

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, APRIL 20, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:30 p.m. on April 20, 2021.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Heidi Sparks
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

OTHERS PRESENT:

Karen Courtney, Building Official/Code Enforcement
Stan Langve, Police Chief

Public Input:

Leslie Atkins, 7 3rd Avenue, stated that she owns the building on the corner of Main Street and 3rd Avenue. She is requesting that Council change the parking on 3rd Avenue to angled parking. She has received input from her tenants that the parking is awful. She took this request to LURA and was told she needed to bring the issue before Council. She also stated that a study has been done already and that the City Manager has it.

Mayor Nelson stated this item will be brought forward at an appropriate Workshop and have Staff present.

Donna Williams, 623 Elm, stated she moved here a year ago from California. At that time, she was informed they could have chickens in their backyard. When she went to buy them, she found out that she is half a block from the County line and is unable to house chickens on her property. She stated that a family who has 3 or 4 children could butcher the chickens to feed the children if needed. Mayor Nelson stated the discussion on chickens is on this agenda and asked that Ms. Williams speak during that portion of the meeting.

General Items

Executive Review

1. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With All Seasons Roofing For Repairs And Installation Of Roofing Materials At The Fire, Ambulance And Police (FAP) Building And The Library.

This quote was initially brought to the Budget/Finance Committee but was pulled because it needed a small service contract as it includes labor and warranty. There was only one roofing company willing to bid on the project. The roof is a rubber roof, and most roofers do not deal with the repair. Ice damming is tearing up the roof.

2. Ordinance - An Ordinance Amending Certain Chapters Of Title 15 Of The Laurel Municipal Code Relating To The City's Miscellaneous Requirements For Homes, Buildings And Construction. (1st Reading)

Karen Courtney, Building Official, stated that she had brought Titles 13, 14 and now brings forward Title 15, miscellaneous requirements for homes, buildings, and construction. Parts of this chapter have been moved to other chapters where they fit more appropriately. There was duplicated and conflicting language that was cleaned up. The language for fence permits and floodplains has been cleaned up. Typos have been corrected. This Title still referenced codes no longer in existence.

Abatement of buildings was using a 1997 code that cannot be bought anymore. It now reflects what Great Falls is using. It is a fresher code and not antiquated. Section 15.50 moved to Title 13. Section 15.60 regarding trailer courts referenced an old MCA that has been redone.

It was questioned if chain-linked fence needed a permit. It was clarified that all fences being installed would need a permit. Quick maintenance does not require a permit. Change of location or type will need a permit. The City has always required a permit.

It was questioned if there were anyone was living in trailers, not in a court. It was clarified that trailers on the streets are not occupied. Trailer houses need to be in a designated court. Camp trailers fall under nuisance and parking. There is enforcement in this ordinance. There are ways to address them parked on the street or an area not zoned for a trailer home.

It was questioned if our camping area will need to be licensed. It was clarified that the State and DHHPS regulate campgrounds.

Council Issues

3. Resolution No. R19-07

Mayor Nelson stated Resolution No. R19-07 was tabled indefinitely back in March of 2019. Council needs to bring it back to the table and vote it down. This is a formality at this point.

It was questioned if Council would see this at next week's meeting. It was clarified that Council would need to bring it back to the table. It was further clarified that this item was tabled at Mr. Brown's request. Shortly thereafter, they entered into negotiations and a lawsuit. This item was taken care of during the settlement of that lawsuit. The resolution is moot.

4. Discussion on Chickens.

Council noted that citizens have brought forward interest in allowing chickens. They also stated that there needs to be a serious discussion about all the pros and cons before making any decisions. Council also noted that the biggest concern would be a community following the rules. One example is how well residents follow the two-dog limit in City limits. Having strong measures in place to hold people accountable is essential when discussing the issues around chickens.

Mayor Nelson clarified that citizens could only have two dogs. If they have more than two, they would need a small kennel license for a fee of \$50.00. It was questioned how many could some have with a small kennel license. Mayor Nelson stated he would check and report back to Council.

It was noted how neighbors would get along should one have chickens and the other has cats, will these cause problems. It was clarified that if chickens are kept in predator-proof cages, this shouldn't be an issue.

Megan Keys, 420 7th Avenue, thanked Council for bringing up chickens as a discussion item. She stated predator-proof enclosures are a way to keep the cats away from the chickens. If predators cannot get in, the chickens cannot get out. She stated she was part of writing the proposal that DJ Poolet brought forward. She stated she thought a permit could help keep the chickens in check and if people aren't following the rules, then deal with them on an individual basis. She again thanked Council for their time.

Donna Williams, 623 Elm, stated that previously she had wild chickens and no roosters. She had made a coop house that was fully enclosed and had a roof on it. They had 12 chickens and never lost one chicken. She emphasized that people would need to follow the rules and cannot keep them wild in their back yard. She is willing to go to any extent via the law to do it the right way and not the wrong way.

Kris Keys, 420 7th Avenue, stated they had purchased a coon proof coop. He stated his nephews live out of town and have goats, chickens, and a turkey. His 3-year-old son loves to pick out the eggs. He was raised in Billings, and his friends have that option, and he would like that option as well. They would like to have chickens to see if they would like to move more rural. His son talks about chickens and goats and wants that kind of life.

Council stated they were willing to look into allowing chickens. It was questioned how those options might be explored. It was further questioned if having Code Enforcement do some foundation work instead of creating a committee. Mayor Nelson clarified that if Council is interested in chickens, he can ask Code Enforcement to bring forward a draft ordinance on allowing chickens that Council could review and discuss further.

Police Chief Langve stated that he had chickens growing up approximately 30 years ago. They were out of town and had a lot more room. Looking at this both as the Chief of Police and as a resident. Health and human safety are always a significant concern. Chicken poop can be very

potent. It's the residents who don't follow the rules that become in the issue. The cost is the biggest issue. Currently, the calls for service and crimes reported are both up 31% as compared to 2020. His department has been very busy. The hope is to bring back the parking and barking Officer. And include code enforcement, all nuisance issues in their duties. It is a very time-consuming process. The City cannot have chickens running around. The question is, what happens when a fence falls over, and there are chickens on the loose. What happens in an abuse case where the animals are seized? The City is obligated to care for those animals until the case is resolved. If residents are allowed to have six chickens, what are they doing with the waste? What about the noise? Chickens will run loose around neighborhoods; will this affect property values. There may be an HOA with new subdivisions. Chickens are considered livestock. Will residents be allowed to butcher chickens on their property? Some people may find this highly offensive. There is no retirement plan for hens who stop laying; what happens as the chicken's age? Will residents push for other livestock to be allowed, such as ducks, goats, mini pigs, etc. Bottom line, if you want to own livestock, you need to live in the county. However, chickens can be good for insect control. There will be more calls for service. On the personal side, chicks are fun to have around but are an unnecessary nuisance at this time. Chickens are also susceptible to predators. There is a mountain lion that lives north of town. Council would need to consider the abatement of wildlife.

One Council Member stated they had a friend who wanted chickens. They live trapped 16 skunks in their yard. Chickens will draw out predators.

It was questioned how the coops could keep predators from digging under the fence to get to the chickens.

Council agreed if they move forward with allowing chickens, there will need to be stiff fines if people do not follow the rules. It was noted that Billings does allow chickens. Laurel could mirror what Billings allows. It does not seem to be causing too many issues.

Council noted that there are definite pros and cons to allowing chickens within City limits. Council would like to see something a little more put together before discussing further. Right now, it is too vague to see what the final ordinance might look like. They did note that it is worth investigating further once there is more information, can have an educated discussion in the future.

Council reiterated that there need to be strict rules. They gave the example of the trailer park on E. Maryland. They agreed there need to be hefty fines associated with not following the rules.

Mayor Nelson reiterated that it is Council's job to do the heavy lifting making legislation, and it is his job to make sure things that Council passes are followed. It is his job to work with Staff to bring forward the needed documents. He stated he would have Staff look at different ordinances that allow for chickens and outline what an ordinance might look like. It will be a basic outline. It will be included where that information was pulled from as well. Included will also be a brief paragraph listing what other communities have run into by allowing chickens. We will have a further debate in the future.

Karen Courtney, Building Official/Code Enforcement, stated she had experience with chickens at her previous employment. Most owners were responsible; however, in one instance, she burned her lungs because of the ammonia. Those animals had to be confiscated and had no place to put them. The only place they had to put them was in the City shops.

Laurel has 280 dog licenses this year. There are more than 280 dogs in the City of Laurel. While we want to believe that everyone will do good, it just simply is not the case. In the case of chickens, City Staff will come into contact with chicken waste either by Code Enforcement or Solid Waste. Staff cannot prove who placed the waste in a garbage can.

The City has animal units, sat down, and within City limits, residents can have one chicken. We would need to rewrite another section of the code to address this. This will also affect zoning outside City limits.

Other Items

Review of Draft Council Agendas

5. Draft Council Agenda for April 27, 2021.

Attendance at Upcoming Council Meeting

Council Member Wilke stated he was unsure if he would be able to attend next week's meeting.

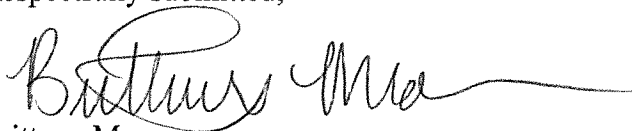
Announcements

City Clean up is scheduled for May 1st and 2nd.

Council was reminded of the Elected Officials portion of Institute should they choose to attend.

The council workshop adjourned at 7:41 p.m.

Respectfully submitted,



Brittney Moorman
Administrative Assistant

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

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
<https://cityoflaurelmontana.com/>



Office of Building Official

Staff Report

RE: Discussion of Allowing Chickens to be kept within City Limits

Staff is in opposition to passing an ordinance pertaining to keeping chickens “Yard hens” within the city limits of Laurel. This is not a simple addition to the code as many may believe.

Currently the zoning only allows livestock units within Residential Tracts. If yard hens were allowed within city limits and we followed the adopted livestock units, most residential lots within town would only be allowed 1 chicken.

Code Enforcement and Law Enforcement currently does not have the personnel to enforce nor facilities to house at large, confiscated, or abandoned animals.

It was brought up that there could be fees to those who wish to keep yard hens, with current permit and licensing fees there are several people who do not meet the requirements of Code. Furthermore, the man hours of following up on each property to ensure they have a current permit would add further workload on current officers.

Concerns of predators coming into city limits. Argument of cooping up chickens at night will not prevent predators from trying to get in. North of town there has been reports of a mountain lion, one reported sighting was on West 9th Street near the church. Skunks have been coming into the area of Cherry Hills and coops do not prevent them from breaking into coops.

Previous experience with this type of ordinance is although we would hope everyone would be responsible owners, many do not understand fully what it requires to keep coops clean and take proper care of fowl, others are not responsible animal caregivers causing issues with smell. I had to address an irresponsible owner once and the ammonia caused burning to my lungs and respirators were required after that when entering these properties. I have also been on complaints where the hens were no longer producing, and the owner decided it was time to cull them from the flock and slaughtered in backyard to the dismay of their neighbors.

For those owning the chickens Department of Livestock requires annual reporting and livestock fees for each chicken. The reporting of permits issued may be required to be reported to the DOL much like the Building Permits having to be reported weekly to the State Department of Revenue.