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TN

Chuck Hendricks, 720 Lohwest Lane Billings, stated he was with EEC. EEC is the designers and developers, along with the owners. These are the same three variances that Midway Rentals a few months ago. They are putting up a metal building for the shop portion. There will be some exposed fasteners panels on that portion. The wood-framed officer portion does have some exposed fasteners as well. Have met the intent of the code will continue to stick with the western theme for SE 4th Street and will not take away from any of the surrounding areas. The building is far enough off of the interstate and E. Railroad that no one will notice that there is exposed fasteners. Will still install a 25-foot bufferyard; it will be irrigated sod. Will not plan the trees and shrubs over it. There will still be a bufferyard along the interstate, just without the trees and shrubs. The client wants to display their merchandise. Vinyl fences are not as secure. They are proposing a split rail fence, which is also

a product that they carry and sell. It will go along the E. Railroad frontage. Along the western side, there is an existing chain link fence. On the east side, there is an existing barbed wire fence that will remain. Currently, the lot directly to the east is undeveloped. There are plans, and when that development is done, the owners will put up a fence that accommodates both their needs. Asking to approve these variances and will answer any questions.

Mayor Nelson asked two additional times if there were any proponents. There were no other proponents.

Mayor Nelson asked three times if there were any opponents. There were none.

Mayor Nelson asked Staff to respond to any relevant questions. There were none.

Mayor Nelson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of February 2020 in the amount of \$193,718.18.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 2/23/2020, totaling \$196,091.12.**
- **Approval of Workshop Minutes of February 4, 2020.**
- **Approval of Council Workshop Minutes of February 18, 2020.**

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

Motion by Council Member Eaton 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 six council members present voted aye. Motion carried 6-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee minutes of February 25, 2020, were presented.
- Public Works Committee minutes of February 19, 2020, were presented.
- REVISED Park Board minutes of February 6, 2020, were presented.
- City/County Planning Board minutes of February 12, 2020, were presented.
- City/County Planning Board minutes of February 26, 2020, were presented.
- Emergency Services Committee minutes of January 27, 2020, were presented.
- Library Board minutes of January 14, 2020, were presented.
- Laurel Urban Renewal Agency minutes of February 24, 2020, were presented.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

ANNOUNCEMENTS:

- Declare Vacancy on Emergency Services Committee

Mayor Nelson declared a vacancy on the Emergency Services Committee. Anyone interested in the position should submit a letter of interest.

SCHEDULED MATTERS:

- **Appointment of Makayla Kostecky to the Laurel Volunteer Fire Department**

Motion by Council Member Stokes to approve the Mayor's appointment of Makayla Kostecky to the Laurel Volunteer Fire Department, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Motion to approve Council Member Sparks to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Herr to approve Council Member Sparks to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Motion to approve Council Member Stokes to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Klose to approve Council Member Stokes to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Motion to approve Council Member McGee to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Wilke to approve Council Member McGee to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-09: A Resolution Of The City Council Adopting The laurel Transportation System Coordination Plan.**

Motion by Council Member Klose to approve Resolution No. R20-09, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-10: A Resolution Of The City Council Granting A Variance From The City's Zoning Ordinance To Disregard The Bufferyard Requirement, Sight-Obscuring Fence Requirement And Building Design Standards On A Parcel Of Property Located On East Railroad Street.**

Motion by Council Member Sparks to approve Resolution No. R20-10, seconded by Council Member Eaton. There was no public comment.

Council Member Eaton clarified that at last week's meeting, she had stated she did not think barred wire fences were allowed in City limits. It was clarified that barbed wire fences are not permitted in residential but are permitted in commercial zoning. She apologized for the misunderstanding.

A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-11: Resolution Awarding Knife River The Contract For The City Of Laurel's East Downtown Infrastructure Improvements Project And To Authorize The Mayor To Sign All Required Contract And Related Documents On The City's Behalf.**

Motion by Council Member Eaton to approve Resolution No. R20-11, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-12: A Resolution Of The City Council Amending Policies And Procedures For The Laurel Cemetery.**

Motion by Council Member Herr to approve Resolution No. R20-12, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R20-13: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding For Operation And Cost Sharing For Public Transportation Services With The Adult Resource Alliance Of Yellowstone County.**

Motion by Council Member Wilke to approve Resolution No. R20-13, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No R20-14: A Resolution Of The City Council Authorizing The Mayor To Execute A Cooperative Purchasing Memorandum Of Understanding Between The City Of Laurel And The Montana Department Of Administration To Allow The Purchase Supplies And Services From Vendors At State Prices.**

Motion by Council Member Klose to approve Resolution No. R20-14, seconded by Council Member Wilke. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

A Council Member noticed that the light near their home had been changed to the new lights. It looks good.

A Council Member requested that Council discuss at the first Workshop in April an ordinance change concerning public nuisance. Mayor Nelson stated he would put that on the next Workshop agenda.

MAYOR UPDATES: None.

UNSCHEDULED MATTERS:

Mayor Nelson stated he had requested the Public Works Director to look into how the City can continue to provide City services should we have an outbreak of Covid-19. Contingency plans are in the works should anything happen.

The Public Works Director handed out two handouts, see attached. One is a flyer from Unified Health, that flyer has been placed around town. The White House and CDC recently released the second. He is continuing to make preparations at both the Water and Sewer Plants. As of tonight's meeting, there were no confirmed cases in the State of Montana; refer to the CDC's website for the most up to date information.

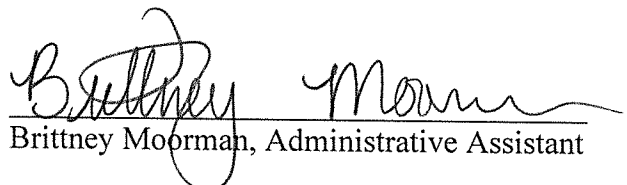
Mayor Nelson stated that the Ambulance Director has been working to stockpile things that they will need to be prepared to deal with the worst-case scenario. He reminded Council that our community could see nothing but will be prepared in the event that we do.

There was discussion various rumors Council had heard about Covid-19. The Public Works Director urged Citizens to refer back to the CDC's website for accurate up to date information.


ADJOURNMENT:

Motion by Council Member Stokes 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 six council members present voted aye. Motion carried 6-0.

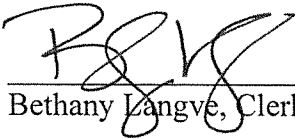
There being no further business to come before the Council at this time, the meeting was adjourned at 7:10 p.m.


Brittney Moormah, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 24th day of March 2020.


Thomas C. Nelson, Mayor

Attest:


Bethany Langve, Clerk/Treasurer



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance – EEC Inc. and Gregory Haux (Laurel Trading Post)
DATE: February 25, 2020

DESCRIPTION/LOCATION:

Gregory Haux of the Laurel Trading Post submitted a request for four variances to LMC Chapter 17.26 – Community Entryway Zoning District and Chapter 17.27 – SE 4th Street Overlay District. The affected property is located on East Railroad St. at a currently unassigned address. The parcel is zoned Highway Commercial and is within the Community Entryway Zoning District and SE 4th Street Overlay District. The applicant is requesting variances to disregard the bufferyard requirement, sight-obscuring fence requirement, and building design standards.

STAFF FINDINGS:

Applicant Data:

Owner:	Gregory H. Haux		
Legal Description:	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2B, 2C, & 2D		
Address:	E. Railroad St.		
Parcel Size:	4.99 Acres		
Existing Land Use:	Field		
Proposed Variance:	Design standards and landscaping standards within the Community Entryway Zoning District and SE 4 th Street Overlay District.		
Existing Zoning:	Highway Commercial		
Surrounding Land Uses:			
North: Zoning:	Heavy Industrial	Land Use:	Railroad
South: Zoning:	Interstate Highway	Land Use:	Interstate Highway
East: Zoning:	Highway Commercial	Land Use:	Midway Rentals
West: Zoning:	Highway Commercial	Land Use:	Fiberglass Structures Inc.

1. The variance application packet is attached and contains the application form, application cover sheet, detailed justification letter, fee receipt, a site plan, building design plans, and the public notice.
2. The application is requesting three variances to LMC 17.26 – Community Entryway Zoning District including:
 - a. 17.26.052 Development Standards Part B: Building Design Standards, Number 1,
 - b. 17.26.052 Development Standards Part C: Additional Provisions for Commercial Uses,
 - c. 17.26.054 Landscaping Standards part B.1: Bufferyard Requirements.
3. The application is requesting a variance to LMC 17.27 – SE 4th Street Overlay District including:
 - a. 17.27.060 Building Design Requirements, Part A.
4. LMC 17.26.052 Part B states:
 1. All buildings shall be completed on all sides with one of the following finishing material: brick, fluted block, colored textured block, glass, stucco, architectural concealed fastener metal panels, exterior insulation and finishing systems (i.e., Dryvit, etc.), stone or wood. Exposed seam metal buildings shall be prohibited unless covered with an acceptable finishing material.
5. LMC 17.26.052 Part C States:
 1. Storage of Merchandise. Any permitted storage of merchandise outside an approved building shall be within an area enclosed with a sight obscuring fence at least six feet in height that is architecturally compatible in color and design with the building. However, promotional displays, vehicle sales lots and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. In addition, retail nurseries shall be exempt from the enclosure of plant materials, and displayed merchandise shall not include any used equipment. Bufferyards or required landscaping shall not be used for the displaying of merchandise.
6. LMC 17.26.054 Part B States:
 - B. Landscaping.
 1. Bufferyard Requirements. All commercial/Industrial land uses are required to place a bufferyard (landscaping strip) adjacent to and along the length of I-90, First Avenue North, or First Avenue South on which the use fronts. Such landscaping buffer shall extend from the edge of the public right-of-way. Placement and landscaping design shall be at the discretion of the developer, and the required trees and shrubs may be clustered to enhance the view of the property from the public right-of-way as long as such uses conform with Section 17.26.052(C) of this code. A local design professional or local nursery must be consulted for assistance with the development of the landscape design. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards, and canopy trees are encouraged for parking areas. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.
 - a. The developer shall have the option of one of the following three bufferyards. Bufferyard depth is measured from the property line adjacent to the public right-of-way inward. Any buffer area which overlaps another buffer area shall be subtracted

from the total to avoid double counting. The number of trees and shrubs required is per one hundred feet of frontage:

- (1) Twenty-five foot wide bufferyard: five Canopy or evergreen trees, ten Shrubs
- (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs
- (3) Fifteen foot wide bufferyard: fifteen Canopy or evergreen trees, twenty Shrubs

7. LMC 17.27.060 – Building Design Standards, Part A:

- A. Exterior materials shall be sufficiently durable to ensure stability, maintainability, and long life. The materials to achieve a rustic western appearance are required. Buildings shall be finished with a minimum 40 percent half log and/or rock accents on the front façade.

8. The applicant and staff discussed 17.26.052.B and the significant design and building costs and opportunity costs to future business operations if the Community Entryway Zoning District codes are fully enforced as compared to similar businesses that currently exist within the same districts. The proposed design incorporates frontage and façade details and changes in materials and textures to keep with a rustic western aesthetic.

9. In regard to 17.26.B.1, there currently exists a sanitary sewer utility line running along the southern boundary of the property which would present serious future maintenance issues and conflicts with established City of Laurel Public Works standards if a bufferyard was constructed as per code.

10. 17.26.52.C.1 requires a sight obscuring fence for businesses storing merchandise outside of an approved building. The applicant states that the facility will utilize a secure 6' chain link fence topped with 1' of barbed wire along existing frontage and install a 5' pipe rail fence to secure merchandise while simultaneously allowing highway traffic to view merchandise stored on site as well as maintain a rustic aesthetic.

11. The Highway Commercial District was established to cater to the tourist, traveler, recreationist, and general traveling public. Requirements to block highway-focused businesses from marketing merchandise goes against the stated goal of the district.

12. Upon submittal it was found that the request for variance to 17.27.060 Part A was applied for in error. A variance is not required for this code as the property is not located directly on SE 4th Street as per 17.27.060 Part B.

ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:

The Zoning Commission shall review and make determinations on variances through Laurel Municipal Code (LMC) Chapter 17.60.020:

- A. It shall be the duty of the zoning commission to authorize, upon appeal in specific cases, such land use variances from the terms of the zoning ordinances as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship, and so that the spirit of the

ordinances shall be observed and substantial justice done. The zoning commission shall, after a public hearing, make a recommendation to the mayor and council concerning the land use variance application.

- B. The zoning commission shall not recommend that land use variances be granted:
1. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
 2. Unless the grant relates to a condition or situation special and peculiar to the applicant;
 3. Unless the basis is something more than a mere financial loss to the owner;
 4. Unless the hardship was created by someone other than the owner;
 5. Unless the variance would be within the spirit, intent, purpose and general plan of this title;
 6. Unless the variance would not affect adversely or injure or result in injustice to others; and
 7. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

STAFF SUGGESTED CONDITIONS:

If the City Council recommends approval of the variance, the following conditions are suggested:

1. The proposed pipe rail fencing and existing barbed wire fencing must be securely affixed and/or anchored to the ground.
2. The proposed pipe rail fencing must not become an eye sore by way of lack of maintenance and/or repair.
3. Ensure dust and gravel control measures are in place to keep road debris off of Public right of way.
4. Lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.

PROCEDURAL HISTORY:

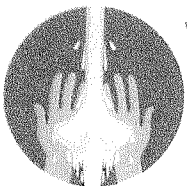
- Gregory Haux and Chuck Henrichs and Kevin Lundin of Eggart Engineering and Construction (EEC Inc.) met with the City Planner, Building Official, and Public Works Director to discuss the situation, receive comment from city staff, and understand the process to apply for a variance.
- The variance application packet was received on January 31, 2020 by the Planning Department.
- A public hearing for the variance request is scheduled to take place at the Laurel City-County Planning Board on February 26, 2020 at 5:35PM.
- A public hearing for the variance request is scheduled to take place at the Laurel City-Council Meeting on March 10, 2020 at 6:30PM.

STOP Germs



- **Wash** your hands with soap & water for at least 20 seconds.
- **Cover** your cough or sneeze with your elbow or a tissue.
- **Avoid** touching your face, eyes, nose & mouth.
- **Stay home** if you're sick.
- **Avoid close contact** with people who are sick.

HOW to Wash Your Hands



Wet

Wet hands with hot or cold running water.



Rinse

Rinse under hot or cold running water.



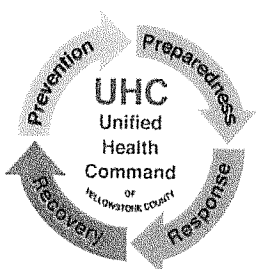
Wash

Apply soap, lather & scrub backs of hands, under nails, between fingers for 20 seconds.



Dry

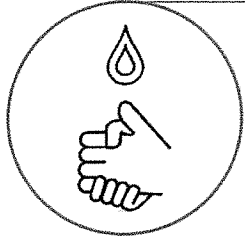
Dry hands using a paper towel or air dry.



Keeping commercial establishments safe

Encourage your employees and customers to...

Practice good hygiene



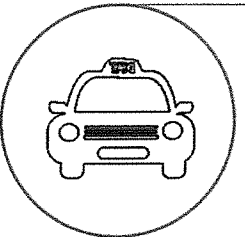
- Stop handshaking – use other noncontact methods of greeting
- Clean hands at the door, and schedule regular hand washing reminders by email
- Promote tap and pay to limit handling of cash
- Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

Avoid crowding



- Use booking and scheduling to stagger customer flow
- Use online transactions where possible
- Consider limiting attendance at larger gatherings

For transportation businesses, taxis, and ride shares

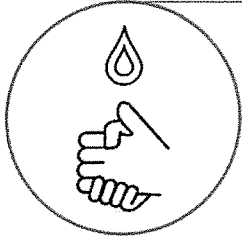


- Keep windows open when possible
- Increase ventilation
- Regularly disinfect surfaces

Keeping the workplace safe

Encourage your employees to...

Practice good hygiene



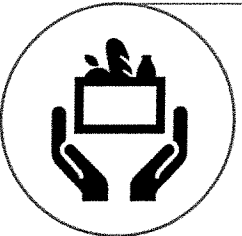
- Stop handshaking – use other noncontact methods of greeting
- Clean hands at the door and schedule regular hand washing reminders by email
- Create habits and reminders to avoid touching their faces and cover coughs and sneezes
- Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

Be careful with meetings and travel



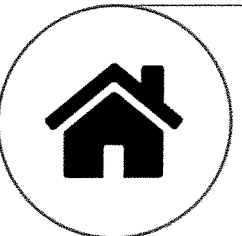
- Use videoconferencing for meetings when possible
- When not possible, hold meetings in open, well-ventilated spaces
- Consider adjusting or postponing large meetings or gatherings
- Assess the risks of business travel

Handle food carefully



- Limit food sharing
- Strengthen health screening for cafeteria staff and their close contacts
- Ensure cafeteria staff and their close contacts practice strict hygiene

Stay home if...



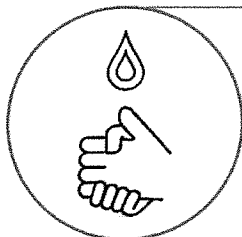
- They are feeling sick
- They have a sick family member in their home

What every American and community can do now to decrease the spread of the coronavirus

Keeping the school safe

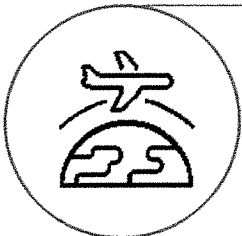
Encourage your faculty, staff, and students to...

Practice good hygiene



- Stop handshaking – use other noncontact methods of greeting
- Clean hands at the door and at regular intervals
- Create habits and reminders to avoid touching their faces and cover coughs and sneezes
- Disinfect surfaces like doorknobs, tables, desks, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

Consider rearranging large activities and gatherings



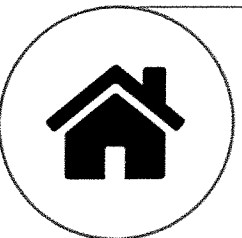
- Consider adjusting or postponing gatherings that mix between classes and grades
- Adjust after-school arrangements to avoid mixing between classes and grades
- When possible, hold classes outdoors or in open, well-ventilated spaces

Handle food carefully



- Limit food sharing
- Strengthen health screening for cafeteria staff and their close contacts
- Ensure cafeteria staff and their close contacts practice strict hygiene

Stay home if...



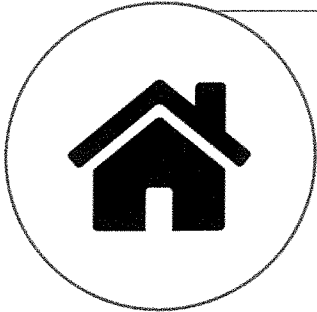
- They are feeling sick
- They have a sick family member in their home

What every American and community can do now to decrease the spread of the coronavirus

Keeping the home safe

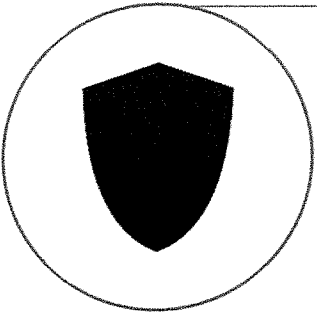
Encourage your family members to...

All households



- Clean hands at the door and at regular intervals
- Create habits and reminders to avoid touching their face and cover coughs and sneezes
- Disinfect surfaces like doorknobs, tables, and handrails regularly
- Increase ventilation by opening windows or adjusting air conditioning

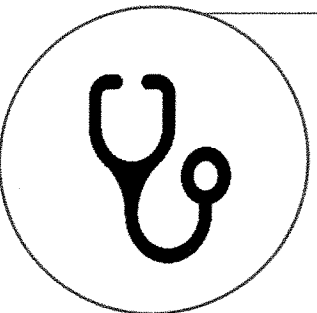
Households with vulnerable seniors or those with significant underlying conditions



Significant underlying conditions include heart, lung, kidney disease; diabetes; and conditions that suppress the immune system

- Have the healthy people in the household conduct themselves as if they were a significant risk to the person with underlying conditions. For example, wash hands frequently before interacting with the person, such as by feeding or caring for the person
- If possible, provide a protected space for vulnerable household members
- Ensure all utensils and surfaces are cleaned regularly

Households with sick family members



- Give sick members their own room if possible, and keep the door closed
- Have only one family member care for them
- Consider providing additional protections or more intensive care for household members over 65 years old or with underlying conditions

What every American and community can do now to decrease the spread of the coronavirus