

MINUTES OF THE CITY COUNCIL OF LAUREL

August 9, 2022

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 6:31 p.m. on August 9, 2022.

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

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Michele, Braukmann, Civil City Attorney
Kurt Markegard, Public Works Director
Forrest Sanderson, KLJ

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 July 26, 2022, 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 Monthly Report - July 2022
- Ambulance Monthly Report - April 2022/May 2022

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Public Hearing: Resolution Of Annexation And Zoning For Approximately One Acre Of Property Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Initial Zoning Designation.

Mayor Waggoner stated this is the time and place set for the public hearing on the City of Laurel's Resolution Of Annexation And Zoning For Approximately One Acre Of Property Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Initial Zoning Designation.

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Forrest Sanderson, Contracted City Planner, briefly reviewed the attached Staff report.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Waggoner asked if there were any proponents.

Lance Hull, 1009 Davis Circle, spoke in favor of this annexation.

Mayor Waggoner asked two (2) additional times if there were any proponents. There were none.

Mayor Waggoner asked three (3) times if there were any opponents. There were none.

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

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Mayor Waggoner closed the public hearing.

- Public Hearing: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building, Energy Conservation, And Swimming Pool And Spa Codes For The City Of Laurel As Required By The State Of Montana

Mayor Waggoner stated this is the time and place set for the public hearing on the City of Laurel's Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building, Energy Conservation, And Swimming Pool And Spa Codes For The City Of Laurel As Required By The State Of Montana.

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Michele Braukmann, City Civil Attorney, briefly reviewed the proposed changes made to this ordinance.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Waggoner asked if there were any proponents.

Mayor Waggoner asked three (3) times if there were any proponents. There were none.

Mayor Waggoner asked three (3) times if there were any opponents. There were none.

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

Mayor Waggoner closed the public hearing.

- Public Hearing: An Ordinance Amending Section 1.28.040 Of The Laurel Municipal Code Relating To Technical Codes For The City Of Laurel

Mayor Waggoner stated this is the time and place set for the public hearing on the City of Laurel's Ordinance Amending Section 1.28.040 Of The Laurel Municipal Code Relating To Technical Codes For The City Of Laurel.

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Michele Braukmann, City Civil Attorney, briefly reviewed the proposed changes to this ordinance.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

Mayor Waggoner asked if there were any proponents.

Mayor Waggoner asked three (3) times if there were any proponents. There were none.

Mayor Waggoner asked three (3) times if there were any opponents. There were none.

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

Mayor Waggoner closed the public hearing.

CONSENT ITEMS:

- **Claims entered through August 5, 2022.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 7/24/2022 totaling \$166,233.35.**
- **Council Workshop Minutes of May 3, 2022.**

- **Council Workshop Minutes of May 17, 2022.**

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 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of July 26, 2022.
- City/County Planning Board Minutes of June 15, 2022.
- Library Board Minutes of May 10, 2022.
- Library Board Minutes of June 14, 2022.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Appointment of Justin Harris to the Laurel Volunteer Fire Department**

Motion by Council Member Sparks to approve the Mayor's appointment of Justin Harris to the Laurel Volunteer Fire 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.

- **Appointment of Richard Herr to the City/County Planning Board for the remainder of a two-year term ending June 30, 2023.**

Motion by Council Member Eaton to approve the Council's appointment of Richard Herr to the City/County Planning Board for the remainder of a two-year term ending June 30, 2023, 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.

- **Motion to allow Council Member Wheeler 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 Wheeler to be absent from the City of Laurel for more than ten days, seconded by Council Member Mountsier. 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. R22-39: A Resolution Of The City Council Authorizing The Mayor To Execute The Construction And Maintenance Agreement For South 4th Street Public Roadway By And Between The City Of Laurel And Montana Rail Link, Inc.**

Motion by Council Member Herr to approve Resolution No. R22-39, 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. R22-40: Resolution Of Annexation And Zoning For Approximately One Acre Of Property Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Concurrent Approval Of Initial Zoning Designation.**

Motion by Council Member Mize to approve Resolution No. R22-40, seconded by Council Member Mountsier. 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. R22-41: A Resolution Of The City Council Authorizing The Mayor To Enter Into Professional Services With Prothman Related To Employment Sourcing For A City Of Laurel Planner**

Motion by Council Member Mountsier to approve Resolution No. R22-41, 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. R22-42: Resolution Approving The Final Plat Of Cherry Hill Subdivision 3rd Filing, An Addition To The City Of Laurel, Montana**

Motion by Council Member Klose to approve Resolution No. R22-42, 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.

- **Ordinance No. O22-01: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building, Energy Conservation, And Swimming Pool And Spa Codes For The City Of Laurel As Required By The State Of Montana – Second Reading**

Motion by Council Member Eaton to adopt Ordinance No. O22-01, 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, Mountsier, Klose, Wheeler, Mize, and Eaton aye. Motion carried 8-0.

- **Ordinance No. O22-02: An Ordinance Amending Section 1.28.040 Of The Laurel Municipal Code Relating To Technical Codes For The City Of Laurel – Second Reading**

Motion by Council Member Sparks to adopt Ordinance No. O22-02, 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, Mountsier, Klose, Wheeler, Mize, and Eaton aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Public Works Committee's next meeting is Monday, August 15, 2022, at 6:00 p.m. in Council Chambers.

It was questioned what this year's street maintenance project is. It was clarified that this year's project is the S. 4th Street project, and the project will begin this September.

A Council Member stated they recently had to call the Fire Department to their home for a carbon monoxide detector going off. They commented how professional the Fire Department was in their home. They asked if there could be more discussion regarding the Fire Chief's position at a future workshop.

Council noted that their concerns about a potential conflict of interest of a Council Member sitting on the City/County Planning Board had been answered by the City Attorney.

MAYORS UPDATES:

The Mayor asked the Public Works Director to give a brief update on the W. Railroad project. The City needs to agree to a funding guarantee of 2.5 million. The project is slated to begin in 2026, and an engineering firm will be selected this October.

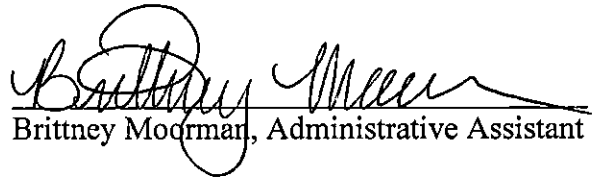
The Mayor and City Attorney will be working on speaking with Rural Water regarding a water study.

UNSCHEDULED MATTERS: None.

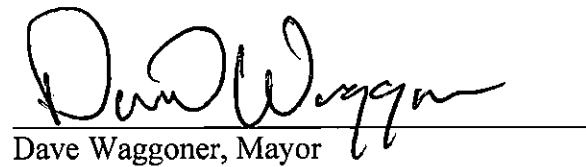
ADJOURNMENT:

Motion by Council Member Wheeler 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 7:08 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 23rd day of August 2022.


Dave Waggoner, Mayor

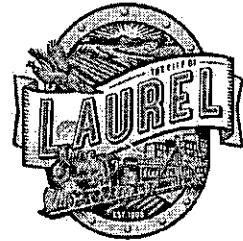
Attest:


Kelly Strecker, Clerk/Treasurer

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 Director of Public
Works

PLANNING BOARD AND ZONING COMMISSION

RECOMMENDATION

LANCE HULL

Annexation and Initial Zoning

Applicant:

Lance Hull
1009 Davis Circle
Laurel MT 59044

The Mr. Hull represents 100% of the land ownership. Annexation pursuant to §7-2-4601 et. seq. MCA. (Annexation by Petition).

Request:

Mr. Hull, representing 100% of the ownership of lands involved, has Petitioned the City of Laurel for Annexation of approximately 1.0 acres of property adjacent to the City of Laurel with an initial Zoning Designation of Laurel Multi-Family (RMF) for concurrent review.

The subject property is generally described as that portion of Section 8, Township 2 South, Range 24 East, P.M.M., Yellowstone County, Montana, on Certificate of Survey No. 1642 amended Parcel A1, Less Herman Addition. 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 5:35 p.m. on Wednesday, June 15, 2022. Though not yet scheduled the matter could be considered by the Laurel City Council at a Work Session on July 5 and taken up as an action item on July 12, 2022.

Analysis of the Request

- The Mr. Hull represents 100% of the land ownership involved in the petition.
- The Laurel Growth Policy designates the property as a 'growth area' of the city.
- The current use of the property is vacant.
- The requested zone City Laurel Multi-Family (RMF) provides for a variety of uses and is consistent with the requirements of R-08-22 that lands embraced by the city be assigned R-7500 or greater.
- The subject property currently is presumed to be zoned County Residential Tracts or is unzoned Yellowstone County.
- 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'.
- In addition to the extension of urban scale services the City Zoning provides options for development that are not available to rural properties. These options include but are not limited to Planned Unit Developments
- 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.
- 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 dedicated to the City on the northern and southern property lines. The dedication of the northern segment will need to be coordinated with the developer of that tract.

Findings:

- ✓ The subject property is adjacent to the City of Laurel.
- ✓ 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 the desire of Mr. Hull to construct a Residential a Multi-Family complex on the property. The only way the development plan works is to extend the City water and sewer systems to the proposed development.
- ✓ The subject property was included as 'future growth area' in the Growth Policy adopted by the City of Laurel. Additionally, the property has been identified on the Laurel Future Land Use Map portion of the Growth Policy as Multi-Family. As such, the requested zoning is consistent with the Laurel Growth Policy.
- ✓ The proposed assignment of RMF meets all the statutory requirements of Part 46 annexation and zoning assignment.
- ✓ The Laurel RMF Zone is listed along with other Residential land use assignments and is therefore determined to be a "greater than" R-7500 classification.
- ✓ The extension of city services will be at the owner's expense (R-08-22) and in accordance with the Annexation Agreement as approved by the City Council. .

- ✓ The City Zoning provides options for development that are not available to rural properties. These options include but are not limited to Planned Unit Developments. These options and the exactions of infrastructure are most beneficial to the Owner, the City of Laurel, and all surrounding properties in conjunction with the proposed development of the property in the future.
- ✓ The city has the ability to provide services to the property both existing and proposed.

12 Point Test for Zoning:

- I. Is the zoning in accordance with the growth policy;
 - The proposed zoning is consistent with the prevailing County zoning on the property.
 - The Growth Policy identifies all of the property proposed for annexation as Multi-Family.
 - Resolution R-08-22 requires zoning assignment at annexation at R-7500 or greater.
 - The Residential Multi-Family Zone meets the definition as 'greater than' R-7500.

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 is consistent with the prevailing County zoning on the property.
 - The proposed zoning along with the annexation agreement will allow development of the property consistent with surrounding uses of property.
 - Proposed development that would potentially impact roads and streets would require a traffic impact analysis and associated improvements.

Finding:

The requested zoning will not have a material impact on congestion in the streets.

- III. Is the zoning designed to secure safety from fire, panic, and other dangers;
 - The proposed zoning is consistent with the prevailing County zoning on the property.
 - The Growth Policy identifies the property as Multi-Family.
 - Multi-Family development must be constructed in accordance with the prevailing International Code Council standards.
 - Adequate public infrastructure exists or can be readily extended/expanded to serve the development at RMF densities.

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 proposed zoning is consistent with the prevailing County zoning on the property.
 - The Growth Policy identifies the property as Multi-Family as a future land use.
 - The connection of the facilities and properties at the time of development to the Laurel municipal water and wastewater systems will have positive impacts to public health and general welfare.

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 RMF, 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.
 - The RMF proposal, has density and development controls that are designed to prevent the overcrowding of land.

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 RMF proposal, has density and development controls that are designed to prevent the overcrowding of land.
 - The subject property is large enough to provide adequate separation from surrounding uses.

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, without some overlay or modification, will not necessitate the installation of new or additional infrastructure.
 - It is anticipated that a significant portion of the property being annexed will be further developed. It is at that point the additional infrastructure as well as capacities will be evaluated.
 - Some of the public duties, such as police, will shift from Yellowstone County to the City of Laurel but the net effect is minimal.

Finding:

The requested zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Additionally, as the uses of the property change and the intensity of development changes, the city will be able to plan for and be prepared for the anticipated increased demands on their public systems.

- 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 which is, for the most part, multi-family or commercial.
 - The water and sewer infrastructure proposed with the annexation is adequate for the intended use of the property.

Finding:

The requested zoning is consistent with surrounding uses, the Growth Policy and provides for opportunities for additional development 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 which is, for the most part, multi-family or commercial.
 - The water and sewer infrastructure proposed with the annexation is adequate for development of the property that is consistent with the requested RMF zoning.

Finding:

The requested zoning is in keeping with the character of the development in the area. It also provides for opportunities for additional development with suitable uses.

- 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 similar to or complementary to surrounding buildings and uses.
 - The requested zoning is consistent with the Growth Policy.
 - The proposed zoning is a logical transition/replacement of County for City, it 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 effected 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.
 - A healthy mix of land uses encourages growth and development in the community as a whole. The addition of RMF at this location will benefit not only the housing in Laurel but the need for support and other essential services.

Finding:

The requested zoning provides for the most appropriate use of land in the municipality. It also provides for a significant amount of flexibility for a mixture of uses as contemplated by the District Regulations.

Conclusion:

The petition for annexation into the City of Laurel with the initial zoning assignment of Laurel Multi-Family (RMF) appears to be consistent with the requirements of Part 46 Annexation and City Council Resolution R-08-22. Additionally, the annexation, extension of services, and initial zoning assignment in the best interest of both the City of Laurel and the Mr. Hull.

RECOMMENDATION

The Laurel – Yellowstone City County Planning Board recommend that the Laurel City Council adopt the Findings of Fact outlined in this Recommendation and approve the Annexation and Initial Zoning requested by Mr. Hall subject to the following:

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

N RAMP

3314

get Overflow

3311

B

FOUNDATION AVE

10TH AVE

S FIRST ST

3309

SUBJECT
PROPERTY

PROFILE

A

Footbridge

W MAIN ST

ZONE X 18

SIXTH AV

3303

M

FIFTH AV

ZONE

FOURTH

20

19

N

G

L

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, August 9, 2022**

Members Present: Richard Klose -Chair, Emelie Eaton, Michelle Mize, Heidi Sparks

Others Present: Kelly Strecker, Amber Hatton, Mayor Dave Waggoner

The meeting was called to order by the Committee Chair at 5:30 pm.

Public Input: There was no public comment

General Items –

1. Review and approved July 26, 2022, Budget and Finance Committee meeting minutes. Emelie Eaton moved to approve the minutes of July 26, 2022. Heidi Sparks seconded the motion, all in favor, motion passed 4-0.
2. Review and approve purchase requisitions – There were none to approve.
3. Review and recommend approval to Council; claims entered through August 5, 2022. Michelle Mize had previously reviewed the claims and check register for claims entered through August 5, 2022. Emelie Eaton seconded the motion, all in favor, motion passed 4-0.
4. Review and approve Payroll Register for the pay period ending July 24, 2022, totaling \$166,233.35. Emelie Eaton motioned to approve the payroll register for the pay period ending July 24, 2022, totaling \$166,233.35. Heidi Sparks seconded the motion, all in favor, motion passed 4-0.

New Business

5. Emelie Eaton request Clerk Treasurer to provide all the payroll registers from January 2022-July 2022.
6. Chair Richard Klose informed the committee that the new cemetery kiosk will be delivered the 1st week of September. Richard is requesting the City to provide a binder with the people buried in the Laurel Cemetery. The Cemetery binder will be updated every 6 months.

Unfinished Business – None

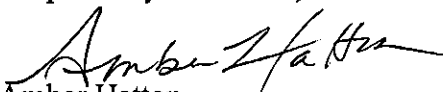
Other Items –

7. Review Comp/OT reports for the pay period ending July 24, 2022.
8. Mayor Update – Mayor informed the committee the new Accounts Payable Clerk and Court Clerk has started.
9. Clerk/Treasurer Financial Update. Clerk/Treasurer provided the committee with an update on financial activities.

Announcements –

10. The next Budget and Finance Committee meeting will be held on August 23, 2022 at 5:30pm.
11. Heidi Sparks is scheduled to review claims for the next meeting.

Respectfully submitted,


Amber Hatton
Deputy Clerk Treasurer

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