

MINUTES OF THE CITY COUNCIL OF LAUREL

September 12, 2023

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 6:28 p.m. on September 12, 2023.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Michelle Mize Richard Herr
 Casey Wheeler Irv Wilke
 Richard Klose Jodi Mackay

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Michele, Braukmann, Civil City Attorney
 Brittney Harakal, Council Administrative Assistant
 Justin Baker, Union 316 President
 Sheri Phillips, Court Clerk
 Jill Folts, Court Clerk
 Kurt Markegard, Planning Director
 Kelly Strecker, Clerk/Treasurer

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

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of August 22, 2023, as presented, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CORRESPONDENCE:

- Police Department Correspondence August 2023

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None. *Patty Smith, 409 Maple Ave, spoke on her frustrations with the S. 4th St Reconstruction Project. KS*

CONSENT ITEMS:

- **Claims entered through September 8, 2023.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 8/20/2023 totaling \$223,989.04.**
- **Approval of Payroll Register for PPE 9/3/2023 totaling \$241,288.61.**
- **Council Workshop Minutes of August 12, 2023.**
- **Special Council Workshop Minutes of August 22, 2023.**

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

Motion by Council Member Klose to approve the consent items as presented, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of August 22, 2023.

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- Emergency Services Committee Minutes of July 24, 2023.
- Park Board Minutes of June 8, 2023.
- Park Board Minutes of July 6, 2023.
- Public Works Committee Minutes of June 19, 2023.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Resolution No. R23-72: A Resolution Of The City Council Cancelling The November 7, 2023 General Election Of Certain Municipal Officers.**

Motion by Council Member Sparks to approve Resolution No. R23-72, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-73: A Resolution Of The City Council Declaring Certain City Of Laurel Property (Firearms And Related Equipment) As "Surplus" Available For Sale Or Trade To The Public Or Other Governmental Entities Or Vendors.**

Motion by Council Member Herr to approve Resolution No. R23-73, seconded by Council Member Wilke. There was no public comment.

Council asked if they would be notified when the auction is live. It was clarified that they will be notified once it is live.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-74: A Resolution Of The City Council Approving Rutt Variance Request LZV-23-01.**

Motion by Council Member Mackay to approve Resolution No. R23-74, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-75: A Resolution Of The City Council Authorizing The Additional Extension Of Approval Of Application For Special Review For J. Johnson Properties Pursuant To Resolution Nos. R22-07 And R23-05.**

Motion by Council Member Wheeler to approve Resolution No. R23-75, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-76: A Resolution Of The City Council Authorizing The Placement Of A Stop Sign On The Corner Of Cedar Avenue And S. 4th Street.**

Motion by Council Member Mize to approve Resolution No. R23-76, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-77: A Resolution Of The City Council Authorizing The Placement Of A Stop Sign On The Corner Of Idaho Avenue And E. 6th Street.**

Motion by Council Member Eaton to approve Resolution No. R23-77, seconded by Council Member Wilke. There was no public comment.

A Council Member asked why this sign was already placed when Council was voting on it tonight. Mayor Waggoner clarified that he was unaware the sign had been placed but would follow up.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R23-78: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Randall Contracting.**

Motion by Council Member Sparks to approve Resolution No. R23-78, seconded by Council Member Wilke.

Justin Baker, 14 Baker Drive Park City, Union 316 President, read the attached letter into the record.

A Council Member noted that they felt this request's process was wrong. They felt a recess should have been made at the last Workshop to tour the location. They also noted that City Council Members met with the Court and should have voiced those discussions during Ex Parte.

Council questioned whether additional safety concerns, such as the windows, would be raised.

Motion by Council Member Klose to table discussion until the next Workshop and have a tour of this building to see the changes that are suggested, seconded by Council Member Wilke. There was no public comment.

Council asked if they could tour the building now. It was clarified that a motion would need to be made to recess.

Motion by Council Member Mize to recess and tour the building now, seconded by Council Member Mackay. There was no public comment or Council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Klose, Wheeler, Mize, and Eaton voted aye. Motion carried 8-0.

Council recessed at 6:52 p.m.

Motion by Council Member Sparks to reconvene, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

Council reconvened at 7:05 p.m.

It was questioned which motion is now in front of the Council. Civil Attorney Braukmann clarified that we now go back to the main motion.

Mayor Waggoner asked if there was any additional Council Discussion.

Council thanked the Court Clerks for the tour of their area.

Council also noted they did not feel the current Courtroom would be large enough for Council meetings. It was clarified that Council would still meet in the current Council Chambers.

It was questioned if the City has met its requirements for space for the Court. It was clarified that, as it stands, the City has met its requirements.

It was questioned if there is any liability in not moving the Court. It was clarified that there is a risk of litigation if the issues are not addressed.

It was questioned what the cost of this move would be. It was clarified that the cost for both the construction and the cabling is just over \$23k. This project addresses the safety, privacy, and HIPAA concerns.

Council noticed the computer screens are facing towards the window.

A Council Member noted that this project is similar in price to the Clerk/Treasurer's office project. Another Council Member noted these projects are not similar in nature, and it is not a fair comparison.

Council asked if this project had been budgeted for. It was clarified that it was within the budget.

A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Wheeler, Mize, and Eaton voted aye. Council Member Klose voted no. Motion carried 7-1.

- **Resolution No. R23-79: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Tel Net Systems, Inc.**

Motion by Council Member Herr to approve Resolution No. R23-79, seconded by Council Member Wilke. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Wheeler, Mize, and Eaton voted aye. Council Member Klose voted no. Motion carried 7-1.

- **Resolution No. R23-80: A Resolution Of The City Council Authorizing The Mayor To Approve An Independent Contractor Service Contract With Prorover.**

Mayor Waggoner stated this work has been completed. These trees were struck by lightning during a recent storm and needed immediate removal.

Motion by Council Member Eaton to approve Resolution No. R23-80, seconded by Council Member Wilke. There was no public comment.

It was questioned if a local tree removal service had been contacted. It was clarified that Prorover has done tree removal for the City for many years. He is reasonably priced and is able to work the City in very quickly.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Ordinance No. O23-03: An Ordinance Amending Sections 13.01.010 (Adoption) And 13.01.020 (Updated References) Of The Laurel Municipal Code Related To The Adoption Of The International Fire Code. (First Reading)**

Motion by Council Member Wilke to adopt Ordinance No. O23-03, seconded by Council Member Sparks. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Sparks, Herr, Wilke, Mackay, Klose, Wheeler, Mize, and Eaton voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

The Public Works Committee's next meeting is Monday, September 18th at 6:00 p.m. in Council Chambers.

Friday, September 15, 2023, is POW/MIA Recognition Day. At 10:30 in Thomson Park, there will be a ceremony.

The first presentation on the EMS Mill Levy will be this Friday at 10:15 at the Front Porch to the Small Business Association.

MAYOR UPDATES:

Mayor Waggoner presented Kelly Strecker with a certificate recognizing her work as a Clerk/Treasurer.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Mackay to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:27 p.m.


Brittney Harakal, Council Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 26th day of September 2023.


Dave Waggoner, Mayor

Attest:


Kelly Strecker, Clerk/Treasurer



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MONTANA STATE COUNCIL 9, AFL-CIO
 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
 36 S. Last Chance Gulch Suite 11 * Helena, MT 59601 * (406) 442-1192

September 12, 2023

Laurel City Council Members | City Hall | 115 W 1st St | Laurel, MT 59044

RE: Court Clerks and Court Relocation

Your Honors,

I have asked Union President Justin Baker to please read and provide this letter to the body as I have previous commitments that could not be rescheduled.

Thank you for your consideration of the City Court move to its original location within City Hall. Originally the court clerks approached union leadership regarding the safety and privacy concerns they were working under in the current court's location.

Mayor Dave Waggoner and Civil Attorney Michele Braukmann listened carefully to the extensive list of concerns presented by the two court clerks in a meeting with myself. The Mayor and Civil Attorney then took immediate action to begin addressing the security and safety issues, as well as tackling the privacy and confidentiality concerns that were discussed. The Court move that is under consideration by this Council is a direct result of the Mayor's solution to the numerous concerns voiced by the two union employees.

Both Court Clerks and Civil Attorney Braukmann provided a deep dive into the long list of issues during last week's Council meeting, so no need to reiterate their expert statements here. However, as a guest in the City of Laurel buildings, I can speak to the physical limitations and safety concerns of the current space, and I would strongly encourage all Council members to please take a tour of the current Court location.

This move will significantly impact the working conditions and safety of both Union Court employees, as well as the public, legal, and law enforcement personnel that utilize the Court.

I have provided my personal contact information below. Please do not hesitate to reach out if you have any questions or require further information.

Thank you for your consideration and support of crucial City infrastructure updates.

On behalf of Local 316 Court Union Members
 Hannah Nash, Field Representative | AFSCME Council 9
 (406) 951-0560 | HannahNash@gmail.com

Lee A. Saunders
 President

Elissa McBride
 Secretary/Treasurer

COUNCIL OFFICERS

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 Field Representative

John Wiser
 Field Representative

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