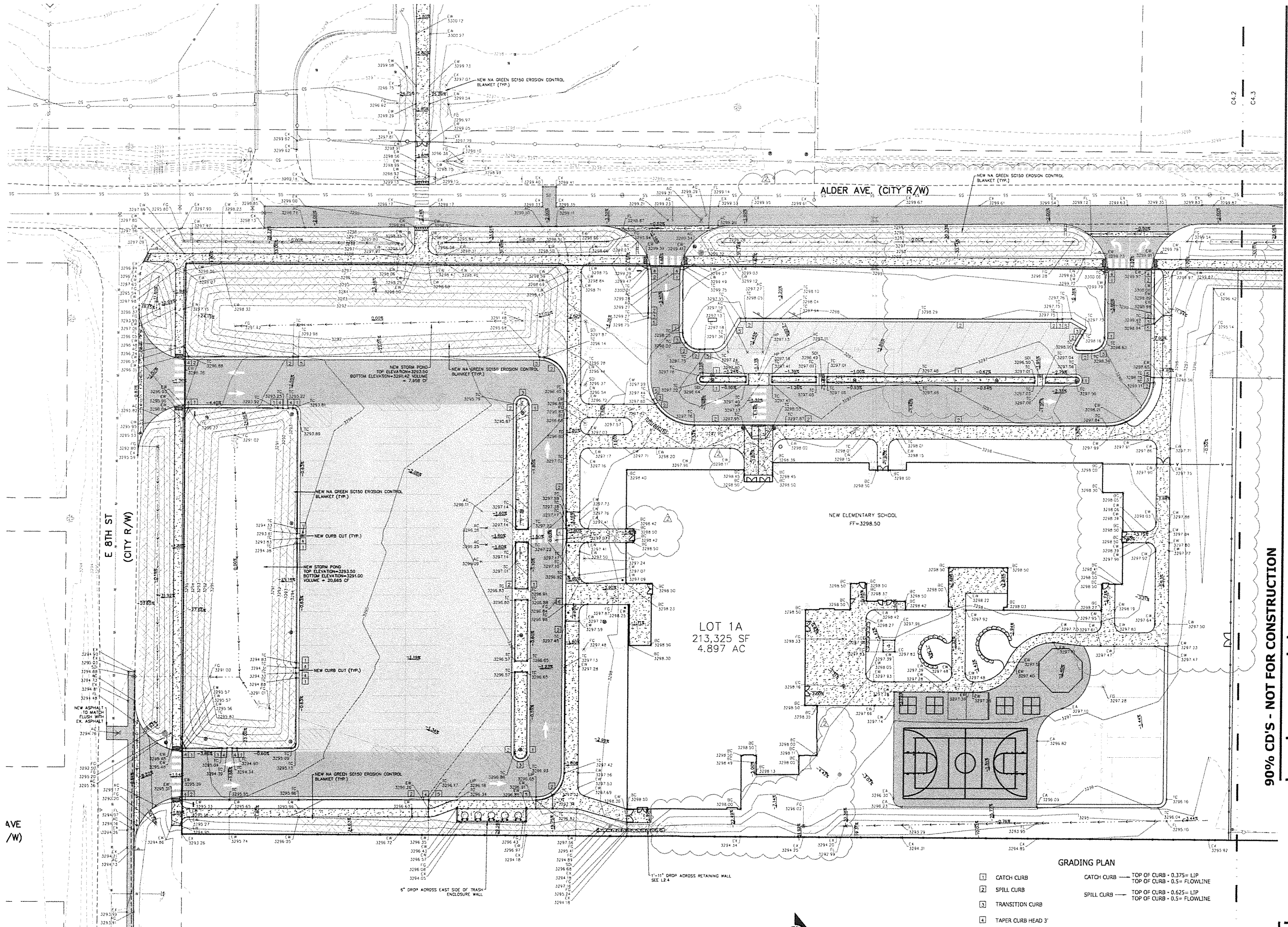
phase
90% CD'S - NOT FOR CONSTRUCTION



issue date
03.06.24

C41

CIVIL EXHIBIT SHEETS - REDUCED TO 11x17



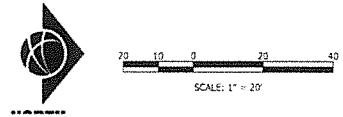
LOT 1A
213,325 SF
4.897 AC

ALDER AVE (CITY R/W)

E 8TH ST
(CITY R/W)

AVE
(W)

- GRADING PLAN**
- 1 CATCH CURB CATCH CURB — TOP OF CURB = 0.375= LIP
TOP OF CURB = 0.5= FLOWLINE
 - 2 SPILL CURB SPILL CURB — TOP OF CURB = 0.625= LIP
TOP OF CURB = 0.5= FLOWLINE
 - 3 TRANSITION CURB
 - 4 TAPER CURB HEAD 3'
 - 5 RIBBON CURB RIBBON CURB — SEE DETAILS SHEET: "RIBBON CURB"
 - 6 ADA-ACCESSIBLE RIBBON CURB ADA-ACCESSIBLE RIBBON CURB:
SEE DETAILS SHEET: "ADA-ACCESSIBLE RIBBON CURB"



C4.2

C4.3

90% CD'S - NOT FOR CONSTRUCTION

SANDERSON STEWART
a sanderson belleco company

sheet GRADING PLAN - SOUTH HALF
PROJECT NEW 3-5 ELEMENTARY
OWNER LAUREL PUBLIC SCHOOLS

project #	22109-10
revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

phase
90% CD'S - NOT FOR CONSTRUCTION

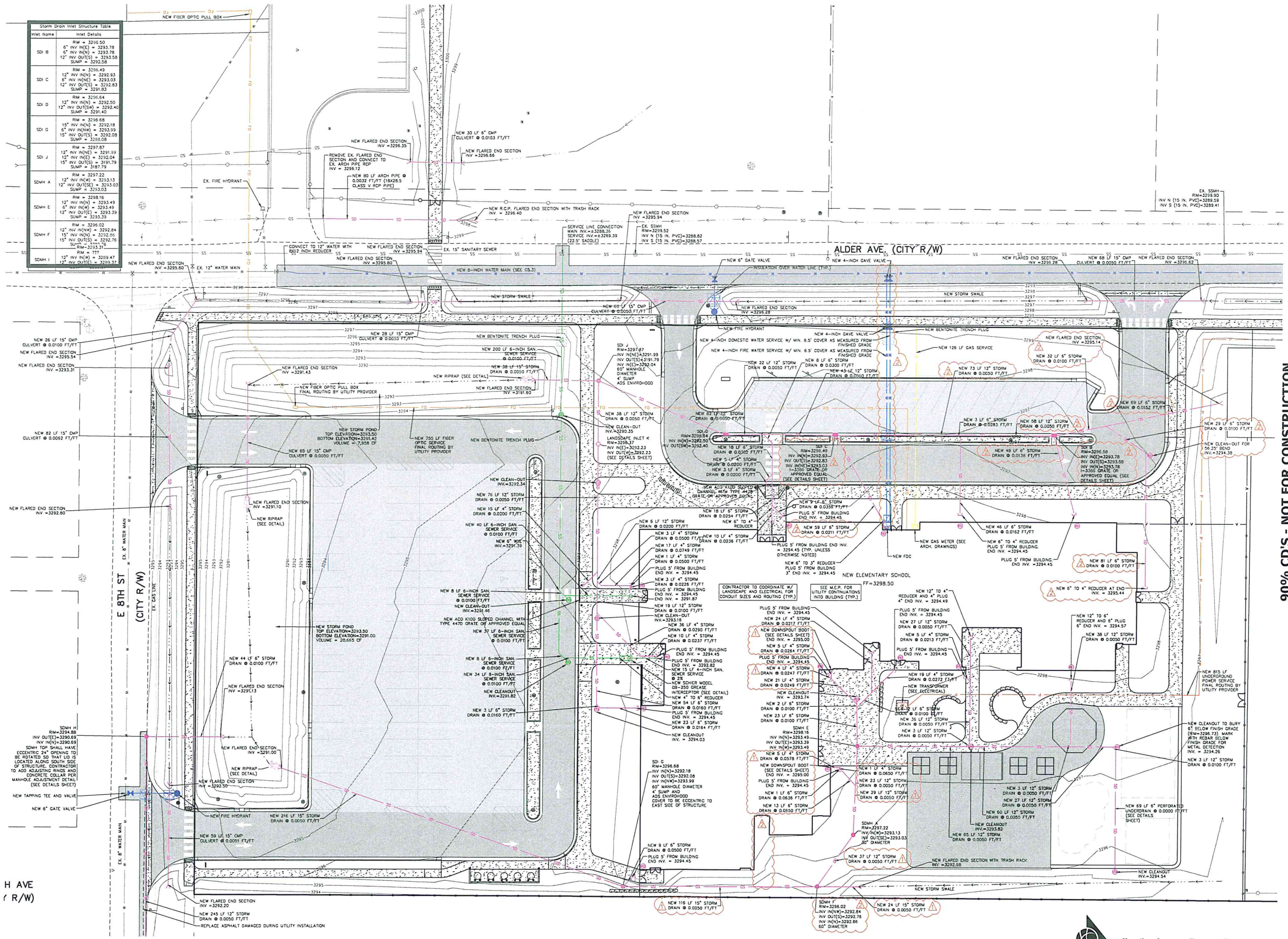


issue date
03.06.24

C42

CIVIL EXHIBIT SHEETS - REDUCED TO 11x17

Storm Drain Inlet Structure Table	
Inlet Name	Inlet Details
SDI B	RM = 3295.50 6" INV IN(N) = 3293.78 6" INV IN(S) = 3293.78 12" INV OUT(S) = 3293.58 SUMP = 3293.58
SDI C	RM = 3296.49 12" INV IN(N) = 3292.93 6" INV IN(S) = 3293.03 12" INV OUT(S) = 3292.83 SUMP = 3291.83
SDI D	RM = 3296.64 12" INV IN(N) = 3292.50 12" INV OUT(S) = 3292.40 SUMP = 3291.42
SDI G	RM = 3296.68 15" INV IN(N) = 3292.18 6" INV IN(S) = 3293.99 15" INV OUT(S) = 3292.09 SUMP = 3288.08
SDI J	RM = 3297.87 12" INV IN(N) = 3291.99 12" INV IN(S) = 3292.04 15" INV OUT(S) = 3191.79 SUMP = 3291.79
SDNH A	RM = 3297.22 12" INV IN(N) = 3293.13 12" INV OUT(S) = 3293.03 SUMP = 3293.03
SDNH E	RM = 3298.16 12" INV IN(N) = 3293.49 6" INV IN(S) = 3293.49 12" INV OUT(S) = 3293.39 SUMP = 3293.39
SDNH F	RM = 3296.02 12" INV IN(N) = 3292.84 6" INV IN(S) = 3292.86 15" INV OUT(S) = 3292.76 SUMP = 3291.76
SDNH I	RM = ??? 12" INV IN(N) = 3299.47 12" INV OUT(S) = 3299.32



90% CD'S - NOT FOR CONSTRUCTION

UTILITY PLAN
PROJECT
NEW 3-5 ELEMENTARY
OWNER
LAUREL PUBLIC SCHOOLS

project #	22109-10
revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

phase
90% CD'S - NOT FOR CONSTRUCTION

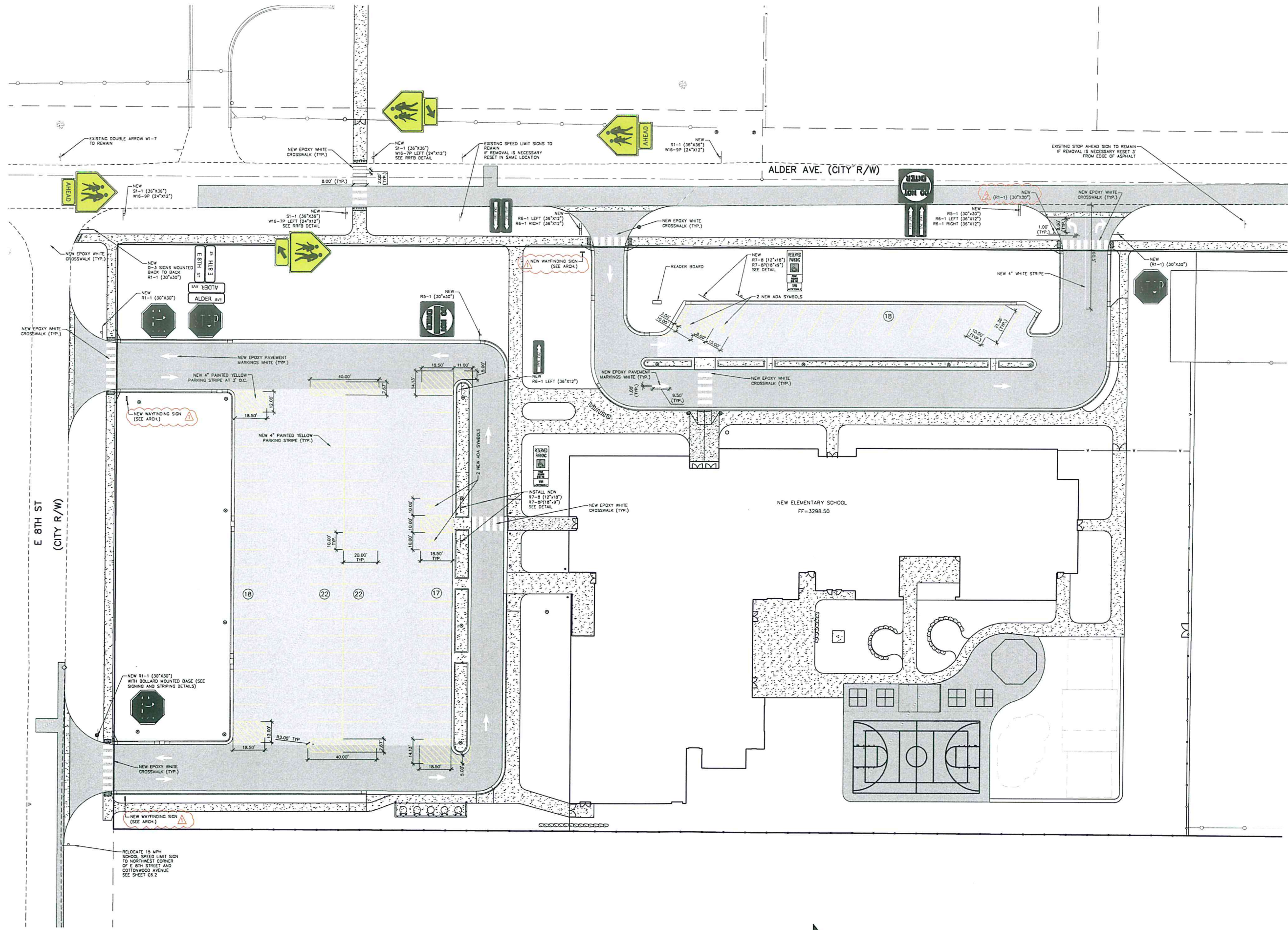


issue date
03.06.24

C51



CIVIL EXHIBIT SHEETS - REDUCED TO 11x17



90% CD'S - NOT FOR CONSTRUCTION

sheet SIGNING AND STRIPING PLAN
 project NEW 3-5 ELEMENTARY
 owner LAUREL PUBLIC SCHOOLS

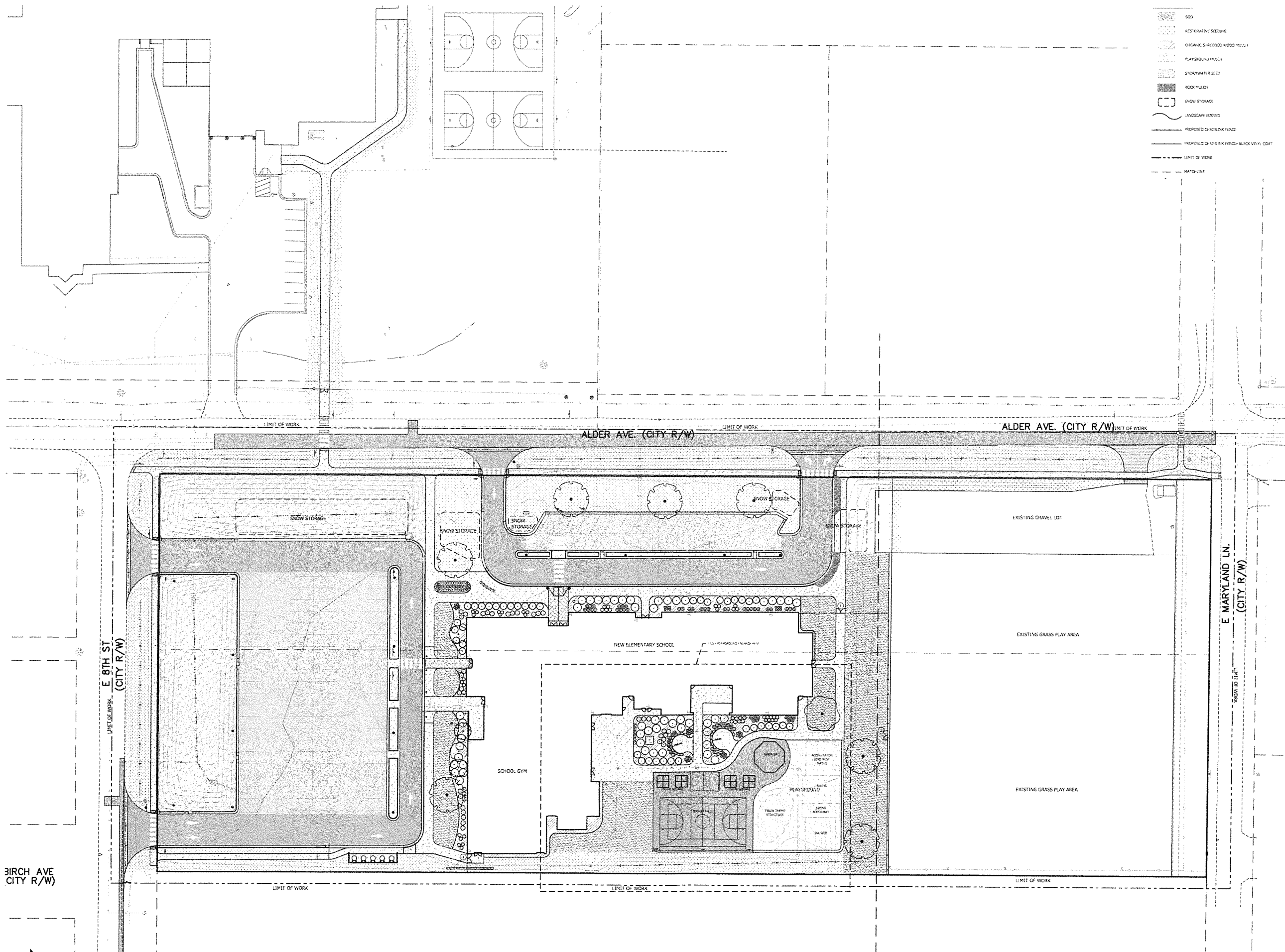
revision	date
BPT1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

phase
 90% CD'S - NOT FOR CONSTRUCTION

issue date
 03.06.24

C61

CIVIL EXHIBIT SHEETS - REDUCED TO 11x17



- SOD
- RESTORATIVE SEEDING
- ORGANIC SHREDDED WOOD MULCH
- PLAYGROUND MULCH
- STORMWATER BED
- ROCK MULCH
- SNOW STORAGE
- LANDSCAPE EDGING
- PROPOSED CHAINLINK FENCE
- PROPOSED CHAINLINK FENCE - BLACK VINYL COAT
- LIMIT OF WORK
- MATCH-LINE

90% CD'S - NOT FOR CONSTRUCTION



Sheet: OVERALL LANDSCAPE PLAN
 Project: NEW 3-5 ELEMENTARY
 Owner: LAUREL PUBLIC SCHOOLS

Project #	22109-10
Revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

Phase:
 90% CD'S - NOT FOR CONSTRUCTION



OVERALL LANDSCAPE PLAN

SCALE: 1" = 30'

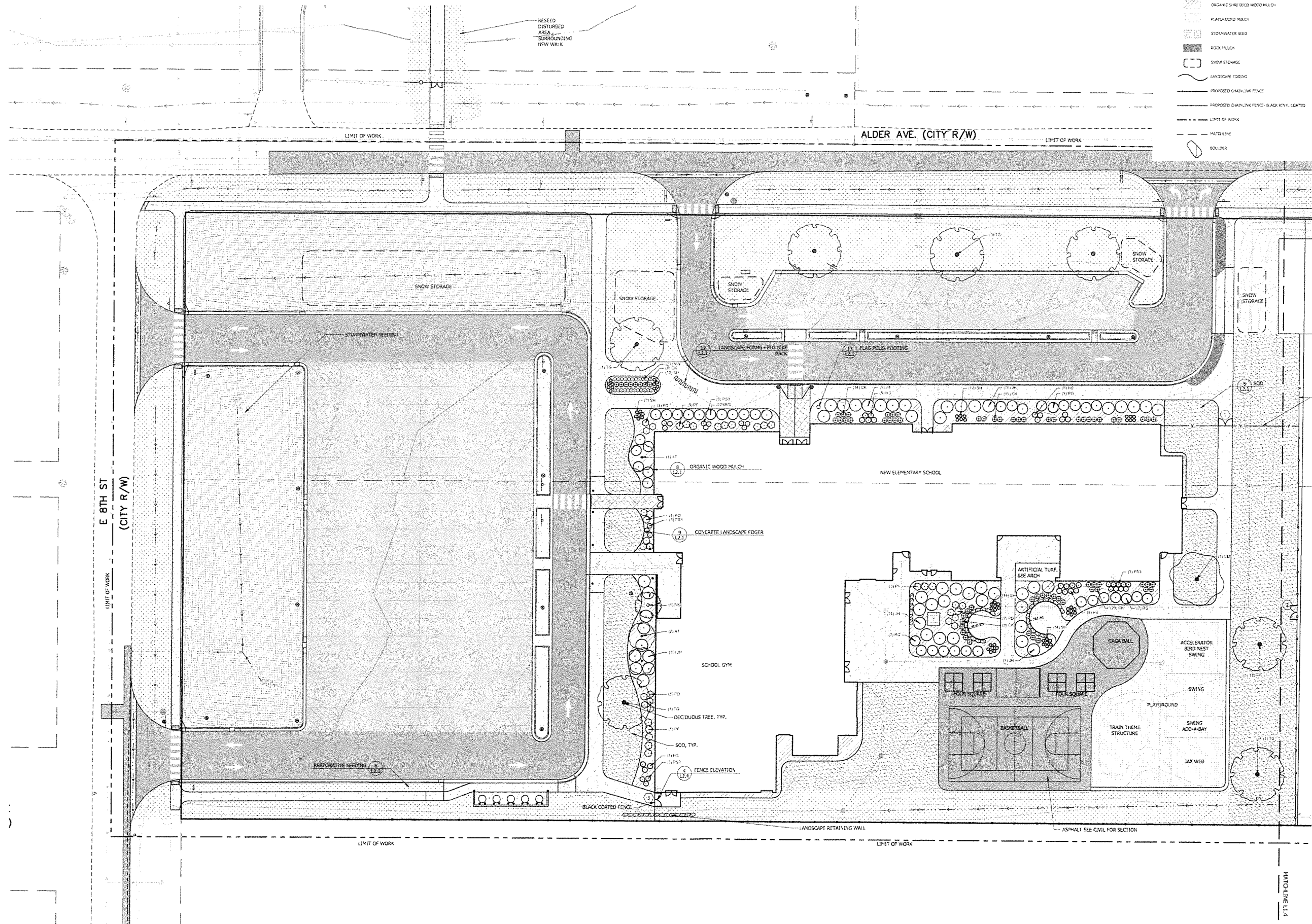


UULC
 UTILITIES UNDERGROUND LOCATION CENTER
 MONTANA ONE CALL
 CALL BEFORE YOU DIG!
 1-800-424-5555

Issue date
 03.06.24

CIVIL EXHIBIT SHEETS - REDUCED TO 11x17

- SOD
- RESTORATIVE SEEDING
- ORGANIC SHREDED WOOD MULCH
- PLAYGROUND MULCH
- STORMWATER SEED
- ROCK MULCH
- SNOW STORAGE
- LANDSCAPE EDDING
- PROPOSED CHAINLINK FENCE
- PROPOSED CHAINLINK FENCE - BLACK VINYL EDGING
- LIMIT OF WORK
- MATCHLINE
- BOULDER



90% CD'S - NOT FOR CONSTRUCTION

SANDERSON STEWART
a sanderson belleco company

sheet **LANDSCAPE PLAN - SOUTH**
project **NEW 3-5 ELEMENTARY**
owner **LAUREL PUBLIC SCHOOLS**

revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

phase
90% CD'S - NOT FOR CONSTRUCTION



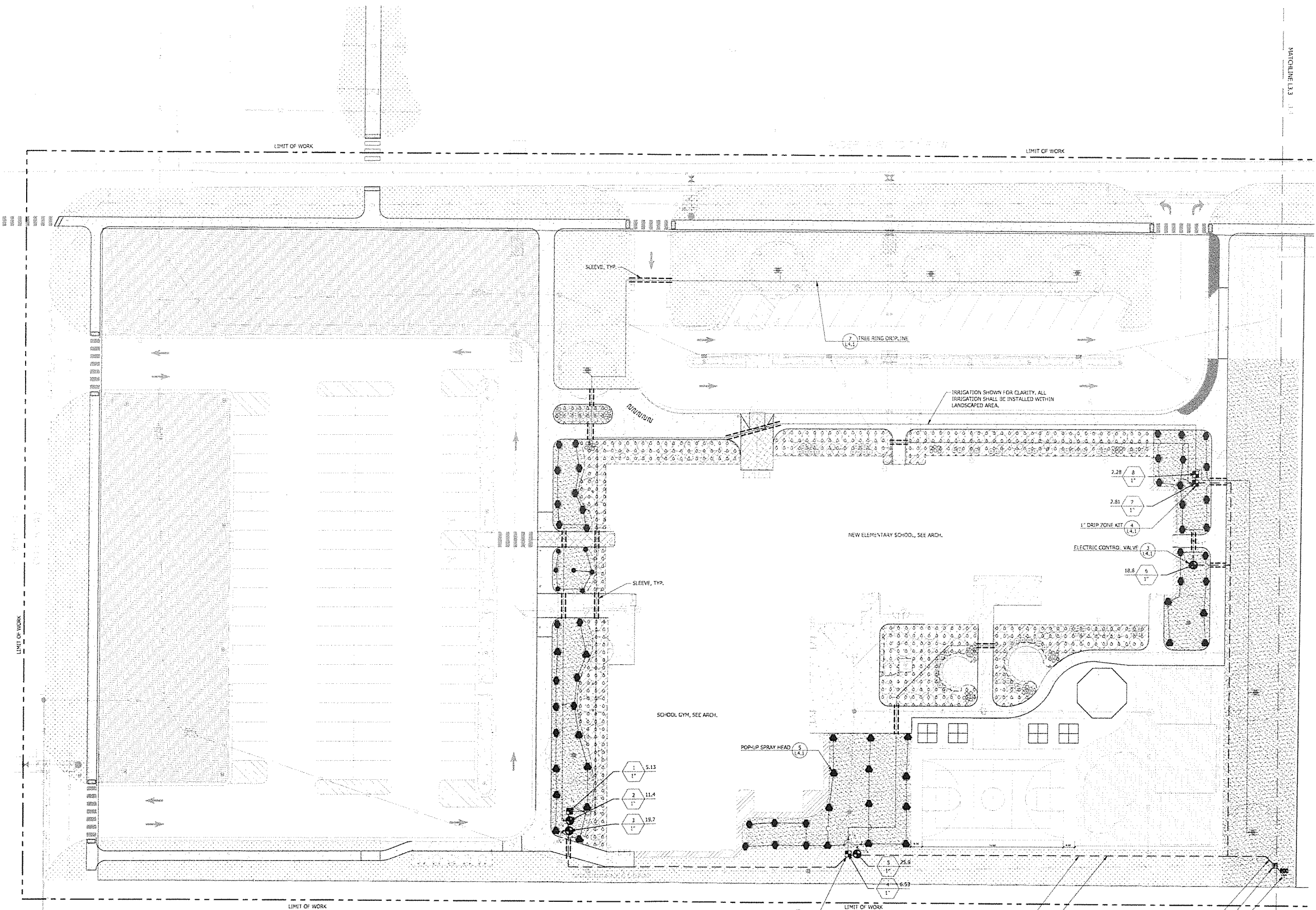
issue date
03.06.24

LANDSCAPE PLAN - SOUTH

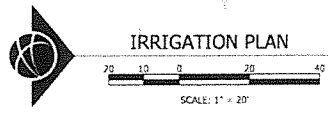
SCALE: 1" = 20'

UULC
UTILITIES UNDERGROUND LOCATION CENTER
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CIVIL EXHIBIT SHEETS - REDUCED TO 11x17



90% CD'S - NOT FOR CONSTRUCTION



IRRIGATION PLAN

project #	22109-10
revision	date
BP1	01.26.24
50% CD	02.16.24
90% CD	03.21.24

phase
90% CD'S - NOT FOR CONSTRUCTION



CIVIL EXHIBIT SHEETS - REDUCED TO 11x17