



**AGENDA
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, NOVEMBER 21, 2023
6:30 PM
COUNCIL CHAMBERS**

Public Input: *Citizens may address the Council regarding any item of City business that is not on tonight's agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda. Because of the Rules that govern public meetings, Council is not permitted to speak in response to any issue raised that is a non-Agenda item. The Mayor may provide factual information in response, with the intention that the matter may be addressed at a later meeting. In addition, City Council may request that a particular non-Agenda item be placed on an upcoming Agenda, for consideration. Citizens should not construe Council's "silence" on an issue as an opinion, one way or the other, regarding that non-Agenda matter. Council simply cannot debate an item that is not on the Agenda, and therefore, they must simply listen to the feedback given during public input. If a citizen would like to speak or comment regarding an item that is on tonight's agenda, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor.*

Be advised, if a discussion item has an upcoming public hearing, we would request members of the public to reserve your comments until the public hearing. At the public hearing, the City Council will establish an official record that will include all of your comments, testimony, and written evidence.

General Items

1. Appointment to the Laurel Airport Authority for the Remainder of a five-year term ending June 30, 2024.

Executive Review

2. Resolution - A Resolution Of The City Council Approving A Memorandum Of Understanding For The 2023-2026 Collective Bargaining Agreement Between The City Of Laurel And Local Union 316, American Federation Of State, County, And Municipal Employees, AFSCME Regarding Timecard Procedures And Boot Allowance.
3. Ordinance No. O23-04: An Ordinance Amending Title 12, Chapters 12.18.010 And 12.18.060 Of The Laurel Municipal Code Related To Special Events Permits.
4. Ordinance - An Ordinance Amending Title 12, Chapter 12.32.050 Of The Laurel Municipal Code Related To The City Tree Board.

Council Issues

Other Items

Attendance at Upcoming Council Meeting

Announcements

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

File Attachments for Item:

1. Appointment to the Laurel Airport Authority for the Remainder of a five-year term ending June 30, 2024.

October 30, 2023

Mayor Dave Waggoner

Members Laurel City Council

Mayor and Council Members,

My name is James (Jim) Wise, residing at 2202 Avalon Rd, Billings, Mt.

I would like you to consider this as my request for appointment to the open position on the Laurel Airport Board.

I have a Cessna airplane that I have had hangered at the Laurel Airport for the past five years.

I have had a pilot's license for 63 years with more than 5000 hours logged flight time.

In addition, I have had over 50 years of experience in different positions in the business world.

Thank you for your consideration.

James Wise

406-855-0327

File Attachments for Item:

2. Resolution - A Resolution Of The City Council Approving A Memorandum Of Understanding For The 2023-2026 Collective Bargaining Agreement Between The City Of Laurel And Local Union 316, American Federation Of State, County, And Municipal Employees, AFSCME Regarding Timecard Procedures And Boot Allowance.

RESOLUTION NO. R23-_____

A RESOLUTION OF THE CITY COUNCIL APPROVING A MEMORANDUM OF UNDERSTANDING FOR THE 2023-2026 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LAUREL AND LOCAL UNION 316, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFSCME REGARDING TIMECARD PROCEDURES AND BOOT ALLOWANCE.

WHEREAS, the City of Laurel and Local Union 316, American Federation of State, County, and Municipal Employees, AFSCME (hereinafter “the Union”) have negotiated a Collective Bargaining Agreement for Years 2023-2026 (hereinafter “the CBA”), which has already been approved by the City and the Union;

WHEREAS, the City and the Union have agreed to memorialize certain additional provisions of the Union employees’ employment by way of a Memorandum of Understanding, attached hereto and fully incorporated herein (hereinafter “the Timecard Procedure and Boot Allowance MOU”), and formalize them in the MOU;

WHEREAS, these terms specifically apply to Timecard Procedures and a Boot Allowance for Union Members and do not modify any other terms and conditions of the CBA or other MOUs entered into between the City and the Union; and

WHEREAS, City personnel and Union personnel have agreed that the MOU is in the best interests of both parties.

NOW THEREFORE LET IT BE RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Timecard Procedure and Boot Allowance MOU between the Union and the City is hereby approved and effective upon the date written herein.

Section 2: Execution. The Mayor is hereby given authority to execute the MOU on behalf of the City.

Introduced at a regular meeting of the City Council on the _____ day of November, 2023, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the _____ day of November, 2023.

APPROVED by the Mayor the _____ day of November, 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

MEMORANDUM OF UNDERSTANDING
BETWEEN City of Laurel, Laurel Library Board of Trustees, American Federation of State, County and
Municipal Employees (AFSCME) Local 316
VACATION/SICK/COMP TIMECARD PROCEDURE & BOOT ALLOWANCE

Date: November 9, 2023

Regards: Contract Adjustments Acknowledging Past and Current Practice

Items:

Article XI - Annual Vacation Leave, Section 10.

“Vacation charges and credits shall be charged to the nearest ~~full~~ half hour.”

Article XII - Sick Leave, Section 8.

“Sick leave charges and credits shall be charged to the nearest ~~full~~ half hour.”

Article XV – Health, Safety and Welfare, Section 4, subsection a.

“ ... The City shall only be responsible to pay ~~\$200~~ \$250 toward the purchase of safety footwear. Any amount above the ~~\$200~~ \$250 shall be paid by the Employee.”

Explanation:

Annual/Sick/Comp: Past Practice and current practice for years has been employees rounding to the nearest half hour, not full hour. This mistake was noticed in the contract in October and both the City and Union have a desire for the contract language and practice to be the same and clear.

Boot Allowance: The Boot Allowance was increased to \$250 during the 2021 fiscal package of the 2020-2023 Collective Bargaining Agreement during the session concluded on July 26, 2021 at 3:55pm. MOU attached. This update fully clarifies the language that should have been updated back in 2021.

This MOU is tied to the Collective Bargaining Agreement dated 2023-2026 as it modifies specific language present in that document. This MOU will dissolve when the language is either left static or re-negotiated in 2026.

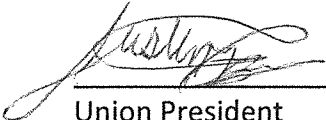
This MOU does not modify any portions of the CBA unless specifically noted above; and all provisions remain in effect as negotiated.

ATTEST:

Dated this _____ day of _____, 2023

City Mayor

Dated this 16 day of November, 2023



Union President

File Attachments for Item:

3. Ordinance No. O23-04: An Ordinance Amending Title 12, Chapters 12.18.010 And 12.18.060 Of The Laurel Municipal Code Related To Special Events Permits.

ORDINANCE NO. 023-04

AN ORDINANCE AMENDING TITLE 12, CHAPTERS 12.18.010 AND 12.18.060 OF THE LAUREL MUNICIPAL CODE RELATED TO SPECIAL EVENTS PERMITS.

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating Chapters, Sections, and Subsections to address situations and problems within the City and to remain in accordance with Montana law;

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing LMC § 12.18 *et al*, as noted herein, and hereby recommends the same to the City Council for their full approval; and

WHEREAS, the proposed changes to the existing LMC § 12.18.010 and 12.18.060 are attached hereto and hereby fully incorporated herein. *See* attached revised Chapters and proposed Ordinance changes.

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on the 14th day of November 2023, upon Motion by Council Member _____.

PASSED and ADOPTED by the Laurel City Council on second reading on the 28th day of November 2023, upon Motion by Council Member _____.

APPROVED BY THE MAYOR on the 28th day of November 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

Chapter 12.18 SPECIAL EVENT PERMITS

12.18.010 Requirement to obtain special event permit.

- A. It is unlawful for any person to conduct any event in or upon any public street, highway, sidewalk, alley, or other public way owned, controlled, or maintained by or within the city, or knowingly participate in any such event, unless and until a special event permit to conduct such event has been obtained from the city.
- B. It is unlawful for any person to conduct any event in or upon property owned, controlled, or maintained by the city, or knowingly participate in any such event, unless and until a special event permit to conduct such event has been obtained from the city if:
 - 1. The event involves more than ~~fifty~~~~twenty-five~~ people;
 - 2. The event involves the consumption of alcoholic beverages;
 - 3. The event involves the physical alteration to city property;
 - 4. The event involves vending/solicitation; or
 - 5. If fees are to be collected by the permittee for the event.
- C. The following activities are exempt from the special event permit requirement: funeral processions, lawful picketing on sidewalks when the number of participants does not substantially impede, obstruct, impair, or interfere with the free use of the sidewalk or the conduct of business, and activities conducted by a governmental agency acting within its scope of authority.

(Ord. 07-03 (part), 2007)

(Ord. No. O22-06, 11-8-2022)

12.18.060 Insurance and indemnity.

Sponsoring persons, organizations, companies, corporations, or other entities applying for a special event permit shall hold the city harmless and indemnify from any and all claims, damages, losses and expenses arising from the special event. Applicants for a special event permit shall agree in writing to hold harmless and indemnify the city for any and all claims, lawsuits, or liability, including attorney's fees and costs allegedly arising out of the loss, damage, or injury to persons or personal or public property occurring during the course of or pertaining to the special event caused by the events sponsoring organizations, companies, corporations, or other entities, their officers, employees, or agents.

The sponsoring organization shall carry appropriate insurance as required by the city, including comprehensive general liability, automobile liability and/or designated premises liability in the minimum amount of ~~one~~~~two~~ million dollars per occurrence and ~~two~~~~four~~ million dollars aggregate per event or location, and when deemed necessary, the City can require more insurance coverage for higher-exposure events. The city must be named as an additional named insured.

The mayor has the authority to waive the requirements contained in this section. Additionally, the mayor may require insurance coverage in a higher or lower amount based upon the type of special event, the number of persons anticipated to attend the special event, or the anticipated number of persons participating in the special event.

(Supp. No. 20)

Created: 2023-10-23 14:37:20 [EST]

Each applicant shall execute a hold harmless agreement in a form approved by the city agreeing to defend, indemnify, and hold harmless the city against losses and liabilities incurred from the conduct of the applicant or its officers, employees, and agents. The agreement must be submitted to the mayor with the application for a special event permit.

(Ord. 07-03 (part), 2007)

(Ord. No. O14-02, 7-15-2014; Ord. No. O22-06, 11-8-2022)

File Attachments for Item:

4. Ordinance - An Ordinance Amending Title 12, Chapter 12.32.050 Of The Laurel Municipal Code Related To The City Tree Board.

ORDINANCE NO. 023-_____

AN ORDINANCE AMENDING TITLE 12, CHAPTER 12.32.050 OF THE LAUREL MUNICIPAL CODE RELATED TO THE CITY TREE BOARD.

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating Chapters, Sections, and Subsections to address situations and problems within the City and to remain in accordance with Montana law;

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing LMC § 12.32.050, as noted herein and on the attached, and hereby recommends the same to the City Council for its full approval; and

WHEREAS, the proposed changes to the existing LMC § 12.32.050 are attached hereto and hereby fully incorporated herein. *See* attached revised LMC § 12.32.050 changes.

This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on the _____ day of _____, 2023, upon Motion by Council Member _____.

PASSED and ADOPTED by the Laurel City Council on second reading on the _____ day of _____, 2023, upon Motion by Council Member _____.

APPROVED BY THE MAYOR on the _____ day of _____, 2023.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

12.32.050 Creation and ~~E~~establishment of a ~~C~~city ~~T~~ree ~~B~~board.

There is hereby created and established an ~~A~~advisory ~~B~~board to the ~~C~~city ~~C~~ouncil which will be known as the ~~C~~city ~~T~~ree ~~B~~board for the ~~C~~city of Laurel ("~~B~~board") which shall consist of ~~seven (7) five~~ members who are residents of ~~the~~s ~~C~~city or who live within two miles thereof, ~~and~~ who shall be appointed by the ~~M~~ayor with ~~the~~ approval of the ~~C~~ity ~~C~~ouncil. The members shall come from different interest groups including homeowners, tree professionals, street department, and city government.

(Ord. 05-1 (part), 2005)

(Ord. No. O11-04, 3-15-2011)