

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, JUNE 04, 2024**

A Council Workshop was held in Council Chambers and called to order by Mayor Dave Waggoner at 6:30 p.m. on June 4, 2024.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Tom Canape	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Michelle Mize	<input checked="" type="checkbox"/> Jessica Banks
<input checked="" type="checkbox"/> Casey Wheeler	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input checked="" type="checkbox"/> Jodi Mackay

OTHERS PRESENT:

Brittney Harakal, Council Administrative Assistant
Kelly Strecker, Clerk/Treasurer
Kurt Markegard, Planning Director
JW Hopper, Fire Chief

Public Input:

There were none.

General Items

Executive Review

1. Resolution - A Resolution Of The City Council For Annexation Of Property Legally Described As A Portion Of Lot 7a-1, Of The Amended Plat Of Tracts 6a And 7a, Of The Amended Plat Of Tracts 6 And 7, Of Westbrooks Subdivision, Yellowstone County, Montana, According To The Official Plat On File In The Office Of The Clerk And Recorder Of Said County, Under Document No. 1684287. Excepting Therefrom That Portion Granted Unto The State Of Montana By Virtue Of Bargain And Sale Deed Recorded January 25, 1965, Book 807, Under Document No. 747048; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Bargain And Sale Deeds Recorded September 13, 2017 Under Document No. 3827294 And 3827295; And Excepting Therefrom That Portion Granted Unto The Montana Department Of Transportation By Virtue Of Warranty Deeds Recorded September 13, 2017 Under Document No. 3827296 And 3827297. 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.

The Planning Director briefly reviewed the attached Staff report. There will be a public hearing at next week's meeting. The Developer will put in water and sewer out to their property. The only concerns brought up at the City/County Planning Board were about the water and sewer lines going past properties. The State does have an overlay project

slated to begin this year for that section of road. That project will be on hold if this project moves forward. The Developer has asked for a latecomers agreement stating that if anyone connects into these improvements within seven years of the line going live there will be reimbursement to the Developer for their extension expenses. The development agreement must be entered into once the water and sewer lines go live. The Developer plans to bring in Arby's as the restaurant of choice.

It was questioned if there is a concern over the additional policing needs. It was clarified that part of the annexation process is to send the annexation out to all Department Heads for their feedback. There were no concerns raised. There should be minimal traffic impact.

As far as the impact on water usage, no booster stations will be needed. The estimated use is seven gal/min. The Developer has decided not to move forward with a truck wash which would have required additional water usage.

It was questioned how far out water and sewer would be run. It was clarified that they plan to run water and sewer services out to the very east part of their property. It will be short of the interchange.

It was questioned if the Public Works Director had any additional concerns. It was clarified the Public Works Director was included in all meetings and did not raise any additional concerns.

Shawn Baker, Developer, stated they are very excited to get a Laurel location. They have national contracts and have to provide service within a certain distance. This location will assist in meeting the needs of their customers.

Mayor Waggoner stated he recently stopped at the Love's store in Hardin and it was a beautiful store.

Mr. Baker, stated they are also looking at potentially putting in an RV park across the street as well.

It was questioned if there would be a casino. It was clarified that when they are allowed to have a casino, they would like to as it is a revenue line for them. However, they do not have to have one.

It was questioned how big the Laurel location would be as compared to the Hardin location. It was clarified that the Laurel location will be bigger. It will be nicer and more lit up.

Various Council Members noted that when they have stopped at other Love's locations they have had good experiences. It was clarified that they do their best to keep car and truck traffic separated to make the locations as safe as possible.

It was questioned if there will be more traffic control as this area gets busier. It was clarified that the intersection is State and County, so it will be a wait-and-see what signaling will be put in place.

It was questioned if they anticipate truck traffic coming through town. It was clarified that they do their best to design locations to limit traffic through town. However, roads are open to the highway traveling public.

2. Appointments to the Public Works Committee. (Two Vacancies - No Term Expiration)

We have received no letters of interest.

3. Appointment to the Laurel Airport Authority. (One Vacancy - Five-Year Term)

We have received one letter of interest from James Wise.

4. Appointments to Cemetery Commission. (Three Vacancies - Two-Year Term)

We have received three letters of interest from Richard Klose, Steven Hurd, and Wallace Hall.

5. Appointment to Laurel Urban Renewal Agency. (One Vacancy - Four-Year Term)

We have received one letter of interest from Mardie Spalinger.

6. Appointment to the Library Board. (One Vacancy - Five-Year Term)

We have received no letters of interest.

7. City/County Planning Board Appointments. (Two Vacancies - Two Year - Term)

We have received one letter of interest from Richard Klose.

8. Tree Board Appointments. (Two Vacancies - Three-Year Term)

We have received no letters of interest.

Council Issues

9. Discussion on City-Owned Bulk Water Station

Recently, the Public Works Committee discussed the possibility of building a bulk water station. There would be an upfront cost, but it would potentially bring in more revenue to the City. This discussion is to see if this is something the Council would like to consider moving forward with. It was clarified that this project would be funded through the Water Fund. All revenue would go back into the Water Fund.

These revenues can be used to build the new water reservoir, fund projects at the Water Treatment Plant, or meet any other water-related needs.

Council noted that it would be convenient to have a stop towards the north of town so that traffic does not need to go through town as it is hard on our streets.

It was clarified that the City would not compete with the private entity selling bulk water. If the City moved forward with a bulk water station they would install a credit card system so that no coin is needed to get water.

The Council noted that it does send a message to our community that the City is trying to find ways to bring in additional revenues so that it is not just on the resident's shoulders.

There is a location between W. 12th Street and the Big Ditch that could be used. Some corrections need to be made to the annexation of this area as it was not filed with the County. It is not a difficult process to get this annexed into the City.

Council questioned what the next steps are to move this project forward. Mayor Waggoner stated he would have Staff work on moving this project forward.

10. Discussion on Fire Truck

USA Fire was the only bid received by the City. Bids were opened last Thursday. The bid came in the same as the previously quoted amount. The Fire Department has asked to finance the 1.4 million to replace all the gear on the truck as well. The gear is from 1994 and needs to be replaced. One of the ways to reduce costs is to purchase a multifunction nosal so multiple nosals do not need to be purchased. The 400k ask is to allow for a cushion in outfitting the truck.

The vendor has stated that the current engines are going faster than they had initially anticipated. The new generation of engines will cost approximately 100k more.

It was questioned when the City will be rated for ISO again. It was clarified that the City received its current ISO rating in 2023. The Fire Chief noted that it will be challenging to keep our current ISO rating with our current engines.

The question in front of the Council is do they want to vendor to amend the bid to include outfitting the truck with a potential increase in cost for those items or do they want to get those items individually. When it comes to financing, this is one project and will need to be brought forward as a package deal.

It was clarified that this truck is not listed in the CIP. In order to get financing, it needs to be listed in the CIP. The CIP can be amended but will need to be done prior to accepting the bid.

It was clarified that items under 80k are quoted. The purchasing policy requires three quotes to be obtained.

Council asked that the bid come forward at the next Workshop.

Other Items

A Council Member noted how often the sign at Chevy was changing. It was questioned if there was anything that could be done about that. Mayor Waggoner stated the Planning Director would follow up.

Grace Bible Church helped with the Clean Up Day. They took many loads to the dump. They are also painting all 300 fire hydrants in the City. Big thank you to those who helped with Clean Up Day.

Attendance at Upcoming Council Meeting

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

Announcements

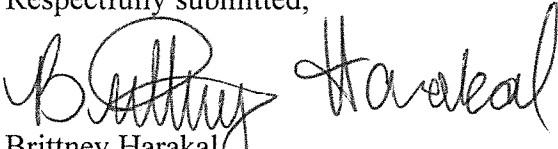
The next Park Board meeting is Thursday at 5:30 p.m. in Council Chambers.

The next Tree Board meeting is June 13, 2024, at 4:30 p.m. in the Council Conference Room.

The State Firefighter's Memorial has a run scheduled this Friday. They are still looking for volunteers to work the run; if you are interested in helping, be there at 5:00 p.m. On Saturday there will be a memorial at 11:00 a.m. with a lunch to follow.

The council workshop adjourned at 7:45 p.m.

Respectfully submitted,



Brittney Harakal
Administrative Assistant

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.

CITY 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

PLANNING BOARD AND ZONING COMMISSION
A portion of Westbrook's Subdivision Tract 7A-1 of the
amended plat of Tracts 6A and 7A of the amended plat of tracts 6
and 7 of Westbrook's Subdivision and a portion of Tract 5 of
Westbrook's Subdivision less Highway ROW
Annexation and Initial Zoning

Applicant:

Michael Stitzinger
Hans Stitzinger
James Stitzinger
5931 Ridgeview Dr.
Doylestown, PA 18902-1379

The Stitzinger Family is 100% of the land ownership. Annexation pursuant to §7-2-4601 et. seq. MCA. (Annexation by Petition).

Request:

The applicants representing 100% of the ownership of lands involved, has Petitioned the City of Laurel for Annexation of approximately 23.17 acres of property adjacent to the City of Laurel with an initial Zoning Designation of Highway Commercial for concurrent review.

The subject property is generally described as a Lot 7A1, A portion of Westbrook's Subdivision Tract 7A-1 of the amended plat of Tracts 6A and 7A of the amended plat of tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision less Highway ROW Section 17, Township 2 South, Range 24 East P.M.M., Yellowstone County, Montana, 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 has been scheduled for consideration and a public hearing by the Laurel – Yellowstone City County Planning Board and Zoning Commission for 6 p.m. on Wednesday, April 17, 2024. The City Council will consider the annexation and zoning designation at a future council meeting.

Analysis of the Request

- The Stitzinger Family represents 100% of the land ownership involved in the petition.
- The 2020 Laurel Growth Policy designates the property as a ‘growth area’ of the city.
- The current use of the property is nonproductive agriculture as nothing has been planted on the property since the new highway interchange was constructed.
- The requested zone Laurel “Highway Commercial” provides uses compatible to lands adjacent to roads and is consistent with the requirements of R-08-22 that lands embraced by the city be assigned R-7500 or greater. This property is not conducive to residential development.
- The subject property was presumed to be zoned “Highway Commercial” and is now presumed to be not zoned but Yellowstone County is in the process to zone it “Highway Commercial”.
- **Highway commercial (HC) district - The purpose of this district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.**
- MCA 76-2-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’. All lands outside the City of Laurel were previously thought to have been extraterritorial zoned and Yellowstone County is now exercising zoning authority from 2024 and forward.
- In addition to the extension of urban scale services the City Zoning provides options for development that are not available to rural properties.
- 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 to give a recommendation of the zoning assignment to the City of Laurel City Council.
- 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 to the subject property. The highways in the area are under the control of the Montana Department of Transportation.

Findings:

- ✓ The subject property is adjacent to the City of Laurel via a street connection.
- ✓ 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 to develop the property for commercial purposes. The agents working with the property owners want to have city water and sewer services.
- ✓ The property has been identified as a high priority area in Chapter 7.5, Annexation, of the 2020 Growth Policy and is included in the Planning Jurisdiction Map annexation priority boundaries. As such, the requested zoning is consistent with the Laurel Growth Policy.
- ✓ The proposed assignment of “Highway Commercial” meets all the statutory requirements of MCA 76-2-46 annexation and zoning assignment.
- ✓ The Laurel “Highway Commercial” Zone is determined to be a “greater than” R-7500 classification density.
- ✓ The extension of city services will be at the owner’s expense (R-08-22) and in accordance with the Annexation Agreement or a development agreement as approved by the City Council and requirements of the Public Works Department and the Montana Department of Transportation
- ✓ The city can provide services to the property both existing and proposed if extension of water, sewer. Storm water will have to be stored on site.

12 Point Test for Zoning:

- I. Is the zoning in accordance with the growth policy;
 - The Growth Policy identifies all 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 “Highway Commercial” meets the definition as ‘greater than’ R-7500 and is not a residential planned area.

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 along with the annexation agreement will allow development of the property consistent with the adjoining interstate traffic.
 - Proposed development that would potentially impact roads and a traffic impact analysis is being developed for the Montana Department of Transportation.
 - Highways adjacent to this property are all within the Montana Department of Transportation. City streets are not in the area.

Finding:

The requested zoning will have a material impact on the State of Montana Department of Transportation. The City may see increased traffic as with any added development of property.

- III. Is the zoning designed to secure safety from fire, panic, and other dangers;
- 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 land is adjacent to the interstate highway system and “highway commercial” zoning allows for land uses to provide places for the traveling public to eat, fuel their vehicles, and rest.

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 “Highway Commercial” zone 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.

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 “Highway Commercial” 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 transportation services as defined in “Highway Commercial” designation in the Laurel Municipal Code.

Finding:

The requested zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

- 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 and had been believe to be previously zoned “Highway Commercial” in the extraterritorial zoning for 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 as well as the Montana Department of Transportation.

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 and is consistent with interstate highways adjacent to the property.
 - The water and sewer infrastructure proposed with the annexation will have to meet infrastructure requirements by the Public Works Department and the Montana Department of Transportation.

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 which will keep non-residential traffic close to the interstate.

Conclusion:

The petition for annexation into the City of Laurel with the initial zoning assignment of Laurel “Highway Commercial” appears to be consistent with the requirements of City Council Resolution R-08-22. Additionally, the annexation, extension of services, and initial zoning assignment is in the best interest of both the City of Laurel and the property owners.

RECOMMENDATION

The Laurel – Yellowstone City County Planning Board should find that “Highway Commercial” zoning is an appropriate zoning designation and recommend that the Laurel City Council adopt the Findings of Fact outlined in this report. The City Council must annex the lands and can hold a joint Public Hearing allowed for in MCA 76-2-303 3(B)) A joint hearing authorized under this subsection (3) fulfills a municipality's obligation regarding zoning notice and public hearing for a proposed annexation. Laurel Municipal Code chapter 17.12.220(G) The hearing for annexation and zone change may be held at the same time.

- That an Amended Plat or Certificate of Survey suitable for filing with Yellowstone County that describes the tract of land to be annexed be submitted.
- That an Annexation Agreement or development agreement is submitted for acceptance by the City Council.

Map for proposed annexation for a portion of Lot7A1 of the amended plat of Tracts 6 and 7 and a portion of tract 5 of West brook Subdivision and the adjoining highway rights of way.

