

MINUTES OF THE CITY COUNCIL OF LAUREL

February 25, 2025

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 6:32 p.m. on February 2025.

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

None

OTHER STAFF PRESENT:

Michele, Braukmann, Civil City Attorney
Britney Harakal, Administrative Assistant
Stan Langve, Police Chief
Jean Kerr, City Judge
Haley Swan, Police Sergeant
Jarred Anglin, Police Captain
Nathan Lafrombois, Police Officer
Gabe Seibert, Police Officer
Troy Charbonneau, EMT

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

MINUTES:

- **Approval of Minutes of January 28, 2025.**

Motion by Council Member Wilke to table the minutes of the regular meeting of January 28, 2025, as presented, seconded by Council Member Sparks. There was no public comment.

A Council Member questioned if a motion to postpone would be more appropriate than a motion to table. It was clarified that a motion to table was appropriate.

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

- **Approval of Minutes of February 11, 2025.**

Motion by Council Member Wilke to table the minutes of the regular meeting of February 11, 2025, 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: None.

COUNCIL DISCLOSURE OF EX-PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims entered through February 21, 2025.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 1/21/2025 totaling \$255,231.46.**
- **Council Workshop Minutes January 21, 2025 – Revised.**
- **Council Workshop Minutes February 4, 2025.**



Council Minutes of February 25, 2025

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 February 11, 2025.
- Cemetery Commission Minutes of January 21, 2025.
- Public Works Committee Minutes of January 21, 2025.
- Emergency Services Committee Minutes of January 27, 2025.
- Park Board Minutes of February 6, 2025.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

The attached letter from Michael Hammer, 508 6th Avenue, was read into the record.

SCHEDULED MATTERS:

- **Appointment of Austin Gearhart to the Laurel Police Department.**

Motion by Council Member Canape to approve the Mayor's appointment of Austin Gearhart to the Laurel Police Department, 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.

Mr. Gearhart was sworn in by Judge Kerr.

Mr. Gearhart fills the final vacancy within the department. They now have 15 Officers.

Chief Langve took a moment to recognize Captain Anglin for his 10 years of service.

- **Appointment of Gaurav Thakur to the Laurel Urban Renewal Agency – Advisory for the remainder of a four-year term ending December 31, 2027.**

Motion by Council Member Wheeler to approve the Mayor's appointment of Gaurav Thakur to the Laurel Urban Renewal Agency – Advisory for the remainder of a four-year term ending December 31, 2027, 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. R25-17: Resolution Of The City Council Of Intent To Adopt An Official Schedule Of Fees And Charges For The City Of Laurel And Repealing All Previous Resolutions That Set Fees Or Charges That Conflict With The Schedule Attached Hereto Upon Its Effective Date.**

Motion by Council Member Mackay to approve Resolution No. R25-17, 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

The Annual Montana State Firemen's Memorial Run. Molly and Friends will be sponsoring the Hot Pants Dash for the kids. If anyone is interested in assisting with the run, contact Council Member Mackay.

COUNCIL DISCUSSION:

The Laurel Police Department is doing a fundraiser for new bullet proof vests. The vests are rated for a higher caliber. The fundraiser is through Shield 616. The goal is to raise \$36,000.

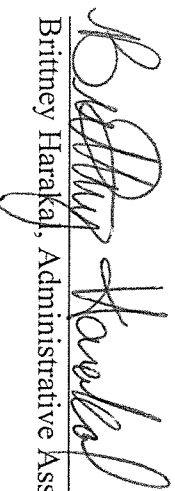
MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

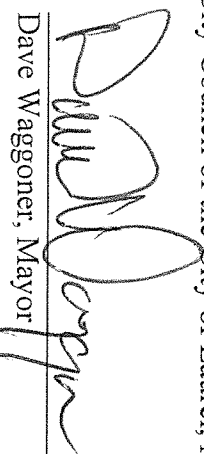
ADJOURNMENT:

Motion by Council Member Mize 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. 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 6:53 p.m.

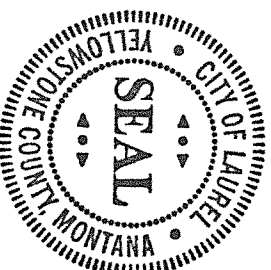

Britney Haraka, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 11th day of March 2025.


Dave Waggoner, Mayor

Attest:


Kelly Stuecker, Clerk/Treasurer



From: Michael Lee Hammer <michaell.ehammer@juno.com>
Sent: Sunday, February 23, 2025 3:32 PM
To: Ward 2A <ward2a@laurel.mt.gov>
Subject:

Mrs. Banks,
I have attached an addendum I would appreciate being distributed to council members, lawyer, CAO, and mayor.

Additionally, at council meeting held on 2/25/2025, Please read into the record the following:

Sorry to not speak in person tonight. I am out of the country!

Apologies for questioning not being given an opportunity to speak at the end of my rookie appearance. I was ignorant that alternating weeks allow public participation at the beginning of workshops and at the end of business meetings - not both. Thanks to those who graciously educated me afterwards.

I was naive in another perception: Entering "City Council Chambers", I thought I was getting to participate in a public meeting where residents, members, and other participants are all respected as legitimate voices to speak on issues. The mayor clearly corrected that thinking when, near the end of last week's meeting, he angrily points his finger at a council member and states, "You cannot tell me when to stop, I run this meeting." He denies another member's point of order without allowing that member to identify why she called the point of order. He rambles that the point of order should have been called "the night of the mistake". How did he know she was referring to a past mistake and not his current mistake!? At least now he admits to a previous mistake!!

I ended my rookie talk with a call to "act with integrity and show mutual respect, regardless of differing views or opinions."

The mayor demonstrated the opposite!

I expressed sadness that one man's dishonesty was infecting others. It seems more infectious than I realized.

Klose suggested Robert's rules were not followed with the motion to table, saying a date/time was needed. In my reviewing Robert's rules, I have not found that.

Have we learned from the mayor that falsely representing can be effective in getting one's desired outcomes? Klose voted to authorize the mayor to execute the employment for CAO. When that voting went his way, he applauded the rest of the Council for speaking their opinions/their minds.

Mr. Klose, since you think everyone should be applauded for speaking up, I hope to hear you defend your colleague and rebuke the mayor's not allowing the point of order to even be identified prior to simply blurring out a denial. I would also expect to hear dissent for the mayor's angry condescension and disrespect through his immature addressing of a council member with finger pointing.

City lawyer's e-mails that are now a part of public record are very disturbing. Please see attached addendum to these comments for details. For now let me simply ask for follow up on the assertion that

“city staff and I are all in agreement” ... Who is meant by “city staff?” Three I recognize are Mayor, Lawyer, CAO. I call on you for public disclosure, during a city council meeting: What was your part in the process that disregarded the council vote to table and moved ahead with a CAO contract, anyway? And just how far did that “agreement” go - acquiescence or full speed ahead pushing the same agenda?

Please, let us know if “city staff” referred to others, as well.

Please publicly announce at a city council meeting the date a CAO contract was signed and when that role actually will start or has started.

A separate matter of concern I have is that the public video recording of meetings omits the bench, including the mayor. This should be corrected so there is full disclosure of the public meeting.

Michael L. Hammer
508 6th avenue
Laurel, MT 59044

City lawyer's e-mails that are now a part of public record are very disturbing.

In the first e-mail, honesty seems to prevail. An admission that wrong was done by her and the mayor is made, saying the motion to table "should have been considered passed."

That is because Robert's rules of order clearly establish there is no 2/3 majority requirement to table a matter. Such a basic error is inexcusable at the onset. My first attempt to find Robert's rules of order on-line brought up voting charts/guidelines that clearly state the various voting requirements - only a few of which call for a 2/3 majority.

That a mayor or lawyer would assert that a 2/3 majority is needed to table a motion without consulting such basic guidelines is at least the pinnacle of irresponsibility and possibly worse, an act of intentional misrepresentation.

I recommend such a voting chart be placed on display permanently in the council chambers for all to refer to in the future.

In the February 4 e-mail sent by the lawyer, she appears to take seriously her statement earlier that night at the council meeting that she would "discuss with the executive branch what needs to be done to REMEDY (emphasis mine) that." She states her advice is that "the PROPER (emphasis mine) way to handle this is to recognize the passage of the motion to table, for us to amend the minutes to reflect that the motion to approve the resolution should not then have been voted on..That is what I am advising the mayor, Kurt, and all of city council".

But then no follow up with city council.

8 days later, conveniently after not addressing the matter publicly at the previous day's meeting, a dramatic change is on display in the e-mail council member Mize reported receiving February 12.

Now, the city lawyer omits previous recognition of hers and the mayors wrong and falsely asserts there was a "substantive procedural error" by the council. She asserts there was no 2nd to the motion to table the CAO matter, falling back on public awareness that the mayor's word cannot be trusted anyway. Practically, she makes a public announcement not to trust the mayor in her statement, "what came to our attention in the review of everything" (emphasis mine) (including hearing the mayor twice state "it's been moved and seconded"), "was that the motion to table was not seconded by any city council members." Later she discloses "city staff and I are all in agreement that this is the practical outcome of how the meeting unfolded and the passage of the resolution to approve the CAO appointment stands."

So, I have nagging questions. What transpired for the next week - after the lawyer seems to initially move toward honestly remedying what she refers to as being “mistaken”? Who suggests putting forth the fabricated notion that a 2nd was not given to the motion to table? Obviously, this deceptive untruth was initiated by an individual's suggestion and others then reluctantly or wholeheartedly chose to embrace the strategy.

Many council members chose to keep open minds about CAO Kurt Markegard. They attempted to protect him from being entangled in what was a coercive, corrupt, dishonest CAO process from the start. They recognized that the proper process was the only way for him to not be tainted and have his public reputation scarred as being a party in this wrongful appointment. Now it is being communicated by the “all in agreement” assertion that he actually became a part of the whole manipulative process.

Sadly, I am uncertain that there is any satisfying “remedy” any longer.

If Mayor, Lawyer, or CAO have any strategy towards a “remedy” that is truthful and “proper”, rather than a legal loophole based on false representations, please show the leadership to do it.

At the very least, any one of you can be honest in admitting your wrongs and try to restore some trust by acting with greater integrity hereafter.

Sincerely, and in hope of growing to again feel respectful,

Michael L. Hammer
508 6th avenue
Laurel, MT