



**AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, APRIL 13, 2021
6:30 PM
COUNCIL CHAMBERS**

NEXT RES. NO.
R21-23

NEXT ORD. NO.
O21-02

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, 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. Once again, each speaker is limited to three minutes.

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of City Council Minutes of March 23, 2021.

Correspondence

2. Laurel Airport Authority Minutes of February 23, 2021.
3. Laurel Chamber of Commerce Agenda of April 8, 2021; Laurel Chamber of Commerce Minutes of March 11, 2021.
4. Police Monthly Report - March 2021
5. Fire Monthly Report - March 2021
6. Ambulance Monthly Report - March 2021
7. Building Department Monthly Report - March 2021

Council Disclosure of Ex Parte Communications

Public Hearing

8. Public Hearing - An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana.
9. Public Hearing - 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.
10. Public Hearing - A Resolution Approving A Zone Change For Property Located At 801 East Main Street Within The City Of Laurel.

Consent Items

NOTICE TO THE PUBLIC

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

11. Claims entered through April 9, 2021.
12. Approval of Payroll for PPE 3/21/2021 totaling \$188,095.20.
13. Approval of Payroll Register for PPE 4/4/2021 totaling \$199,003.57.
- [14.](#) Council Workshop Minutes of August 4, 2020.
- [15.](#) Council Workshop Minutes of August 25, 2020.
- [16.](#) Council Workshop Minutes of September 15, 2020.
- [17.](#) Council Workshop Minutes of November 3, 2020.
- [18.](#) Council Workshop Minutes of March 2, 2021.
- [19.](#) Council Workshop Minutes of March 16, 2021.
- [20.](#) Council Workshop Minutes of April 6, 2021.

Ceremonial Calendar

Reports of Boards and Commissions

- [21.](#) Budget/Finance Committee Minutes of March 23, 2021.
- [22.](#) City/County Planning Board Minutes of March 17, 2021.
- [23.](#) Park Board Minutes March 4, 2021.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

- [24.](#) Appointment of Jake Worden to the Laurel Volunteer Fire Department.
- [25.](#) Appointment of Russ Bunn, Andrew Zimermann, Mariel Riley, and Amanda Hemmen to the Laurel Volunteer Ambulance Service.
- [26.](#) Appointment of Katie Fjelstad to the Library Board for the remainder of a five-year term ending 6/30/2023.
- [27.](#) Resolution No. R21-23: A Resolution Of The City Council Approving A Three-Year Agreement Between The City Of Laurel And Local Union Local 303, American Federation Of State, County And Municipal Employees, AFSCME.
- [28.](#) Resolution No. R21-24: A Resolution Of The City Council Authorizing The Mayor To Request A Traffic Study For A Portion Of West Main Street Within The City Of Laurel.
- [29.](#) Resolution No. R21-25: 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.
- [30.](#) Resolution No. R21-26: A Resolution Approving A Zone Change For Property Located At 801 East Main Street Within The City Of Laurel.
- [31.](#) Ordinance No. O21-02: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

Mayor Updates

Unscheduled Matters

Adjournment

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.

DATES TO REMEMBER

File Attachments for Item:

1. Approval of City Council Minutes of March 23, 2021.

MINUTES OF THE CITY COUNCIL OF LAUREL

MARCH 23, 2021

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 Tom Nelson at 6:31 p.m. on March 23, 2021.

COUNCIL MEMBERS PRESENT: Emelie Eaton Heidi Sparks
 Scot Stokes Irv Wilke
 Richard Klose

COUNCIL MEMBERS ABSENT: Bruce McGee Richard Herr
 Don Nelson

OTHER STAFF PRESENT: Nathan Herman, Utilities Plant Superintendent.

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

Mayor Nelson asked the Council to observe a moment of silence.

MINUTES:

Motion by Council Member Eaton to approve the minutes of the regular meeting of March 9, 2021, as presented, seconded by Council Member Sparks. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

CORRESPONDENCE:

- Laurel Chamber of Commerce Agenda for March 11, 2021; Laurel Chamber of Commerce Minutes of February 11, 2021.
- Beartooth RC&D Correspondence

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- Claims entered through March 19, 2021.
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- Approval of Payroll Register for PPE 3/7/2021 totaling \$196,720.40.

The Mayor asked if there was any separation of consent items. There was none. Council Member Eaton added the Claims entered through March 19, 2021, the Budget/Finance Committee minutes of February 23, 2021, and the Budget/Finance Committee minutes of March 9, 2021, to the Consent Agenda.

Motion by Council Member Eaton to approve the consent items as presented, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes 2.23.2021.
- Tree Board Minutes of February 18, 2021.
- Public Works Committee Minutes of February 8, 2021.
- Emergency Services Committee Minutes June 22, 2020.
- Emergency Services Committee July 27, 2020.

- Emergency Services Committee Minutes of August 24, 2020.
- Emergency Services Committee Minutes September 28, 2020.
- Emergency Services Committee Minutes October 26, 2020.
- Emergency Services Committee Minutes of February 22, 2021.
- Laurel Urban Renewal Agency Minutes of February 22, 2021.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- Resolution No. R21-18: A Resolution Of The City Council To Amend The Large Grant Request Program Budget Pursuant To The Recommendation Of The Laurel Urban Renewal Agency.

Motion by Council Member Sparks to approve Resolution No. R21-18, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- Resolution No. R21-19: A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding With The Laurel Lions Club And Laurel Community Foundation Accepting Donations For Improvements At The Laurel Lion's Family Park.

Motion by Council Member Sparks to approve Resolution No. R21-19, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- Resolution No. R21-20: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Rocky Mountain Doors For The Purchase And Installation Of A Door For The City's Water Plant.

Motion by Council Member Wilke to approve Resolution No. R21-20, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- Resolution No. R21-21: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With CIP Construction Technologies, Inc. For The Rehabilitation And Repair Of Certain Sewer Manholes For The City Of Laurel.

Motion by Council Member Klose to approve Resolution No. R21-21, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- Resolution No. R21-22: A Resolution Of The City Council Authorizing The Mayor To Sign A Contract With Laurel Power Systems For Purchase And Installation Of A New Aftercooler For The City's Water Treatment Plant.

Nathan Herman, Utilities Plant Superintendent, stated this is for the generator at the Water Treatment Plant. The generator was put in in 2003. Over time the cooling system has broken down. This part is used to cool the generator system. If the aftercooler fails during a power outage, the City can run about 24 hours before they would need to shut down water service. The refinery would not be able to get river water or settled water and would need treated water. During maintenance, it was found that the aftercooler was leaking more profusely than previously thought.

It was questioned what the estimated cost. It was further questioned if this is a radiator. It was clarified that the aftercooler is before the radiator. It helps cool both the engine and the generator. The cost is just under \$16,000.

Motion by Council Member Eaton to close the item, seconded by Council Member Wilke.

Motion by Council Member Eaton to approve Resolution No. R21-22, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

DRAFT

Council Minutes of March 23, 2021

- Ordinance No. O21-02: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana. (First Reading)

Motion by Council Member Stokes to adopt Ordinance No. O21-02, 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, Wilke, Klose, Stokes, and Eaton voted aye. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

A Council Member clarified at the previous meeting he made mention he thought feeding fowl could be against the law. He spoke with a retired game warden and learned that applied to hooved animals.

It was requested that Council discuss at the next Workshop the replacement of equipment at the Kids Kingdom.

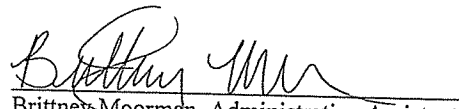
MAYOR UPDATES: None.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Eaton to adjourn the council meeting, seconded by Council Member Klose. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 6:55 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 13th day of April 2021.

Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer

File Attachments for Item:

2. Laurel Airport Authority Minutes of February 23, 2021.

MINUTES
LAUREL AIRPORT AUTHORITY BOARD MEETING
Tuesday, February 23, 2021

A Laurel Airport Authority Board meeting was held in the Airport Pilot's Lounge and called to order by Chairman Randy Hand at 19:00.

BOARD MEMBERS PRESENT:

- ☐ Randy Hand, Chairman
- ☐ Brock Williams, Secretary
- ☐ Jim Swensgard
- ☐ Will Metz via Teleconference

OTHERS PRESENT:

Craig Canfield, Jim Wise

1. General Items

- a. Previous minutes approved by unanimous consent
- b. Regular and recurring claims were approved by unanimous consent

2. Reports from KLJ

- a. Closeout report for pavement maintenance has been submitted but still has not yet been processed by the FAA
- b. Scoping meeting for planning project moving forward
- c. We need to go through a consultant selection process for planning services. Randy has a template and will put together the RFQ.
- d. We will be receiving a 2nd grant from coronavirus relief funds of approximately \$13,000 to be used to fund operational costs.

Motion made and seconded to use funds to pay our monthly loan payments until funds are exhausted. Motion approved without dissent.

- e. Randy Reiter lease has expired and needs to be renewed. A draft lease renewal document was provided.

3. New Business

- a. Internet - still investigating making WiFi internet service available in the hangar areas.
- b. Work session. Motion to schedule a work session the week before the regular meeting, same place and time. Motion passed without dissent.
- c. Fly-in - Possibly one of the weekends in June except Father's day. Will try to select a date at the next meeting.

4. Old Business

- a. SRE Building - work on hold pending better weather.
- b. Beacon - New beacon is in. We received a grant for ~ \$8,500 for the purchase.
- c. Ramp Parking. Concern from Jim and other board members about aircraft that are essentially abandoned on the ramp. Need future discussion about increasing the rates for long-term parking and a structure to discourage and deal with abandoned aircraft.

5. Public Input

Citizens may address the board regarding any item of business not on the agenda. The duration for an individual speaking under Public Comment is limited to three minutes. While all comments are welcome, the board will not take action on any item not on the agenda.

- a. none received

6. Other Items

 none

7. Announcements

a. none

The meeting was adjourned at 19:55.

Respectfully submitted,

Brock Williams
Secretary

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

File Attachments for Item:

3. Laurel Chamber of Commerce Agenda of April 8, 2021; Laurel Chamber of Commerce Minutes of March 11, 2021.

Agenda
Laurel Chamber of Commerce
April 8, 2021
Fowl Play/Zoom

Moment of Silence

Presentation of minutes:

Guest Speaker – Jennifer Owen- MetraPark Advisory Board Master Plan

Bills to be presented for payment outside the approved budget: -

OLD BUSINESS

- **4th of July**
 - **Update-**
 - **Parade-** Route request and Parade time
 - **Band-** Do we want to have a band again this year? Sanctuary quoted \$700 for 4 hours
- **Annual Meeting** – May 6th @ Millers Horse Palace RSVP by April 29th
 - **Donations Needed-** Chamber needs donations by May 4th

NEW BUSINESS –

- **New Members** – Main St Perk and R.L. Frank Septic Service
- **Dropped Membership-**
- **Farmers Market-** Sept 11th date was canceled.
 - No parking sign quote from Dynamic Designs- \$585 for 30
- **Movies Under the Stars-** June 26th and July 31st. Soul and Toy Story 4
 - **Sponsors-** 8 Businesses, need 4 more
- **Hometown Values Ad-** Full page \$750 or half page \$447.50 Ad (Farmers Market, Movies, and 4th?)
- **Halloween Carnival-** Halloween is on a Sunday this year. When to have Carnival?

Upcoming Dates:

Ground Breaking Ceremony- April 16th @ 12pm- Fairfield Inn & Suites by Marriott intersection of SE 4th Street and S Washington Ave

Open Forum

- **Shakespeare in the Park-**

Business After Hours – If you would like to host an event, please contact the Chamber.

Next Meeting – May 13, 2021 Chamber/Zoom

Laurel Chamber of Commerce

Board Meeting Minutes

The Meeting was held on **March 11, 2021, The Chamber & Zoom**. In attendance were: Executive Board Members: President- Beth Hoferer, VP- Becky Watson, Treasurer- Dallas Contreras, Executive secretary- Cami Nelson. Directors: Karen Black, Patsy Woody, Kelcie Lohof, Matt Heinz and Evan Bruce. Member Jayson Nicholson
Beth called the meeting to order.

The minutes were approved. Moved to approve- Jayson, Evan 2nd-approved

The financial report was approved and bills were presented for payment.

Bills to be presented for payment outside of budget:

- **Firefly Outdoor Movie Company- \$2,400** Evan motioned to pay the \$2,400, Karen 2nd- approved

OLD BUSINESS

- **Beautification Meeting**- Cami updated that things are at a standstill, waiting to hear back from Yellowstone Bank after talking to insurance company
- **Annual Meeting** – Miller's Horse Palace can do the annual meeting for us in May. They will serve the dinner, we need to find a bar to come out and serve alcohol. Cami will contact members that serve alcohol. Karen motioned to do the dinner at Miller's Horse Palace, Evan 2nd- approved

NEW BUSINESS –

- **New Members –**
- **Dropped Membership-**
- **4th of July**
 - **Parade Theme-** "Proud to be an American" was voted on for the theme
 - **Run Profit-** votes were tallied for who to donate the run profit to- Laurel School Food Pantry will be who we donate to this year
- **Summer Assistant-** Claire will start June 1st. Cami will contact her to see if she is interested working for the Annual Meeting
- **Farmers Market-** July 10th-Sept 4th 8:00-12:00- Looking for vendors
- **Movies Under the Stars-** Update from committee meeting -June 26th and July 31st @ Graff Elementary Practice Field
- **Senior Class-** Senior class missed 4th of July clean up last year. We discussed hiring them for volunteer work. Becky motioned we donate \$200 , Evan 2nd- approved
- **Hometown Values Ad-** Summer edition deadline is April 30th. We will discuss at April Meeting what summer events we put in. Half page is \$447.50, Full Page \$750

Upcoming Dates:

- **4th of July Committee Meeting- April 1st @ 12pm**

Open Forum

- LARC will be doing a LOGO contest, winner receives \$100 and a jacket

Business After Hours – If you would like to host an event, please contact the Chamber.

Next Meeting – April 8, 2021 Fowl Play /Zoom

File Attachments for Item:

4. Police Monthly Report - March 2021



Laurel Police Department

215 W. 1st Street Laurel, Mt. 59044 ▪ Phone 406-628-8737 ▪ Fax 406-628-4641

Total Calls

Printed on April 1, 2021

[CFS Date/Time] is between '2021-01-25 00:00' and '2021-02-22 23:59' and

[Primary Incident Code->Code : Description] All

Code : Description

Totals

10-15 : With Prisoner	0	0
: Abandoned Vehicle	6	6
: Agency Assist	43	43
: Alarm - Burglary	12	12
: Alarm - Fire	4	4
AMB : Ambulance	83	83
: Animal Complaint	6	6
: Area Check	4	4
: Assault	8	8
: Bad Checks	0	0
: Barking Dog	2	2
: Bomb Threat	0	0
: Burglary	1	1
: Child Abuse/Neglect	4	4
: Civil Complaint	7	7
: Counterfeiting	1	1
: Criminal Mischief	10	10

Code : Description	Totals	
: Criminal Trespass	7	7
: Cruelty to Animals	2	2
: Curfew Violation	1	1
: Discharge Firearm	1	1
: Disorderly Conduct	4	4
: Dog at Large	7	7
: Dog Bite	1	1
DUI : DUI Driver	6	6
: Duplicate Call	1	1
: Escape	0	0
: Family Disturbance	10	10
: Fight	5	5
FIRE : Fire or Smoke	10	10
: Fireworks	0	0
: Forgery	1	1
: Found Property	5	5
: Fraud	5	5
: Harassment	3	3
: Hit & Run	3	3
: Identity Theft	1	1
: Indecent Exposure	0	0

Code : Description	Totals	
: Insecure Premises	0	0
: Intoxicated Pedestrian	0	0
: Kidnapping	0	0
: Littering	0	0
: Loitering	0	0
: Lost or Stray Animal	19	19
: Lost Property	4	4
: Mental Health	37	37
: Missing Person	1	1
: Noise Complaint	2	2
: Open Container	0	0
: Order of Protection Violation	1	1
: Parking Complaint	1	1
: Possession of Alcohol	0	0
: Possession of Drugs	1	1
: Possession of Tobacco	1	1
: Privacy in Communications	2	2
: Prowler	0	0
: Public Assist	46	46
: Public Safety Complaint	4	4
: Public Works Call	33	33

Code : Description	Totals	
: Report Not Needed	3	3
: Robbery	0	0
: Runaway Juvenile	2	2
: Sexual Assault	1	1
: Suicide	0	0
: Suicide - Attempt	0	0
: Suicide - Threat	4	4
: Suspicious Activity	79	79
: Suspicious Person	8	8
: Theft	28	28
: Threats	4	4
: Tow Call	0	0
: Traffic Accident	24	24
: Traffic Hazard	10	10
: Traffic Incident	15	15
: TRO Violation	0	0
: Truancy	0	0
T/S : Traffic Stop	79	79
: Unattended Death	3	3
: Unknown - Converted	0	0
: Unlawful Transactions w/Minors	0	0

Code : Description		Totals	
:	Unlawful Use of Motor Vehicle	0	0
:	Vicious Dog	0	0
:	Warrant	16	16
:	Welfare Check	11	11
Totals		703	703

File Attachments for Item:

5. Fire Monthly Report - March 2021



Laurel Fire Department

Report for the Month of Mar-21

	Calls		Hours
Structure Fires			
Wildland Fires	5		153
MVA'S	6		92
Other Rescues			
Alarms	6		41
Medical Assist	8		39
Severity Staffing			
Other calls	4		31
	29	Totals	356
Fire Prevention			
Total Training			267
Total Maintenance			60
Community Service			
Total			683

Announcements:

Structure Firefighting

Conduct all levels of Structure Firefighting to include entry and attack, ventilation, salvage, overhaul, and investigation.

A structure fire is a fire involving the structural components of various types of residential, commercial or industrial buildings.

Wildland Firefighting

Wildfire, brush fire, bush fire, desert fire, forest fire, grass fire, hill fire, peat fire, vegetation fire.

Extrications

Rescue victims entrapped in automobiles, machinery, farm equipment, buildings, and trenches.

Other Rescues

Rope Rescue, Water Rescue, Ice Rescue

Alarms

Any false alarms or malfunctions.

Other Calls

EMS assist, Industrial or Aircraft firefighting, Vehicle Fire, Hazmat, Spills, Public safety, Investigations, gas leaks, Carbon Monoxide problems, etc.

File Attachments for Item:

6. Ambulance Monthly Report - March 2021



Laurel Emergency Services Report to ESC 3/22/21:

2020

1090 requests for service

159 times LEMS was unavailable

72 times AMR was unavailable*

288 responses in Ward 5 = 27% of calls outside of the city of Laurel

January 2021:

Requests	92
Missed Calls	8 = 9%
Shortest Delay	20 minutes
Longest Delay	45 minutes
Average Delay	25 minutes
Fire Driver Available	11 times
QRU Response With 1 Provider	6 times
On A Previous Call	3 time
No Crew / Provider Available	0 times
AMR Transported	4 times
Columbus Transported	0 times
Park City Transported	1 time
POV Transport	3 times

*21 responses in Ward 5 = 23% of calls outside of the city of Laurel

February 2021:

Requests	98
Missed Calls	2 = 3%
Shortest Delay	43 minutes
Longest Delay	1 hour 10 minutes
Average Delay	47 minutes
Fire Driver Available	21 times
QRU Response With 1 Provider/	1 time
On A Previous Call	1 time
No Crew / Provider Available	2 times
AMR Transported	1 time
Columbus Transported	0 times
Park City Transported	0 times
POV Transport	1 time

*40 responses in Ward 5 = 41% of calls outside of the city of Laurel

File Attachments for Item:

7. Building Department Monthly Report - March 2021

CITY OF LAUREL BUILDING DEPARTMENT MONTHLY REPORT

Mar-21			Year to Date 2021		
New Construction			New Construction		
	Amnt	Valuation		Amnt	Valuation
1 Single family	<u>0</u>	<u>\$0</u>	1 Single family	<u>0</u>	<u>\$0</u>
2 Duplex	<u>0</u>	<u>\$0</u>	2 Duplex	<u>0</u>	<u>\$0</u>
3 Multi-Family	<u>0</u>	<u>\$0</u>	3 Multi-Family	<u>0</u>	<u>\$0</u>
4 Hotel/Motel	<u>0</u>	<u>\$0</u>	4 Hotel/Motel	<u>0</u>	<u>\$0</u>
5 Commercial	<u>0</u>	<u>\$0</u>	5 Commercial	<u>1</u>	<u>\$200,000</u>
6 Garage/Carport	<u>1</u>	<u>\$8,957</u>	6 Garage/Carport	<u>1</u>	<u>\$8,957</u>
7 Mobile Home	<u>1</u>	<u>\$1,000</u>	7 Mobile Home	<u>3</u>	<u>\$4,300</u>
Total New:	<u>2</u>	<u>\$9,957</u>	Total New:	<u>5</u>	<u>\$213,257</u>
Remodel and Additions			Remodel and Additions		
8 Residential	<u>0</u>	<u>\$0</u>	8 Residential	<u>3</u>	<u>\$33,281</u>
9 Commercial	<u>0</u>	<u>\$0</u>	9 Commercial	<u>2</u>	<u>\$27,324</u>
10 R. Fence/Roof/Siding	<u>11</u>	<u>\$69,778</u>	10 R.Fence/Roof/Siding	<u>13</u>	<u>\$77,778</u>
11 C.Fence/Roof/Siding	<u>0</u>	<u>\$0</u>	11 C.Fence/Roof/siding	<u>0</u>	<u>\$0</u>
12 Sign/Temp Structure	<u>1</u>	<u>\$6,458</u>	12 Sign/Temp Structure	<u>3</u>	<u>\$21,430</u>
Total R & A	<u>12</u>	<u>\$76,236</u>	Total R & A	<u>21</u>	<u>\$159,813</u>
Grand Total:	<u>14</u>	<u>\$86,193</u>	Grand Total:	<u>26</u>	<u>\$373,070</u>

File Attachments for Item:

14. Council Workshop Minutes of August 4, 2021.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, AUGUST 04, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:31 p.m. on August 4, 2020.

COUNCIL MEMBERS PRESENT:

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

OTHERS PRESENT:

Nick Altonaga, Planning Director
Kurt Markegard, Public Works Director

Public Input:

There were none.

General Items

1. Appointment of Bill Mountsier to the Public Works Committee.

Council noted that they were glad to see Mr. Mountsier is continuing on this committee. He is a very valuable member.

2. Appointment of Bill Mountsier to the Emergency Services Committee.

Council noted Mr. Mountsier was a very valuable asset to the Emergency Services Committee due to this law enforcement background.

Executive Review

3. Resolution - A Resolution To Authorize The Mayor To Sign An Agreement With Laurel Public Schools, District 7 and 7-70, Continuing The School Resource Officer (SRO) Program For the Laurel High School.

There are two SRO contracts. One for the High School and one for the Middle School. Both contracts are the same as in previous years. The wages reflect the current Collective Bargaining Agreement for 303.

4. Resolution - A Resolution To Authorize The Mayor To Sign An Agreement With Laurel Public Schools, District 7 and 7-70, Continuing The School Resource Officer (SRO) Program For the Laurel Middle School.

The same as the previous agenda item.

5. Resolution - Budget Amendment Resolution Amending Appropriations And Revenues For The Federal Equitable Sharing Fund For Fiscal Year 2019-2020

Every year the City has to do a budget amended for the Federal Equitable Sharing Fund because we cannot budget for this each year.

It was questioned what is the Federal Equitable Sharing. It was clarified this fund is where we get the money from Officer Brew's work with the Drug Task Force. Money from forfeitures goes into a pool and is shared with all departments involved. The money we get back is based on the amount of time we put in compared to others.

6. Resolution - A Resolution Of The City Council Approving An Application For Special Review For The Town Pump Located At 312 S. 1st Avenue, City Of Laurel, For The Purpose Of Allowing Replacement Of Manual Reading Board Signs With Electronic Message Boards.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report. The City/County Planning Board voted to approve and recommend this request. The sign is similar to those around it.

7. Resolution - Resolution Approving Change Order #2 To The City's Contract With Hardrives Construction, Inc. Authorizing Additional Work For City Of Laurel's 2020 Pavement Maintenance Project And To Authorize The Mayor To Sign Change Order Documents On The City's Behalf.

Kurt Markegard, Public Works Director, stated during chip sealing, it was noticed there was not enough quantity to cover all the chip sealing initially approved. This change order will allow the same streets to be addressed, but the chip sealing from curb to curb. It is correcting the quantities. More cracks needed to be sealed. All cracks have been measured for a precise amount to be able to bring the cost to Council.

Ryan Walsh stated the bid went out at \$460k to \$470k. Initially, there was \$900k budgeted. We were able to increase the project scope. We are up to \$760k or \$770k at this point. We increased the project \$248k up to \$743k. This second change order will increase it by \$116k to a budget of \$860k. There is a little bit extra into that estimate in case we go over the budget.

There is a timeframe when crack seal and chip seal can be done. Chip sealing will begin the 3rd week of August. This project takes care of streets graded a level 6 out of the Pacer study.

It was questioned if this change order keeps in line with what was already budgeted. It was clarified there is still money left over. This allows for more streets to be taken care of.

8. Ordinance - An Ordinance Amending Title 12 Chapter 12.04 Of The Laurel Municipal Code Relating To The City's Street And Sidewalk Construction And Maintenance.

Kurt Markegard, Public Works Director, stated the City could create a district via resolution to assess businesses differently than residential. However, the money can only be spent in that district. The proposed changes reflect back to State statute. They reflected current language from he to he/she. Also removed the second Monday of August as Council does not convene on Mondays.

Montana Legislature has changed that. The City can assess differently as needed. The City cannot assess ditch companies and their property within City limits.

Council Issues

9. Discussion - Uncontrolled Intersections (E. 8th Street/ 5th and Main)

Public Works and Emergency Services Committees talked about the intersection at W. Main and 5th Avenue at their last month's meeting.

A Council Member noticed a discussion on Facebook of kids walking on Eleanor Roosevelt Dr between Fir and Cottonwood with concerns the speed limit is not being adhered to.

It was clarified that the Public Works Director could not speak to traffic or speed. However, looking at the map, Eleanor Roosevelt Dr. goes between City and County in various locations. The City would need to engage the County Commissioners.

The example of no-stop signs at the intersection with the new trailer park development. The developer can be asked to post a stop sign. It is a private road. The City can require one if it is the City's right-of-way.

While speed bumps do slow down traffic, from a Public Works perspective, that can cause issues. Snowplows do not like speed bumps as they can cause damage to City rigs. However, crews could work around them if needed.

Emergency Services Committee talked about asking the State to do a traffic study at the intersection of W. Main and 5th Avenue.

It was questioned if a traffic study could also be done on Eleanor Roosevelt Dr. to see how to slow people down. It was clarified that both of these areas are different. And have different processes. To address Eleanor Roosevelt Drive, the City will need to speak with the County. Will bring this item back in September with County Commissioners to have further discussion.

The Public Works Director stated he did call the district administrator about putting in a new 4-way stop at W. Main and 5th Avenue. They want the traffic to stabilize before doing a traffic study since the new interchange recently opened. If Council would like a traffic study, the City will need to send a letter. Chief Langve stated there has also been discussion about reducing speeds to 8th Avenue, but the State would have to approve any speed reductions.

It was questioned who decides when the traffic has stabilized. This intersection needs relief now, whether temporary or permanent. Council did agree the speed should be slowed through there to 25 mph as this stretch of road is getting busier. Council noted when Wood Power Grip releases their employees for the day, it can be very difficult to get across at the W. Main and 5th Ave intersection. The buses also have issues too. The State will have to evaluate the intersection and evaluate the best option. The City will start this conversation and work on moving this item forward.

10. West Railroad Update

This project has been sidetracked with COVID.

Kurt Markegard, Public Works Director, stated funding the gap is the most challenging part of this project. By far, stormwater will be the more challenging aspect of this project. It is expected to be costly. All the streets on the Southside need to be rebuilt. Currently, the stormwater goes to Russell Park, then goes under the interstate and into the refinery. All infrastructure on the Southside needs to be replaced. We need to have an excellent foundation to move forward with this project. There needs to be a discussion about either widening the streets or making them one way. In some areas, stormwater is only 2 feet below the road. There is also discussion about putting in a lift station to address the stormwater from W. Railroad street. They can also use valley gutters and have the water flow past houses, but some residents worry about flooding. The Clerk/Treasurer will need more time to determine what the assessments for the TIF are going to be. The first step in this process is addressing the issues with stormwater for the Southside as a whole. We need to also address the best method to move refinery workers in and out of the Southside.

It was questioned if we have funding for this project. It was clarified that the City is looking for funding options for the gap. The Clerk/Treasurer needs to see with the EDII project what the revenue will be for the TIF District. The EDII project is two weeks out from paving. Once this project is complete can tell you what funds are leftover. The TIF District may be able to address blocks 1-5 and help close the funding gap.

It was questioned if this item can come back before Council once the EDII project is complete and the Clerk/Treasurer has had a chance to review the numbers. It was clarified this item would be put on the September 15th Workshop.

11. Discussion - Replacement and Depreciation fund for Solid Waste

Kurt Markegard, Public Works Director, stated that he met with the Clerk/Treasurer last month. Other enterprise funds have a replacement and depreciation funds; however, Solid Waste does not. The charge for Solid Waste was \$11.80 in 2001 and has since gone up to \$14.00. The increase occurred in 2014 or 2015. Solid Waste is currently running in the hole for the last three years. They looked at costs for personnel and the container site. They barely have enough personnel to provide the service. Landfill costs have gone up exponentially. They were \$11.5 per ton; now, it is \$26 per ton. With people eating at home, they create more garbage, and staff is

taxed to get the routes done. They also need new equipment. Currently, the City has five trucks. All costs are going up, but the rates are not going up accordingly. Currently, the County is paying approximately \$29 per month for garbage services. The City currently is charging \$14 per month. The Container Site does not charge City residents unless it is construction debris. This is an excellent service to our residents. A lot of people use the Container Site. There has been discussion about charging for the Container Site, but cans in the alleys will just get fuller. It would be better to keep on a paid monthly rate. Kois Brothers are here this evening to talk about an option to help replace aging equipment. These items are expensive. The equipment would be on a payment plan.

It was questioned about the lease program discussed at the last Public Works Committee meeting and would the depreciation and replacement fund be part of that. It was clarified that the City already has a depreciation and replacement fund for both Sewer and Water. Businesses get picked up six times a week. Residents get picked up once a week. We need a rate structure to cover all of these things. If the City does not want to lease the equipment can save money and write a check for the entire purchase.

It was further clarified that an enterprise fund could not engage in a contract without paying for it out of the enterprise fund. They are run like a small business and cannot have General Fund give any money to make them work. Before moving forward with the lease option would need to ensure funding is appropriate. It was also clarified to have a replacement and depreciation fund that needs to be defined in the rates. The fund collects funds until they are needed. Costs for Solid Waste got more expensive. The trucks' cost got more expensive, the cost to dump at the landfill got more expensive, the cost to maintain the trucks got more expensive.

Marty Kois, with Kois Brothers, stated they have a tax-exempt lease option. Laurel has one of the lowest rates in the State. The problem comes to illegal dumping. It can make it challenging to address the issues. To help people get further into those programs, approached a Tax Exempt Leasing company to look at options. For example, Municipality needed a new sewer truck, took in their old sewer truck on payment for the first year. Their next payment wasn't due for 360 days. The down payment came via the truck they had for trade. It, in turn, gave them a whole year to build up revenues to make the Tax Exempt leasing. The leasing can be structured however the City would like. The most beneficial options are three years, seven years, or eight years. The City should consider replacing vehicles at the eight-year mark as the majority of repairs come after the seven-year mark. You can get warranties up to 7 years in the program. With solid waste trucks, there is a telemetric program that they can see what the issue is. Can see how far out the arm went and what is stalling the arm out. A few of the City's trucks have come from out of state. They are located close by and are able to help solve some of those problems. Also, have a monthly and quarterly service program to assist the mechanic in identifying potential issues. The goal is to get the most in trade values to assist with the leasing process.

The telemetric has four cameras on the truck, with an additional hopper camera. There have been situations where there were bodies dumped inside a can and be able to see that and hit the emergency stop before the packer panel. It is an accident prevention piece as well. It is a subscription-based fee. It can help identify who was at fault in the event of an accident.

Mayor Nelson stated there are a few options at the end of the lease as well. It was clarified there is a \$1 buy-out or putting the vehicle back in as a trade. This can be structured to fit the City's budget.

It was questioned if this is a per vehicle program or more than one vehicle. It could be multiple vehicles in the same lease. We are currently looking at four now. The trade will come off the top figure. The lease can be set up for quarterly or yearly payments. The vehicles being discussed currently are a street sweeper, jet rodger, and two garage trucks. Maintenance is needed to help catch things before they are critical.

It was questioned what other municipalities they are working with currently. They are currently working with Great Falls, which is also looking to purchase garbage trucks. Automated trucks take five times more maintenance. The only other item that takes the most maintenance is the street sweeper. Great Falls is looking at a three-year turn with their solid waste trucks.

It was stated the jet rodger would come out of Sewer, the street sweeper would come out of Streets, and the two garbage trucks would come out of Solid Waste. The Clerk/Treasurer was questioned if there was even enough money in Solid Waste right now to be able to afford that portion of this lease. The response was based on the \$250k figure that Solid Waste has enough to enter into this lease for two years, and then they would be strapped. This is why there has been discussion about raising the rates.

Many municipalities are looking to move to a 30/60/90 gallon can, but as people place their garbage on the curb, it creates more work for the drivers to maneuver to the cans. This option helps with the illegal throwing of stuff in the alleyways.

Other Items

Review of Draft Council Agendas

12. Review of Draft Council Agenda of August 11, 2020.

Attendance at Upcoming Council Meeting

All Council Members present will be at next week's meeting.

Announcements

It was requested at the next Workshop the Local American Legion Post would like to do a presentation about the American Legion obtaining 1 acre of land at the Cemetery to create a parking lot.

The Public Works Director reminded Council that the windmills would continue to be unloaded except 3–5-minute traffic delays. This project is expected to run for another four months.

13. Employee Recognition July 2020-December 2020.

Mayor Nelson thanked employees for their years of service.

The council workshop adjourned at 8:02 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brittney Moorman", with a long horizontal flourish extending to the right.

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.



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board / Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: Special Review – Town Pump Signage at 312 S. 1st Ave
DATE: July 29, 2020

DESCRIPTION/LOCATION:

The applicant Mark Lynde of Sign Pro has submitted an application for special review on behalf of his client, Town Pump. The affected property is located at 312 S. 1st Avenue in the City of Laurel. The Parcel is zoned Highway Commercial and is within the Community Entryway Zoning District.

The applicant is requesting a special review to replace manual reader board signs with electronic message boards. The property is legally described as EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 29, Lot 7 - 21, ADJ VAC ALLEY & TR A-B COS 2460.

Applicant Data:

Owner: MBDII RE LLC
Legal Description: EAST YELLOWSTONE SUBD, S16, T02 S, R24 E, BLOCK 29, Lot 7 - 21, ADJ VAC ALLEY & TR A-B COS 2460
Address: 312 S. 1st Ave
Parcel Size: 67,076 Sq. Ft.
Existing Land Use: Town Pump gas station
Proposed Land Use: Town Pump gas station (updated signage)
Existing Zoning: Central Business District
Overlay District: Community Entryway Overlay District

Surrounding Land Use and Zoning (See Exhibits A & B)

North Zoning:	Highway Commercial	Land Use:	Montana Lil's Casino
South Zoning:	Residential Limited Multi-Family	Land Use:	Residential
East Zoning:	Highway Commercial	Land Use:	Conoco, Subway, Citybrew, CENEX
West Zoning:	Community Commercial	Land Use:	Southside Storage

STAFF FINDINGS:

1. The applicant is requesting a special review for the proposed replacement of a manual reader board sign with an electronic message board sign.
2. The application packet is attached and contains:
 - a. Cover Letter,
 - b. Application Form,
 - c. Site Map,
 - d. Tax Information,
 - e. Sign renderings, and
 - f. Certified list of surrounding property owners.
3. LMC 17.42.050 Table – Signs by Zoning District lists:
 - a. “Fixed Message Electronic Variable Message Sign” and “Computer Controlled Variable Message Sign” are SR, Special Review, within the Entryway Zoning District.
 - b. “Pictographic Changeable Copy Signs which depict only still frames and change not less than 60 seconds” are SR, Special Review, within Highway Commercial Zoning but are Not allowable within the Entryway Zoning District.
 - c. “Pictographic Changeable Copy Signs which depict motion, flashing, and blinking of any kind” are not allowable within any Laurel zoning district.
4. LMC 17.42.040 – Definitions lists specific definitions for these sign types under “Changeable Copy Sign”
 - a. Fixed Message Electronic Signs. Signs whose basic informational content has been preprogrammed to include only certain types of information projections, such as time and temperature
 - b. Computer Controlled Variable Message Electronic Signs. Signs whose alphabetic or numeric content can be changed or altered by means of computer driven electronic impulses.
 - c. Pictographic Changeable Copy Sign means a sign whose still framed pictographic or symbolic content can be changed or altered by manual or electric, electromechanical or electronic means. Still frame pictures may change but not sooner than every sixty seconds. No pictographic changeable copy sign can depict movement or motion, flashing, blinking or other special effects including scrolling text.
5. LMC 17.26.052 Development Standards - Signage is attached to this staff report in full.
6. LMC 17.42 – Sign Code is attached to this Staff Report in Full.
7. LMC 17.68 – Special Review Procedure is attached to this Staff Report in Full.
8. The advertising requirements of LMC 17.68.030 C, D, and E have been met.

ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:

The Zoning Commission shall review and make determinations on Chapter 17.68 – Special Review Procedure, Section 040 – Zoning Commission Action. This section is presented below.

- A. After presentation to the zoning commission of the request for special review by the applicant, the zoning commission shall make a recommendation to the city council to:
 1. Grant the application for special review;
 2. Deny the application;
 3. Delay action on the application for a period not to exceed thirty days; or

4. Grant the application subject to conditions and recommendations and give the reasons therefor.
- B. Before approving a special review use, the zoning commission shall find that the contemplated use(s):
 1. Complies with all requirements of this section;
 2. Is consistent with the objectives and purposes of this title and the Laurel comprehensive planning process;
 3. Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
 4. Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:
 - a. Street and road capacity,
 - b. Ingress and egress to adjoining streets,
 - c. Off-street parking,
 - d. Fencing, screening and landscaping,
 - e. Building bulk and location,
 - f. Usable open space,
 - g. Signs and lighting,
 - h. Noise, vibration, air pollution and similar environmental influences.

STAFF SUGGESTED CONDITIONS:

The Planning Board/Zoning Commission recommends the following conditions for approval if the City Council votes to approve this application for Special Review.

1. Signs shall comply with Chapter 17.42 of the Laurel Municipal Code.
2. Signs shall comply with Chapter 17.26.052 of the Laurel Municipal Code.
3. Installed electronic signs shall be either a fixed message electronic variable message sign or computer controlled variable message sign.
4. Pictographic changeable copy signs depicting motion, flashing, and blinking of any kind shall not be installed as part of this proposed upgrade, or any future proposed signage upgrade on site.
5. Signs shall be properly maintained through actions such as cleaning, painting, and the prompt replacement of defective parts.

PROCEDURAL HISTORY:

- The initial application was submitted on February 19, 2020.
- The onset of the COVID-19 pandemic caused a postponement of the regular meetings of the Laurel City-County Planning Board.
- The Planning Director had been in contact with the applicant as to scheduling the special review and providing supporting documentation.
- A public hearing was conducted at the July 22, 2020 meeting of the Laurel City-County Planning Board regarding the application.
- The Laurel City-County Planning Board voted to approve the special review with the suggested Staff Conditions within the staff report.
- A public hearing is scheduled to be conducted at the August 11, 2020 meeting of the Laurel City Council.

Attachment 1. LMC Chapter 17.26.052 - Development standards. Part A. Signage

A. Signage.

1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
 - a. Use of subdued, low-key colors;
 - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
 - c. Sign is built of permanent, durable materials;
 - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
 - e. The sign is professionally prepared and finished on both sides;
 - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
 - g. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
 - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
 - i. The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
 - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
4. Signs shall be limited to one hundred sixty square feet in copy area.
5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
 - a. The sign is relocated or replaced;
 - b. The structure or size of the sign is altered in any way;
 - c. The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
 - d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
6. No portable signs as described in the city signage ordinance are allowed in the EZD.
7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit

administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.

8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.

Attachment 2. LMC Chapter 17.42 - SIGN CODE

17.42.010 - Adoption.

The Uniform Sign Code, 1997 Edition, published by the International Conference of Building Officials, together with any appendix or subsequent amendments or additions thereto, adopted or as may be adopted in the future by the city of Laurel, is [by this Section] 17.42.010 adopted by and declared to be the sign code of the City.

One full printed copy of the code shall be available in the offices of the city. The aforesaid, Uniform Sign Code is adopted by reference and made a part of this chapter as fully, and for all intents and purposes, as though set forth herein at length. It shall be known and designated as the "Uniform Sign Code" of the city.

(Ord. 99-10 (part), 1999; Ord. 96-11, 1996; Ord. 859, 1986; prior code § 15.52.010)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.020 - Updated references.

The sign code described in Section 17.42.010 may be amended by resolution or administrative order of the mayor.

(Ord. 99-10 (part), 1999; Ord. 860, 1986; prior code § 15.52.020)

17.42.030 - Intent.

This code shall not regulate official traffic or government signs; the copy and message of signs; signs not intended to be viewed from a public right-of-way; window displays; product dispensers and point of purchase displays; scoreboards on athletic fields; flags of any nation, government or fraternal organization; gravestones; barber poles; religious symbols; or any display or construction not defined in this chapter as a sign.

(Ord.02-32 (part), 2003)

17.42.040 - Definitions.

"Animated sign." A sign depicting action, motion, light, or color change, or that change the sign displayed through electrical or mechanical means. Animated also includes signs that use blinking, flashing or scrolling or other special effects to depict motion.

"Area of sign" means the entire area of a sign including the area within a perimeter, which forms the outside shape including the frame, forming an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. The frame of a sign may be excluded from the area where such frame conveys no message and is constructed or affixed for aesthetic reasons beyond the necessary supports.

For computing the areas of any wall or canopy sign, which consists of letters mounted or painted on a wall or canopy, the area shall be deemed to be the area of the smallest rectangular figure which can encompass all of the letters. (See below section calculation of sign area.)

"Bandit sign" means an illegal commercial sign posted on a utility pole, street sign, or other street furniture; or any other sign placed within a public right of way or public property or on private property. A bandit sign generally has less than six square feet or less of advertising area and are made of vinyl, paper, cloth or fabric, polyboard, corrugated plastic, poster board, plastic core, cardboard, wood, or plywood, including signs with wood or wire framing, posts or stakes.

"Banner sign" means any sign (other than an official flag) made of cloth, paper or fabric of any kind, which is used to attract attention, whether or not imprinted with words or characters.

"Beacon" means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

"Billboard, on-premises" is a sign intended to capture the attention of motorists along interstate highways and other roads located in the entryway zoning district, that also promotes an activity, product,

commodity, service, entertainment or communication which is sold or offered at the premises on which the sign is located.

"Billboard, off-premises" is a sign intended to capture the attention of motorists along interstate highways and other roads located in the entryway zoning district, that also promotes an activity, product, commodity, service, entertainment or communication which is not sold or offered at the premises on which the sign is located.

"Building marker" means any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

"Canopy sign" means any sign that is a part of or attached to any awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area, and which does not extend horizontally beyond the limits of the canopy.

"Changeable copy sign" means a sign whose alphabetic and numeric content can be changed or altered by manual or electric, electromechanical or electronic means. Changeable copy signs are limited to time and temperature displays. For changeable copy signs displaying informational and other pictographic content see "pictographic changeable copy sign."

- a. Fixed Message Electronic Signs. Signs whose basic informational content has been preprogrammed to include only certain types of information projections, such as time and temperature.
- b. Computer Controlled Variable Message Electronic Signs. Signs whose alphabetic or numeric content can be changed or altered by means of computer-driven electronic impulses.

"Copy" means the content of a sign surface in either permanent or removable letter, alphabetic or numeric form.

"Directional/informational sign" means an on-premises sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. The sign may contain a logo provided that the logo may not comprise more than twenty percent of the total sign.

"Director" means the director of planning of the city of Laurel or his or her designee.

"Flag" means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

"Freestanding sign" means any sign supported by uprights or braces permanently placed upon the ground, and not attached to any building.

"Government sign" means any temporary or permanent sign erected and maintained by the city, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site or public service, property or facility.

"Height of sign" means the vertical distance measured from the highest point of the sign to the crown of the adjacent street, not including the interstate highway.

"Lot" means any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record that is recognized and intended as a unit for the purpose of transfer or ownership.

"Maintenance" means for the purposes of this code, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the structure of the sign.

"Monument sign" means a sign mounted directly to the ground with maximum height not to exceed ten feet.

"Nonconforming sign" means a sign, which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.

"On-premises sign" means a sign that advertises solely for the property on which it is located.

"Pictographic changeable copy sign" means a sign whose still framed pictographic or symbolic content can be changed or altered by manual or electric, electromechanical or electronic means. Still frame pictures may change but not sooner than every sixty seconds. No pictographic changeable copy sign can depict movement or motion, flashing, blinking or other special effects including scrolling text.

"Portable sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

"Principal building" means a structure accommodating the principal use to which the property is devoted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.

"Projecting sign" means a sign, other than a wall sign, which is attached to and projects from a building no more than twelve inches. Supports shall be covered in a neat and orderly fashion. Guy wire support is prohibited.

"Roof sign, above-peak" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

"Roof sign, integral" means any sign erected or constructed as an integral or essentially integral pan of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

"Setback" means the distance from the property line to the nearest part of the applicable building, structure or sign, measured perpendicularly to the property line.

"Sign" means any identification, descriptions, illustration or device illuminated or nonilluminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information, with the exception of window displays and national flags. For the purpose of removal, signs shall also include all sign structures.

"Snipe sign" means a sign made of any material when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects and the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

"Street" means a public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place or however otherwise designated which has been dedicated to or acquired for public use, and which extends the full width between right-of-way lines.

"Street frontage" means the length of the property line of any one premises along each public right-of-way it borders excluding alleys, government easement accesses, and the interstate highway.

"Suspended sign" means a sign that is suspended from the underside of a horizontal place surface and is supported by such surface.

"Temporary sign" means a nonpermanent sign erected and maintained for a specific limited period of time.

"Wall sign" means any sign attached parallel to, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. Wall signs shall not exceed twelve inches in depth measured from the face on the wall on which the sign is mounted.

"Wind-driven sign, allowable" means any sign consisting of one or two banners, flags, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

"Wind-driven sign, conditional" means any ribbons, spinners, streamers, pennants, balloons, inflatable or other wind driven signs subjected to pressure by wind, fan, or breeze.

"Window sign" means any sign, pictures, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.050 - Signs prohibited.

All signs not expressly permitted under this section or exempt from regulation hereunder in accordance with the following section are prohibited. Such signs include, but are not limited to:

- A. Beacons;
- B. Strings of lights not permanently mounted to a rigid background, except those exempt under the following section;
- C. Animated signs;
- D. Above-peak roof signs;
- E. Abandoned signs;
- F. Pictographic changeable copy signs which depict motion of any kind, including flashing, blinking and scrolling text or other special effects;
- G. Snipe signs or bandit signs;
- H. Signs placed on vehicles or trailers, which are parked or located for the primary purpose of displaying, said signs (this does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business).

(Ord. 02-32 (part), 2003)

Table - Signs by Zoning District

Type of Sign	A G	R P	N C	C BD	C C	H C	L I	H I	I	E ZD	Ove rly District	All Residen tial Districts
Animated Sign (Including Flashing, Blinking, Scrolling)												
Bandit Sign												
Banner Sign		A	A	A	A	A	A	A	/	A	A	
Beacon												
Billboard - On Premise	S R					S R						
Billboard - Off Premise	S R					S R						
Building Marker	A	A	A	A	A	A	A	A	/	A	A	
Canopy Sign		A	A	A	A	A	A	A		A	A	

Fixed Message Electronic Variable Message Sign				S R	S R	S R	S R	S R		S R	SR	
Computer Controlled Variable Message Sign				S R	S R	S R	S R	S R		S R	SR	
Pictographic Changeable Copy Signs which depict only still frames and change not less than 60 seconds						S R	S R	S R				
Pictographic Changeable Copy Signs which depict motion, flashing and blinking of any kind												
Direction/Infor mation Sign	A	A	A	A	A	A	A	A	/	A	A	
Flag	A	A	A	A	A	A	A	A	/	A	A	A
Freestanding Sign				A	A	A	A	A		A	A	
Government Sign	A	A	A	A	A	A	A	A	/	A	A	A
Monument Sign		A	A	A	A	A	A	A	/	A	A	*
On Premise Sign	A	A	A	A	A	A	A	A	/	A	A	
Off Premise Sign												
Portable Sign												
Projecting Sign		A	A	A	A	A	A	A	/	A	A	
Roof Sign, Integral	A	A	A	A	A	A	A	A		A	A	
Roof Sign - Above Peak												
Snipe Sign												

Temporary Sign	A	A	A	A	A	A	A	A	/	A	A	
Wall Sign	A			A		A	A	A		A	A	
Wind-driven Sign, allowable						A	A	A		A	A	
Wind-driven Sign, conditional						S R	S R	S R		S R	SR	
Window Sign				A	A	A	A	A		A	A	

*As allowable by subdivision regulations

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.060 - Portable and banner signs.

Permits required. It shall be unlawful for any owner or person entitled to possession of any property or business, or their authorized representatives, to erect, construct, move, or display a temporary sign or cause the same to be done, without first obtaining a temporary sign permit from the sign administrator. A temporary sign permit may be issued.

- A. To new businesses or to existing businesses which are relocating and shall be limited in use to one time for no longer than sixty days; or
- B. To existing businesses for the purpose of advertising and shall be limited to a maximum of thirty consecutive days per calendar year. Such thirty-day period may be split into no more than two separate periods of fifteen consecutive days each.

(Ord.02-32 (part), 2003) (Laurel Supp. No. 3, 12-04)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.070 - Signs not requiring permits.

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this section:

- A. Construction signs of sixteen square feet or less;
- B. Special event or holiday lights or decorations;
- C. Nameplates of two square feet or less;
- D. Public signs or notices, or any sign relating to an emergency;
- E. Real estate signs; (see signs permitted, Section 17.42.130(B);
- F. Political signs; (see signs permitted, Section 17.42.130(D);
- G. Interior signs not visible from the exterior of the building;
- H. Directional signs not to exceed twelve square feet in area or six feet in height.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.080 - Overlay zoning districts.

The provisions of the Entryway Zoning district, SE 4th Overlay District, or Downtown Overlay District pertaining to signs shall apply to all signs in that district and are in addition to the provisions of this section.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.090 - Calculation of sign area.

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.100 - Maintenance.

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.110 - Lighting.

Unless otherwise prohibited by this code, all signs may be illuminated provided they do not cause or contribute to a public nuisance. Lighting restricted to the sign face.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.120 - Changeable copy.

Unless otherwise specified by this section, any sign in this chapter allowed may use manual or fixed message electronic sign.

Computer controlled variable message electronic signs shall be permitted provided that the bottom of the reader board is ten feet above the crown of the adjacent road.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.130 - Signs permitted (exceptions to this section are noted in the overlay zoning district).

- A. One non-illuminated sign for each street frontage of a construction project, not to exceed forty-eight square feet in sign area. Such signs may be erected thirty days prior to beginning of construction and shall be removed thirty days following completion of construction.
- B. One non-illuminated real estate sign per lot or premises not to exceed sixteen square feet in sign area for residential properties and thirty-two square feet for commercial properties. Such signs must be removed fifteen days following sale, rental, or lease of the real estate involved.
- C. One non-illuminated attached building nameplate per occupancy, not to exceed two square feet in sign area.
- D. Non-illuminated political signs not to exceed sixteen square feet in sign area each. Such signs shall not be erected more than forty-five days prior to the election or referendum concerned and shall be removed ten days following such election or referendum. Political signs may be placed only on private property and only with the permission of the property owner.
- E. One subdivision sign per street frontage not to exceed forty-eight square feet in sign area in each location.
- F. One identification sign per entrance to an apartment or condominium complex, not to exceed thirty-six square feet in sign area.
- G. The total square footage of all signs located on the property, including, but not limited to freestanding, wall, projecting, integrated roof, canopy, and directional signs, shall not exceed two square feet in sign area for each lineal foot of property frontage. This frontage shall be calculated using local streets (not the interstate highway).
- H. One on-premise, freestanding sign may be installed to a height of forty feet and may be a maximum of three hundred fifty square feet if the principal purpose of such signs is to address interstate traffic

as determined by the director. The sign must be oriented perpendicularly to the interstate so the sign is visible to the interstate traveler.

- I. Freestanding signs which are not on-premise and which do not address interstate traffic as determined by the director may be installed to a maximum height of twenty-four feet and may have a maximum size of one hundred fifty square feet. Exceptions to this are noted in the entryway zoning district.
- J. The setback for the leading edge of freestanding signs shall be a minimum of ten feet.
- K. No sign may be placed or designed so as to simulate or interfere with traffic control devices or official highway directional/informational signs.
- L. Wall signs shall not exceed twenty percent of the square footage of the wall area upon which they are installed. Electric awning and canopy signs shall not exceed twenty percent of the square footage of the wall area upon which they are installed. The combination of wall signs, electric awning, canopy signs and projecting signs shall not exceed twenty percent of the allowed wall sign area.
- M. Integrated roof signs may be used instead of wall signs. The integrated roof sign size shall not exceed the allowable size for a wall sign. Integrated roof signs shall be constructed so as to conceal all structures and fastenings. The height of the sign shall not exceed the roof to which it is attached.
- N. Projecting signs may be used instead of any wall or freestanding signs provided they do not project beyond the property line and maintain a clearance of ten feet over the sidewalk and fourteen feet over any parking lot, driveway or crown of the street, whichever is higher. Where zoning allows for one hundred percent lot coverage or zero setbacks, projecting signs shall never extend beyond the sidewalk and must be ten feet over the sidewalk. Projecting sign size shall not exceed the allowable size for a wall sign.
- O. Window signs shall not cover more than thirty percent of the window area.
- P. On-site directional signs as required.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.140 - Shopping center signs (exceptions to this section may be noted in the Entryway Zoning, SE 4th Street or Downtown Overlay District).

- A. Shopping centers shall be allowed one freestanding sign directory sign per frontage. The sign shall not exceed one hundred fifty square feet plus five percent of the one hundred fifty square feet per tenant. Maximum sign size shall not exceed three hundred fifty square feet.
- B. Shopping centers signs shall not exceed the maximum allowable freestanding signage.
- C. Shopping center signs cannot be used if the common signage plan is used.

(Ord. 02-32 (part), 2003)

Table - Sign Requirements

Type of Sign	Requires Permit**	Illumination	Maximum Height	Maximum Sign Area	Setbacks	Maximum Number of Signs*	Maximum Permitted Sign Use
Banner Sign	Y						60 days/30 days see 17.42.060
Billboard - On Premises	Y						

Billboard - Off Premises	Y						
Building Marker	Y						
Building Nameplate				2 sq. ft			
Canopy Sign	Y			20% of wall area			
Changea ble Copy Sign	Y						
Construc tion sign		N		48 sq. ft.			30 days before and after constructio n
Fixed Message Electronic Variable Message Sign	Y						
Compute r Controlled Variable Message Sign	Y						
Pictograp hic Changeable Copy Sign	Y						
Direction al/ Informationa l Sign	As required per Ordinanc e 02-32						
Flag							
Freestan ding Sign	Y		40'/24' See LMC. 17.42.130. H, I.		10'		
Governm ent Sign							

Monument Sign	Y						
On Premises Sign	Y						
Political Signs		N		16 sq. ft.	Prohibited in ROW		No more than 45 days prior to election and removed immediately following
Portable Sign	Y				In CBD may extend over sidewalk with 10' clearance. Prohibited encroachment into right of way in all other zoning districts		60 days/30 days see 17.42.060
Real Estate Sign		N		32 sq.ft.	Prohibited in ROW	1 per lot	15 days after the sale, rental or lease
Projecting Sign	Y						
Roof Sign, Integral	Y		Cannot exceed roofline	20% of wall area			
Shopping Center Signs (cannot be used if	Y			150 sq.ft. plus 5% per tenant.		1 Freestanding Pole per frontage	

common signage plan is used.)				Maximum sign not to exceed 350 sq.ft.			
Temporary Sign	Y						
Wall Sign	Y			20% of wall area			
Window Sign	Y			Up to 30% of window area			
*The total square footage of all signs located on the property shall not exceed 2 square feet in sign area for each lineal foot of local street frontage (Does not include interstates).							
**See 17.42.040							

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.150 - Common signage plan.

- A. If the owners of two or more contiguous or adjacent (disregarding intervening streets and alleys) lots or the owner of a single lot with more than one building (excluding accessory buildings) or multiple use buildings file with the director for such lot(s) a common signage plan conforming with the provisions of this section, a twenty-five percent increase in the maximum total sign area shall be allowed for each included lot. This bonus shall be allocated within each lot as the owner(s) elects.
- B. Provisions of Common Signage Plan. The common signage plan shall contain all of the following information:
 1. An accurate plot plan of the lot, at such scale as the director may reasonably require;
 2. Location of buildings, parking lots, driveways, clear vision triangles and landscaped areas on such lot;
 3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this chapter;
 4. An accurate indication on the plot plans of the proposed location of each present and future sign of any type, whether requiring a permit or not;
 5. Window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside the window) and need not specify the exact dimension or nature of every window sign.

The common signage plan shall also specify standards of consistency among all signs on the lots affected by the plan with regard to:

1. Color scheme;
2. Letter or graphic style;
3. Lighting;
4. Location of each sign on the building(s);
5. Material; and

6. Sign proportions.

- C. Limit on Number of Freestanding Signs Under Common Signage Plan. The common signage plan, for all lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one for each street on which the lots included in the plan have frontage and shall provide for shared or common usage of such signs. Where street frontage exceeds five hundred feet, one additional freestanding sign may be allowed per five hundred-foot increment.
- D. Other Provisions of the Common Signage Plan. The common signage plan may contain other restrictions as the owners of the lots may reasonably determine.
- E. Consent. Common signage plan shall be signed by all owners or their authorized agents in such form as the director shall require.
- F. Procedures. Common signage plan shall be included in any development plan, site plan, planned development or other official plan required by the city for the proposed development and shall be processed simultaneously with such other plan.
- G. Amendment. Common signage plan may be amended by filing a new common signage plan that conforms with all requirements of the code in effect.
- H. Existing Signs Not Conforming to Common Signage Plan. If any new or amended common signage plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, all signs not conforming to the proposed amended plan or to the requirements of this section effective on the date of submission.
- I. Binding Effect. After approval of a common signage plan, no sign shall be erected, placed, painted or maintained, except in conformance with such plan, and such may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of this section and common signage plan, the section shall control.
- J. Dissolution of Common Signage Plan. If the signatories of a common signage plan wish to dissolve the common signage plan, written notice must be submitted to the director. All signs on the property for which the common signage plan was dissolved must bring all signs into conformance with this section within thirty days of the date written notice was submitted to the director.

(Ord.02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.160 - Nonconforming signs.

- A. Existing signs which do not conform to the specific provisions of this section may be eligible for the designation "legal nonconforming" provided that:
 - 1. The director determines such signs are properly maintained and do not in any way endanger the public;
 - 2. The sign was installed in conformance with a valid permit or variance or complied with all applicable laws on the date of adoption of this section.
- B. A legal nonconforming sign may lose this designation if:
 - 1. The sign is relocated or replaced; or
 - 2. The structure or size of this sign is altered in any way except toward compliance with this section. This does not refer to change of copy or normal maintenance.
- C. The legal nonconforming sign is subject to all requirements of this section regarding, safety, maintenance, and repair. However, if the sign suffers more than fifty percent damage or deterioration, as based on appraisal, it must be brought into conformance with this section or removed.

(Ord.02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.170 - Construction specifications.

- A. Plans and specifications and the required review fee for all signs, including those in the entryway zoning district, must be submitted to the city of Laurel building department prior to the start of construction. The building department must grant a construction permit prior to any construction activity.
- B. All signs shall be installed in compliance with the International Building Code (IBC) and applicable electrical codes required, permitted and enforced by the State of Montana.
- C. All signs shall be inspected by the city of Laurel building department for compliance with all applicable codes. (including, but not limited to structure, wind load, and electrical hook-up).
- D. All electrical freestanding signs must have underground electrical service to such signs.
- E. Any change in sign construction or face, excluding changeable copy as defined in this chapter, shall require a new construction permit and fee.

(Ord. 02-32 (part), 2003)

(Ord. No. O15-02, 4-21-2015; Ord. No. O16-01, 2-2-2016)

17.42.180 - City fees and/or charges for signs.

The city council shall establish reasonable fees and/or charges for all signage within the jurisdiction of the city by annual resolution after a public hearing.

(Ord. 07-06 (part), 2007)

(Ord. No. O16-01, 2-2-2016)

Attachment 3. Chapter 17.68 - SPECIAL REVIEW PROCEDURE

Sections:

17.68.010 - Purpose of provisions.

Although each zoning district is primarily intended for a predominant type of use, there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case. For example, the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, all may indicate that the circumstances of the development should be individually reviewed. It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses, and will further the purpose of this title and the objectives of the Laurel comprehensive planning process.

(Prior code § 17.88.010)

17.68.020 - Application requirements.

An application for a special review may be filed by the property owner, contract purchaser, or his authorized agent. The application shall be filed with the zoning commission secretary and shall be submitted under the following conditions:

- A. The application shall include, but not be limited to the following information:
 1. A legal and general description of the tract(s) upon the special review use is sought;
 2. A map showing the dimensions, acreage and location of the tract(s);
 3. The name and addresses of the owner(s) of the tract(s) and their agents, if any and the names and addresses of property owners of record within three hundred feet of the property for which a special review has been requested; such list of property owners shall be so certified by the county clerk and recorder's office;
 4. A site plan showing major details of the proposed development including but not limited to, the location of proposed and existing buildings and structures; off-street parking and loading; service and refuse areas; means of ingress and egress; landscaping; screening; signs and open space areas;
 5. A time schedule for development;
 6. Any other information the applicant believes will support his request.
- B. An application for a special review shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.

(Ord. 94-15, 1994; prior code § 17.88.020)

17.68.030 - Evaluation responsibility—Consultation—Notification.

The planning director, upon receiving an application for a special review of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any special review upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. Advertise twice in a newspaper of general circulation in the jurisdiction of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- D. Notify, by mail, the applicant or his authorized agent at least five days prior to the date of the public hearing of the time and place of such hearing;

- E. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the special review of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have a substantial environmental impact on surrounding land uses;
- F. After the public hearing and as part of the public record, the planning director shall report his findings, conclusions and recommendations to the zoning commission.

(Ord. 94-16, 1994; prior code § 17.88.030)

17.68.040 - Zoning commission action.

- A. After presentation to the zoning commission of the request for special review by the applicant, the zoning commission shall make a recommendation to the city council to:
 - 1. Grant the application for special review;
 - 2. Deny the application;
 - 3. Delay action on the application for a period not to exceed thirty days; or
 - 4. Grant the application subject to conditions and recommendations and give the reasons therefor.
- B. Before approving a special review use, the zoning commission shall find that the contemplated use(s):
 - 1. Complies with all requirements of this section;
 - 2. Is consistent with the objectives and purposes of this title and the Laurel comprehensive planning process;
 - 3. Is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
 - 4. Further the zoning commission shall consider and may impose modifications or conditions concerning, but not limited to the following:
 - a. Street and road capacity,
 - b. Ingress and egress to adjoining streets,
 - c. Off-street parking,
 - d. Fencing, screening and landscaping,
 - e. Building bulk and location,
 - f. Usable open space,
 - g. Signs and lighting,
 - h. Noise, vibration, air pollution and similar environmental influences.

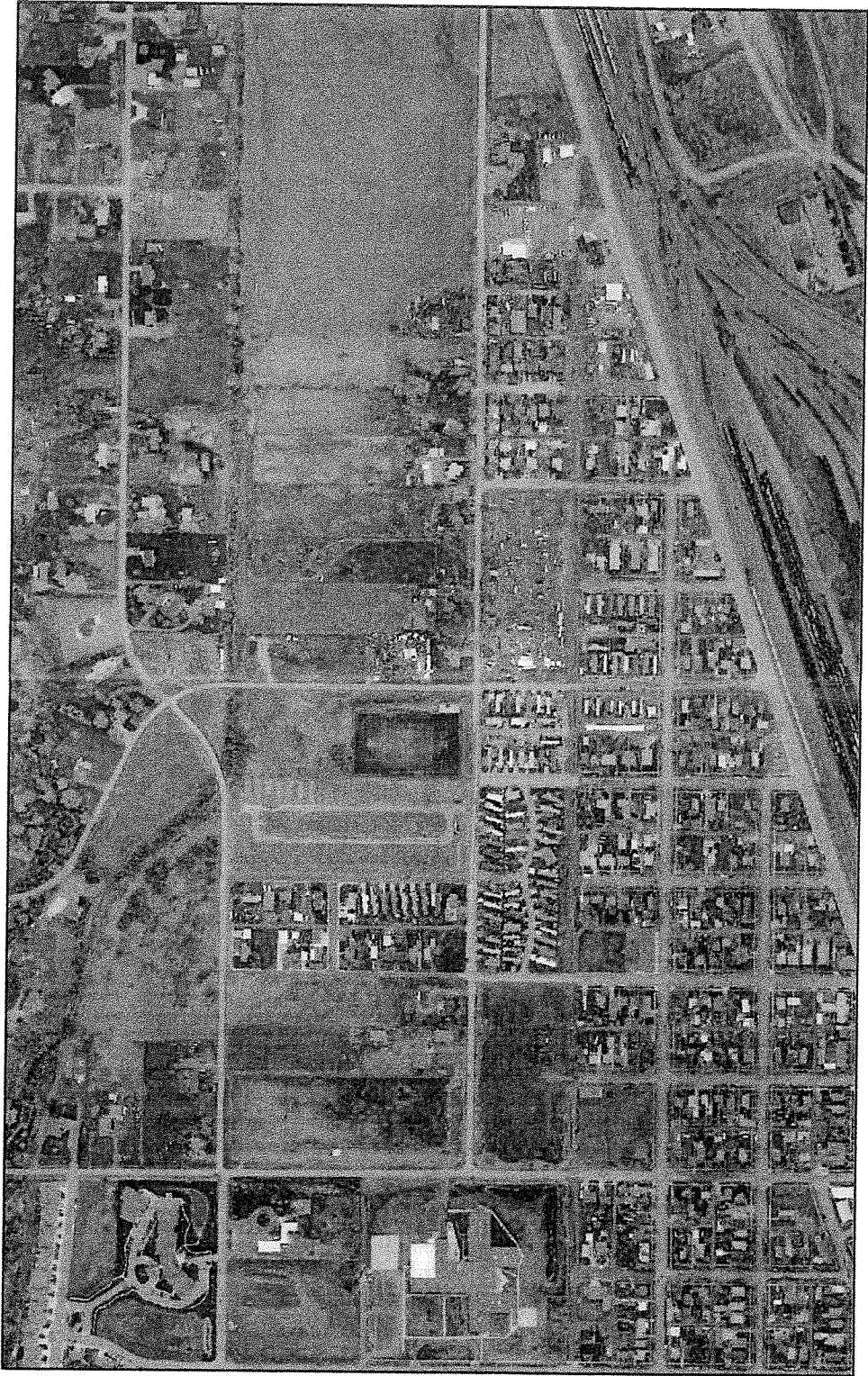
(Ord. 94-17, 1994; Ord. 953, 1989; prior code § 17.88.040)

17.68.050 - City council action.

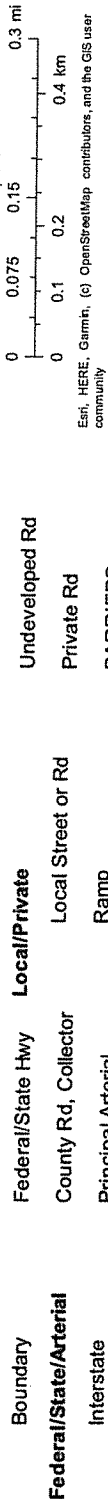
- A. Before taking action on an application for special review, and after presentation of the zoning commission's report, the city council may hold a public hearing on the application.
- B. The zoning commission may recommend to the council whether to hold a public hearing or not. In the event the city council holds its own public hearing on the application, then the recommendations of the zoning commission and the notice of public hearing before the city council shall both be published twice in the newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board with the first publication being at least fifteen days prior to the hearing.

(Ord. 94-18, 1994; prior code § 17.88.050)

East 8th Street



August 4, 2020

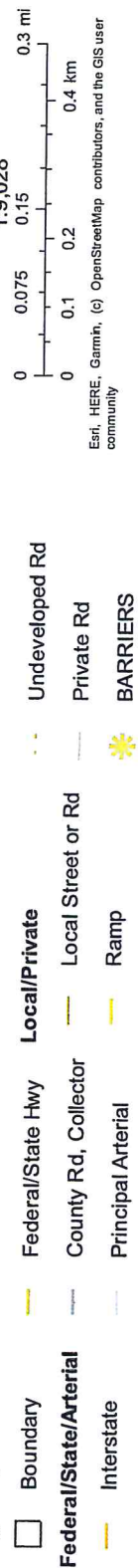


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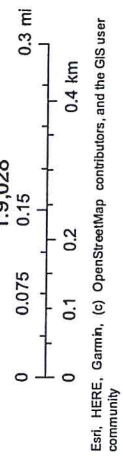
East 8th Street



August 4, 2020



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File Attachments for Item:

15. Council Workshop Minutes of August 25, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, AUGUST 25, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:53 p.m. on August 25, 2020.

COUNCIL MEMBERS PRESENT:

<input 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 checked="" type="checkbox"/> Don Nelson

OTHERS PRESENT:

Bethany Langve, Clerk/Treasurer

Public Input:

There were none.

Council Issues

1. Budget Discussion

Bethany Langve, Clerk/Treasurer, briefly reviewed the highlighted changes to the budget; see attached.

The Council stated they should not have a raise this year.

Council thanked the Clerk/Treasurer for her outstanding work on this year's budget.

Fran Schweigert, 402 Forrest Avenue, stated he is a Public Works employee. At last week's Workshop, there was a big discussion about the budget. Clerk/Treasurer Bethany Langve had stated the General Fund was short 36.40 mills \$287,806.37. She also stated that for the last four years, she had told Council that General Fund was out of money. She also stated that the five EMTs are the overage in the General Fund. That Ambulance was a big hit but that it would pay for itself in the future, but that it would take several years. In the 2020 budget report in the fund 1000, General Fund, it reads, "I have made it a number one priority to find a solution for the significant problem our City is facing regarding the Ambulance responses. Our volunteer staff needs support, and I am going to provide by hiring a full-time EMS Fire Chief and three full-time EMT/Firefighters. I challenge my Clerk/Treasurer to budget the staff, and she did." He stated, don't get me wrong, I agree with having an Ambulance service; I do. My opinion is that the City hired five EMTs with no way of paying for it because the General Fund is that far down and is stated by the Clerk/Treasurer. The Ambulance was not making that much money when they were all-volunteer; the proof is they are still paying for the building. Yes, they are making some money. He questioned where we will come up with the overage, especially next year. The

problem is still going to be there next year. Are we going to cut more budgets? That's my questions; thanks for your time.

Council noted they are okay with this budget.

Mayor Nelson stated he takes it Council is prepared to pass this budget. We are waiting to see what the revenues are and if we will have a shortfall. It is a matter of how much and for how long.

Other Items

There were none.

Announcements

There were none.

The council workshop adjourned at 7:12 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 of Laurel
TAX LEVY REQUIREMENTS SCHEDULE
2020-2021

Assessed Valuation..... \$ 595,712,339.00
Tax Valuation..... \$ 9,673,210.00
1 Mill Yields (10) \$ 8,357.896 Less TIFD

154.79 AVAILABLE MILLS
154.79 MILLS USED
0.00 LEFT OVER MILLS

FUND #	FUND NAME	(1) APPROPRIATION	(2) BUDGETED CASH RESERVE	(3)=(1)+(2) TOTAL REQUIREMENTS	(4) CASH AVAILABLE (Less current Liabilities)	(5) NON-TAX REVENUES	(6)=(9)X(10) PROPERTY TAX REVENUES	(7)=(5)+(6) TOTAL REVENUES	(8)=(4)+(7) TOTAL RESOURCES	(9)=(6)/(10) 20-21 CURRENT YR MILL LEVY	19-20 PRIOR YEAR LEVY
NON-VOTED LEVIES											
1000	General Fund	\$ 4,346,795.00	\$ 525,631.22	\$ 4,872,426.22	\$ 980,375.22	\$ 3,275,154.70	\$ 616,896.30	\$ 3,892,051.00	\$ 4,872,426.22	73.81	89.47
	Reserves at FYE - 12%										
2220	Library	\$ 296,553.00	\$ -	\$ 296,553.00	\$ 5,382.55	\$ 60,408.94	\$ 230,761.51	\$ 291,170.45	\$ 296,553.00	27.61	27.61
2190	Comp Insurance	\$ 97,129.00	\$ 25,408.00	\$ 122,537.00	\$ 1,422.58	\$ 8.51	\$ 121,105.91	\$ 121,114.42	\$ 122,537.00	14.49	6.00
2370	PERS	\$ 99,341.00	\$ 10.75	\$ 99,351.75	\$ 22,793.42	\$ -	\$ 76,558.33	\$ 76,558.33	\$ 99,351.75	9.16	8.14
2371	Group Health Ins	\$ 214,967.70	\$ 4.45	\$ 214,972.15	\$ -	\$ -	\$ 214,965.09	\$ 214,965.09	\$ 214,965.09	25.72	17.00
7120	Fire Disability	\$ 33,431.58	\$ -	\$ 33,431.58	\$ -	\$ -	\$ 33,431.58	\$ 33,431.58	\$ 33,431.58	4.00	4.00
	Reserves at FYE - 0%										
PERMISSIVE LEVY											
2372	Permissive Health	\$ 212,541.30	\$ (0.00)	\$ 212,541.30	\$ -	\$ -	\$ 212,541.30	\$ 212,541.30	\$ 212,541.30	25.43	19.75
	Reserves at FYE - 0%										
SEPARATE LEVYING AUTHORITY											
7850	Airport Authority	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00	3.15
	Reserves at FYE - #DIV/0!										
Emergency Mill Levy											
2260	Emergency Disaster	\$ 121,000.00	\$ -	\$ 121,000.00	\$ 121,000.00	\$ -	\$ -	\$ -	\$ 121,000.00	0.00	0.00
	Reserves at FYE - 0%										

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1000 GENERAL

Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	16-17	17-18	18-19	19-20	Budget	Rec.	Budget	Change	Budget	Budget
					19-20	19-20	20-21	20-21	20-21	20-21
310000 TAXES										
311010 Real Property Taxes	957,632	1,001,757	993,706	731,301	722,399	101%	616,896		616,896	85%
311020 Personal Property Taxes	15,074	12,844	22,203	13,993	30,100	46%	25,600		25,600	85%
312000 P & I on Delinquent Taxes	2,501	3,784	2,508	1,847	2,500	74%	1,500		1,500	60%
314140 Local Option Tax	97,832	91,863	100,657	96,712	91,500	106%	91,500		91,500	100%
Group:	1,073,039	1,110,248	1,119,074	843,853	846,499	100%	735,496	0	735,496	86%
320000 LICENSES AND PERMITS										
322011 Liquor Licenses	3,654	3,654	3,654	2,842	3,500	81%	3,500		3,500	100%
322012 Beer & Wine Licenses	3,600	3,800	4,100	3,400	3,500	97%	3,500		3,500	100%
322021 Business Inspections	30,788	32,775	34,894	27,000	32,000	84%	32,000		32,000	100%
322022 Utilities	1,200	600	600	900	600	150%	600		600	100%
322023 Pawn Brokers		5			0	0%			0	0%
322024 3 Apartments	60	30	30	30	60	50%	30		30	50%
322025 4 Apartments	320	440	440	240	400	60%	400		400	100%
322026 5 Apartments or More	1,350	1,500	1,350	825	1,500	55%	1,500		1,500	100%
322027 Amusement Machines	300	350	400	350	350	100%	350		350	100%
322028 Live Music	50	100	150	150	200	75%	150		150	75%
322030 Franchise Fees	79,174	73,541	79,941	54,784	72,000	76%	72,000		72,000	100%
323011 Building Permits	37,184	40,634	52,096	40,892	45,000	91%	45,000		45,000	100%
323012 Demolition Permit	185	90	315	180	200	90%	200		200	100%
323013 Plumbing		45		50	0	***%			0	0%
323014 Bldg Plan Review	8,025	7,267	10,758	7,962	9,000	88%	9,000		9,000	100%
323030 Dog Licenses	3,846	4,056	4,274	4,292	4,000	107%	4,000		4,000	100%
323051 Right-of-Way Permits	1,125	895	675	1,135	800	142%	800		800	100%
323053 Sign Permit	1,098		246	818	500	164%	500		500	100%
323054 Flood Plain Permit	50				0	0%			0	0%
323055 Special Events Permits	100	320	150	50	150	33%	150		150	100%
Group:	172,109	170,102	194,073	145,900	173,760	84%	173,680	0	173,680	99%
330000 INTERGOVERNMENTAL REVENUES										
331026 Department of Justice			9,089		0	0%			0	0%
331178 DUI Task Force	693	2,560		1,862	1,000	186%	1,500		1,500	150%
332010 Federal Equitable Shared	3,367	5,869			0	0%			0	0%
334100 Library Aid Grant			8,467		0	0%			0	0%
334200 GASB 68/Public Safety			222,626		0	0%			0	0%
334300 GASB 68/Public Wrks State			7,535		0	0%			0	0%
334600 GASB 68/Culture and Rec.			4,325		0	0%			0	0%
335065 Oil & Gas Production Tax	15				0	0%			0	0%
335075 Poker/Keno/Bingo				-40	0	***%			0	0%
335110 Live Card Game Table	700	150	175	150	1,000	15%	150		150	15%
335120 Gambling Machine Permits	22,725	24,150	26,076	22,400	22,000	102%	22,000		22,000	100%
335230 HB124 Entitlement	875,442	879,799	896,555	993,693	925,750	107%	1,026,277		1,026,277	111%
336020 On Behalf Payments		220,700			0	0%			0	0%
339000 Local Payments in Lieu of	204,889				0	0%			0	0%
Group:	1,107,831	1,133,228	1,174,848	1,018,065	949,750	107%	1,049,927	0	1,049,927	110%

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	16-17	17-18	18-19	19-20	19-20	Rec.	Budget	Change	Budget	Budget
						20-21	20-21		20-21	20-21
340000 CHARGES FOR SERVICES										
341012 NSF Check Charges	1,170	803	967	780	1,000	78%	1,000		1,000	100%
341020 Administrative Services	275,652	275,652	275,652	310,101	310,101	100%	310,101		310,101	100%
341099 Other Revenue					500	0%			0	0%
342010 Law Enforcement	1,041	40	288		0	0%			0	0%
342014 SRO Program - School	112,583	112,472	88,957	77,712	117,551	66%	129,483		129,483	110%
342015 Finger Printing Service	2,480	2,760	4,295	5,215	2,000	261%	3,500		3,500	175%
342016 Report Copy Service	1,224	2,309	2,860	1,770	2,000	89%	1,500		1,500	75%
342017 Vehicle Impound Fee	100		130		100	0%	100		100	100%
342020 Fire District #5	15,467	16,086	16,568	17,065	17,065	100%	17,577		17,577	103%
342021 Fire District #7	158,448	164,786	140,051	140,051	82,500	170%	140,000		140,000	170%
342022 Fire District #8	6,527	6,788	6,991	7,201	7,201	100%	7,417		7,417	103%
342023 Fire District - A A	4,613	4,705	4,799	4,895	4,895	100%	4,993		4,993	102%
342024 Fire Service Area	82,728	86,037	88,619	91,277	91,277	100%	94,015		94,015	103%
342025 Rural Grass Fire	10,802	10,817	10,980	11,145	10,802	103%	11,000		11,000	102%
342026 Yellowstone Trtmt Cntr	9,504	9,694	9,888	10,086	10,086	100%	10,287		10,287	102%
342028 Fire Inspections	625	450	1,125	325	700	46%	700		700	100%
342029 Fire Contract - CHS	9,500	9,500	9,500	9,500	9,500	100%	9,500		9,500	100%
342049 Ambulance Collection	7,018	3,500	1,723	5	1,500	0%	1,500		1,500	100%
342050 Ambulance Services	276,479	189,989	188,670	245,746	195,000	126%	215,000		215,000	110%
342051 Yrly Medicaid	6,730	13,432	6,777	18,373	7,000	262%	7,000		7,000	100%
343320 Sale of Cemetery Plots	2,615	6,108	3,823	4,015	4,000	100%	4,000		4,000	100%
343340 Opening and Closing	10,510	10,785	11,930	8,515	10,000	85%	10,000		10,000	100%
344010 Animal Control Impound	2,390	2,345	2,145	1,680	2,000	84%	2,000		2,000	100%
346030 Swimming Pool Fees	7,326	8,680	11,009	6,111	7,500	81%			0	0%
346035 Picnic Shelter Fees	1,640	1,680	1,810	640	1,500	43%	500		500	33%
346045 Park Facility Lease	25				0	0%			0	0%
346070 Library Fines	150	57	68		0	0%			0	0%
346075 Library Card Fees	72	25			0	0%			0	0%
346076 Library Copy Fees	524	675	270	98	0	***%			0	0%
Group:	1,007,943	940,175	889,895	972,306	895,778	109%	981,173	0	981,173	109%
350000 Fines and Forfeitures										
351000 City Court	108,700	113,906	102,578	116,143	110,000	106%	110,000		110,000	100%
351030 Court Surcharge	10,522	9,632	8,594	8,010	8,500	94%	8,500		8,500	100%
351031 Restitution to City	3,211	704	65		150	0%	150		150	100%
351035 Crime Victims - Court	155	144	124	130	125	104%	125		125	100%
Group:	122,588	124,386	111,361	124,283	118,775	105%	118,775	0	118,775	100%
360000 Miscellaneous Revenue										
360000 Miscellaneous Revenue	3,915	6,545	9,054	9,570	3,500	273%	3,500		3,500	100%
361000 Rents/Leases	16,710	16,710	16,650	20,650	16,500	125%	16,500		16,500	100%
362000 Other Miscellaneous	2,447		-1,742	9,814	477,000	2%	377,000		377,000	79%
State Funds for Exxon Mobil Spill:										
Riverside Park Campground - \$300,000										
Lion's Family Park Phase 1 - \$62,000										
Lion's Family Park Phase 2 - \$15,000										

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Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	16-17	17-18	18-19	19-20	Budget	Rec.	Budget	Change	Budget	Budget
					19-20	19-20	20-21	20-21	20-21	20-21
365001 Library Donations	10,265	955	80	-12,748	250	***%			0	0%
365002 Fire Department Donations	3,000	5,969	2,750	2,350	0	***%			0	0%
365003 Police Dept. Donations		39	305		0	0%			0	0%
365004 Ambulance Donations		2,500	6,500	2,062	0	***%			0	0%
365005 Park Dedication/Donation	1,850	4,210	2,850	750	2,500	30%			0	0%
Group:	38,187	36,928	36,447	32,448	499,750	6%	397,000	0	397,000	79%
370000 Investment and Royalty Earnings										
371010 Investment Earnings	2,595	4,350	7,963	6,178	5,000	124%	3,000		3,000	60%
Group:	2,595	4,350	7,963	6,178	5,000	124%	3,000	0	3,000	60%
380000 Other Financing Sources										
381050 Inception of Capital		40,919			0	0%			0	0%
382020 Compensation for Loss of			68,852		0	0%			0	0%
383000 Interfund Operating	26,000	26,000	26,000	26,000	31,000	84%	26,000		26,000	84%
383003 Transfer-Permis. Med.	213,000	201,654	245,778	205,564	200,560	102%	200,000		200,000	100%
383004 Transfer-Group Health	170,000	190,727	200,000	199,751	200,000	100%	207,000		207,000	104%
383007 Transfer in From Federal	23,091	23,091	21,167	866	0	***%			0	0%
Group:	432,091	482,391	561,797	432,181	431,560	100%	433,000	0	433,000	100%
Fund:	3,956,383	4,001,808	4,095,458	3,575,214	3,920,872	91%	3,892,051	0	3,892,051	99%
Grand Total:	3,956,383	4,001,808	4,095,458	3,575,214	3,920,872		3,892,051	0	3,892,051	

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100 GENERAL FUND

		Actuals				Current	%	Prelim.	Budget	Final	% Old
Account	Object	16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
		16-17	17-18	18-19	19-20	19-20	19-20	20-21	20-21	20-21	20-21
1000 GENERAL											
410580 Data Processing											
220	Operating Supplies	12	598			0	0%			0	0%
355	Data Processing Services	999	999	1,334	2,639	3,000	88%	3,000		3,000	100%
397	Contracted Services	14,532	9,092	22,030	2,550	16,000	16%	5,000		5,000	31%
IT Services											
Account:		15,543	10,689	23,364	5,189	19,000	27%	8,000	0	8,000	42%
410600 Elections											
350	Professional Services		1,779		3,217	5,000	64%	3,500		3,500	70%
Account:			1,779		3,217	5,000	64%	3,500	0	3,500	70%
470330 Contribution to Economic Development											
356	Consultant's Services	1,758	2,226	2,232	2,246	2,500	90%	3,000		3,000	120%
Beartooth RC&D											
Account:		1,758	2,226	2,232	2,246	2,500	90%	3,000	0	3,000	120%
470400 Planning											
335	Memberships & Dues	469	469	469	469	600	78%	500		500	83%
Local Match for Planning and Community Services											
Account:		469	469	469	469	600	78%	500	0	500	83%
480300 Air Quality Control											
791	Air Pollution Control	2,316	2,316	2,316	579	2,500	23%	2,500		2,500	100%
Account:		2,316	2,316	2,316	579	2,500	23%	2,500	0	2,500	100%
510000 Miscellaneous											
195	Retirement Benefits		107			0	0%			0	0%
220	Operating Supplies		31			0	0%			0	0%
Account:			138			0	***%	0	0	0	0%
510100 Special Assessments											
195	Retirement Benefits	881				0	0%			0	0%
220	Operating Supplies	101				0	0%			0	0%
540	Special Assessments	1,894	2,071	1,943	3,655	2,500	146%	4,000		4,000	160%
Tax Payments											
Account:		2,876	2,071	1,943	3,655	2,500	146%	4,000	0	4,000	160%
510200 Judgements and Losses											
811	Liability Deductibles			1,500	3,000	7,500	40%	7,000		7,000	93%
Account:				1,500	3,000	7,500	40%	7,000	0	7,000	93%
521100 Other Financing Uses - Retirement											
195	Retirement Benefits		107			0	0%			0	0%
Removed previously budgeted amount of \$35,000											
200	Supplies					0	0%	500		500	*****%
220	Operating Supplies		31			0	0%			0	0%
Account:			138			0	***%	500	0	500	*****%

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100 GENERAL FUND

Account	Object	----- 16-17	17-18	Actuals ----- 18-19	19-20	Current Budget 19-20	% Exp. 19-20	Prelim. Budget 20-21	Budget Changes 20-21	Final Budget 20-21	% Old Budget 20-21
Fund:		22,962	19,826	31,824	18,355	39,600	46%	29,000	0	29,000	73%
Orgn:		22,962	19,826	31,824	18,355	39,600	46%	29,000	0	29,000	73%

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110 CITY COUNCIL

					Current	%	Prelim.	Budget	Final	% Old	
Account	Object	Actuals				Budget	Exp.	Budget	Changes	Budget	Budget
		16-17	17-18	18-19	19-20	19-20	19-20	20-21	20-21	20-21	20-21

1000	GENERAL										
410100	Legislative Services										
110	Salaries and Wages	29,215	30,188	30,514	45,336	46,030	98%	46,500		46,500	101%
	Increased by 1% per EE Budget Document										
138	Vision Insurance		7			0	0%			0	0%
139	Dental Insurance		37			0	0%			0	0%
142	Workers' Compensation	126	117	134	194	202	96%	200		200	99%
143	Health Insurance		804			0	0%			0	0%
144	Life Insurance	155	141	128	124	195	64%	195		195	100%
145	FICA	2,234	2,309	2,334	3,468	3,545	98%	3,600		3,600	102%
146	PERS	9,340				0	0%			0	0%
220	Operating Supplies	1,734	408	278	344	500	69%	500		500	100%
300	Purchased Services					400	0%	400		400	100%
312	Networking Fees	823	852	2,041	5,466	5,000	109%	5,500		5,500	110%
	Increased by \$500										
335	Memberships & Dues	4,594	4,063	4,163	2,652	2,500	106%	2,500		2,500	100%
337	Advertising				26	100	26%	100		100	100%
356	Consultant's Services					250	0%	250		250	100%
362	Office Machinery & Equip.		1,800			1,500	0%	1,000		1,000	67%
	Reduced by \$500 per EE budget document										
370	Travel	2,156	616	1,412	28	2,530	1%	2,530		2,530	100%
380	Training Services	211	1,032	625	75	1,230	6%	1,230		1,230	100%
	Account:	50,588	42,374	41,629	57,713	63,982	90%	64,505	0	64,505	100%
	Fund:	50,588	42,374	41,629	57,713	63,982	90%	64,505	0	64,505	100%
	Orgn:	50,588	42,374	41,629	57,713	63,982	90%	64,505	0	64,505	100%

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120 MAYOR

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000 GENERAL											
410200 Executive Services											
110 Salaries and Wages		10,600	10,387	11,075	27,203	27,846	98%	27,846		27,846	100%
	No Wage Increase										
138 Vision Insurance			34	82	84	84	100%	90		90	107%
139 Dental Insurance			187	448	448	448	100%	448		448	100%
142 Workers' Compensation		46	40	49	117	125	94%	120		120	96%
143 Health Insurance			4,018	9,372	9,874	9,826	100%	10,415		10,415	106%
144 Life Insurance		21	18	24	24	24	100%	24		24	100%
145 FICA		811	795	847	2,081	2,145	97%	2,135		2,135	100%
220 Operating Supplies		1,239	2,213	1,025	677	795	85%	795		795	100%
312 Networking Fees		576	217	929	2,587	2,500	103%	2,600		2,600	104%
	Increased by \$100										
335 Memberships & Dues			212			750	0%	750		750	100%
343 Cellular Telephone		1,148	1,340	1,432	1,308	1,200	109%	1,500		1,500	125%
	Increased by \$300										
356 Consultant's Services		1,500	1,500	150		3,000	0%	2,500		2,500	83%
	Reduced by \$500										
370 Travel		987	684	1,741	28	1,500	2%			0	0%
	Removed Travel										
380 Training Services		336	380	432	195	500	39%	500		500	100%
Account:		17,264	22,025	27,606	44,626	50,743	88%	49,723	0	49,723	97%
Fund:		17,264	22,025	27,606	44,626	50,743	88%	49,723	0	49,723	97%
Orgn:		17,264	22,025	27,606	44,626	50,743	88%	49,723	0	49,723	97%

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122 CHIEF ADMINISTRATIVE OFFICER

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21

1000 GENERAL											
410200 Executive Services											
110 Salaries and Wages		26,550	17,742	28,431		27,000	0%			0	0%
	Removing the wages per Mayor (BL)										
138 Vision Insurance		26	13			28	0%			0	0%
139 Dental Insurance		148	74			148	0%			0	0%
141 Unemployment Insurance		40	44	99		40	0%			0	0%
142 Workers' Compensation		114	68	125		115	0%			0	0%
143 Health Insurance		3,113	1,591	3,630		3,245	0%			0	0%
144 Life Insurance		24	12	20		25	0%			0	0%
145 FICA		2,018	1,327	1,937		205	0%			0	0%
148 ICMA Retirement		729	364			0	0%			0	0%
194 Flex Medical		165	165			165	0%			0	0%
220 Operating Supplies		4,169	1,234	5,526	2,311	4,200	55%			0	0%
231 Gas, Oil, Diesel Fuel, Gr		515		561		750	0%			0	0%
311 Postage		21		383		0	0%			0	0%
312 Networking Fees		773	348	2,011	2,587	2,450	106%			0	0%
335 Memberships & Dues		2,184	851	1,116		1,000	0%			0	0%
337 Advertising			3,935			0	0%			0	0%
343 Cellular Telephone		1,464	1,496	2,469	1,365	1,500	91%			0	0%
356 Consultant's Services		500	500	50	13,253	500	***%			0	0%
370 Travel		4,481	1,829	1,600	1,982	4,000	50%			0	0%
380 Training Services		2,952	155	1,848		3,000	0%			0	0%
Account:		49,986	31,748	49,806	21,498	48,371	44%	0	0	0	0%
420100 Law Enforcement Services											
370 Travel			3			0	0%			0	0%
Account:			3			0	***%	0	0	0	0%
Fund:		49,986	31,751	49,806	21,498	48,371	44%	0	0	0	0%
Orgn:		49,986	31,751	49,806	21,498	48,371	44%	0	0	0	0%

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130 CITY COURT

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21
1000 GENERAL											
410300 Judicial Services											
110	Salaries and Wages	41,326	42,584	42,656	42,846	42,852	100%	43,106		43,106	101%
Increased per resolution R15-51 Wage Matrix											
138	Vision Insurance	79	81	82	84	84	100%	90		90	107%
139	Dental Insurance	448	448	448	448	448	100%	448		448	100%
142	Workers' Compensation	179	164	187	184	188	98%	180		180	96%
143	Health Insurance	9,435	9,642	9,372	9,922	9,830	101%	10,415		10,415	106%
144	Life Insurance	72	72	72	72	72	100%	72		72	100%
145	FICA	3,103	3,199	3,204	3,217	3,300	97%	3,300		3,300	100%
200	Supplies		75			0	0%			0	0%
210	Office Supplies & Materia	3,218	2,439	958	2,559	2,000	128%	2,000		2,000	100%
220	Operating Supplies	1,404	1,585	3,298	1,936	1,300	149%	1,100		1,100	85%
Reduced by \$200 per Judge's budget document											
252	Map and Code Books					1,000	0%	1,000		1,000	100%
300	Purchased Services	297	222	25	1,173	400	293%	400		400	100%
311	Postage	1,659	1,477	454	1,529	1,000	153%	1,600		1,600	160%
Increased by \$200 per Judge's budget document											
312	Networking Fees	76	4,510	6,332	1,888	7,000	27%	7,000		7,000	100%
321	Printing, Forms, etc.			471	739	650	114%	650		650	100%
322	Books/Catalogs, etc.	400	726	810	798	0	***%			0	0%
335	Memberships & Dues	320	320	270	350	500	70%	400		400	80%
Reduced by \$100 per Judge's budget document											
360	Repair & Maintenance Serv				27	750	4%	750		750	100%
370	Travel	2,915	1,436	2,099	2,262	2,500	90%	2,500		2,500	100%
380	Training Services	620	969	500		1,000	0%	1,000		1,000	100%
394	Jury and Witness Fees	870	1,265	631	262	750	35%	1,000		1,000	133%
Increased by \$250 per Judge's budget document											
397	Contracted Services	490	1,300	203	116	0	***%	116		116	*****%
Account:		66,911	72,514	72,072	70,412	75,624	93%	77,127	0	77,127	101%
410360 City/Municipal Court											
110	Salaries and Wages	71,945	73,714	73,351	78,613	77,375	102%	80,000		80,000	103%
111	Overtime					800	0%	800		800	100%
138	Vision Insurance			21	84	84	100%	90		90	107%
139	Dental Insurance	527	529	509	448	448	100%	448		448	100%
141	Unemployment Insurance	108	184	257	118	118	100%	200		200	169%
142	Workers' Compensation	919	839	950	1,002	1,015	99%	980		980	97%
143	Health Insurance	19,397	19,814	19,274	20,328	20,120	101%	23,800		23,800	118%
144	Life Insurance	144	144	144	144	144	100%	144		144	100%
145	FICA	4,802	4,928	4,984	5,433	6,020	90%	6,110		6,110	101%
194	Flex Medical	875	694	1,075		1,050	0%	1,050		1,050	100%
335	Memberships & Dues		70	70	70	150	47%	100		100	67%
Reduced by \$50 per Judge's budget document											
370	Travel	700	1,671	882	981	1,900	52%	1,900		1,900	100%
380	Training Services		103		500	300	167%	300		300	100%
Account:		99,417	102,690	101,517	107,721	109,524	98%	115,922	0	115,922	105%
Fund:		166,328	175,204	173,589	178,133	185,148	96%	193,049	0	193,049	104%

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130 CITY COURT

Account	Object	----- 16-17	17-18	18-19	19-20	Current Budget	% Exp.	Prelim. Budget	Budget Changes	Final Budget	% Old Budget
						19-20	19-20	20-21	20-21	20-21	20-21
	Orgn:	166,328	175,204	173,589	178,133	185,148	96%	193,049	0	193,049	104%

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150 CITY CLERK

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000 GENERAL											
410500 Financial Services											
110 Salaries and Wages		125,349	125,217	113,162	115,658	117,600	98%	102,100		102,100	87%
	Wages reduced due to water billing clerk hiring freeze										
111 Overtime		1,809	384	22		732	0%	900		900	123%
138 Vision Insurance		34	191	164	178	185	96%	150		150	81%
139 Dental Insurance		1,412	1,407	1,304	1,306	1,365	96%	1,080		1,080	79%
141 Unemployment Insurance		192	302	397	174	180	97%	260		260	144%
142 Workers' Compensation		1,406	1,228	1,294	1,294	1,560	83%	1,260		1,260	81%
143 Health Insurance		27,155	28,870	25,862	26,550	27,500	97%	23,700		23,700	86%
144 Life Insurance		201	216	199	194	200	97%	165		165	83%
145 FICA		9,457	9,170	8,566	8,761	9,200	95%	7,880		7,880	86%
194 Flex Medical		1,255	1,670	1,380		1,656	0%	1,365		1,365	82%
210 Office Supplies & Materia		5,121	3,367	4,085	4,964	8,000	62%	8,000		8,000	100%
220 Operating Supplies		1,975	9,042	10,620	10,299	10,000	103%	10,000		10,000	100%
311 Postage		4,471	4,864	4,161	3,956	8,000	49%	8,000		8,000	100%
312 Networking Fees		1,999	2,131	3,532	6,002	6,000	100%	6,200		6,200	103%
322 Books/Catalogs, etc.		339	681		350	1,000	35%	1,000		1,000	100%
335 Memberships & Dues		704	594	395	440	1,000	44%	1,000		1,000	100%
337 Advertising		2,133	1,582	332	207	1,000	21%	800		800	80%
343 Cellular Telephone		217	480	480	480	500	96%	500		500	100%
353 Accounting and Auditing		19,629	29,375	37,750	36,170	30,000	121%	36,000		36,000	120%
355 Data Processing Services		297	1,310	197		1,500	0%	1,500		1,500	100%
356 Consultant's Services			735	1,200		1,500	0%	1,500		1,500	100%
362 Office Machinery & Equip.		1,173	1,663	2,099	750	2,500	30%	2,500		2,500	100%
370 Travel		443	736	2,218	25	2,000	1%			0	0%
	Removed travel										
380 Training Services		680	2,188	792	345	2,000	17%	2,000		2,000	100%
393 Recording Documents				20	14	200	7%	200		200	100%
397 Contracted Services		21,722	29,707	29,528	29,981	33,800	89%	30,000		30,000	89%
530 Rent		717	669	735	861	1,000	86%	1,000		1,000	100%
Account:		229,890	257,779	250,494	248,959	270,178	92%	249,060	0	249,060	92%
Fund:		229,890	257,779	250,494	248,959	270,178	92%	249,060	0	249,060	92%
Orgn:		229,890	257,779	250,494	248,959	270,178	92%	249,060	0	249,060	92%

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170 CITY ATTORNEY

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21

1000 GENERAL											
411100 Legal Services											
110	Salaries and Wages	32,788	33,875	34,387	34,293	34,025	101%	34,785		34,785	102%
138	Vision Insurance	23	279	280	288	290	99%	295		295	102%
139	Dental Insurance	597	1,371	1,371	1,371	1,375	100%			0	0%
141	Unemployment Insurance	49	82	115	51	55	93%	87		87	158%
142	Workers' Compensation	142	127	145	146	150	97%	145		145	97%
143	Health Insurance	9,259	7,534	6,988	8,514	7,360	116%	9,300		9,300	126%
144	Life Insurance	72	72	72	72	72	100%	72		72	100%
145	FICA	2,246	2,500	2,523	2,602	2,620	99%	2,665		2,665	102%
194	Flex Medical		250			0	0%			0	0%
210	Office Supplies & Materia				1,750	1,751	100%			0	0%
220	Operating Supplies	1,440	1,015	847	1,589	1,500	106%	1,500		1,500	100%
312	Networking Fees	9		611	2,940	2,500	118%	3,200		3,200	128%
337	Advertising				229	0	***%			0	0%
338	Code Review and Audit	275	1,980	1,237	1,229	4,000	31%	4,000		4,000	100%
343	Cellular Telephone					0	0%	600		600	*****%
370	Travel	176	2,238	222		1,000	0%	1,000		1,000	100%
380	Training Services			250	195	500	39%	500		500	100%
397	Contracted Services	55,000	55,000	56,626	64,049	55,000	116%	67,200		67,200	122%
Contract with City Prosecutor											
Account:		102,076	106,323	105,674	119,318	112,198	106%	125,349	0	125,349	111%
Fund:		102,076	106,323	105,674	119,318	112,198	106%	125,349	0	125,349	111%
Orgn:		102,076	106,323	105,674	119,318	112,198	106%	125,349	0	125,349	111%

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180 CITY HALL

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	%
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21
1000 GENERAL											
411200 Facilities Administration											
110	Salaries and Wages	5,050	5,119	5,266	5,505	5,345	103%	5,500		5,500	103%
138	Vision Insurance	25	26	26	26	27	96%	27		27	100%
139	Dental Insurance	140	140	140	140	145	97%	145		145	100%
141	Unemployment Insurance	8	13	19	29	10	290%	15		15	150%
142	Workers' Compensation	293	265	311	319	320	100%	305		305	95%
143	Health Insurance	2,957	3,022	2,803	3,239	2,950	110%	3,150		3,150	107%
144	Life Insurance	15	13	7	7	23	30%	8		8	35%
145	FICA	386	392	403	421	415	101%	420		420	101%
146	PERS			-77		0	0%			0	0%
194	Flex Medical	78	78	57		100	0%	95		95	95%
200	Supplies		270			0	0%			0	0%
220	Operating Supplies	8,248	13,430	10,628	8,170	20,000	41%	10,000		10,000	50%
	Reduced by 50%										
332	Internet Access Fees		100			0	0%			0	0%
337	Advertising			163		0	0%			0	0%
341	Electric Utility Services	8,929	7,817	7,588	7,349	20,000	37%	10,000		10,000	50%
	Reduced by 50%										
344	Gas Utility Service	2,686	2,731	2,938	2,672	3,500	76%	3,500		3,500	100%
345	Telephone	19,427	13,380	14,489	13,612	17,000	80%	17,000		17,000	100%
350	Professional Services	716	216	10,357	20,048	1,000	***%	1,000		1,000	100%
366	Building Maintenance	14,188	2,720	85,542	10,871	40,000	27%	10,000		10,000	25%
	Reduced by 75%										
380	Training Services	574				0	0%			0	0%
397	Contracted Services	6,146	3,256	8,647	7,360	7,000	105%	7,000		7,000	100%
398	Janitorial Service					0	0%	18,000		18,000	*****%
	Messie Jessie Contract										
921	Administrative Buildings	23,525				0	0%			0	0%
	Account:	93,391	52,988	149,307	79,768	117,835	68%	86,165	0	86,165	73%
	Fund:	93,391	52,988	149,307	79,768	117,835	68%	86,165	0	86,165	73%
	Orgn:	93,391	52,988	149,307	79,768	117,835	68%	86,165	0	86,165	73%
	Grand Total:	93,391	52,988	149,307	79,768	117,835		86,165	0	86,165	

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200 POLICE DEPARTMENT

					Current	%	Prelim.	Budget	Final	% Old
Actuals					Budget	Exp.	Budget	Changes	Budget	Budget
Account	Object	16-17	17-18	18-19	19-20	19-20	19-20	20-21	20-21	20-21

1000 GENERAL										
420100 Law Enforcement Services										
110	Salaries and Wages	704,728	739,915	760,582	745,209	744,270	100%	808,000		808,000 109%
111	Overtime	40,249	45,650	34,621	58,330	62,172	94%	67,500		67,500 109%
138	Vision Insurance	516	713	757	849	840	101%	950		950 113%
139	Dental Insurance	2,909	3,954	4,140	4,513	4,476	101%	4,950		4,950 111%
141	Unemployment Insurance	1,451	2,396	3,036	1,317	1,210	109%	2,200		2,200 182%
142	Workers' Compensation	37,012	34,774	40,148	39,711	41,460	96%	42,400		42,400 102%
143	Health Insurance	136,280	132,212	123,793	134,800	135,000	100%	152,500		152,500 113%
144	Life Insurance	912	924	888	942	936	101%	1,008		1,008 108%
145	FICA	8,989	13,230	8,771	11,223	11,700	96%	12,700		12,700 109%
147	MPORS	280,873	99,746	103,193	100,540	107,250	94%	116,550		116,550 109%
194	Flex Medical	1,000	929	420		1,200	0%	1,200		1,200 100%
210	Office Supplies & Materia	1,008	1,119	4,150	2,039	1,800	113%	1,800		1,800 100%
220	Operating Supplies	7,773	8,446	23,689	11,196	12,000	93%	12,000		12,000 100%
231	Gas, Oil, Diesel Fuel, Gr	15,240	14,946	16,029	18,033	17,000	106%	20,000		20,000 118%
239	Tires/Tubes/Chains	1,234	1,326	1,962	1,275	2,500	51%	2,500		2,500 100%
311	Postage	329	400	547	546	400	137%	400		400 100%
312	Networking Fees	2,241	2,590	4,369	11,124	9,100	122%	9,100		9,100 100%
316	Radio Services		274			1,500	0%	1,500		1,500 100%
335	Memberships & Dues	440	947	1,126	1,091	1,000	109%	1,000		1,000 100%
337	Advertising	90	181	174	2,239	150	***%	150		150 100%
343	Cellular Telephone	1,668	3,089	5,572	4,279	4,200	102%	4,200		4,200 100%
347	Towing	600	150	310		250	0%	250		250 100%
350	Professional Services	2,058	1,050	2,550	1,500	3,000	50%	3,000		3,000 100%
351	Medical, Dental, Veterina	617	972	3,393	752	1,000	75%	1,000		1,000 100%
355	Data Processing Services	7,177	4,890	7,050	66	4,600	1%	4,600		4,600 100%
361	Motor Vehicle Repair & Ma	5,751	6,378	8,538	8,998	10,000	90%	10,000		10,000 100%
362	Office Machinery & Equip.	243	4,178	3,280	45	600	8%	600		600 100%
370	Travel		2,927	3,420	2,225	3,000	74%	3,000		3,000 100%
380	Training Services			3,045	11,246	10,000	112%	10,000		10,000 100%
397	Contracted Services	14,639	4,800	9,767	16,935	12,000	141%	12,000		12,000 100%
940	Machinery & Equipment				844	0	***%			0 0%
943	Vehicle(s)		40,919		14,442	14,500	100%			0 0%
995	Bullet Proof Vests				7,869	7,000	112%			0 0%
Account:		1,276,027	1,174,025	1,179,320	1,214,178	1,226,114	99%	1,307,058	0	1,307,058 106%
420131 Reserve and Auxiliary										
380	Training Services	4,065	8,783	6,263		0	0%			0 0%
Account:		4,065	8,783	6,263		0	***%	0	0	0 0%
420160 Communications										
110	Salaries and Wages	250,364	251,510	247,356	299,200	297,500	101%	299,800		299,800 101%
111	Overtime	10,856	9,317	22,317	17,142	10,000	171%	10,000		10,000 100%
138	Vision Insurance	232	380	341	400	420	95%	430		430 102%
139	Dental Insurance	1,811	2,018	1,794	2,055	2,170	95%	2,200		2,200 101%
141	Unemployment Insurance	392	648	937	474	465	102%	775		775 167%
142	Workers' Compensation	13,034	11,559	13,399	15,677	15,850	99%	15,000		15,000 95%

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200 POLICE DEPARTMENT

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21
143	Health Insurance	61,836	59,647	52,835	61,860	62,640	99%	69,000		69,000	110%
144	Life Insurance	414	408	372	414	435	95%	432		432	99%
145	FICA	18,073	17,897	18,828	22,307	23,680	94%	23,700		23,700	100%
Account:		357,012	353,384	358,179	419,529	413,160	102%	421,337	0	421,337	101%
440600	Animal Control Services										
220	Operating Supplies		267	23		300	0%			0	0%
231	Gas, Oil, Diesel Fuel, Gr					500	0%			0	0%
366	Building Maintenance	166	228	116	232	1,500	15%			0	0%
Account:		166	495	139	232	2,300	10%	0	0	0	0%
490000	Debt Service										
610	Principal		14,442	12,853		0	0%			0	0%
620	Interest			1,589		0	0%			0	0%
Account:			14,442	14,442		0	***%	0	0	0	0%
Fund:		1,637,270	1,551,129	1,558,343	1,633,939	1,641,574	100%	1,728,395	0	1,728,395	105%
Orgn:		1,637,270	1,551,129	1,558,343	1,633,939	1,641,574	100%	1,728,395	0	1,728,395	105%

★ Removed animal Control Services budget

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230 FAP

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21

1000	GENERAL										
420120	Facilities										
110	Salaries and Wages	8,512	8,628	8,876	9,278	8,750	106%	9,225		9,225	105%
138	Vision Insurance	42	43	43	45	45	100%	50		50	111%
139	Dental Insurance	237	236	236	236	250	94%	240		240	96%
141	Unemployment Insurance	13	22	31	14	15	93%	25		25	167%
142	Workers' Compensation	494	447	524	539	520	104%	515		515	99%
143	Health Insurance	4,984	5,093	4,724	4,996	5,000	100%	5,300		5,300	106%
144	Life Insurance	25	22	13	13	13	100%	13		13	100%
145	FICA	651	660	679	710	680	104%	710		710	104%
146	PERS			59		0	0%			0	0%
194	Flex Medical	133	132	97		160	0%	160		160	100%
220	Operating Supplies	2,045	2,571	2,201	4,261	3,000	142%	3,000		3,000	100%
336	Public Relations		280			0	0%			0	0%
341	Electric Utility Services	26,943	24,912	21,835	23,376	28,000	83%	28,000		28,000	100%
344	Gas Utility Service	8,243	10,199	9,366	8,871	12,000	74%	12,000		12,000	100%
345	Telephone	10,628	8,188	8,253	8,429	11,000	77%	11,000		11,000	100%
366	Building Maintenance	4,930	8,548	6,272	16,038	20,000	80%	20,000		20,000	100%
397	Contracted Services	2,200	2,400	2,400	1,670	2,400	70%	2,400		2,400	100%
	Account:	70,080	72,381	65,609	78,476	91,833	85%	92,638	0	92,638	100%
	Fund:	70,080	72,381	65,609	78,476	91,833	85%	92,638	0	92,638	100%
	Orgn:	70,080	72,381	65,609	78,476	91,833	85%	92,638	0	92,638	100%

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240 FIRE DEPARTMENT

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000 GENERAL											
420400 Fire Protection & Control											
110 Salaries and Wages		106,306	96,123	94,344	93,172	116,200	80%	116,200		116,200	100%
141 Unemployment Insurance		159	240	331	140	195	72%	300		300	154%
142 Workers' Compensation		4,139	3,328	3,745	6,168	4,545	136%	4,550		4,550	100%
144 Life Insurance		954	922	892	820	1,100	75%	1,100		1,100	100%
145 FICA		8,133	7,428	7,225	7,126	8,971	79%	8,900		8,900	99%
190 Other Personal Services		4,208	5,040	4,590	4,590	5,000	92%	5,000		5,000	100%
210 Office Supplies & Materia		922	1,617	1,557	1,002	1,000	100%	1,000		1,000	100%
217 Fire Investigation		4,156	120	1,286	1,000	4,000	25%	4,000		4,000	100%
220 Operating Supplies		29,429	16,671	11,207	26,176	25,000	105%	34,000		34,000	136%
223 Meals/Food		4,666	3,230	3,121	3,744	5,000	75%	5,800		5,800	116%
226 Clothing and Uniforms		25,726	30,104	21,514	32,835	33,000	100%	33,000		33,000	100%
231 Gas, Oil, Diesel Fuel, Gr		7,611	8,260	8,827	7,276	9,500	77%	9,500		9,500	100%
232 Motor Vehicle Parts		5,222	6,503	8,522	7,081	8,000	89%	9,500		9,500	119%
233 Machinery & Equipment Par		7,864	2,816	5,341	7,002	8,000	88%	9,500		9,500	119%
239 Tires/Tubes/Chains		5,758		3,927	4,879	5,000	98%	5,000		5,000	100%
241 Consumable Tools		1,265	882	228	722	500	144%	500		500	100%
261 Photo Supplies		164		458	662	1,300	51%	1,300		1,300	100%
300 Purchased Services		1,536		515		2,000	0%	2,000		2,000	100%
311 Postage			19		3	0	***%			0	0%
312 Networking Fees		2,711	3,126	3,547	8,709	4,000	218%	4,000		4,000	100%
316 Radio Services		7,749	10,094	6,308	1,223	2,000	61%	6,500		6,500	325%
335 Memberships & Dues		645	330	1,313	155	1,000	16%	1,000		1,000	100%
336 Public Relations		3,000	2,480	2,356	1,961	3,200	61%	3,200		3,200	100%
337 Advertising		224	116			0	0%			0	0%
343 Cellular Telephone		3,438	6,655	5,170	4,783	5,500	87%	5,500		5,500	100%
350 Professional Services			1,832	1,420	1,174	1,500	78%	1,500		1,500	100%
351 Medical, Dental, Veterina			379		329	1,000	33%	1,000		1,000	100%
355 Data Processing Services			50	412	400	500	80%	500		500	100%
360 Repair & Maintenance Serv			220			0	0%			0	0%
361 Motor Vehicle Repair & Ma		5,167	5,578	5,958	14,074	6,500	217%	6,500		6,500	100%
369 Other Repair & Maint Serv		10,614	8,896	8,447	10,682	10,000	107%	10,000		10,000	100%
370 Travel		6,615	2,931	492	377	4,000	9%			0	0%
Removed Travel											
371 Safety Program		7,679	4,483	2,017	11,541	7,000	165%	7,000		7,000	100%
380 Training Services		5,888	3,396	1,240	913	6,000	15%	6,000		6,000	100%
397 Contracted Services		365	401	536	696	500	139%	500		500	100%
732 Purchases from Donations/		4,766			3,474	5,000	69%			0	0%
943 Vehicle(s)					8,000	8,000	100%			0	0%
Account:		277,079	234,270	216,846	272,889	304,011	90%	304,350	0	304,350	100%
490000 Debt Service											
610 Principal		43,746	44,733	45,437	22,994	22,995	100%	23,290		23,290	101%
620 Interest		2,385	2,501	3,643	2,558	2,558	100%	1,325		1,325	52%
Account:		46,131	47,234	49,080	25,552	25,553	100%	24,615	0	24,615	96%

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240 FIRE DEPARTMENT

Account	Object	----- 16-17	17-18	18-19	19-20	Current Budget 19-20	% Exp. 19-20	Prelim. Budget 20-21	Budget Changes 20-21	Final Budget 20-21	% Old Budget 20-21
521000	Interfund Operating Transfers Out										
820	Transfers to Other Funds	1,848	1,848	1,848	1,848	1,848	100%	18,198		18,198	985%
	Transfer to FIRE CIP for 15% of Fire District Contracts less SCBA payment										
	Account:	1,848	1,848	1,848	1,848	1,848	100%	18,198	0	18,198	984%
	Fund:	325,058	283,352	267,774	300,289	331,412	91%	347,163	0	347,163	104%
	Orgn:	325,058	283,352	267,774	300,289	331,412	91%	347,163	0	347,163	104%
	Grand Total:	325,058	283,352	267,774	300,289	331,412		347,163	0	347,163	

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250 FIRE INSPECTIONS

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000 GENERAL											
420500 Protective Inspections											
110 Salaries and Wages		16,901	12,400	11,759	11,586	11,050	105%	5,000		5,000	45%
111 Overtime		16	60	19	7	500	1%	500		500	100%
138 Vision Insurance		7	24	23	20	21	95%	10		10	48%
139 Dental Insurance		41	133	125	110	112	98%	50		50	45%
141 Unemployment Insurance		25	31	41	17	18	94%	15		15	83%
142 Workers' Compensation		73	48	52	50	60	83%	25		25	42%
143 Health Insurance		3,612	2,861	2,619	2,416	2,500	97%	1,050		1,050	42%
144 Life Insurance		18	21	20	18	18	100%	10		10	56%
145 FICA		1,164	953	901	887	889	100%	425		425	48%
194 Flex Medical		160		125		150	0%	60		60	40%
210 Office Supplies & Materia		493	457	91	110	700	16%	700		700	100%
220 Operating Supplies		238		140	501	500	100%	500		500	100%
231 Gas, Oil, Diesel Fuel, Gr		265	92	27		700	0%	700		700	100%
300 Purchased Services						350	0%	350		350	100%
337 Advertising		339				0	0%			0	0%
343 Cellular Telephone		131	728	375	278	350	79%	350		350	100%
351 Medical, Dental, Veterina		100				0	0%			0	0%
370 Travel		1,650	180			400	0%	400		400	100%
380 Training Services		847	1,595			850	0%	850		850	100%
397 Contracted Services						100	0%	100		100	100%
Account:		26,080	19,583	16,317	16,000	19,268	83%	11,095	0	11,095	57%
Fund:		26,080	19,583	16,317	16,000	19,268	83%	11,095	0	11,095	57%
Orgn:		26,080	19,583	16,317	16,000	19,268	83%	11,095	0	11,095	57%

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253 BUILDING DEPARTMENT

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21
1000 GENERAL											
420500 Protective Inspections											
110	Salaries and Wages	38,281	33,605	33,640	31,857	33,700	95%	5,000		5,000	15%
111	Overtime	47	60	19		1,352	0%	600		600	44%
138	Vision Insurance	11	65	64	58	63	92%	10		10	16%
139	Dental Insurance	59	357	349	311	340	91%	50		50	15%
141	Unemployment Insurance	57	84	118	48	55	87%	15		15	27%
142	Workers' Compensation	166	130	148	136	155	88%	25		25	16%
143	Health Insurance	8,157	7,682	7,091	6,649	7,162	93%	1,050		1,050	15%
144	Life Insurance	51	57	56	50	54	93%	10		10	19%
145	FICA	2,635	2,575	2,575	2,437	2,700	90%	450		450	17%
194	Flex Medical	410		125		450	0%	60		60	13%
220	Operating Supplies	3,005	1,280	232	1,062	1,200	89%	1,200		1,200	100%
231	Gas, Oil, Diesel Fuel, Gr	387		65	39	1,000	4%	1,000		1,000	100%
240	Other Repair & Maintenanc	2,463	303		70	1,300	5%	1,300		1,300	100%
300	Purchased Services					750	0%	750		750	100%
312	Networking Fees	248	217	831	2,587	2,500	103%	2,600		2,600	104%
335	Memberships & Dues	475	893	393	844	500	169%	500		500	100%
337	Advertising	339			26	0	***%			0	0%
343	Cellular Telephone	242	1,910	1,310	1,438	1,500	96%	1,500		1,500	100%
370	Travel	2,068	1,033	359		1,000	0%	1,000		1,000	100%
380	Training Services	2,038	1,373	65	90	1,100	8%	1,100		1,100	100%
397	Contracted Services	297	262			0	0%			0	0%
Account:		61,436	51,886	47,440	47,702	56,881	84%	18,220	0	18,220	32%
Fund:		61,436	51,886	47,440	47,702	56,881	84%	18,220	0	18,220	32%
Orgn:		61,436	51,886	47,440	47,702	56,881	84%	18,220	0	18,220	32%

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255 CODE ENFORCEMENT/SAFETY

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	%
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000 GENERAL											
420130 City Safety Administration											
★ 110 Salaries and Wages		15,190	11,222	11,138	25,626	11,050	232%	5,000		5,000	45%
111 Overtime		16	60	19	58	300	19%	300		300	100%
138 Vision Insurance		11	22	15	47	21	224%	10		10	48%
139 Dental Insurance		60	121	117	249	115	217%	50		50	43%
141 Unemployment Insurance		23	28	39	39	20	195%	20		20	100%
142 Workers' Compensation		66	43	49	110	50	220%	25		25	50%
143 Health Insurance		4,019	2,604	2,462	5,494	2,500	220%	1,050		1,050	42%
144 Life Insurance		21	19	25	40	18	222%	10		10	56%
145 FICA		1,034	863	854	1,965	875	225%	405		405	46%
194 Flex Medical		145		125		150	0%	60		60	40%
220 Operating Supplies		1,616	1,874	529	2,042	2,000	102%	2,000		2,000	100%
337 Advertising		1,743				0	0%			0	0%
370 Travel		1,723	1,379	405		800	0%	800		800	100%
380 Training Services		2,833	940		100	800	13%	800		800	100%
Account:		28,500	19,175	15,777	35,770	18,699	191%	10,530	0	10,530	56%
420500 Protective Inspections											
110 Salaries and Wages		15,613	11,513	11,284	9,967	11,050	90%	34,700		34,700	314%
111 Overtime		16	60	19	7	300	2%	300		300	100%
138 Vision Insurance		5	22	22	18	25	72%	60		60	240%
139 Dental Insurance		27	124	119	96	115	83%	320		320	278%
141 Unemployment Insurance		23	29	39	15	40	38%	20		20	50%
142 Workers' Compensation		68	45	50	43	50	86%	145		145	290%
143 Health Insurance		3,327	2,667	2,499	2,119	2,500	85%	7,300		7,300	292%
144 Life Insurance		15	20	19	15	18	83%	55		55	306%
145 FICA		1,066	885	864	763	875	87%	2,700		2,700	309%
194 Flex Medical		140		125		150	0%	420		420	280%
220 Operating Supplies		584	837	612	648	700	93%	700		700	100%
231 Gas, Oil, Diesel Fuel, Gr		557	112	120	39	600	7%	600		600	100%
300 Purchased Services					30	250	12%	250		250	100%
312 Networking Fees		257	348	918	2,934	2,800	105%	3,000		3,000	107%
337 Advertising		356				0	0%			0	0%
343 Cellular Telephone		131	860	375	458	500	92%	500		500	100%
370 Travel		173				0	0%			0	0%
380 Training Services		1,474	58			300	0%	300		300	100%
Account:		23,832	17,580	17,065	17,152	20,273	85%	51,370	0	51,370	253%
Fund:		52,332	36,755	32,842	52,922	38,972	136%	61,900	0	61,900	158%
Orgn:		52,332	36,755	32,842	52,922	38,972	136%	61,900	0	61,900	158%

★ Reduced due to layoff

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270 AMBULANCE

					Current	%	Prelim.	Budget	Final	% Old	
		Actuals				Budget	Exp.	Budget	Changes	Budget	Budget
Account	Object	16-17	17-18	18-19	19-20	19-20	19-20	20-21	20-21	20-21	20-21
1000 GENERAL											
420730 Emergency Medical Services (Ambulance)											
110	Salaries and Wages	114,729	106,907	81,339	151,767	321,253	47%	315,000		315,000	98%
111	Overtime				25,337	15,000	169%	15,000		15,000	100%
138	Vision Insurance				197	420	47%	450		450	107%
139	Dental Insurance				1,007	2,300	44%	2,250		2,250	98%
141	Unemployment Insurance	223	418	441	361	5,745	6%	825		825	14%
142	Workers' Compensation	4,467	3,734	3,226	11,166	22,305	50%	21,200		21,200	95%
143	Health Insurance				23,990	51,800	46%	65,300		65,300	126%
144	Life Insurance	438	474	402	564	362	156%	435		435	120%
145	FICA	8,777	8,105	6,215	13,552	25,899	52%	25,000		25,000	97%
194	Flex Medical					3,000	0%	3,600		3,600	120%
210	Office Supplies & Materia	540	588	378	682	800	85%	800		800	100%
220	Operating Supplies	3,943	4,441	7,398	30,692	5,000	614%	5,000		5,000	100%
222	Laboratory & Medical Supp	16,442	25,493	16,243	35,572	20,000	178%	25,000		25,000	125%
Increased by \$5,000 due to increased costs and calls											
226	Clothing and Uniforms	3,067	2,781	2,602	4,174	3,000	139%	3,000		3,000	100%
229	Other Operating Supplies				3,097	0	***			0	0%
231	Gas, Oil, Diesel Fuel, Gr	5,283	5,248	5,885	6,817	6,300	108%	7,000		7,000	111%
Increased by \$700 due to increased calls											
232	Motor Vehicle Parts	1,571	1,073	4,169	3,657	5,000	73%	5,000		5,000	100%
239	Tires/Tubes/Chains	219		12	1,425	1,000	143%	1,000		1,000	100%
311	Postage				8	0	***	25		25	*****
312	Networking Fees	2,210	3,503	2,797	4,878	2,800	174%	5,000		5,000	179%
IT Services											
316	Radio Services	23		119	2,939	1,000	294%	1,000		1,000	100%
335	Memberships & Dues					3,000	0%	3,000		3,000	100%
336	Public Relations	731	1,228	683	381	1,500	25%	1,500		1,500	100%
343	Cellular Telephone	2,161	3,016	3,471	3,971	5,000	79%	4,500		4,500	90%
350	Professional Services	3,511	1,250	2,567	1	4,000	0%	3,000		3,000	75%
351	Medical, Dental, Veterina		91		158	800	20%	800		800	100%
360	Repair & Maintenance Serv	582	527	201	3,024	3,000	101%	3,000		3,000	100%
361	Motor Vehicle Repair & Ma	10,533	746	1,374	1,514	8,000	19%	8,000		8,000	100%
369	Other Repair & Maint Serv	32	723	115	5,303	1,000	530%	1,000		1,000	100%
370	Travel	76	1,935	292		3,000	0%			0	0%
Removed Travel											
380	Training Services	4,848	4,597	3,697	14,456	5,000	289%	5,000		5,000	100%
397	Contracted Services	29,890	24,674	20,356	32,054	23,000	139%	30,000		30,000	130%
Pintler Billing											
732	Purchases from Donations/	2,270	3,070	2,795		5,000	0%			0	0%
940	Machinery & Equipment			7,000		0	0%			0	0%
946	Computer Eq/Software				9,128	0	***			0	0%
948	Medical Equipment			85,060	4,978	0	***			0	0%
Account:		216,566	204,622	258,837	396,850	555,284	71%	561,685	0	561,685	101%
0730 Source of Supply											
312	Networking Fees		262			0	0%			0	0%
Account:			262			0	***	0	0	0	0%

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270 AMBULANCE

					Current	%	Prelim.	Budget	Final	% Old	
Account	Object	Actuals				Budget	Exp.	Budget	Budget	Budget	
		16-17	17-18	18-19	19-20	19-20	19-20	20-21	Changes	20-21	20-21
<hr/>											
490000 Debt Service											
610	Principal				11,346	22,691	50%	22,691		22,691	100%
620	Interest	4,467	3,616	2,765	1,064	1,915	56%	1,064		1,064	56%
	Account:	4,467	3,616	2,765	12,410	24,606	50%	23,755	0	23,755	96%
<hr/>											
	Fund:	221,033	208,500	261,602	409,260	579,890	71%	585,440	0	585,440	100%
	Orgn:	221,033	208,500	261,602	409,260	579,890	71%	585,440	0	585,440	100%
<hr/>											
	Grand Total:	221,033	208,500	261,602	409,260	579,890		585,440	0	585,440	

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340 CITY SHOP

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
						19-20	19-20	20-21	20-21	20-21	20-21

1000 GENERAL											
430200 Road & Street Services											
366 Building Maintenance											
		919			212	0	***%			0	0%
Account:		919			212	0	***%	0	0	0	0%
430220 Facilities											
110	Salaries and Wages	6,191	6,300	6,490	6,383	6,630	96%	6,700		6,700	101%
111	Overtime	1		1	3	100	3%	100		100	100%
138	Vision Insurance	14	14	24	18	20	90%	20		20	100%
139	Dental Insurance	100	101	133	95	100	95%	100		100	100%
141	Unemployment Insurance	8	17	23	10	10	100%	20		20	200%
142	Workers' Compensation	231	213	244	226	250	90%	250		250	100%
143	Health Insurance	2,061	2,105	2,380	2,043	2,090	98%	2,250		2,250	108%
144	Life Insurance	14	12	12	8	20	40%	20		20	100%
145	FICA	468	477	492	487	515	95%	550		550	107%
194	Flex Medical	70	69	49		85	0%	84		84	99%
220	Operating Supplies	4,139	6,843	4,813	7,013	7,600	92%	7,600		7,600	100%
233	Machinery & Equipment Par	193	702		29	500	6%	500		500	100%
312	Networking Fees	276	294	1,125	3,983	3,500	114%	4,000		4,000	114%
335	Memberships & Dues	620	680	620	563	700	80%	700		700	100%
341	Electric Utility Services	9,211	8,717	10,103	12,310	10,500	117%	10,500		10,500	100%
343	Cellular Telephone	449	466	725	642	500	128%	650		650	130%
344	Gas Utility Service	7,608	9,224	8,238	7,291	8,500	86%	8,500		8,500	100%
345	Telephone	752	538	642	662	850	78%	850		850	100%
350	Professional Services	98	84	178	140	350	40%	350		350	100%
351	Medical, Dental, Veterina	105	105	205	250	300	83%	300		300	100%
366	Building Maintenance	2,066	425	3,129	8,813	4,000	220%	4,000		4,000	100%
Account:		34,675	37,386	39,626	50,969	47,120	108%	48,044	0	48,044	101%
Fund:											
		35,594	37,386	39,626	51,181	47,120	109%	48,044	0	48,044	101%
Orgn:											
		35,594	37,386	39,626	51,181	47,120	109%	48,044	0	48,044	101%

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350 CEMETERY

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000 GENERAL											
430900 Cemetery Services											
110	Salaries and Wages	56,640	55,114	56,968	56,013	62,700	89%	64,000		64,000	102%
111	Overtime	49	330	2,163	391	1,000	39%	1,000		1,000	100%
138	Vision Insurance	12	12	9	15	20	75%	20		20	100%
139	Dental Insurance	393	387	375	359	360	100%	380		380	106%
141	Unemployment Insurance	85	139	207	85	100	85%	165		165	165%
142	Workers' Compensation	4,010	3,484	4,192	3,943	4,550	87%	4,410		4,410	97%
143	Health Insurance	11,909	11,391	11,118	11,155	11,200	100%	11,600		11,600	104%
144	Life Insurance	82	77	83	66	75	88%	75		75	100%
145	FICA	4,012	3,952	4,261	4,038	4,910	82%	5,000		5,000	102%
194	Flex Medical	520	487	604	18	618	3%	618		618	100%
220	Operating Supplies	5,236	5,408	3,884	2,099	4,700	45%	4,700		4,700	100%
223	Meals/Food		35			0	0%			0	0%
226	Clothing and Uniforms					0	0%	500		500	*****
	Boots										
231	Gas, Oil, Diesel Fuel, Gr	4,568	4,785	4,849	4,484	4,000	112%	4,000		4,000	100%
233	Machinery & Equipment Par	906	8,972	3,327	1,772	2,000	89%	2,000		2,000	100%
239	Tires/Tubes/Chains	275	13		20	1,000	2%	1,000		1,000	100%
337	Advertising	167	167	259	202	400	51%	400		400	100%
350	Professional Services					300	0%	300		300	100%
351	Medical, Dental, Veterina	100			100	300	33%	300		300	100%
365	Tree Pruning/Grounds Main			349		2,000	0%	2,000		2,000	100%
397	Contracted Services		32	72	32	100	32%	100		100	100%
Account:		88,964	94,785	92,720	84,792	100,333	85%	102,568	0	102,568	102%
430920 Facilities											
341	Electric Utility Services	2,922	2,081	2,506	2,205	3,500	63%	3,500		3,500	100%
344	Gas Utility Service	737	771	777	782	1,000	78%	1,000		1,000	100%
* 366	Building Maintenance					8,000	0%	2,000		2,000	25%
Account:		3,659	2,852	3,283	2,987	12,500	24%	6,500	0	6,500	52%
460430 Parks											
220	Operating Supplies	27				0	0%			0	0%
Account:		27				0	***%	0	0	0	0%
Fund:		92,650	97,637	96,003	87,779	112,833	78%	109,068	0	109,068	96%
Orgn:		92,650	97,637	96,003	87,779	112,833	78%	109,068	0	109,068	96%

Markers done

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370 PARKS

					Current	%	Prelim.	Budget	Final	% Old
----- Actuals -----					Budget	Exp.	Budget	Changes	Budget	Budget
Account	Object	16-17	17-18	18-19	19-20	19-20	19-20	20-21	20-21	20-21

1000 GENERAL										
460430 Parks										
110	Salaries and Wages	64,753	60,312	63,633	95,074	65,600	145%	66,400		66,400 101%
111	Overtime	36	37	54	159	1,731	9%	1,731		1,731 100%
138	Vision Insurance	4	13	11	87	10	870%	15		15 150%
139	Dental Insurance	49	93	75	472	65	726%	70		70 108%
141	Unemployment Insurance	97	150	222	143	115	124%	175		175 152%
142	Workers' Compensation	4,911	4,075	4,896	7,361	5,150	143%	5,000		5,000 97%
143	Health Insurance	10,149	10,418	10,222	19,132	10,100	189%	10,200		10,200 101%
144	Life Insurance	59	59	60	124	58	214%	60		60 103%
145	FICA	4,417	4,140	4,437	6,804	5,200	131%	5,250		5,250 101%
194	Flex Medical	400	374	466	12	480	3%	480		480 100%
212	Trees, Shrubs, etc.			900	325	2,000	16%	2,000		2,000 100%
220	Operating Supplies	12,491	10,828	10,063	6,162	12,500	49%	12,500		12,500 100%
226	Clothing and Uniforms					0	0%	2,000		2,000 *****
Boots										
231	Gas, Oil, Diesel Fuel, Gr	5,300	5,373	5,282	3,066	8,800	35%	8,800		8,800 100%
233	Machinery & Equipment Par	2,963	1,732	3,032	2,519	4,000	63%	4,000		4,000 100%
239	Tires/Tubes/Chains	483	925	1,138	635	1,000	64%	1,000		1,000 100%
312	Networking Fees	239	217	220	154	500	31%	500		500 100%
336	Public Relations			1,351		3,000	0%	3,000		3,000 100%
337	Advertising		177	89	137	100	137%	150		150 150%
341	Electric Utility Services	578	487	518	514	2,000	26%	2,000		2,000 100%
343	Cellular Telephone	823	780	641	175	700	25%	700		700 100%
344	Gas Utility Service	228	289	146		300	0%	300		300 100%
350	Professional Services	196			344	300	115%	300		300 100%
351	Medical, Dental, Veterina	105	310	370	105	300	35%	300		300 100%
360	Repair & Maintenance Serv	17		229		2,000	0%	2,000		2,000 100%
365	Tree Pruning/Grounds Main	7,700	5,600	2,490	8,400	11,600	72%	11,600		11,600 100%
366	Building Maintenance	145	164	6,094	3,461	11,850	29%	11,850		11,850 100%
370	Travel	282		448		1,000	0%	1,000		1,000 100%
380	Training Services			348		1,000	0%	1,000		1,000 100%
397	Contracted Services	654	120	208	212	1,000	21%	1,000		1,000 100%
452	Gravel and Sand	204		1,467		1,500	0%	1,500		1,500 100%
732	Purchases from Donations/	2,163	3,010			0	0%			0 0%
950	Park Development			19,699	49,032	477,000	10%	377,000		377,000 79%
Riverside Park Campground										
Lion's Park Dock, Trail and Pond										
Account:		119,446	109,683	138,809	204,609	630,959	32%	533,881	0	533,881 84%
460445 Swimming Pools										
110	Salaries and Wages	1,334	1,362	1,425	1,468	1,400	105%			0 0%
111	Overtime					500	0%			0 0%
138	Vision Insurance	1	1	2	2	3	67%			0 0%
139	Dental Insurance	10	10	9	9	17	53%			0 0%
141	Unemployment Insurance	2	3	5	2	6	33%			0 0%
142	Workers' Compensation	6	5	6	6	45	13%			0 0%
143	Health Insurance	189	193	188	198	195	102%			0 0%

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370 PARKS

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
144 Life Insurance		1	1	1	1	2	50%			0	0%
145 FICA		101	103	108	111	146	76%			0	0%
194 Flex Medical		35	9	10		35	0%			0	0%
200 Supplies			68			0	0%			0	0%
220 Operating Supplies		1,324	1,080	522	152	3,200	5%			0	0%
221 Chemicals		4,022	4,179	4,163	2,276	5,000	46%			0	0%
233 Machinery & Equipment Par					162	0	***%			0	0%
339 Certification Renewal		200	200	200	200	300	67%			0	0%
341 Electric Utility Services		2,732	2,210	2,455	1,767	6,000	29%	2,000		2,000	33%
345 Telephone		657	576	702	687	1,000	69%	1,000		1,000	100%
351 Medical, Dental, Veterina						200	0%			0	0%
366 Building Maintenance		3,924	354	150	125	10,000	1%	200		200	2%
380 Training Services		590	295	137		750	0%			0	0%
397 Contracted Services		47,598	47,950	45,608	29,408	48,600	61%			0	0%
Account:		62,726	58,599	55,691	36,574	77,399	47%	3,200	0	3,200	4%
Fund:		182,172	168,282	194,500	241,183	708,358	34%	537,081	0	537,081	75%
Orgn:		182,172	168,282	194,500	241,183	708,358	34%	537,081	0	537,081	75%

Removed most of the pool expenditures

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900 TRANSFER

					Current	%	Prelim.	Budget	Final	% Old	
Account	Object	Actuals				Budget	Exp.	Budget	Changes	Budget	Budget
		16-17	17-18	18-19	19-20	19-20	19-20	20-21	20-21	20-21	20-21

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901 JOHNSON CONTROLS PROJECT

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
1000	GENERAL										
490000	Debt Service										
610	Principal	29,040	30,948	24,347		0	0%			0	0%
620	Interest	3,340	2,029	728		0	0%			0	0%
	Account:	32,380	32,977	25,075		0	***%	0	0	0	0%
	Fund:	32,380	32,977	25,075		0	0%	0	0	0	0%
	Orgn:	32,380	32,977	25,075		0	0%	0	0	0	0%

Grand Total: 3,835,697 3,679,471 3,831,228 3,834,236 4,690,704 4,346,795 0 4,346,795

Overall reduction of

\$ 343,909

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2220 LIBRARY

Account	Actuals				Current	%	Prelim.	Budget	Final	% Old
	16-17	17-18	18-19	19-20	Budget	Rec.	Budget	Change	Budget	Budget
310000 TAXES										
311010 Real Property Taxes				222,167	232,218	96%	230,762		230,762	99%
311020 Personal Property Taxes				3,275	0	***%			0	0%
Group:				225,442	232,218	97%	230,762	0	230,762	99%
340000 CHARGES FOR SERVICES										
346070 Library Fines					100	0%			0	0%
346076 Library Copy Fees				608	400	152%	600		600	150%
Group:				608	500	122%	600	0	600	120%
360000 Miscellaneous Revenue										
* 360000 Miscellaneous Revenue					700	0%	64,400		64,400	9200%
365001 Library Donations				13,598	0	***%	800		800	*****%
Group:				13,598	700	***%	65,200	0	65,200	9314%
Fund:				239,648	233,418	103%	296,562	0	296,562	127%
Grand Total:				239,648	233,418		296,562	0	296,562	

* Required to balance the budget

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2220 LIBRARY

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	%
		16-17	17-18	18-19	19-20	Budget	Exp.	Budget	Changes	Budget	Budget
460100	Library Services										
110	Salaries and Wages				139,973	140,000	100%	169,262		169,262	121%
138	Vision Insurance				280	337	83%	343		343	102%
139	Dental Insurance				1,695	1,750	97%	1,719		1,719	98%
141	Unemployment Insurance				210	210	100%	280		280	133%
142	Workers' Compensation				1,336	590	226%	1,625		1,625	275%
143	Health Insurance				29,243	29,062	101%	31,237		31,237	107%
144	Life Insurance				192	432	44%	367		367	85%
145	FICA				10,702	10,776	99%	13,033		13,033	121%
146	PERS				10,937	12,100	90%	14,557		14,557	120%
194	Flex Medical					1,975	0%	2,406		2,406	122%
210	Office Supplies & Materia				2,882	500	576%	2,750		2,750	550%
216	Computer/Printer Supplies				2,051	500	410%	1,500		1,500	300%
311	Postage				99	175	57%	225		225	129%
312	Networking Fees				852	250	341%	1,700		1,700	680%
322	Books/Catalogs, etc.				12,024	9,000	134%	25,000		25,000	278%
328	Data Base Subscriptions				1,341	2,100	64%	2,500		2,500	119%
332	Internet Access Fees				2,026	1,400	145%	1,950		1,950	139%
333	Subscriptions-Newspapers				796	400	199%	1,000		1,000	250%
335	Memberships & Dues				269	400	67%	500		500	125%
337	Advertising				175	150	117%	150		150	100%
343	Cellular Telephone					0	0%	150		150	*****%
370	Travel				2,045	2,118	97%	3,000		3,000	142%
397	Contracted Services				201	550	37%	550		550	100%
511	Insurance on Bldgs/Imprvm				1,133	1,133	100%	1,241		1,241	110%
513	Liability				5,010	4,985	101%	4,630		4,630	93%
	Account:				225,472	220,893	102%	281,675	0	281,675	128%
460120	Facilities										
220	Operating Supplies				1,024	500	205%	850		850	170%
341	Electric Utility Services				3,142	2,000	157%	3,000		3,000	150%
344	Gas Utility Service				983	800	123%	1,000		1,000	125%
345	Telephone				1,349	1,700	79%	1,000		1,000	59%
365	Tree Pruning/Grounds Main					300	0%	250		250	83%
366	Building Maintenance				804	500	161%	800		800	160%
398	Janitorial Service				281	250	112%	500		500	200%
399	Other Contracted Services				5,553	6,500	85%	6,500		6,500	100%
	Account:				13,136	12,550	105%	13,900	0	13,900	111%
	Fund:				238,608	233,443	102%	295,575	0	295,575	127%
	Grand Total:				238,608	233,443		295,575	0	295,575	

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360 LIBRARY

Account Object	----- Actuals -----					Preliminary	
	15-16	16-17	17-18	18-19	19-20	20-21	
2220 Library							
460100 Library Services							
110 Salaries and Wages	111,343	117,226		74,775	122,570	140000	\$169,261.84
138 Vision Insurance		33	129	95	165	337	\$342.48
139 Dental Insurance		187	709	522	900	1750	\$1,719.36
141 Unemployment Insura	166	175	309	262	185	210	\$279.28
142 Workers' Compensatic	964	1,095	1,031	711	1,140	590	\$1,624.92
143 Health Insurance	26,400	24,653	28,467	18,569	32,490	29062	\$31,236.84
144 Life Insurance	144	144	170	112	209	432	\$367.35
145 FICA	7,623	8,061	8,785	5,379	9,440	10776	\$13,033.16
146 PERS						12100	\$14,556.52
194 Flex Medical	1,755	1,755	1,330		1,755	1975	\$2,406.00
210 Office Supplies & Mate	2,596	2,560	2,074	2,816	2,250	500	\$2,750.00
216 Computer/Printer Supl	3,279	3,141	3,253	1,611	2,750	500	\$1,500.00
220 Operating Supplies		220	66	150	0	0	\$0.00
233 Machinery & Equipme	12				0	0	\$0.00
311 Postage	680	400	370	169	400	175	\$225.00
312 Networking Fees	105	95	88	173	528	250	\$1,700.00
322 Books/Catalogs, etc.	30,973	32,706	32,335	21,780	30,000	9000	\$25,000.00
328 Data Base Subscriptior	1,957	1,753	3,097	2,149	2,500	2100	\$2,500.00
332 Internet Access Fees	443	457	1,398	575	1,200	1400	\$1,950.00
333 Subscriptions-Newspal	1,117	1,106	1,021	933	1,000	400	\$1,000.00
335 Memberships & Dues	584	523	535	535	600	400	\$500.00
337 Advertising	193	193	206	113	300	150	\$150.00

343 Cellular Telephone	1,127	-5	800	0	\$150.00
370 Travel	2,762	1,326	2,500	2117.88	\$3,000.00
397 Contracted Services	821	360	1,000	550	\$550.00
511 Insurance on Bldgs/Imp				1113	\$1,250.00
513 Liability Insurance				4985	\$5,100.00
732 Purchases from Donati	1,710	545	1,000	500	\$500.00
Account:	195,627	133,655	215,682	221372.88	\$282,652.75
460120 Facilities					
220 Operating Supplies	898	548	600	500	\$850.00
322 Books/Catalogs, etc.		1,143	0	0	\$0.00
341 Electric Utility Services	4,296	1,801	4,000	2000	\$3,000.00
344 Gas Utility Service	693	400	900	800	\$1,000.00
345 Telephone	981	952	1,000	1700	\$1,000.00
365 Tree Pruning/Grounds	1,244		300	300	\$250.00
366 Building Maintenance	3,491	-4,898	1,500	500	\$800.00
398 Janitorial Service	598	391	400	250	\$500.00
399 Other Contracted Serv	3,437	3,366	6,500	6500	\$6,500.00
Account:	15,638	3,703	15,200	0	
Fund:	211,437	137,358	230,882	12550	\$13,900.00
Orgn:	211,437	137,358	230,882	233922.88	\$296,552.75

File Attachments for Item:

16. Council Workshop Minutes of September 15, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, SEPTEMBER 15, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Nelson at 6:30 p.m. on September 15, 2020.

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 type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

OTHERS PRESENT:

Kurt Markegard, Public Works Director
Stan Langve, Police Chief
Fran Schweigert, Union 316 President
Levi Vandersloot, Interim Ambulance Director
Morgan Eklund, EMT

Public Input:

There were none.

General Items

Executive Review

1. Appointment of Colton McCleary to the Laurel Volunteer Ambulance Service.

Levi Vandersloot, Interim Ambulance Director, introduced Colton to Council. Colton was unable to attend tonight because he was called into work. He currently works for AMR and volunteers on the LVFD.

2. Appointment of Lyndy Gurchiek as Ambulance Director of the Laurel Ambulance Service.

Lyndy Gurchiek took a moment to thank Council for this opportunity. She started her EMS career 30 years ago. She has worked for small services, hospitals, and AMR. She has taught various EMT classes and worked as a clinical coordinator at AMR. She has good communication skills. She stated she would love this opportunity.

Mayor Nelson stated that she has excellent networking skills and will be a great asset to the team.

3. Resolution - A Resolution Of The City Council Approving A Three-Year Agreement Between The City Of Laurel And Local Union Local 316, American Federation Of State, County And Municipal Employees, AFSCME.

Kurt Markegard, Public Works Director, stated the Union 316 comprises Public Works employees and the Court Clerks.

The negotiation team was able to meet twice before COVID hit. They then met via Zoom and hammered out a 1-year wage agreement and a 3-year contract. There was a 2% wage increase. With COVID, it was agreed on a one-year wage agreement and then go from there. There were many language changes, mostly language simplification. One significant change was regarding the boot allowance. They will only receive when needed. Some will need their boots replaced more frequently than others. There was a differential pay increase with afternoon and night shifts, primarily at the Water Plant.

It was questioned if the Union had voted and approved this agreement. It was clarified that the Union had ratified.

4. Resolution - A Resolution Approving A Task Order Between The City Of Laurel And Kadrmas, Lee & Jackson, INC. For The Lions Park Improvements Project.

Kurt Markegard, Public Works Director, stated this task order is for the Lions Park fishing pier. The fishing pier will be a structural dock. This task order is to prepare the documents to go to bid. The Lions have already done a fair amount of work on this and have sent that information to KLJ.

Matt Smith, KLJ, stated that the pedestrian bridge needed to be engineered to ensure it is safe to walk on. There will also be an ADA trail to that pier. With the remaining funds will construct the trail around the outside of the pond.

It was questioned how the trail around the pond would be improved. It was clarified that it would be blacktopped. This is a tight budget but will put out for bid at the most opportune time to try and get a good bid.

This project will be paid for in a variety of ways. First, the Lions have gotten donations and a grant through Lions International. They collected over 30k in donations. Second, there is 62k coming from the Natural Resource Damage Program. This is approximately 180k to get this work completed.

5. Resolution - A Resolution Approving Task Order 4 Between The City Of Laurel And Montana's Department Of Justice Natural Resource Damage Program For Construction Of The Lions Park Improvements.

Kurt Markegard, Public Works Director, stated that he had sent this over a few months ago and coordinated with the previous agenda item. He needed to see how this would be paid for before moving forward.

Council Issues

6. Emergency Services Community Survey

Council was given a survey by Chief Peters. The Emergency Services Committee needs Council Members to fill out that survey. This may dovetail into an excellent Community survey and maybe revamped to gather community input. It was questioned if Emergency Services Committee would have the Administration's blessing to create a community survey.

Mayor Nelson said Emergency Services has the Administration blessing.

7. Update on Ambulance Safety Levy

This can be a challenging thing to organize. Right now, there is not much of an update. They are currently looking at a March date for the actual levy to be before voters. The survey could be an essential part of this process. The survey could help voters understand the why, what, how, etc., questions. The City had looked at getting this done this past year but waited to bring forward a better proposal.

8. Replacement and Depreciation Fund for Solid Waste Discussion

Mayor Nelson stated that the Clerk/Treasurer and Public Works Director's discussion had not taken place yet. They will have a chance to meet before the next Workshop. Possibly looking at a replacement fund for parks as well, in the form of a percentage of revenues they generate.

9. Uncontrolled Intersections Discussion W. Main/5th Avenue

Stan Langve, Police Chief, stated he had spoken with the Planning Director about a possible traffic study out at the new interchange. This is a process with the State. JMS Crane has done an excellent job keeping traffic disruptions to a minimum. There have been no complaints to dispatch. The hope is to make W. Main and 5th Avenue a controlled intersection.

Council noted that E. 8th Street had a lot of unmarked T intersections. They also noted there is a lot of children walking in this area. Council would like a yield or stop sign in these locations.

It was also noted that there are no sidewalks along E. Railroad, and there seems to be a lot of pedestrian traffic on this road.

It was clarified there may be some funding opportunities with the new subdivision going in off of E. 8th to address some of the concerns in this area.

Mayor Nelson read the attached questions from Dave Waggoner, 419 Maple Ave. It was clarified that the windmill parts are moved when the State-issued permit allows.

Kurt Markegard, Public Works Director, stated about a month ago, there was a water hammer event. There were issues with the water being cloudy. While crews were out flushing lines, six hydrants failed. Crews are in the process of fixing those hydrants.

10. American Legion - 1 Acre Parking Lot

Richard Klose stated he is speaking as an American Legion member, not as a Council Member. There is limited parking at the Cemetery, and that is a safety concern. People choose to park on Buffalo Trail Road when attending a funeral. It would be a tragic event if someone were injured attending a ceremony. If there are ceremonies at both cemeteries simultaneously, parking becomes more of an issue; see attached handouts.

Asking for the land to be deeded to the American Legion, so taxpayer dollars are not used.

Ken Olsen, 1702 Groshelle Boulevard, encourages Council to consider this proposal as it has value to everyone. He has been up there doing ceremonies and have observed the amount of people who park on Buffalo Trail Road.

It was questioned if people would be encouraged to use this parking lot. It was clarified that people could park there for internments. People will park in the Laurel parking and walk before parking on the highway.

Council was concerned about pedestrian control. It was clarified that when there are ceremonies, the gates on the north are closed, so there is no through traffic.

11. Update on West Railroad

Kurt Markegard, Public Works Director, stated that he is doing the final walk-through on the EDII project then the City will make its final payment. Then can look at the possibility of filling the gap funding for the West Railroad project. There is a significant stormwater issue that needs to be addressed.

Other Items

Review of Draft Council Agendas

Review Draft Council Agenda for September 22, 2020.

No edits to next week's Council agenda.

Attendance at Upcoming Council Meeting

Council Member McGee and Council Member Sparks will not be in attendance at next week's meeting.

Announcements

There were none.

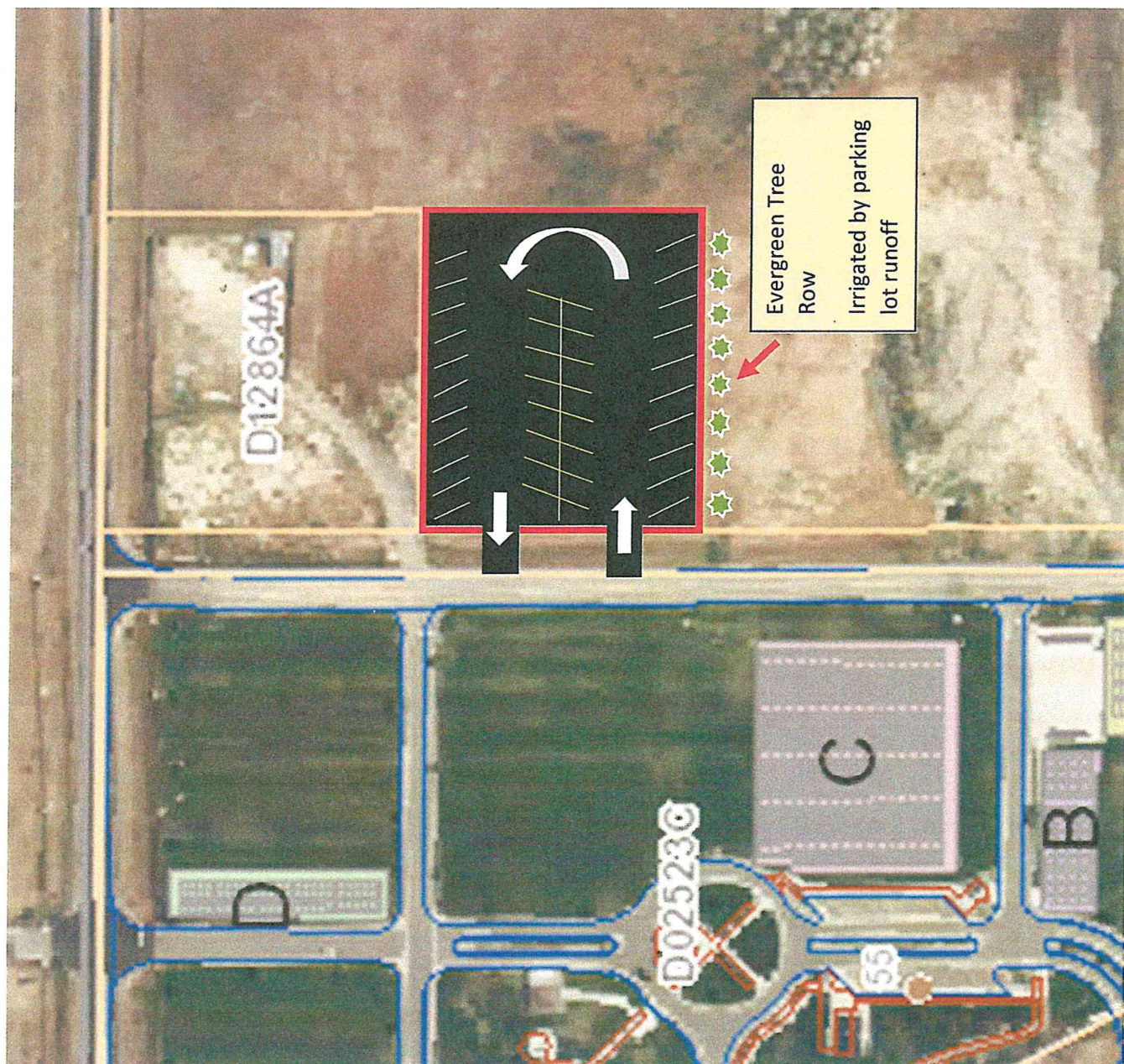
The council workshop adjourned at 7:33 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brittney Moorman", with a long horizontal flourish extending to the right.

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.



CERTIFICATE OF SURVEY 3162
Located in the NE 1/4 of Section 4, T2S, R24E, PMM
Yellowstone County, Montana.

Purpose: Refinement of existing tracts and creation of cemetery lots
For: City of Laurel and Scheller Bros. LLP
By: North Star Land Services, P.C. April 2003

GENERAL STATE OF CALIFORNIA

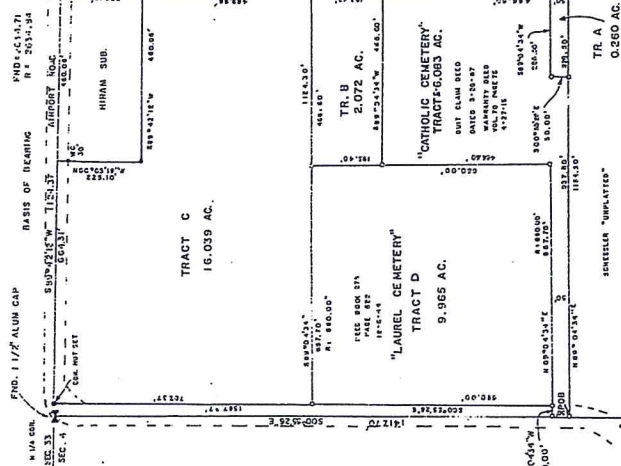
Notarially acknowledged before me on this day of April, 2003, at the County of Yellowstone, State of Montana, the following persons, who are personally known to me, and who are duly qualified to execute the foregoing instrument, acknowledged to me that they executed the foregoing instrument for the purposes and consideration therein expressed.

Notarially acknowledged per Paula L. Jones 03-31
Notary Public

DEPARTMENT OF ENVIRONMENTAL QUALITY

This survey is exempt from review as a subdivision pursuant to 17-3-605(1)(b) MINA, within which create cemetery lots.

Notarially acknowledged per Paula L. Jones 03-31
Notary Public



NOTES OF SURVEY

The Catholic Cemetery Tract was created by deed in 1915 and then to the order of the City of Laurel, Montana. The City of Laurel, Montana, is the owner of the cemetery. The City of Laurel, Montana, is the owner of the cemetery. The City of Laurel, Montana, is the owner of the cemetery.

COUNTY ATTORNEY'S STATEMENT

This document has been reviewed by the county attorney's office and is acceptable as to form.

Dated this 18th day of April, 2003.
Reviewed by: Robert G. Jones
County Attorney

CERTIFICATE OF SURVEYOR

STATE OF MONTANA
County of Yellowstone

I, Thomas C. Kelly, a Registered Land Surveyor in the State of Montana, do hereby certify that the foregoing is a true and correct copy of the original survey as shown and filed in my office on this 18th day of April, 2003; that said survey is true and complete as shown and filed in my office on this 18th day of April, 2003; that said survey is true and complete as shown and filed in my office on this 18th day of April, 2003.

Dated this 18th day of April, 2003.
Thomas C. Kelly
Registration Number 11891 LS
Commission Expires 2009

STATE OF MONTANA

County of Yellowstone

On this 18th day of April, 2003, before me a Notary Public for the State of Montana, personally appeared Thomas C. Kelly, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public in and for the State of Montana.
My commission expires 2009.

LEGAL DESCRIPTION AND LAND OWNERS CERTIFICATIONS

We, the undersigned property owners, hereby certify that we are bound to be received the following tract of land to-wit: Located in the NE 1/4 of Section 4, T2S, R24E, PMM, Yellowstone County, Montana.

Connecting at the North 1/4 Corner of Section 4, T2S, R24E, PMM, thence S89°55'40\"/>

We hereby certify that this survey is exempt from review as a subdivision under the "Catholic Cemetery Tract" and "Catholic Cemetery Tract" 762-001(1)(b) MINA, within which create cemetery lots. This survey is exempt from review as a subdivision pursuant to 17-3-605(1)(b) MINA, within which create cemetery lots.

Notarially acknowledged per Paula L. Jones 03-31
Notary Public

STATE OF MONTANA

County of Yellowstone

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STATE OF MONTANA

County of Yellowstone

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Brittney Moorman

From: Laurel MT via Laurel MT <laurel-mt@municodeweb.com>
Sent: Tuesday, September 15, 2020 5:39 PM
To: Brittney Moorman
Subject: Dave Waggoner

Submitted on Tuesday, September 15, 2020 - 5:39pm Submitted by anonymous user: 72.175.116.246 Submitted values are:

Name: Dave Waggoner
Address: 419 Maple Ave
Public Comment: #1- Why wasn't the wind farm required to move equipment at night so they wouldn't have blocking traffic so badly
Email: traprdave@juno.com

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fcityoflaurelmontana.com%2fnode%2f16092%2fsubmission%2f871&c=E,1,J-UqBLeKMsc9_NQWO8YiVYhWno0TLDO7oSRYU3fTiAt_ZkJ2IKPdIRFRcNNtaNbjGubaug6FpsA-fvlvh44TjBhel3qH6NkNeb5aZ2DdiltymgqJ&typo=1

Brittney Moorman

From: traprdave@juno.com
Sent: Tuesday, September 15, 2020 6:56 PM
To: Brittney Moorman
Subject: Re: FW: Dave Waggoner

Hi Brittany, yeah #2 was why has the fire hydrant at 5th and Yellowstone been bagged out of service for better than a month and a half. It's right in front of a nursing home with the nearest hydrant at least two blocks away. Not very safe for the people in the home.

Thanks Dave

File Attachments for Item:

17. Council Workshop Minutes of November 3, 2020.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, NOVEMBER 03, 2020**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:35 p.m. on November 3, 2020.

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 type="checkbox"/> Scot Stokes	<input checked="" type="checkbox"/> Irv Wilke
<input checked="" type="checkbox"/> Richard Klose	<input type="checkbox"/> Don Nelson

OTHERS PRESENT:

Nick Altonaga, Planning Director
KC Williams, County DES Director

Public Input:

There was none.

General Items:

Executive Review:

1. Resolution - A Resolution Of The City Council Adopting The Updated 2020 Yellowstone County Hazard Materials Response Plan.

KC Williams, County DES Director, briefly reviewed the updated Yellowstone County Hazard Materials Response Plan. This plan does not override local jurisdiction but is a Countywide plan. The final approved version will be available on Yellowstone County's website.

2. Resolution – A Resolution To Approve The Conditional Use Of The Property Located At 1009 East 6th Street In Laurel For The Construction And Operation Of A Union Meeting Hall At Such Address Within The City Of Laurel. (Public Hearing 11.10.2020)

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

A Council Member noted that they live half a block from that property and have never heard any loud noises coming from it. It was questioned if they will tear down the existing building before building the new structure. Secondly, will the public hearing be held in person? It was clarified that the building would be torn down before the new building is built. The public hearing will be held via Zoom.

3. Resolution – Variance for Street Continuity for the Proposed Goldberg Sporting Estates Subdivision (Public Hearing 11.10.2020)

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

It was questioned if the Council agrees with the recommendation to deny this, what will happen. It was clarified that if the Council votes to deny the request, then the developer will need to redesign the plat. In this case, they would need to align the roadway. Once redesigned, they would resubmit the plat to the Planning Department. After the variances are settled, then this will move to preliminary plat stage.

Craig Dalton, Performance Engineering, stated they had considered the alignment with Mulberry Avenue and the higher volume commercial property. They made a judgment call on safety and traffic to align with the commercial property driveway. They are also doubling the required offset for the road. They ask that Council consider this as they vote on this item next week.

4. Resolution – Variances for Roadway widths and Right-of-Way dedication for the Proposed Goldberg Sporting Estates Subdivision (Public Hearing 11.10.2020)

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report. He stated that Staff does feel this project is good for Laurel due to its scale and location. There are just some issues with the designs of the subdivision.

Craig Dalton, Performance Engineering, stated that the only thing that consultants and developers can work off of is published documents—sighting the Long-Range Transportation Plan—looking at the right of way on a collector status road. The Planning Department is looking at this being a major corridor in the future; however, the Long-Range Traffic Study is what we have published and utilized right now. Proposed the 30-foot dedication because it takes the Yard Office right of way up to 110 feet. They feel this is sufficient space to build a collector road, as indicated in the Long-Range Traffic Study.

Council thanked the Planning Director for thinking ahead while working off an outdated Growth Management Plan.

Council Issues:

5. Growth Management Plan

Nick Altonaga, Planning Director, briefly reviewed the proposed changes to the Growth Management Plan. This item will come before Council at the end of the month. Please provide any feedback to the Planning Director before the next Workshop.

Other Items:

Review of Draft Council Agendas:

6. Review Draft Council Agenda of November 3, 2020.
There were no changes.

Attendance at Upcoming Council Meeting

Council Member Wilke will not be at next week's Council meeting.

Announcements

Council thanked Planning Director Altonaga for this work on this week's agenda items.

The council workshop adjourned at 7:33 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.



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board / Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: Conditional Use Permit – USW Local 11-443
DATE: October 28, 2020

DESCRIPTION OF REQUEST

A Conditional Land Use application was submitted by Steve Jansma on behalf of the United Steelworkers Local 11-443. USW Local 11-443 proposes to demolish the existing union meeting hall and construct a newly designed and updated structure in its place. An approval of a conditional land use is required to rebuild and continue the use of the site as a union meeting hall because this use is not described or defined within the zoning district it resides in.

Owner: Pace Pioneer Local 8-443
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 6, Lot 13 - 24
Address: 1009 East 6th Street
Parcel Size: 42,000 sqft.
Existing Land Use: Union Meeting Hall
Proposed Land Use: Union Meeting Hall
Existing Zoning: Residential Limited Multi-Family

BACKGROUND AND PROCEDURAL HISTORY

- Resolution 13-50 was approved on August 6, 2013 which granted a three-year window for the Union to enlarge, update, and reconstruct the existing Union Hall which was then classified as a nonconforming use within the RLMF zoning district.
- Planning Director met with the Applicant on September 9, 2020 to review the application form and required documentation.
- Planning Director met with the Applicant on September 23, 2020 to receive the Application Fee and conceptual design images of the proposed conditional use.
- A public hearing for the Conditional Land Use took place at the October 21, 2020 Planning Board meeting.

- The Planning Board voted on October 21, 2020 to approve the Conditional Land Use application with the suggested staff conditions.
- A public hearing for the Conditional Land Use has been placed on the November 10, 2020 City Council meeting agenda.
- The public hearing requirements of 1762.030 have been met.

STAFF FINDINGS:

The Applicant is requesting approval of a conditional land use to reconstruct and operate a union meeting hall on the property of 1009 East 6th Street in Laurel. This use is not specifically delineated or defined within Chapter 17 of the Laurel Municipal Code. As such, a Conditional Land Use Application was required to conduct the proposed rebuild of the site and continue to operate the property as its existing use as a union meeting hall. The following findings have been noted by the Planning Department after reviewing the Conditional Land Use application and supplementary documents.

- USW Local 11-443 has operated a union hall at 1009 E 6th Street for many years without an interruption in its use.
- The long-term operation of the union meeting hall at 1009 East 6th Street has had little to no known impact on the quality of life of surrounding residents.
- The reconstruction of the union meeting hall will include improved paved parking areas and landscaping.
- The current meeting hall building dates back to the 1920s and is in dire need of repairs.
- The current Union Hall building would require significant repairs and revitalization to continue functioning as it stands.
- The current Union Hall building and associated parking areas and landscaping are not aesthetically pleasing.
- The current use of the building and its lack of definition under the LMC as a union hall does not allow the Union to perform improvements or upgrades to the site.
- The Applicant has prepared conceptual plans to include adequate access and off-street parking.
- The demolition of the current structure and proposed new union meeting hall will include updated landscaping and parking on site.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA:

"17.62.020 – Requirements" contains the review criteria for the Zoning Commission to discuss and recommend actions on conditional land uses. The text of this subchapter is included below.

No structure or land use may be used for any purpose other than those allowed within a zoning district as specified in the zoning ordinance unless either a variance has been granted (under Chapter 17.60 or 17.64 of this code) or a conditional land use permit therefor has been provided. The zoning commission may recommend and the city can require any information that will allow the decision makers to comprehensively evaluate and decide on applications for conditional uses brought before them. The zoning commission may recommend and the city can require, after consideration of the application for

conditional use, those conditions under which such land use may be allowed to include but not be necessarily limited to the following:

- A. Adequate ingress and egress with concern for vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access as reviewed and approved by the city public works director;
- B. Adequate off-street parking and loading with attention to vehicular and pedestrian safety and traffic flow;
- C. Conditions that control, specify, or plan for the generation of odors, noise, hours of operation, signage, or impact on the neighborhood of natural systems;
- D. Adequate landscaping, screening, mitigation of impact on adjacent property and buffering; and
- E. Compatibility with adjacent and neighborhood land uses and Laurel's GMP.

STAFF SUGGESTED CONDITIONS:

The Planning Director recommends the approval of the Conditional Land Use application to operate a union meeting hall at 1009 East 6th Street in Laurel. The Planning Director suggests the Planning Board/Zoning Commission and City Council consider the following conditions of approval.

Condition seven (7) was added by request of Planning Board members and the applicant was notified of this new condition.

- 1. No land uses shall be established on site that are not specifically included in this approval.
- 2. Any land use not specifically included in this approval shall be considered a violation of the City of Laurel zoning ordinance.
- 3. New construction regarding the approved conditional use shall apply for building permits when applicable.
- 4. The approved land use shall comply with the zoning requirements of the district the property falls within.
- 5. The approved land use shall comply to the City of Laurel Sign Code
- 6. The approved land use shall comply with the City of Laurel off-street parking requirements
- 7. Landowner will work with the city if noise abatement becomes an issue for the surrounding neighborhood

ATTACHMENTS:

- 1. Conditional Land Use Application
- 2. Map of 1009 E 6th Street with 150ft buffer
- 3. List of property Owners within 150ft of 1009 East 6th Street
- 4. Public Hearing Notice
- 5. USW Union Hall Concept Plan
- 6. USW Union Hall Concept Image
- 7. LMC 17.16 – Residential Districts
- 8. LMC 17.62 – Conditional Land Uses
- 9. Resolution R13-50



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance 1 – Goldberg Sporting Estates Subdivision
DATE: October 27, 2020

DESCRIPTION OF REQUEST

Three variances to the Laurel Municipal Code are being requested supporting the proposed Goldberg Sporting Estates Subdivision. Performance Engineering is acting as the representative of Tony Golden and Goldberg Investments LLP. Justification letters for the variance requests were submitted on July 31, 2020.

The Applicant has applied for a variance (Variance 1) to Laurel Municipal Code regarding roadway alignment and continuity in order to keep the proposed roadway for Krieghoff Loop as it is currently designed on the proposed subdivision plat. The current design does not conform to Laurel Municipal Code due to a lack of connection and continuation of the existing adjacent roadway. The Applicant would need to redesign the subdivision plat in order to conform to the Laurel Municipal Code unless a variance is approved.

Owner: Goldberg Investments LLP
Legal Description: S10, T02 S, R24 E, Nutting Bros 2nd Filing Lot 18, Nutting Bros 3rd Filing Lots 19-25
Address: Approximately 1850 East 8th Street
Parcel Size: 38.73 Acres
Existing Land Use: Agricultural, single dwelling unit.
Proposed Land Use: Residential and Commercial Subdivision
Existing Zoning: Residential Tracts

BACKGROUND AND PROCEDURAL HISTORY

- Subdivision Preapplication Meeting took place on February 2, 2019.
- Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019

- Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
- Annexation of Lot 18, Nutting Bros 2nd Filing and Lot 19-25 Nutting Bros 3rd Filing approved by Resolution of Laurel City Council on August 20, 2019
- The Zoning requested during the annexation process will be updated to Residential Limited Multi-Family (RLMF) and Community Commercial (CC) upon filing of the final annexation agreement.
- Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
- Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.
- Preliminary Plat application document Packet submitted to the Planning Department on December 17, 2019.
- Element Review Letter provided to Performance Engineering on December 24, 2019
- Sufficiency Review Letter provided to the Applicant on January 16, 2020.
- The Applicant and City Staff and City Engineers met to discuss the details of the sufficiency review letter on January 31, 2020.
- Submittal of updated documents by Applicant on July 31, 2020.
- Planning Board received public comment, discussed the variances, and made recommendations at the Public Hearing on October 21, 2020.
- Planning Board voted to recommend denial of the variances after the Public Hearings on October 21, 2020.
- A Public Hearing is scheduled at the City Council meeting on November 10, 2020 to receive public comment and approve, approve with conditions, or deny the variance requests.

DETAILS ON MAJOR CORRESPONDENCE DURING PROCESS

Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019. This letter included:

- Project summary
- Current and proposed zoning
- Public review process overview
- Discussion points including:
 - Fire coverage
 - Lot layout
 - Water and sewer systems
 - Right-of-way requirements
 - Solid waste provision
 - Parking
 - Parkland dedication
 - Off-site improvements

Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019. This email contained further information regarding:

- Roadway dedication requirements
- Engineering estimates for public infrastructure improvements
- Annexation and plat approval process
- Water rights
- Zoning changes

Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019. Items identified in pre-submittal review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019. Items identified in this correspondence included:

- Utility and access easements
- Roadway connectivity
- Parkland dedication
- Review and submittal of previously discussed documents (Annexation and Waiver)

STAFF FINDINGS

The Applicant is requesting a variance to LMC 16.04.060.B.8 which states: "Street Continuity. Streets that are a continuation of streets in contiguous territory shall be so aligned as to assure that their centerlines shall coincide and shall have matching names. In cases where straight continuations are not physically possible, such centerline shall be continued by a centerline offset of not less than one hundred twenty-five feet."

A denial of this variance request will require the applicant to redesign the subdivision plat to meet the requirements of the Laurel Municipal Code.

The Applicant has provided a letter with details justifying the Variance request addressing the five (5) findings noted in LMC 16.11.010. These responses, as well as planning department findings are presented below:

- 1) The granting of the variance will not be detrimental to the public health safety, or general welfare or injurious to other adjoining properties**
 - **Applicant Response:** Granting of this requested variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will benefit the public health, safety, and general

welfare of the surrounding area by aligning higher volume traffic entrances across from each other. The proposed alignment will minimize traffic conflicts during turning movements along East 8th at both the subdivision and the commercial property located south of the proposed project.

- **Planning Department Response:** The Planning Department accepts the stated reasoning that it will not be detrimental to the public health, safety, or general welfare or injurious to adjoining property owners.
 - **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.1 has been met.
- 2) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulations was enforced.**
- **Applicant Response:** The proposed development is designed to keep the entrance across from a higher traffic commercial entrance and preserve the existing lot and infrastructure across from the dead-end Mulberry Avenue. This design prevents the offset of the subdivision alignment from conflicting with the higher volume of commercial traffic across the street. Should the road be aligned with Mulberry Avenue it would require modification of the existing property, access, and personal property intended to stay intact throughout the development of the property. This does create an undue and unnecessary hardship on the developer and the resident within the existing residence. Additionally, Mulberry Avenue cannot be developed further to change its status as a dead-end road due to location of commercial businesses along East Main Street at the end of Mulberry Avenue.
 - **Planning Department Response:** The Planning Department does not accept the stated reasoning of the applicant's response to the second point.
 - **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.2 have not been met. The following information supports this claim.
 - Lot 1 and Lot 2, Block 4 of Goldberg Sporting Estates do not currently exist.
 - The existing residential structure is located on the Western portion of the currently platted Lot 18, Nutting Brothers Subdivision 2nd Filing.
 - The existing residential structure and its accessory buildings located on the current Lot 18 Nutting Bros Subdivision 2nd Filing and would be unaffected by the realignment of Mulberry and Krieghoff Loop.

- The existing residential structure on the current Lot 18 Nutting Bros 2nd Filing has multiple points of access to the site which would be unaffected by the roadway alignment.
- The existing access to this parcel that partially aligns with Mulberry Avenue is used to access an undeveloped farm field which includes Lot 18 of Nutting Bros 2nd Filing and Lot 19 of Nutting Bros Subdivision 3rd Filing.
- There is no known access and/or encroachment permit for the lot access located immediately across from Mulberry Avenue filed with Yellowstone County Public Works Department.
- The proposed Goldberg Sporting Estates Subdivision will be changing the use of the current land from agricultural use to residential use.
- There are no permanent structures, infrastructure, or personal property erected on the proposed Lot 2, Block 4 that could not be relocated in case of roadway alignment.
- The alignment of Mulberry Ave and Krieghoff Loop would only require the owner and/or resident of the residential structure on the current Lot 18, Nutting Bros Subdivision 2nd Filing to remove any fencing and stored personal items from the proposed right-of-way.
- Mulberry Avenue is physically a dead-end roadway. Despite this current condition, Mulberry Avenue connects to the currently undeveloped but fully platted East 7th Street at its southern terminus.
- The currently undeveloped but fully platted East 7th Street could be a major east-west connector within the city limits which covers approximately nine (9) blocks of residential-zoned property.
- Conversations have begun between the Planning Department and Public Works Department about this undeveloped roadway and the possibility of development in order to complete a major east-west travel corridor.

3) The variance will not result in an increase in taxpayer burden;

- **Response:** The result of granting the variance for alignment of the proposed western entrance of the subdivision with Mulberry Avenue will have no effect on the taxes of the proposed development, adjoining land or the taxpayers of the town of Laurel and Yellowstone County.
- **Planning Department Response:** The Planning Department accepts the reasoning that the granting of the variance would not increase the tax burden of the adjoining taxpayers and landowners.
- **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.3 has been met.

4) The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and

- **Applicant Response:** This requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.
- **Planning Department Response:** The Planning Department accepts the reasoning that the granting of a variance would not place the rest of the Subdivision in nonconformance with the adopted zoning regulations and growth policies.
- **Planning Department Finding:** The standard of the Laurel Municipal Code for Chapter 16.11.010.4 has been met.

5) The subdivider must prove that the alternative design is equally effective and the objectives of the improvement are satisfied.

- **Applicant Response:** The proposed design still aligns with an ingress/egress directly across the street that experiences higher traffic volumes than the dead-end Mulberry Avenue which only provides access for four (4) residential lots. In addition, the proposed entrance maintains street continuity with the commercial access across the street, preserves the existing Lot 1, Block 4 of the subdivision, and mitigates against potential traffic alignment issues between the subdivision entrance and the commercial access across the street while maintaining more than 125-feet of centerline alignment separation from Mulberry Avenue as set forth in Section 16.04.060.B.8 of the City of Laurel Subdivision Regulations.
- **Planning Department Response:** The Planning Department does not accept the reasoning to the 5th point that the alternative design is equally effective.
- **Planning Department Finding:** The standards of the Laurel Municipal Code for Chapter 16.11.010 have not been met. The following information supports this claim.
 - The proposed Lot 1, Block 4 is currently Lot 18, Nutting Bros 2nd Filing would not be impacted by a roadway alignment of Mulberry Avenue and Krieghoff Loop.
 - The Proposed Lot 2, Block 4 does not currently exist.
 - There are no permanent structures, infrastructure, or affixed personal property present within the proposed aligned right-of-way besides fencing.
 - The code states that "In cases where straight continuations are not physically possible, such centerline shall be continued by a centerline offset of not less than one hundred twenty-five feet."
 - The Planning Department does not find any physical obstruction to connecting Krieghoff Loop to Mulberry Avenue.

- The terrain and topography is flat and open creating no impediments to the alignment of Krieghoff Loop and Mulberry Avenue
- The existing access to Lot 18 Nutting Bros 2nd Filing and lot 19 Nutting Bros 3rd Filing is to an undeveloped farm field.
- There is no known access and/or encroachment permit for the existing field access immediately north of Mulberry Avenue.
- Mulberry Avenue is connected to the currently undeveloped but fully platted East 7th Street. This undeveloped route traverses up to nine (9) blocks of Laurel.
- East 7th Street would provide a major east-west travel corridor if constructed.
- The alignment of Krieghoff Loop and Mulberry Avenue would provide additional road continuity to the wider road network once East 7th Street is constructed.

ADDITIONAL INFORMATION

The Applicant also provided four (4) reasonings for the Variance request in addition to the specific justifications to the Laurel Municipal Code.

1. Mulberry Avenue is a dead-end road with access for only four (4) residential Lots
2. There is approximately 225 feet of separation between centerline alignments for Mulberry Avenue and the proposed western entrance of Goldberg Sporting Estates Subdivision (minimum required offset is 125 feet).
3. The Proposed subdivision entrance is aligned instead with a commercial lot entrance having more traffic volume than the dead-end road along Mulberry Avenue.
4. In addition, Lot 1, Block 4 of Goldberg Sporting Estates Subdivision is an existing lot that physically prevents the alignment of the western entrance (Krieghoff Loop) from aligning across from Mulberry.

Planning Department Response to Point #1.

- Mulberry Avenue is currently a dead-end roadway but is connected to the currently undeveloped but fully platted East 7th Street.
- East 7th Street is a fully platted right-of-way for nine (9) blocks.
- East 7th Street could provide a major improvement to East-West travel within Laurel as well as development opportunities.
- The City is in the process of finalizing the Growth Management Policy which contains goals regarding the installation and improvement of current roadways and important possible roadways adjacent to the city.
- The Planning Department and Public Works Departments have held discussions about how future build-out of East 7th Street could enhance and improve transportation on the East side of Laurel.

Planning Department Response to Point #2.

- The requirements for non-alignment are partially met, but there is no physical, topographic, or geographic reason for the lack of alignment with the existing road network.

Planning Department Response to Point #3.

- The Planning Department agrees that the alignment of a public-right-of-way to a private commercial entrance with higher traffic will reduce traffic conflicts.
- The Planning Department would also like to note that this ignores the need for public right-of-way to connect to existing public right-of-way to ensure road continuation and connectivity.

Planning Department Response to Point #4.

- The Planning Department does not agree that there is a physical obstruction to connecting the proposed Krieghoff Loop to the existing Mulberry Avenue.
- The proposed Lot 2, Block 4 of the Goldberg Sporting Estates is the area in question.
- The proposed Lot 2, Block 4 is not an existing lot.
- The proposed Lot 1 and Lot 2, Block 4 is currently made up of a portion of Lot 18, Nutting Bros 2nd Filing, and Lot 19, Nutting Bros 3rd Filing.
- The stated area is part of an undeveloped farm field.
- The existing residential structure on the current Lot 18, Nutting Bros Subdivision 2nd Filing has an existing driveway access.
- The existing residential structure currently on Lot 18, Nutting Bros 2nd Filing is not located within the area where any proposed right-of-way would be located.
- The existing access to the proposed Lot 2, Block 4 is for field access to the undeveloped parcel.
- There are no physical structures or obstructions which would preclude alignment of the proposed Krieghoff Loop to the existing Mulberry Avenue.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC 16.11.010 – Variances provides the review criteria for the Planning Board and Governing Body to review, consider, and decide on variances. The text of this subchapter is provided below:

The AGB may grant reasonable variances from only the design and improvement standards of these regulations when strict compliance would result in undue hardship and the result would not negatively affect public health and safety. The granting of a variance shall not have the effect of nullifying the intent and purpose of these regulations. The AGB may not approve a variance that would permit structures within the one hundred-year floodplain, as defined in MCA § 76-5-101.

The planning board shall conduct a public hearing on any variance requested for all subdivisions prior to taking action on the preliminary plat application.

- A. Requesting a Variance. The subdivider shall include with the submission of the preliminary plat a written statement describing the facts of hardship upon which the request for the variance is based. Each requested variance shall be deemed a separate application, for which a fee shall be required, to be processed concurrently with the preliminary plat. Information addressing each of the following findings shall accompany the application to be approved by the AGB. The latter shall not approve variances unless the subdivider has demonstrated that the request satisfies the following findings:
 - 1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;
 - 2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced;
 - 3. The variance will not result in an increase in taxpayer burden;
 - 4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and
 - 5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.
- B. In granting variances, the AGB may require conditions of approval that will, in their judgment, secure the objectives of these regulations.
- C. When any such variance is granted, the motion of approval of the proposed subdivision shall contain a statement describing the variance and the facts and conditions upon which the issuance of the variance is based.
- D. An application for a variance is not necessary where planned neighborhood developments are proposed, as modifications to the standards and requirements of these Regulations may be approved by the AGB.

RECOMMENDATIONS

The Planning Director recommends that the Planning Board deny the variance request. The Planning Director has prepared drafted conditions of denial which are presented below.

1. Waive Chapter 16 variance review fee.
2. Waive Chapter 16 requirement to rename any aligned/continued roadways through subdivisions
3. Set the waiting period for Preliminary Plat resubmittal to three (3) months.
4. Applicant submittal of updated subdivision design to Planning Department prior to official resubmittal

ATTACHMENTS

1. Variance Request Letter 1
2. List of Adjacent Property Owners from Parcels Requesting Variance
3. Preliminary Plat for Goldberg Sporting Estates Subdivision
4. Pre-application meeting summary letter dated February 7, 2019
5. Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
6. Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
7. Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Variance 2 & 3 – Goldberg Sporting Estates Subdivision
DATE: October 27, 2020

DESCRIPTION OF REQUEST

Three variances to the Laurel Municipal Code are being requested supporting the proposed Goldberg Sporting Estates Subdivision. Performance Engineering is acting as the representative of Tony Golden and Goldberg Investments LLP. Justification letters for the variance requests were submitted on July 31, 2020.

The Applicant has applied for a variance (Variance 2) to the Laurel Municipal Code regarding the dedication of right-of-way. The Applicant is applying for this variance in order to retain an additional ten (10) foot portion of property along Yard Office Road within the proposed lots and not dedicated to the public as right-of-way as city staff had previously discussed with the Applicant. The Applicant would need to update the subdivision plat in order to conform with the requirements of Laurel Municipal Code and the many requirements discussed by Laurel staff through meetings and correspondence.

The Applicant is requesting a variance (Variance 3) to the Laurel Municipal Code regarding roadway and right-of-way widths. The design of the proposed Goldberg Sporting Estates subdivision contains a fifty-six (56) foot wide private road which does not meet the right-of-way requirements of the Laurel Subdivision Code. The Applicant would need to redesign the subdivision plat in order to conform to the Laurel Municipal Code

Owner: Goldberg Investments LLP
Legal Description: S10, T02 S, R24 E, Nutting Bros 2nd Filing Lot 18, Nutting Bros 3rd Filing Lots 19-25
Address: Approximately 1850 East 8th Street
Parcel Size: 38.73 Acres
Existing Land Use: Agricultural, single dwelling unit.
Proposed Land Use: Residential and Commercial Subdivision

Existing Zoning: Residential Tracts

BACKGROUND AND PROCEDURAL HISTORY

- Subdivision Preapplication Meeting took place on February 2, 2019.
- Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019
- Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
- Annexation of Lot 18, Nutting Bros 2nd Filing and Lot 19-25 Nutting Bros 3rd Filing approved by Laurel City Council on August 20, 2019
- The Zoning requested during the annexation process will be updated to Residential Limited Multi-Family (RLMF) and Community Commercial (CC) upon filing of the final annexation agreement.
- Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
- Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.
- Preliminary Plat application document Packet submitted to the Planning Department on December 17, 2019.
- Element Review Letter provided to Performance Engineering on December 24, 2019
- Sufficiency Review Letter provided to the Applicant on January 16, 2020
- The Applicant and City Staff and City Engineers met to discuss the details of the sufficiency review letter on January 31, 2020
- Submittal of updated documents by Applicant on July 31, 2020
- Planning Board received public comment, discussed the variances, and made recommendations at the Public Hearing on October 21, 2020.
- Planning Board voted to recommend denial of the variances after the Public Hearings on October 21, 2020.
- A Public Hearing is scheduled at the City Council meeting on November 10, 2020 to receive public comment and approve, approve with conditions, or deny the variance requests.

DETAILS ON MAJOR CORRESPONDENCE DURING PROCESS

Pre-Application Meeting Summary letter provided to Performance Engineering on February 7, 2019. This letter included:

- Project summary
- Current and proposed zoning
- Public review process overview
- Discussion points including:
 - Fire coverage
 - Lot layout

- Water and sewer systems
- Right-of-way requirements
- Solid waste provision
- Parking
- Parkland dedication
- Off-site improvements

Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019. This email contained further information regarding:

- Roadway dedication requirements
- Engineering estimates for public infrastructure improvements
- Annexation and plat approval process
- Water rights
- Zoning changes

Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019. Items identified in pre-submittal review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019. Items identified in this correspondence included:

- Utility and access easements
- Roadway connectivity
- Parkland dedication
- Review and submittal of previously discussed documents (Annexation and Waiver)

STAFF FINDINGS

The Applicant is requesting a variance to LMC 16.04.060.B.7 which states: "Right-of-Way and Street and Road Developments. In all cases, the right-of-way must be provided when developing the property. If the property is being developed on only one side of an existing or proposed road or street and dedicated right-of-way or a road easement is required, the property owner developing must secure the additional right-of-way or easement from the adjacent property owner. If the additional required right-of-way or easements cannot be secured, the developer must provide the full width of right-of-way on the subject property."

The Applicant is also requesting a variance to LMC 16.04.060.C.8 which states: "Right-of-Way and Street Widths. Street right-of-way and surface widths for all roads, public or private, including those located in the Laurel zoning jurisdiction with the exception of those zoned Agricultural Open and Residential Suburban shall be provided as shown in Table 16.4.C.1 below."

The Applicant has provided a letter with details justifying the Variance requests addressing the five (5) findings noted in LMC 16.11.010. These responses, as well as planning department findings are presented below:

1) The granting of the variance will not be detrimental to the public health safety, or general welfare or injurious to other adjoining properties

- **Applicant Response:** Granting of the variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will still provide more than the minimum required ROW width for the projected road use along yard Office Road as classified by the City of Laurel Long Range Transportation Plan.
- **Planning Department Response:** The Planning Department does not accept that the roadway widths will not be detrimental to the general welfare of the City of Laurel.
- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.1 has not been met. The proposed width of Yard Office Road and Perazzi Way will not provide adequate services or provide for the general welfare of the city.
 - The current Yard Office Road right-of-way is made up of approximately fifty (50) feet of area dedicated to a drainage ditch. This area should not be considered as viable for vehicular or pedestrian traffic.
 - The eighty (80) feet of the Yard Office Road west of the Section line was dedicated on Village Subdivision 1st Filing.
 - Village Subdivision First Filing identifies these eighty (80) feet of right-of-way as containing a drain ditch.
 - If the area currently containing a drainage ditch is planned as part of a roadway, the applicant must prepare engineering and construction costs as well as funding to cover the build out of this portion of right-of-way.
 - City staff specified during the Pre-application period that a connection between East 8th Street and Yard Office Road was necessary for the cohesive growth of Laurel.
 - The proposed subdivision contains 88 buildable lots. It is important to ensure traffic coverage with an adequate ingress and egress point to Yard Office Road.
 - The proposed fifty-six (56) foot private road Perazzi Way is not sufficient at meeting the needs of Laurel residents.
 - Adequate traffic connection between East 8th Street and Yard Office Road was specifically mentioned in the Subdivision pre-application meeting on February 2, 2019 and the following email correspondence.

2) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulations was enforced.

- **Applicant Response:** The 30 Feet of proposed ROW aligns with surrounding property and satisfies the required ROW width outlined by City of Laurel Subdivision Regulations while allowing for future development of Yard Office Road that is consistent with long-range planning.
- **Planning Department Response:** The Planning Department does not accept this reasoning for hardship due to topographic conditions.
- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.2 has not been met. There are no topographic or physical conditions present that create an undue hardship to meet roadway standards. The following information supports this claim.
 - There are no physical or topographic conditions which create an undue burden on the applicant to dedicate the additional ten (10) feet of right-of-way to meet the requirements stated by the city.
 - The right of way directly north of the area designated as Yellowstone County parkland makes up approximately 123 feet of right-of-way.
 - This one-hundred-twenty-three (123) foot width was established when High Point Subdivision provided forty (40) feet of dedicated right-of-way west of the section line on its subdivision plat in 1970.
 - The Planning Department and Public Works Department anticipate Yard Office Road to act as a major transportation route for future development on the East side of Laurel as the immediate area develops.
 - It is important that the city obtain a consistent right-of-way width to ensure that future roadway development and improvements have uniform dimensions.
 - The proposed thirty (30) feet of right-of-way is insufficient to align the area of Yard Office Road along the proposed Goldberg Sporting Estates with the right-of-way along High Point Subdivision to the north.

3) The variance will not result in an increase in taxpayer burden;

- **Response:** The result of granting the variance for providing 30 feet of ROW to the west of the section line along Yard Office Road will have no effect on the taxes of the proposed development or adjoining undeveloped land. Keeping the 30-feet under private ownership will increase the tax base for the City and the County providing benefit the taxpayer base.
- **Planning Department Response:** The Planning Department does not accept that the variance would not result in an increase in taxpayer burden.

- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.3 has not been met. The following information supports this claim.
 - Yard Office Road is expected to become a major transportation corridor as properties on the East side of Laurel develop and annex into the city.
 - The dedication of the additional ten (10) feet of right-of-way at the time of subdivision is advantageous for the city of Laurel and its citizens.
 - The purchase of this right-of-way at a later date would represent an astronomically high price for the city and its residents if additional right of way were needed to accommodate an increase in traffic in the future.
 - It was stated in correspondence between the contract planner and engineer that this dedication of right-of-way would be taken care of at the time of SIA and Subdivision. This correspondence is attached.

4) The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and

- **Response:** The requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.
- **Planning Department Response:** The Planning Department does not accept the stated reasoning that this variance will not place the subdivision in nonconformance with the adopted zoning regulations or growth policy.
- **Planning Department Findings:** The standard of the Laurel Municipal Code for Chapter 16.11.010.4 has not been met. The following information supports this claim.
 - The updated 2020 Laurel Growth Management Policy which will be officially approved in November 2020 highlights the need for consistent roadway widths as a transportation system goal.
 - The current proposed thirty (30) feet of right-of-way dedication does not align with the right-of-way directly north of the Yellowstone County Park.
 - Inclusion of the additional ten (10) feet of right-of-way will align with the roadway adjacent to High Points Subdivision which was established in 1970.

5) The subdivider must prove that the alternative design is equally effective and the objectives of the improvement are satisfied.

- **Response:** The proposed ROW dedication width not only aligns with the surrounding ROW widths, but also provides more total width along Yard Office Road than is necessary for the projected road classification of a collector road as outlined in the City of Laurel Long Range Transportation Plan – 2014 and the

Required ROW as outlined in Table 16.4.C1 within section 16.04.060.C.8 of the City of Laurel municipal code.

- **Planning Department Response:** The Planning Department does not accept that the proposed design is equally effective as the requirements of the Laurel Municipal Code.
- **Planning Department Findings:** The standards of the Laurel Municipal Code for Chapter 16.11.010.5 have not been met. The following information supports this claim.
 - The email dated February 15, 2019 from Interim Planner Forrest Sanderson to Scott Aspenlieder outlined requirements for platting and design that followed from the Pre-Application meeting.
 - This includes “Dedicate additional ROW for Yard Office (Where you can) to the City of Laurel as Commercial Collector (80’) ROW.”
 - The existing right-of-way East of the Section Line is made up of at least forty (40) feet of area dedicated to a drainage ditch identified on the plat for the Village Subdivision First Filing.
 - This portion of right-of-way should only be considered as useable if the developer is willing to prepare and execute the engineering and construction of this portion of right of way.

ADDITIONAL INFORMATION

The Applicant also provided Two (2) reasonings for the Variance request in addition to the specific justifications to the Laurel Municipal Code.

The Developer is requesting to dedicate 30 feet of ROW from the section line along Yard Office Road west toward the proposed subdivision in-lieu of a 40-foot-wide ROW width. The variance is requested for the following reasons:

1. A 30-foot ROW dedication on the west side of the section line along Yard Office Road aligns and is consistent with the existing ROW directly to the north of the proposed subdivision.
2. The City of Laurel Long Range Transportation Plan – 2014 classifies Yard Office Road as a collector, which by section 16.04.060.C.8, Table 16.4.C.1 “required Dedications and Street Improvements for Subdivision” only requires an 80-foot ROW. There is already 80 feet of ROW dedicated on the east side of the section line along Yard Office Road and the additional 30 feet of ROW dedicated on the west side would give a total of 110 feet of ROW which is more than required ROW for a collector road, it would even provide more than is necessary for a minor arterial road (100 ft) per Table 16.4.C.1 within section 16.04.060.C.8

Planning Department Response to Point #1:

High Point Subdivision, which is directly north of the Yellowstone County Park, provided a total of forty (40) feet of right-of-way west of the section line to Yard Office Road on its subdivision plat which was created in March 1970. Consistent right-of-way widths are key to ensuring traffic management. Providing this additional road dedication at this time is proper and financially responsible for the City of Laurel. The cost to acquire these ten (10) feet of right-of-way due to increased traffic flow at a later date would be a major financial burden for the city and its taxpayers.

Planning Department Response to Point #2:

It is anticipated that Yard Office Road will be a major transportation route for future development on the east side of Laurel. Approximately fifty (50) feet of the existing right-of-way for Yard Office Road east of the section line is made up of a drainage ditch. This ditch and right-of-way was identified on the plat of Village Subdivision First Filing. This portion of right-of-way should not be considered viable for roadway development unless the developer is prepared to finance and construct adequate infrastructure above the Ditch along its length of the subdivision.

The property directly to the south of the proposed Goldberg Sporting Estates subdivision is unplatted and outside of Laurel city limits. If this situation were to change, either through subdivision or annexation, the City of Laurel would require the dedication of forty (40) feet of right-of-way west of the Section line to provide consistent road widths from East Main Street to the culvert of the Nutting Drain Ditch north of East Maryland Lane.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC 16.11.010 – Variances provides the review criteria for the Planning Board and Governing Body to review, consider, and decide on variances. The text of this subchapter is provided below:

The AGB may grant reasonable variances from only the design and improvement standards of these regulations when strict compliance would result in undue hardship and the result would not negatively affect public health and safety. The granting of a variance shall not have the effect of nullifying the intent and purpose of these regulations. The AGB may not approve a variance that would permit structures within the one hundred-year floodplain, as defined in MCA § 76-5-101.

The planning board shall conduct a public hearing on any variance requested for all subdivisions prior to taking action on the preliminary plat application.

- A. Requesting a Variance. The subdivider shall include with the submission of the preliminary plat a written statement describing the facts of hardship upon which the request for the variance is based. Each requested variance shall be deemed a separate application, for which a fee shall be required, to be processed concurrently with the

preliminary plat. Information addressing each of the following findings shall accompany the application to be approved by the AGB. The latter shall not approve variances unless the subdivider has demonstrated that the request satisfies the following findings:

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;
 2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced;
 3. The variance will not result in an increase in taxpayer burden;
 4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or growth policy; and
 5. The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.
- B. In granting variances, the AGB may require conditions of approval that will, in their judgment, secure the objectives of these regulations.
- C. When any such variance is granted, the motion of approval of the proposed subdivision shall contain a statement describing the variance and the facts and conditions upon which the issuance of the variance is based.
- D. An application for a variance is not necessary where planned neighborhood developments are proposed, as modifications to the standards and requirements of these Regulations may be approved by the AGB.

RECOMMENDATIONS

The Planning Director recommends the Planning Board deny variance request 2 and 3 with the following conditions.

1. Set the waiting period for Preliminary Plat resubmittal to 3 months
2. The applicant provide an updated redesign of the subdivision to the City prior to resubmittal
3. Provide for curb, gutter, sidewalk, and stormwater drainage on designs

ATTACHMENTS

1. Variance Request Letter 2 and 3
2. List of Adjacent Property Owners from Parcels Requesting Variance
3. Preliminary Plat for Goldberg Sporting Estates Subdivision
4. Pre-application meeting summary letter dated February 7, 2019
5. Annexation Agreement – Major Components email sent to Performance Engineering on February 15, 2019.
6. Preliminary Plat Pre-Submittal comments email sent to Performance Engineering on October 30, 2019.
7. Preliminary Plat Meeting Notes 11.08.19 comments follow-up email provided to Performance Engineering on November 21, 2019.

July 21, 2020

City of Laurel Planning Department
P.O. Box 10
Laurel, MT 59044



To Whom it May Concern:

The Developer of Goldberg Sporting Estates, First Filing, a 73-lot proposed residential development and 15 lot proposed commercial development, is submitting this written petition respectfully requesting a variance from Sections 16.04.060.B.7 and 16.04.060.C.8 and Table 16.4.C.1 in the City of Laurel Subdivision Regulations which states:

"Right-of-Way and Street and Road Developments: In all cases, the right-of-way must be provided when developing the property. If the property is being developed on only one side of an existing or proposed road or street and dedicated right-of-way or a road easement is required, the property owner developing must secure the additional right-of-way or easement from the adjacent property owner. If the additional required right-of-way or easements cannot be secured, the developer must provide the full width of right-of-way on the subject property."

"Right-of-Way and Street Widths: Street right-of-way and surface widths for all roads, public or private, including those located in the Laurel zoning jurisdiction with the exception of those zoned Agricultural Open and Residential Suburban shall be provided as shown in Table 16.4.C.1 below."

The Developer is requesting to dedicate 30 feet of ROW from the section line along Yard Office Road west toward the proposed subdivision in-lieu of a 40-foot-wide ROW width. The variance is requested for the following reasons:

- A 30-foot ROW dedication on the west side of the section line along Yard Office Road aligns and is consistent with the existing ROW directly to the north of the proposed subdivision.



- The City of Laurel Long Range Transportation Plan - 2014 classifies Yard Office Rd as a collector, which by section 16.04.060.C.8, Table 16.4.C.1 "Required Dedications and Street Improvements for Subdivision" only requires an 80-foot ROW. There is already 80 feet of ROW dedicated on the east side of the section line along Yard Office Road and the additional 30 feet of ROW dedicated on the west side would give a total of 110 feet of ROW which is more than the required ROW for a collector road, it would even provide more than is necessary for a minor arterial road (100 ft) per Table 16.4.C.1 within section 16.04.060.C.8.

City of Laurel Subdivision Regulations Section 16.11.1.A the following are addressed:

1. *The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;*

Response: Granting of this requested variance will have no detrimental effects to the public health, safety, or general welfare or injurious to other adjoining properties. Granting this variance will still provide more than the minimum required ROW width for the projected road use along Yard Office Road as classified by the City of Laurel Long Range Transportation Plan.

2. *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced;*

Response: The 30 feet of proposed ROW aligns with surrounding property and satisfies the required ROW width outlined by City of Laurel Subdivision Regulations while allowing for future development of Yard Office Road that is consistent with long-range planning.

3. *The variance will not result in an increase in taxpayer burden;*

Response: The result of granting the variance for providing 30 feet of ROW to the west of the section line along Yard Office Road will have no effect on the taxes of the proposed development or adjoining undeveloped land. Keeping the 30-feet under private ownership will increase the tax base for the City and County providing benefit to the taxpayer base.

4. *The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations; and*

Response: This requested variance will not in any manner place the subdivision in nonconformance with the adopted zoning regulations.



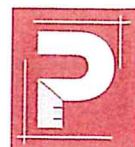
5. *The subdivider must prove that the alternative design is equally effective and the objectives of the improvements are satisfied.*

Response: The proposed ROW dedication width not only aligns with surrounding ROW widths, but also provides more total width along Yard Office Road than is necessary for the projected road classification of a collector road as outlined in the City of Laurel Long Range Transportation Plan – 2014 and the required ROW as outlined in Table 16.4.C.1 within section 16.04.060.C.8 of the City of Laurel municipal code.

Feel free to contact PE Project Manager Scott Aspenlieder with any questions or concerns at (406) 384-0080 or scott@performance-ec.com.

Sincerely,

Scott Aspenlieder, PE
Project Manager



152

138

Date : 10/04/2019

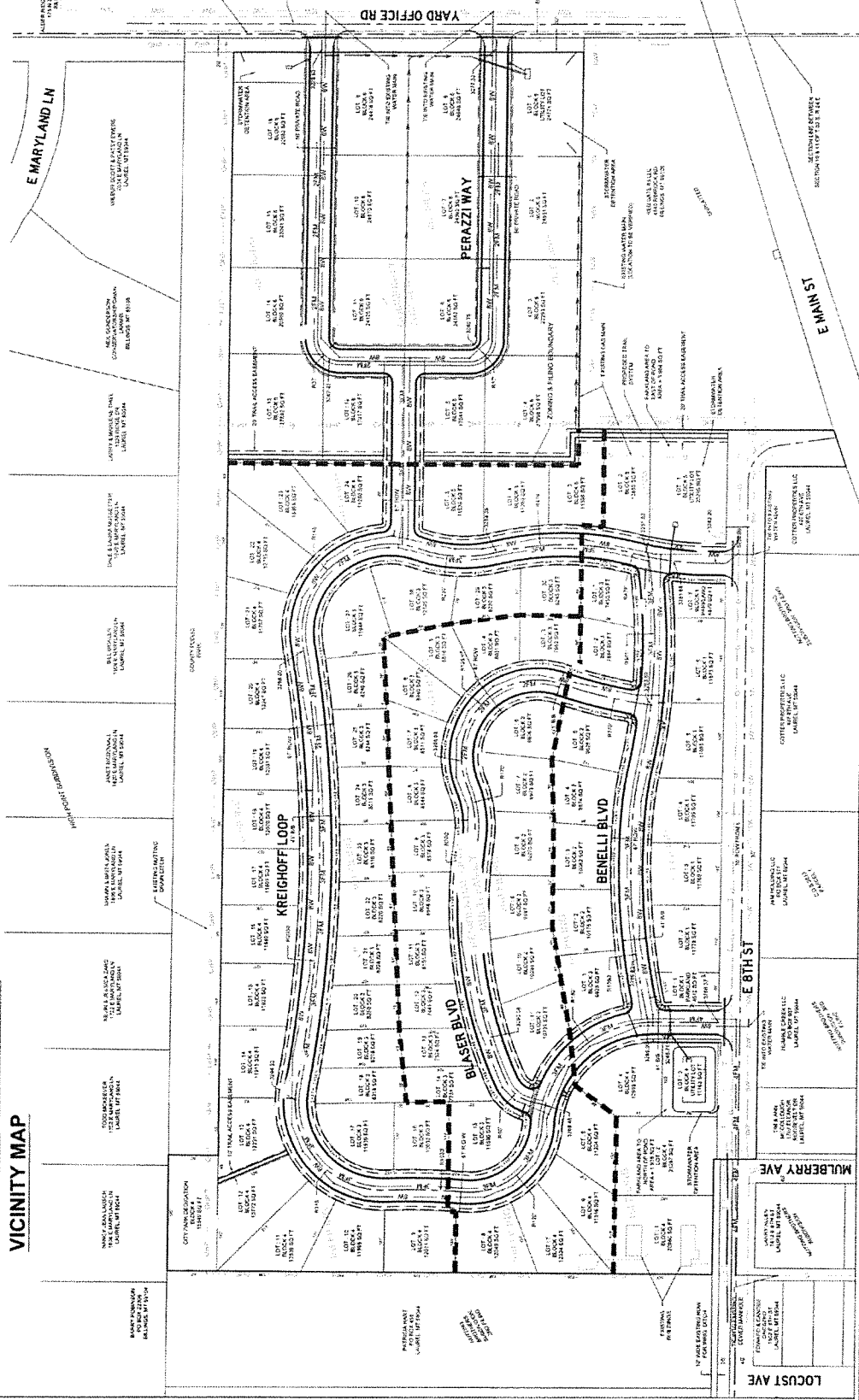
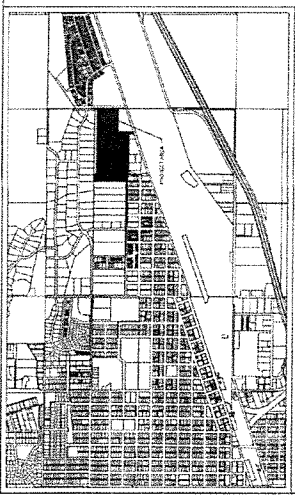
SITE DATA	
# OF LOTS	88
MAXIMUM LOT AREA	4.064 AC
MINIMUM LOT AREA	0.17 AC
TRAIL / PARKLAND AREA	± 1.10 AC
LINEAL FEET OF STREETS	± 5,974 LF
GROSS TOTAL ACREAGE	± 36.77 AC
NET RESIDENTIAL ACREAGE	± 17.90 AC
GROSS RESIDENTIAL ACREAGE	± 27.79 AC
NET COMMERCIAL ACREAGE	± 8.05 AC
GROSS COMMERCIAL ACREAGE	± 8.98 AC

PRELIMINARY MASTER PLAT OF
GOLDBERG SPORTING ESTATES, FIRST FILING
 BEING LOT 18 OF NUTTING BROTHERS SUBDIVISION, 2ND FILING & LOTS 19-25 OF NUTTING BROTHERS
 SUBDIVISION, 3RD FILING SITUATED IN THE NE 1/4 OF SECTION 10, T 02 S. R 24 E. P.M.M.
 LOCATED IN CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

EXISTING LAND USE: AGRICULTURAL
 EXISTING ZONING: RESIDENTIAL LIGHT MULTI-FAMILY (RLMF) & COMMUNITY COMMERCIAL (CC)
 PROPOSED LAND USE: RESIDENTIAL & COMMERCIAL
 PROPOSED ZONING: RLMF & CC

PREPARED FOR: GOLDBERG INVESTMENTS, LLC
 PREPARED BY: PERFORMANCE ENGINEERING, LLC
 PRELIMINARY PLAT DATE: FEBRUARY 2020
 PROPERTY OWNER: GOLDBERG INVESTMENTS, LLC

VICINITY MAP



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



Department of Planning

Office of the Director of Public
Works

February 7, 2019

Performance Engineering
Craig Dalton
7100 Commercial Ave #4
Billings MT 59101

Re: Yard Office Major Subdivision Pre-Application -Meeting Summary/Required Information

Dear Mr. Dalton:

The following is a Summary of the Pre-Application meeting conducted with City Staff on the above described Subdivision within the City of Laurel Subdivision Jurisdiction conducted on Monday, February 4, 2019.

Meeting Attendees:

City of Laurel

Kurt Markegard, Jamie Sweeker, Tim Reiter, Matt Wheeler, Stan Langve, Forrest Sanderson

Developer

Craig Dalton, Katrina Svingen, Tony Golden

General Information:

Legal:

Lot 18 Nutting Brothers 2nd Filing and Lots 19 – 25 Nutting Brothers 3rd Filing in Section 10, Township 2 South, Range 24 East

Summary:

The project submitted for consideration includes 77 Residential Lots ranging in size from approximately 8,000 square feet to 22,500 square feet in size and 5 Commercial Lots approximately 1.3 to 2.9 acres in size.

Zoning:

The property is currently under consideration for Annexation and Initial Zoning by the City of Laurel. The requested zoning is Residential Light Multi-Family (RLMF) and Community Commercial (CC). It is

important to note that should the annexation or requested zoning be denied or modified by the City Council you may be required to reconsider or abandon this subdivision proposal.

Public Review Process:

The proposal is a Major Subdivision as defined in the Laurel Subdivision Regulations. As such, the following steps and timelines are applicable:

1. Complete Application submitted to City; §16.12.030 B, LMC
2. The Planner shall complete an Element Review within five (5) working days after submittal notice of findings shall be sent to the Developer and/or the Agent §16.16.030 C 1, LMC
3. If all Elements are included, the Planner shall complete a Sufficiency Review of the application within fifteen (15) working days after completion of the Element Review. Notice of findings shall be sent to the Developer and/or Agent. §16.16 C 2 and 3 LMC
4. Once the Application contains all the Elements and is deemed Sufficient a 60-working day public review timeline shall commence. During this timeline, a public hearing will be noticed and scheduled before the Laurel – Yellowstone Planning Board. Prior to a decision being rendered by the Laurel City Council. §16.16 C 3 LMC

Discussion Points:

- Fire has concerns that there will be sufficient water within the development for fire protection.
- Lot layout (Planning, Required Setbacks Water, Sewer, Streets, Parking, and Traffic).
- Follow the Design Standards in the Regulations §16.16 LMC
- The water system must be looped with isolation valves both internal and external.
- Traffic. A TIS will be required that looks at intersections with Highway 10, East 8th, Yard Office as well as the intersection of Alder near the school.
- Connectivity of this subdivision to surrounding properties is important to future development in the neighborhood. East 8th should be extended to Yard Office Road.
- Rights-of-way need to meet minimum standards. The ROW for Yard Office may need to meet Arterial Road standards.
- Sanitary Sewer. Sewer in the area is shallow and a lift station may be necessary. Concerns were expressed about surcharging the system as well as timing of lift station operation with the existing lift station.
- Solid Waste. The Developer may use the Laurel service with roll outs. The choice of service provider is governed by Montana Law and decision is up to the developer.
- Storm Water. Follow the rules and regulations for Utilities.
- Parkland. 11% of net area in residential lots. Parkland does not include areas for storm water detention/retention or for other facilities such as the lift station.
- Parking. Design must reflect if on-street parking will be allowed. Concern with multi-family and provision of adequate area for parking. Inadequate parking reservation is a major problem for Law Enforcement.
- Street Lighting. Strongly recommend that the lighting be incorporated into design rather than after the fact.
- Off site improvements to existing public improvements will be required with the First Filing in anticipation of total build out.

- Stainless steel bolts and shafts will be required for all fixtures because of corrosive nature of soils and groundwater in the area.
- Be sure to address items identified in either the Environmental Assessment or Summary of Probable Impacts and propose mitigations.
- Provide a comprehensive Subdivision Improvements Agreement. (Appendix K)
- You may want to provide the Montana Department of Transportation a copy of you plan as the project is anticipated to have measurable impacts on the intersections of Highway 10 with Yard Office Road and Eleanor Roosevelt Drive.

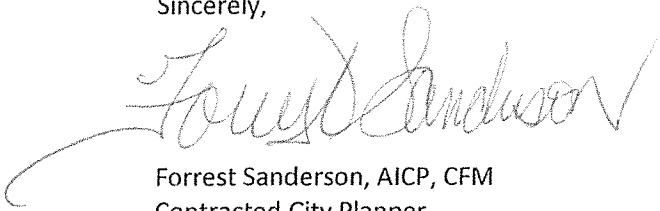
In addition to addressing the Discussion Points listed above, you will need to submit the information identified Appendix D of the Laurel Subdivision Regulations along with the required review fees.

1. Submit four (4) 24"x 36" plat and supplements;
2. Submit nine (9) 11"x 17" plats and supplements.

My hand-written notes and the Pre-Application Meeting Checklist are attached and are hereby incorporated into this summary by reference and are made a portion of this summary.

Should you have any questions concerning the Laurel Subdivision Regulations, the Review Process or the information required for Public Review, please contact me.

Sincerely,



Forrest Sanderson, AICP, CFM
Contracted City Planner

Enclosures: Fee Schedule, Preliminary Plat Application, Meeting Checklist (dated 3/28/18), Meeting Notes (dated 3/28/18)

cc: Kurt Markegard, File City, File KLJ, City-County Fire Department

Forrest Sanderson

From: Scott Aspenlieder <scott@performance-ec.com>
Sent: Friday, February 15, 2019 1:08 PM
To: Forrest Sanderson
Cc: Kurt Markegard; Sam Painter - Thompson Painter Law; Craig Dalton
Subject: RE: Annexation Agreement - Major Components

Forrest

Thanks for your clarification. We'll wait to hear from Sam and Kurt for further clarification on Questions 2 and 4 as they're important to have clear expectations set going in. Thanks for your help.

Thanks,

Scott Aspenlieder, P.E.
scott@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 461-8392



608 North 29th Street • Billings, MT 59101
www.performance-ec.com

From: Forrest Sanderson [mailto:Forrest.Sanderson@kljeng.com]
Sent: Friday, February 15, 2019 12:01 PM
To: Scott Aspenlieder <scott@performance-ec.com>
Cc: Kurt Markegard <kmarkegard@laurel.mt.gov>; Sam Painter - Thompson Painter Law <sam@thompsonpainterlaw.com>
Subject: RE: Annexation Agreement - Major Components

Scott:

1. I don't really have an issue with the future dedication of the extension of Eleanor Roosevelt/East 8th to Yard Office as the development plan progresses but the connectivity issue was discussed as part of the pre-application both to Yard Office and from this development to the lands adjacent to. By taking this approach it will give you and the design team a chance to work the extension into the plan in a manner that is most advantageous to both the Developer and City of Laurel.
2. As I read Resolution R-08-22 (Attached) Annexation Criteria and Requirements Section A 3rd bullet, it appears that the intent of the City is that you will be required to install all of the existing or proposed public improvements but I have included Kurt and the City Attorney on this response for clarification on the matter and will defer the Decision to the Employees/Counsel of the City for the Final Answer.
3. You are correct, the internal subdivision infrastructure will be addressed via the SIA for each subdivision filing as the development progresses and it will be at this point the extension of Eleanor Roosevelt/East 8th along with infrastructure will be addressed.
4. The house on Lot-18 really complicates the annexation issue. There are resolutions and ordinances of the City that prohibit septic and drainfields within the City and from what I understand the structure is on a private 2" water line that does not meet with City regulations post annexation. It also has the potential to bring Section

B (2nd and 3rd paragraphs) in to play with respect to external improvements. The advantage is the two-year window for completion and a legitimate argument could be raised that you would have 2-years post Final Annexation to connect the house to water and sewer in accordance with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets. Again, I will defer final determination on this issue to the City Employees/Attorney for the final answer on the interpretation possible timelines and application of the requirements of R-08-22.

At this point my suggestion is work the easy sections forward and we will get clarifications on these outstanding points!

Forrest Sanderson, A.I.C.P. and C.F.M.



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2611 Gabel Road
Billings, MT 59102-7329
klieng.com

From: Scott Aspenlieder <scott@performance-ec.com>
Sent: Friday, February 15, 2019 11:06 AM
To: Forrest Sanderson <Forrest.Sanderson@klieng.com>
Cc: Craig Dalton <craig@performance-ec.com>
Subject: RE: Annexation Agreement - Major Components

Forrest

Couple things jump out to me at this point that need direct attention/clarification.

1. Dedicating the ROW for a connection from 8th through to Yard Office seems premature at this point. I'm concerned that we're only at the planning stages and not ready to commit what that connection would be. Seems like we can easily address that as part of the SIA when we go through subdivision. I just don't think we're ready for it right now and I don't want to do it based on a preliminary layout only to be asking the City to work with us to adjust it if the plan changes.
2. I assume we're only paying for improvements to our side of the roads adjacent to the development (8th/Eleanor Roosevelt and Yard Office) as is done in Billings. If the City has a different idea or thought on that we need to talk about it. Other communities/counties have gotten into significant legal trouble requiring off-site improvements that are neither adjacent to the subject development or are not identified by the traffic study (ie intersections). Just want to make sure we're all clear on that and off on the right foot. It wasn't terribly clear to us coming out of the Pre-App meeting what the City's expectations were.
3. Engineer's Estimate and bonding for improvements makes sense for the directly adjacent improvements identified in #2 above. I think that's what you were referring too but wanted to make sure all internal stuff was taken care of in the SIA of a subsequent development.
4. The existing house on Lot 18 can be hooked up to water fairly easily but a connection to sewer was assumed to be worked into the development of a subsequent subdivision. The existing house discharges out the back to the north with the drainfield in the back. Sewer service would be much easier to incorporate and manage to collection mains internal to a subdivision without tearing up 8th and searching for a sewer main in that area. If we hooked up to water within the two years after annexation and sewer when the main is installed to lots adjacent to that house internal to the subdivision is that doable. Sewer connection to existing collection south of 8th isn't a good or viable option I don't believe.

I'll start crafting the Annexation Agreement on the issues below if you can give me some feedback on the 4 points above that would be much appreciated. Thanks!

Thanks,

Scott Aspenlieder, P.E.
scott@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 461-8392



608 North 29th Street • Billings, MT 59101
www.performance-ec.com

From: Forrest Sanderson [<mailto:Forrest.Sanderson@kljeng.com>]
Sent: Friday, February 15, 2019 10:07 AM
To: Scott Aspenlieder <scott@performance-ec.com>
Subject: Annexation Agreement - Major Components
Importance: High

Scott:

Your team can use the following bullet points as a guide on the issues for the Annexation Agreement:

- ✓ Quiet the Title to the 30 feet of the property adjacent to Yard Office Road.
- ✓ Dedicate East 8th to the City of Laurel as Residential Collector (70') ROW.
- ✓ Dedicate Eleanor Roosevelt to the City of Laurel as Residential Collector (70') ROW (Where you can).
- ✓ Dedicate additional ROW for Yard Office (Where you can) to the City of Laurel as Commercial Collector (80') ROW.
- ✓ Dedicate additional ROW as Residential Collector (70') such that Eleanor Roosevelt/East 8th provides connectivity to Yard Office Road. ~~This will be required with the first filing of subdivision so it is best to just do it now.~~
- ✓ Prepare a Final Annexation Exhibit showing:
 - All lands included in the annexation
 - All existing Rights-of-Way adjacent to or proposed to be dedicated to the City of Laurel as part of the annexation;
 - All Park lands or other public lands that will be included with the annexation.
- ✓ Provide an Engineers' Estimate of Cost for:
 - The cost of Engineering design of Water, Sewer, Street, Curb, Gutter, Sidewalks and a Bike Pedestrian path in all of the to be annexed ROW where the infrastructure does not meet the minimum standards of the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - The cost of Construction of the designed improvements, discussed above, to the Water, Sewer, Street, Curb, Gutter, Sidewalks and a Bike Pedestrian path where the infrastructure does not meet the minimum standards of the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - A performance bond or other security, consistent with the Laurel Subdivision Regulations (Title 16) at 125% of the Engineers Estimate of Probable Cost to complete the design and construction of the improvements discussed above. The Engineers Estimate of Probable Costs may be submitted to the Contract City Engineer for review and comment prior to acceptance and Final Annexation approval.
 - The executed security mechanism will be required at the time of application for Final Annexation.
- ✓ A signed and notarized acknowledgment by the Developer that is binding upon their heirs, successors and assigns that all required improvements to the off-site public improvements will be completed within two (2)

years of the approval of the Final Annexation or that the City of Laurel may utilize the performance bond or other acceptable securities to complete the improvements outlined above.

- ✓ The City agrees to assign Laurel RLMF and Laurel CC Zoning to the subject properties at the time of Final Annexation Approval in accordance with the petition of annexation and request of initial zoning as submitted by the Developer.
- ✓ That the Developer may apply for Preliminary Subdivision Plat approval during the term of the Annexation Agreement but that NO FINAL PLAT will be approved until such time that the City APPROVES the Final Annexation of the property. Final annexation will NOT occur until such time as the terms of the Annexation agreement have been met.
- ✓ The City of Laurel recognizes the significant costs associated with the improvements necessary to the existing Roads, Water, Sewer, Curb, and Gutter and will consider the creation of a 'Late Comers Agreement' to spread these costs to other benefited properties via the Subdivision processes should the Developer so desire and request.
- ✓ A revised Waiver of all right to protest, including judicial review the creation of any Special Improvements District. This waiver shall be deemed by the City to be a Covenant that runs with the land, the form of which must be approved by City Staff and the City Attorney.
- ✓ The City will assign the properties to be annexed to an Election Ward at the time of Final Annexation consistent with the Montana Code Annotated.
- ✓ At the time of Final Annexation Approval, the existing house on Lot-18 must:
 - Either be removed from the property; OR
 - Connected to the Laurel Water System in a manner consistent with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - Connected to the Laurel Waste Water Collection and Treatment System in a manner consistent with the Laurel Standards for Public Works Improvements, the MPWSS, and the Laurel Rules and Regulations Governing Utility Services and Streets.
 - That any outstanding fees or assessments, including but not limited to System Development Fees, shall be paid to the City of Laurel.
- ✓ Should the property have water rights, irrigation or otherwise, that they will be 100% transferred to the City of Laurel at the time of Final Annexation Approval.
- ✓ That with the exception of the house on Lot-18, that the balance of the property will be served by the Laurel Solid Waste Services.

I hope that this list will give you the backbone of the agreement and I fully recognize that there may be other items that you may want to include in the agreement as you move forward.

The Council Schedule for the next month is:

2/19 Action
2/26 Work Session
3/5 Action
3/12 Work Session
3/19 Action

Given the time I would expect for you to complete the annexation agreement I submit that we are looking at the Work Session on March 12 and Action on 3/19. In order to make this schedule work, we would need your draft agreement for Staff and Legal review on or before 2/27. Just so you know, Kurt will be on vacation from 2/20 to 2/27 and his input will be crucial to the review and approval process.

If you have questions please feel free to give me a call!

Forrest Sanderson, A.I.C.P. and C.F.M.



406-373-7240 Direct
406-794-1460 Cell
2611 Gabel Road
Billings, MT 59102-7329
kljeng.com

Laurel City Planner

From: Laurel City Planner
Sent: Wednesday, October 30, 2019 3:41 PM
To: Craig Dalton
Cc: Scott Aspenlieder; 'Tony Golden (tgolden.realty@gmail.com)'; Katrina Svingen
Subject: RE: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal
Attachments: LMC - Schedule of Fees 2018.pdf

Hi Craig,

I spent some time reviewing the Preliminary Plat and draft SIA with Kurt. We have identified some concerns with the preliminary plat and SIA. I have provided some links to our Subdivision Code which will be important for your review.

- [Chapter 16.03 – Subdivision Review Procedures](#)
- [Chapter 16.04 – Development Requirements](#)
- [Chapter 16.10 – Dedication of Parks, Trails, And Open Space](#)
- [Chapter 16 – Appendix C – Pre-Application Meeting Form](#)
- [Chapter 16 – Appendix D – Preliminary Plat Requirements](#)
- [Chapter 16 – Appendix E – Preliminary Plat Application](#)

Some items discussed in our initial review included:

- Street connectivity within the Subdivision
- Street and intersection design
- Road continuity with the adjacent Laurel street system
- Parkland Dedication/Cash-in-Lieu
- Road Dedication
- Phased development

I suggest specifically reviewing Ch. 16-04.060 – Streets and Roads, as this section contains some points which will need to be addressed. It would be best to review the codes and develop your rationale for the current preliminary design decisions or begin to update the draft documents.

It would be best if we could plan to set up a pre-application meeting to have an in-depth discussion about the proposed subdivision and the requirements of our subdivision codes and our public works standards. I have also attached Laurel's Schedule of Fees for your review. Please let me know if you have any questions or comments. Thank you for your time and I look forward to hearing from you.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Laurel City Planner
Sent: Tuesday, October 22, 2019 9:54 AM
To: Craig Dalton <craig@performance-ec.com>
Cc: Scott Aspenlieder <scott@performance-ec.com>; 'Tony Golden (tgolden.reealty@gmail.com)'
<tgolden.reealty@gmail.com>; Katrina Svingen <katrina@performance-ec.com>
Subject: RE: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal

Hi Craig,

Thank you for the email. I will take a look at this preliminary plat and SIA and get back to you by early-mid next week with my initial comments. I look forward to working with you on this process.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Craig Dalton <craig@performance-ec.com>
Sent: Tuesday, October 22, 2019 9:32 AM
To: Laurel City Planner <naltonaga@laurel.mt.gov>
Cc: Scott Aspenlieder <scott@performance-ec.com>; 'Tony Golden (tgolden.reealty@gmail.com)'
<tgolden.reealty@gmail.com>; Katrina Svingen <katrina@performance-ec.com>
Subject: Goldberg Sporting Estates - Preliminary Plat Pre-Submittal

Good Morning Nick,

Please find the attached preliminary plat and SIA for the Goldberg Estates Subdivision. While this is not an official preliminary plat submittal, I wanted to get this over to you to review and provide feedback prior to our official submittal

coming in November. Upon our official submittal the statutory timelines will start so I am hoping we can get most of the details addressed prior to that time. Upon your review, please contact me to discuss questions/comments you may have.

Thank you,

Craig Dalton, P.E.
Project Manager/Principal
craig@performance-ec.com
Office: (406) 384-0080
Mobile: (406) 459-8456



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www.performance-ec.com

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Laurel City Planner

From: Laurel City Planner
Sent: Thursday, November 21, 2019 4:21 PM
To: Katrina Svingen
Cc: Craig Dalton; Scott Aspenlieder; Tony Golden
Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19
Attachments: Yard Office - Resolution No. R19-43 - AA - Waiver.pdf; Pre_Application_LTR2019022.pdf; LMC - Schedule of Fees 2018.pdf; Rules and Regulations Governing Utility Services and Streets Div. 1.pdf; Rules and Regulations Governing Utility Services and Streets Div. 2.pdf; Standards for Public Works Improvements 2003.pdf; Yard Office Annexation Agreement CC APPROVED.pdf

Hi Katrina,

First and foremost, I was reviewing Yard office and GSE files and have not been able to locate fully signed/executed copies of the Annexation Agreement and Waiver of Right to Protest for the lots in the subdivision. I have attached the City of Laurel's approved resolution which has unsigned copies of the Annexation Agreement and Waiver of Right to Protest which were found to be up to city standards. I have also attached a clearer copy of the AA and Waiver PDF to ensure any final signed version is clear. Right now I recommend moving onto an official preliminary plat application. At this point city staff are looking at the proposed preliminary plat piece by piece. Moving onto the official process would allow staff to fully review the preliminary plat and all required supporting documentation.

The Current situation:

- Subdivision Pre-Application Meeting took place on February 4, 2019.
- Summary of Subdivision Pre-Application Meeting was prepared by Forrest Sanderson dated February 7, 2019. (Attached)
- No preliminary plat application was submitted.
- No Preliminary Plat application fee was submitted.

Before submitting a preliminary plat application and supporting documents I would suggest to:

- Review the approved Annexation agreement
- Review the subdivision pre-application meeting summary sheet
- Review Chapter 16 for specific regulations
- Update the preliminary plat and supporting documents to ensure that the items included with the AA and pre-App meeting summary been included/addressed in the preliminary plat and SIA
- Ensure that the preliminary plat conforms to Chapter 16.
- Provide us with a signed Annexation Agreement and Waiver of Right to Protest for filing with the YC Clerk and Recorder

Please ensure that the Preliminary Plat and documents follows the rules laid out in [Ch. 16 - Subdivisions](#). Below I have also linked important and pertinent subchapters in Ch. 16.

- [16.03 – Subdivision Review Procedures](#)
 - 16.03.030 – Major Preliminary Plat application submittal
- [16.04 – Development Requirements](#)
- [16.05 – Guarantee of Public Improvements](#)

- 16.05.020 – Security Guarantee, Part C, Sequential Development.
- [16.09 – Environmental Assessment](#)
- [16.10 – Dedication of Parks, Trails, and Open Space](#)
- [Ch. 16 Appendix E – Preliminary Plat Application](#)
- [Ch. 16 Appendix F – Required Supporting Documents for Major Preliminary Plat Applications](#)

Some Follow-Up on comments from our previous conversations:

Kurt would like to see a full road connection between the CC and RLMF portions of the subdivision for both traffic flow and ensuring utility access. He reported that a 20ft wide utility easement was not sufficient for running utilities as per Laurel standards, which would need a 30ft easement.

Overall I want to ensure that subdivisions coming into the city conform to our codes. We can go back and forth on discussions regarding road connectivity inside and outside of the subdivision and designs but the bottom line would be that anything that does not follow our code would require a variance.

At this point I see the parkland dedication location as very low priority and would not need to be brought to council for their suggestion. I just want to ensure that the cash-in-lieu and the acreage/sqft amounts are correct. I also reviewed Chapter 16.05.020 Part C which discusses phased (Sequential) development. We can use this to guide how we ensure the phases of development move smoothly.

If you have any questions about this please let me know. Thank you for your time and I look forward to hearing from you.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Laurel City Planner
Sent: Tuesday, November 19, 2019 8:11 AM
To: Katrina Svingen <katrina@performance-ec.com>
Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden

<tgolden.reealty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Hi Katrina,

I will be finalizing comments and try to send them by the end of the workday today. Thanks for checking in.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)
406.628.2241 (fax)
naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Katrina Svingen <katrina@performance-ec.com>

Sent: Monday, November 18, 2019 10:16 AM

To: Laurel City Planner <naltonaga@laurel.mt.gov>

Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.reealty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Morning Nick,

Just wanted to follow up with you and see if you have comments ready for the Goldberg Sporting Estates Subdivision?

-Katrina

Katrina Svingen, P.E.
Associate Engineer
katrina@performance-ec.com
(406) 384-0080



608 North 29th Street • Billings, MT 59101

From: Laurel City Planner <naltonaga@laurel.mt.gov>

Sent: Friday, November 8, 2019 1:04 PM

To: Katrina Svingen <katrina@performance-ec.com>

Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>

Subject: RE: GSE Prelim Plat Meeting Notes - 11.08.19

Hi Katrina,

Thanks to you and Craig for the conversation this morning. I will work to try and have my comments and follow-ups done by the end of next week. Feel free to contact me with any other questions or comments in the meantime. Thanks again.

Regards,
Nick Altonaga
City Planner

406.628.4796, Ext. 5 (office)

406.628.2241 (fax)

naltonaga@laurel.mt.gov

City of Laurel
PO Box 10
115 West First St.
Laurel, MT 59044-0010



From: Katrina Svingen <katrina@performance-ec.com>

Sent: Friday, November 8, 2019 11:35 AM

To: Laurel City Planner <naltonaga@laurel.mt.gov>

Cc: Craig Dalton <craig@performance-ec.com>; Scott Aspenlieder <scott@performance-ec.com>; Tony Golden <tgolden.realty@gmail.com>

Subject: GSE Prelim Plat Meeting Notes - 11.08.19

Nick,

As a follow up to our phone call this morning, here's a marked up PDF with comments, concerns and points for moving forward. I've made a bullet list below as well and outlined who has committed to doing different tasks going forward.

- (1) Street connectivity within the Subdivision
 - o Possible private road connecting residential and commercial areas
 - o Nick to comment on any concerns with proposed private road with public access easement for the commercial area and connection road between residential and commercial area.
- (2) Street and intersection design
 - o PE to double check minimum distances (50' for internal roads and 100' for external road connections)
- (3) Road continuity with the adjacent Laurel street system

- Question about continuity with Mulberry Avenue
 - Reasoning for location includes:
 - Mulberry is a dead end that does not connect to E Main Street,
 - Approximately 240' separation between access points off of Eleanor Roosevelt Dr, and
 - Proposed entrance is aligned with existing driveway of business to the south (Cotter's Sewer, Septic, and Portable Toilet Services)

(4) Parkland Dedication/Cash-in-Lieu

- PE to double check numbers for parkland areas and ensure existing public park to north and stormwater pond areas are not included in proposed areas
- Nick mentioned Section 16.10.010C of code that outlines governing body recommendations for parkland...City of Laurel to comment on preference or okay proposed parkland dedication with additional cash-in-lieu option.

(5) Road Dedication

- Dedication of Eleanor Roosevelt Dr to be shown on the plat

(6) Phased development

- Deed restriction and release example for Nick (included in this email)

Thanks again for taking the time to go over the project and let us know if you want clarity on anything or have any additional questions concerning the proposed preliminary plat.

-Katrina

Katrina Svingen, P.E.
Associate Engineer
katrina@performance-ec.com
(406) 384-0080



608 North 29th Street • Billings, MT 59101

File Attachments for Item:

6. Approve Meeting Minutes: September 16, 2020



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, SEPTEMBER 16, 2020
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

Chair called the meeting to order at 5:35PM

Evan Bruce
Roger Geise
Dan Koch
Ron Benner
Gavin Williams
Judy Goldsby

Nick Altonaga (City of Laurel)

General Items

2. Approve Meeting Minutes: August 19, 2020

Ron Motioned to Approve the Minutes from August 19, 2020 as written.
Evan Seconded.
Motion Carried.

3. Public Hearing: Review and Comments on Laurel High School Sign Replacement

Planning Director Altonaga provided an overview of the Laurel High School Sign and the required public process.

Wayne Fjare, Facilities Director of Laurel Public Schools was in attendance. He provided details on the sign that they plan to install. The sign will be an electronic reader board, and will be 20 inches higher off the ground, and a much higher resolution. The current sign is not working, so this will be a full replacement.

Ron asked if this will be a video sign?

Wayne answered that yes it will be able to do full video.

The Chair and other members want the School District to know that this is outside of the zoning parameters. It would not look good to allow signs like this.

Members reported that it might not look good when the district has developments like this. It might not look good when we allow the School District to install this type of sign versus private businesses being denied for these types of signs.

Gavin spoke for the sign. He reported that he is a Laurel High School graduate and is happy to see something presenting information about the school. There are a lot other issues distracting people than animated signs for the High School. Sign could boost community relations and help with making the school district more a part of the community.

Ron disagreed with it not being a distraction, stating that it might cause issues with more distraction, especially with kids and students crossing during the day.

Judy: There are some allowable uses for the sign, including 30 second repeats. We can work with the sign maker to come up with a middle ground.

Wayne stated that they do not want to create a hazard or an issue for the community. I will bring these concerns back to the School Board.

Nick will send along a set of baseline rules for the sign to pass along to the Board.

Roger: Would just like some more parameters, Board meetings, sporting events, upcoming events, Games, etc.

There were no proponents or opponents present at the hearing.

The Chair closed the Public Hearing.

New Business

4. Growth Management Policy - Chapter Review

Nick presented the Growth Policy for review. Nick reported that it has not changed much since the last review, but all chapters have been prepared.

Board members reviewed the plan and discussed a number of items.

Is there any update from MDT on road development off the new Interchange? It would impact Laurel if there are plans for more road network connections such as Buffalo Trail or towards the south.

Nick reported that there is nothing major that he is aware of.

Roger asked if there is any interest in companies developing by the new interchange?

Nick reported that no one has contacted him and is unaware of any other city departments hearing anything about development near there.

Ron: **Chapter 10:** Local routes and maintenance section: Add verbiage for adding roads, COMPLETING roads, improving roads. (Many roads are not full width and are lacking curbs and gutters). Have a goal of future development

Gavin: **Page 29: Chapter 4** – Student/Teacher ratio – Exactly the same as the United States? Please double check this. Try to find a better data source for this?

Ron: Should there be a disclaimer for the facts and figures? Possibly a **bibliography**? Should state the data sources?

Nick stated that he will see if that is the normal way things or done, or if it will be necessary, with only a few separate sources of information.

Nick asked the board members to please review the document and get back to him with any comments or concerns. He then discussed the updated schedule for review and approval of the Growth Management Policy.

Old Business

Other Items

5. Upcoming Items

Nick provided a summary of some projects that will be coming up in the next few months. These included The review and approval of the Growth Policy, the proposed Goldberg Sporting Estates which is under review by the Planning Department, and a Conditional Land Use Permit for 1009 East 6th Street.

Ron: Can Kurt be present at the meeting to discuss the Water and Sewer system for the upcoming subdivision?

Roger: Have you addressed any of the issues with Regal Land Development?

- Karen and the Planning Director are working on these issues.
- City Council has also discussed their concerns at length.

Ron: Many people have built their fences directly on the property line to the Soccer fields. Have you addressed the issue with fence setbacks or difficulty for players to retrieve balls?

- Planning has not been aware of this issue but can look into the issue.

Roger: Any movement on the Downtown District development or planning?

Nick reported that he would like to put together a downtown revitalization plan after the Growth Policy is completed, possibly next spring or summer.

Members generally discussed downtown development and possible projects to help the district.

- Different projects taking place
- Possible projects that could improve the area
- Nick mentioned the numerous vacant lots that could be used for infill development.

Judy discussed the recent session with outside Rural development specialists with Laurel Revitalization League to help with Laurel.

Ron: We need to see ourselves like the Heights, slow steady, consistent development to not have everyone just go to Billings for services.

Members discussed options for downtown and outside funding supports and parcels available for development or redevelopment. We could position ourselves as a regional hub for the nearby rural communities.

Announcements

6. Next Meeting: October 21, 2020

Ron Motioned to Adjourn.

Roger Seconded.

Motion Carried.

Meeting Adjourned at 6:44PM.

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:

18. Council Workshop Minutes of March 2, 2021.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, MARCH 02, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:31 p.m. on March 02, 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:

Nick Altonaga, Planning Director
Nathan Herman, Utility Plants Superintendent
Matt Smith, KLJ

Public Input:

There were none.

General Items

Executive Review

1. Resolution - A Resolution Declaring Certain City Property "Surplus" Available For Sale Or Trade To The Public Or Other Governmental Entities Or Vendors.

Mayor Nelson stated that the Ambulance Director was unable to attend tonight's meeting as she is teaching a class. Recently the Ambulance got new cots. Their old cots need to be declared surplus so they can go up for auction.

2. Resolution - A Resolution Granting A Variance To The Minimum Lot Size Requirement For Property Located Within The City Of Laurel's Community Commercial Zoning District For Property Located At 503 Fir Avenue/1313 E. Main Street, Within The City Of Laurel. - PH 3.9.2021

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

It was questioned if both houses have separate utilities. Council noted that any shared utilities would need to be separated before variance at the property owner's expense. The Planning Director stated he believed the utilities were separate but that he would check on that.

It was questioned how these lots would be addressed in the future. For instance, if one should have a house fire, would the property owner be able to rebuild? It was clarified they could rebuild in the same footprint within six months' time frame. Should any issues arise, they would be dealt with at that time. A size change would need another variance.

Planning Board was concerned about the property becoming a commercial kennel. They would need a special review and come before Council for that to happen. The property owner is planning to move as soon as possible. The animals at the residence are licensed with the City.

3. Resolution - A Resolution Approving Zone Changes For Block 7, Lots 3-11 Iron Horse Station Subdivision, Phase II, An Addition To The City Of Laurel.- PH 3.9.2021

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report. He stated this zone change is part of the settlement agreement Council approved at the last meeting.

4. Resolution - A Resolution Of The City Council Approving A Task Order For KLJ Engineering Inc. To Authorize Work On The Water Storage Tank Roof Recoat Project For The City Of Laurel.

Nathan Herman, Utility Plants Superintendent, the coating is worn off the dome. There are areas worn down to the primer. The reservoir has not been recoated since the 1980s. The coating has been tested for lead. There is very little lead in the coating. They are just recoating the dome portion of the reservoir. Water will mess with the coating's ability to dry properly. The reservoir will be sandblasted to knock off any loose coating. They are not expecting much to come off. They have looked at the dome via a drone as it is not safe to send employees onto a curved surface to inspect the reservoir in person. The Contractor will go up and do an inspection before work begins. There are large patches where there is no coating on the roof. The coating will stop rust from occurring.

It was questioned if there was rust at this time. It was clarified that there is no rust from what they are able to see at this time. They cannot see metal peeling up, but it has been over 20 years since it was recoated. It is due. The tank is in good shape; it just needs maintenance to ensure it stays in good condition.

The inside of the tank needs to be relined but needs all the water out before doing that, looking to build a second reservoir.

Council Issues

5. Discussion of any funding mechanisms that may expire for Fire, Police, and Ambulance Departments.

Mayor Nelson stated that there were no funding sources that will be sunseting. The Fire, Police, and Ambulance operate out of General Fund. The Fire Department has a CIP fund set up approximately 12 years ago.

It was questioned if that CIP fund had an expiration date. It was clarified that it does not.

6. Ambulance Mill Levy Discussion

The Emergency Services Committee Chair stated that they need more planning on the improvements the Ambulance Service needs. They were asking for Council's feelings on the mill levy.

The Ambulance Services call volume increased, and the response rate was suffering. A partially paid department was implemented to increase the response rate. They currently have five employees and an Ambulance Director. The Ambulance Director recently compiled a report for the Mayor showing the response rate. They are doing a good job right now. However, we need to have a clear ask before moving forward with a mill levy. Those needs need to be identified and have the associated costs. Mayor Nelson stated that he hopes to bring forward someone to create a City-wide CIP Plan. Council agreed this would help identify the ask for the mill levy. It was further stated that other departments have needs as well, such as the Police have no private area to change. The firefighters have no lockers for their gears.

Mayor Nelson stated he and the Planning Director are also looking at the zoning reach with the County. He is also exploring the option of establishing Ambulance Districts similar to Fire Districts.

The County is making up 25% of the calls the Ambulance receives. The Ambulance Service receives approximately three calls per day. It is a well-used service. This is a growing area that will put more stress on the service.

Other Items

Review of Draft Council Agendas

7. Review of draft Council agenda for March 9, 2021.

There were no suggested changes.

Attendance at Upcoming Council Meeting

All present will be in attendance.

Announcements

The Senior Center has been closed for onsite activities for the last year. On March 18th, they are opening the doors to limited seating for meals. They can service 24 people at a time. They still have the Meals on Wheels and pick-up options available.

Park Board's next meeting is March 4th at 5:30 p.m. in Council Chambers.

It was requested at the next Workshop there be a discussion about LMC 6.16.010. Also, discussion if Council is interested in granting a variance.

The council workshop adjourned at 7:27 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Brittney Moorman', with a long horizontal flourish extending to the right.

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.



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: Johnson Variance Request for 503 Fir Ave
DATE: February 12, 2021

DESCRIPTION OF REQUEST

A variance to the Laurel Municipal Code was requested by Zene Johnson on behalf of Brian Johnson for 503 Fir Avenue/ 1313 E. Main Street. The variance application form and justification letter were submitted on January 22, 2021. The variance requested pertains to the minimum lot size requirement for a single dwelling unit on an individual lot. 503 Fir Avenue/ 1313 E. Main Street contains two detached single-family dwellings. The Applicant would like to split the lot and sell one of the parcels, due to a lack of time and ability to maintain the second unit as a rental.

The property is located within the Community Commercial (CC) zoning district. Single and two-family residences in the Community Commercial district follow the requirements of the Residential Limited Multi-Family district. A variance is required because the lots would not conform to the requirements of RLMF zoning. The district requires a minimum of 6,000sqft for a single dwelling unit. The lot is currently 10,593sqft, which is not enough area to accommodate two legal lots.

Owner: Brian R. Johnson
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 14, Lot 10 - 12, LESS 198' FOR TURN LANE (07)
Address: 503 Fir Ave/1313 E. Main Street
Parcel Size: 10,593 sqft
Existing Land Use: Two Single Family Dwellings
Proposed Land Use: Two Single Family Dwellings (separation of parcels)
Existing Zoning: Community Commercial

BACKGROUND AND PROCEDURAL HISTORY

- The Planning Director met with the Applicant in the Summer and Autumn of 2020 to discuss the situation and available options.
- Variance Application submitted on January 22, 2021.
- A Public Hearing is scheduled at the February 17, 2021 Planning Board meeting to receive public comment and vote on recommendations to be provided to City Council.
- A Public Hearing is scheduled at the City Council meeting on March 9, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.

STAFF FINDINGS

The Applicant is requesting a variance to Table LMC 17.16.020 which presents the zoning requirements for Residential districts. The RLMF zoning jurisdiction (which the CC district uses as the requirements for one and two-family dwellings) requires a minimum of 6,000sqft for a single dwelling unit. The Applicant seeks to split the property, creating two lots each with a single-family home.

- ❖ The Applicant has provided a justification letter regarding the Variance request.
- ❖ Parcel contains two single-family dwellings on a 10,593sqft lot.
- ❖ The current owner would like to split the lots and sell 503 Fir Avenue to someone who can provide proper attention and care to the property.
- ❖ The current owner of the parcel does not have the time and ability to maintain both dwelling units due to family obligations.
- ❖ Dividing the lot would create two lots that are approximately 5,296sqft in size.
- ❖ This lot size is roughly equivalent to many lots in the neighboring area.
- ❖ The property deeded approximately 200sqft of the lot to the Montana Department of Transportation in 2006 for additional right-of-way.
- ❖ The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

The City-County Planning Board shall act as a zoning commission in order to recommend the boundaries of the various districts and appropriate regulations to be enforced.

- 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.

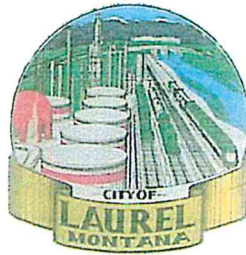
RECOMMENDATIONS

The Planning Director recommends that the Planning Board approve the variance request. The Planning Director has prepared drafted conditions of approval which are presented below.

1. Division of the lots of 503 Fir Ave and 1313 E. Main Street will be filed within six (6) months of variance approval.
2. Lots shall be maintained in good condition.
3. All applicable permits and approvals for construction, driveway accesses, and other ingress and egress points shall be applied for.
4. No residential or commercial uses shall take place on the subject properties that are in violation of Chapter 17 of the Laurel Municipal Code.
5. No commercial kennel or other pet-related enterprise shall be established on the parcel.

ATTACHMENTS

1. Variance Application
2. Justification Letter
3. Concept Plan for lot division
4. Overhead map with 300ft buffer
5. List of adjacent property owners
6. Public hearing notice
7. Bargain and Sale Deed (MDT)
8. LMC 17.16 – Residential Districts
9. LMC 17.20 – Commercial – Industrial Use Regulations



Laurel Variance Request Application

This application covers appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

The undersigned owner or agent of the owner of the following described property requests a variance to the Zoning Ordinances of the City of Laurel as outlined by the laws of the State of Montana.

1. Name of property owner: BRIAN JOHNSON
2. Name of Applicant if different from above: ZENE JOHNSON
3. Phone number of Applicant: 406-591-4774
4. Street address and general location: 503 FIR & 137 E MAIN
5. Legal description of the property: NUTTING SUBD BLOCK 14 LOT 10
6. Current Zoning: COMMUNITY COMMERCIAL
7. Provide a copy of covenants or deed restrictions on property.

I understand that the filing fee accompanying this application is not refundable, that it pays part of the cost of process, and that the fee does not constitute a payment for a variance. I also understand I or my agent must appear at the hearing of this request before the Planning Board and all of the information presented by me is true and correct to the best of my knowledge.

Signature of Applicant: Zene Johnson

Date of Submittal: 1-15-21

January 15, 2021

TO: City-County Planning

RE: Laurel Municipal Code Chapter 17.60.020

503 Fir – 1313 E. Main- Block 14, Lot 10, Nutting Subd.

I am asking that a variance be granted for this property. My mother Patty Johnson, who was well known in Laurel having lived there for more than 30 years, died May 12, 2020. I subsequently inherited the property, which consists of two houses and a couple of storage sheds. My family now lives in the house at 1313 E. Main. It had been extensively remodeled after a fire 6 or 7 years ago and a car crashing into it 3 or 4 years ago. Therefore, it is a better fit for me, my wife and 3 small children.

The house at 503 Fir has been used as a rental for many years and having a rental is something neither my wife nor I want or have time for. We have two special needs children and would like to split the property and sell the 503 Fir house to people who can devote time, attention and love to it.

Because the lot is 10,953 sq ft, it would make the lots slightly under the regular 6,000 sq, ft. lots consistent with the area. However, there are several lots in the area smaller so this should be hopefully an acceptable variance. It would certainly make our lives a lot easier.

That being the case, we respectfully request that you recommend this variance to the Laurel City Council.

Thank you.

Brian Johnson

A handwritten signature in dark ink, appearing to read 'Brian Johnson', is written over a faint, dotted-line signature that is already present on the document.

MONTANA RAIL LINK
D13144C
PO BOX 16624
MISSOULA, MT 59808-6624

MONTANA RAIL LINK
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THIEL, LARRY V TRUSTEE
B00855
1328 RIDGE DR
LAUREL, MT 59044-1816

THIEL, LARRY V TRUSTEE
B00855
1328 RIDGE DR
LAUREL, MT 59044-1816

THIEL, LARRY V TRUSTEE
B00855
1328 RIDGE DR
LAUREL, MT 59044-1816

HINES, MICHAEL J
B00854
504 FIR AVE
LAUREL, MT 59044

HINES, MICHAEL J
B00854
504 FIR AVE
LAUREL, MT 59044

HINES, MICHAEL J
B00854
504 FIR AVE
LAUREL, MT 59044

ROMEE, MICHAEL P & JUDY ANN
B00853
619 E 5TH ST
LAUREL, MT 59044-2710

ROMEE, MICHAEL P & JUDY ANN
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619 E 5TH ST
LAUREL, MT 59044-2710

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ATKINSON, RITA R
B00852
510 FIR AVE
LAUREL, MT 59044

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510 FIR AVE
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BUREAU, RONALD W & DARLA J
B00851
518 FIR AVE
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FRANK, TANCY
B00850
8522 DANFORD RD
LAUREL, MT 59044-8317

FRANK, TANCY
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8522 DANFORD RD
LAUREL, MT 59044-8317

FRANK, TANCY
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8522 DANFORD RD
LAUREL, MT 59044-8317

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524 FIR AVE
LAUREL, MT 59044

SMITH, BRAD M
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524 FIR AVE
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SMITH, BRAD M
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523 ELM AVE
LAUREL, MT 59044

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523 ELM AVE
LAUREL, MT 59044

MEISNER, GLEN ALAN
B00862
523 ELM AVE
LAUREL, MT 59044

GIERKE, GUY W B00861 519 ELM AVE LAUREL, MT 59044	GIERKE, GUY W B00861 519 ELM AVE LAUREL, MT 59044	GIERKE, GUY W B00861 519 ELM AVE LAUREL, MT 59044
YODER, JOHN ARLEN B00860 513 ELM AVE LAUREL, MT 59044	YODER, JOHN ARLEN B00860 513 ELM AVE LAUREL, MT 59044	YODER, JOHN ARLEN B00860 513 ELM AVE LAUREL, MT 59044
FOSTER, JEREMY B00859 509 ELM AVE LAUREL, MT 59044	FOSTER, JEREMY B00859 509 ELM AVE LAUREL, MT 59044	FOSTER, JEREMY B00859 509 ELM AVE LAUREL, MT 59044
STEINMASSEL, TERRY A & TRACY B00858 B00857 519 W 11TH ST LAUREL, MT 59044	STEINMASSEL, TERRY A & TRACY B00858 B00857 519 W 11TH ST LAUREL, MT 59044	STEINMASSEL, TERRY A & TRACY B00858 B00857 519 W 11TH ST LAUREL, MT 59044
FIECHTNER, BRIAN K B00856 4215 HILLCREST RD BILLINGS, MT 59101	FIECHTNER, BRIAN K B00856 4215 HILLCREST RD BILLINGS, MT 59101	FIECHTNER, BRIAN K B00856 4215 HILLCREST RD BILLINGS, MT 59101
SUMMERS, DIANE MARIE & DELORES SCHIED B00866 B00865 2202 WILLOWBROOK WAY BILLINGS, MT 59102-2880	SUMMERS, DIANE MARIE & DELORES SCHIED B00866 B00865 2202 WILLOWBROOK WAY BILLINGS, MT 59102-2880	SUMMERS, DIANE MARIE & DELORES SCHIED B00866 B00865 2202 WILLOWBROOK WAY BILLINGS, MT 59102-2880
TINNES FAMILY TRUST B00864 7974 ROBIN RD PARKER, CO 80138	TINNES FAMILY TRUST B00864 7974 ROBIN RD PARKER, CO 80138	TINNES FAMILY TRUST B00864 7974 ROBIN RD PARKER, CO 80138
PAUL, JAMES J & RIKKI B00863 7263 FOLSOM RD BILLINGS, MT 59106-2536	PAUL, JAMES J & RIKKI B00863 7263 FOLSOM RD BILLINGS, MT 59106-2536	PAUL, JAMES J & RIKKI B00863 7263 FOLSOM RD BILLINGS, MT 59106-2536
GEORGE, MIKE R & STEPHANIE A B00871 1304 E 6TH ST LAUREL, MT 59044	GEORGE, MIKE R & STEPHANIE A B00871 1304 E 6TH ST LAUREL, MT 59044	GEORGE, MIKE R & STEPHANIE A B00871 1304 E 6TH ST LAUREL, MT 59044
HOLYCROSS, DAVID A & FLORENCE B00870 801 E 4TH ST LAUREL, MT 59044-2801	HOLYCROSS, DAVID A & FLORENCE B00870 801 E 4TH ST LAUREL, MT 59044-2801	HOLYCROSS, DAVID A & FLORENCE B00870 801 E 4TH ST LAUREL, MT 59044-2801

THURMAN, MITCHELL R
B00869
515 FIR AVE
LAUREL, MT 59044

GORDON, VIRGINIA F
B00868
509 FIR AVE
LAUREL, MT 59044

JOHNSON, BRIAN RICHARD
B00867
503 FIR AVE
LAUREL, MT 59044

ARROYO SECO GROUP INC &
B00873
7308 EL NIDO
LA VERNE, CA 91750-1127

FRANCO, CAROL
B00874
1404 E 6TH ST
LAUREL, MT 59044

PROPIEDAD LLC
B00774
PO BOX 20853
BILLINGS, MT 59104-0853

RATCLIFF, RANDALL C & RANA
B00773 1003415
2807 LYNDAL LN
BILLINGS, MT 59102-1439

STOEBE, ROBIN RODNEY
1003055
4206 WATERFORD DR
BILLINGS, MT 59106-1723

THURMAN, MITCHELL R
B00869
515 FIR AVE
LAUREL, MT 59044

GORDON, VIRGINIA F
B00868
509 FIR AVE
LAUREL, MT 59044

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STOEBE, ROBIN RODNEY
1003055
4206 WATERFORD DR
BILLINGS, MT 59106-1723

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a variance application submitted by Zene Johnson regarding the property at 503 Fir Ave for lot coverage requirements. The Zoning Commission hearing is scheduled for **5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 17th, 2021.**

Additionally, the City Council has scheduled a public hearing for the consideration of the variance request. The City Council hearing is scheduled for **6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, March 9th, 2021.**

The applicant seeks to split the parcel at 503 Fir Avenue into two parcels. The lot is 10,953 square feet in size. This property is zoned Community Commercial (CC). The Community Commercial zoning district requires a minimum lot size of 6,000 square feet. The splitting of the lot into two parcels would create a nonconforming lot and is not allowable. The applicant requires a variance approval by the Laurel City Council to have a lot which conforms to Laurel City Code.

It is 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 a literal enforcement of the provisions of the ordinances or regulations will result in unnecessary hardship.

Public comment is encouraged and can be provided in person at the public hearings on February 17th and March 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the variance application and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.



3429593

Page: 1 of 3
07/10/2007 09:52A

Yellowstone County

BSD

33.00

B-80865

ROWForms\Pin\521

Revised 9/29/06

**State of Montana
Department of Transportation**

Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Project ID: HSIP 4-2(32)55 Parcel No.: 13 County: Yellowstone
Designation: 2002 - TURN LANE - LAUREL
Project No.: 5304-032

Bargain and Sale Deed

This Deed, made this 7th day of JUNE, 2007, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, **witnesses that,**

Patricia A. Johnson
503 Fir Ave. 1313 EAST MAIN ST.
Laurel, MT 59044-2828

does hereby grant, bargain, sell and convey to the City of Laurel, Montana, the following-described real property:

Parcel No. 13 on Montana Department of Transportation Project HSIP 4-2(32)55, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana. Said parcel is also described as a tract of land in Lot 10, in Block 14, of Nutting Subdivision, in the City of Laurel, Yellowstone County, Montana, according to the official plat thereof, on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 198 sq. ft., more or less.

RW:D2:5304:p13:JC



Bargain And Sale Deed
Project ID: HSIP 4-2(32)55
Designation: 2002 - TURN LANE - LAUREL

Parcel No.: 13

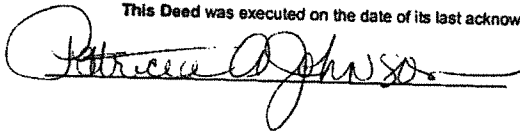
Excepting and reserving to Grantor(s), however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

Further excepting and reserving unto the Grantor(s), her heirs, successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

The Grantor(s) further expressly waives and relinquishes all rights, as owner or successor in interest provided under law, for any preference to repurchase all or a portion of this property should it be determined no longer to be necessary for highway purposes.

To have and to hold the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the City of Laurel, Montana, and to its successors and assigns forever.

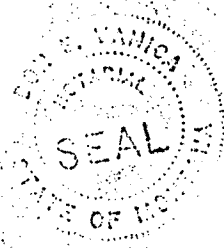
This Deed was executed on the date of its last acknowledgment.



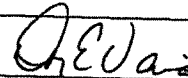
State of MONTANA)
County of YELLOWSTONE)

This instrument was acknowledged before me on JUNE 7, 2007 (date)

by PATRICIA A. JOHNSON (Grantor(s))



(Seal)



Notary Signature Line

DON E. VANICA

Notary Printed Name

Notary Public for State of MONTANA

Residing at: BILLINGS, MONTANA

My Commission Expires: 5 MAY 4, 2008

State of _____)
County of _____)

This instrument was acknowledged before me on _____ (date)

by _____ (Grantor(s))

Notary Signature Line

Notary Printed Name

Notary Public for State of _____

Residing at: _____

My Commission Expires: _____

Recording Information

THIS PLAN IS PREPARED FROM THE MONTANA DEPARTMENT OF TRANSPORTATION RECORDS AND IS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER.

NOTES:
1. THE EXISTING R/W LINE AND R/W ARE A SPINAL LINE. THE EXISTING R/W LINE IS A SPINAL LINE. THE EXISTING R/W LINE IS A SPINAL LINE.
2. ALL STATIONS AND OFFSETS FOR R/W AREAS ARE IN REFERENCE TO THE R/W BOUNDARY.

FOR EXISTING R/W RETRACTION, SEE COS. NO. 3291

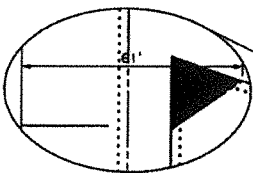
GRID STATE PLANE COORDINATES
THIS IS A STATE PLANE COORDINATE PROJECT. ALL DIMENSIONS, DISTANCES AND AREAS ON THIS PROJECT ARE GRID, EXCEPT FOR THE EXISTING R/W WIDTH DIMENSION, WHICH IS RECORD.
THE COMBINATION SCALE FACTOR IS 0.99950767

LEGEND
RIGHT OF WAY BOUNDARY
RIGHT OF WAY LINE
R/W B/W LINE
R/W ACCESS CORRIDOR
DATE PREPARED 3-1-07
DATE REVISED

MONTANA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY EXHIBIT
YELLOWSTONE COUNTY
SCALE 1"=50'
0 50 100 150

PARCEL 13 SHEET 1 OF 1

PARCEL 13 DETAIL
NOT TO SCALE

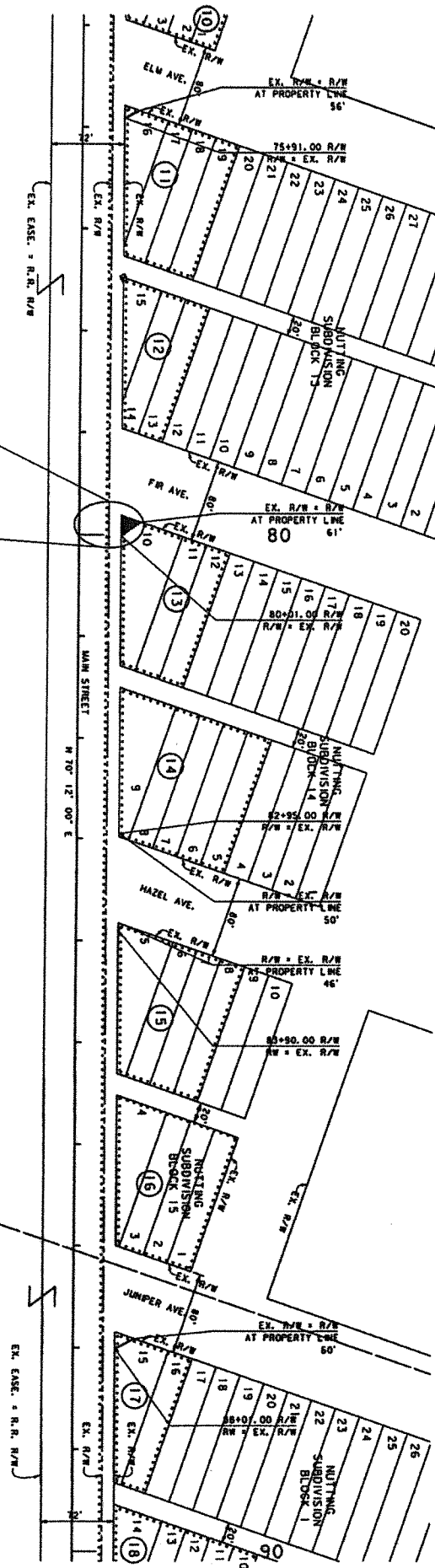


P.O.T. 80+00.00 IS N 45° 41' 21" E
272+11.15 FROM THE SW CORNER
OF SECTION 10, T20N, R24E, CLM

1

NE 1/4 SW 1/4
SEC. 10
NW 1/4 SE 1/4
SEC. 10

EX. EASE. = R.R. R/W



LAUREL

2002 - TURN LANE - LAUREL

STATE	RIGHT OF WAY	2002 0224
MONTANA	R/W D.	NSP 4-21225
UNIFORM PROJECT NO.	3304-032	

17.16.020 - Zoning classified in districts.

Zoning for residential districts is classified in and subject to the requirements of Table 17.16.020.

Table 17.16.020

Zoning Requirements	R 7,500	R 6,000	RLMF	RMF	RMH	PUD	SR	RT
Minimum lot area per dwelling unit in square feet								
One unit	7,500	6,000	6,000 ¹	6,000 ¹	6,000 ³	See	5 acres	1 acre
Two units		7,500	7,500	7,750		Chapter		
Three units		8,500	8,500	9,500		17.32		
Four units			10,000	11,250				
Five units				13,000				
Six units or more				Add 2,500 each additional unit				
Minimum yard – setback requirements (expressed in feet) and measured from public right-of-way								
Front	20	20	20	20	10		25 ⁵	25
Side	5	5 ⁴	5 ⁴	5 ⁴	5		5 ⁵	5
Side adjacent to street	20	20	20	20	20		10 ⁵	10
Rear	5	5	5	5	5		25 ⁵	25
Maximum height for all buildings	30	35	35	40	30		30	30
Maximum lot coverage (percentage)	30	30	40	45	40		15	30
Minimum district size (expressed in acres)	2.07	2.07	2.07	2.07	2.07		20	5

¹ Row housing may be permitted to be constructed on 3,000 square foot lots if approved through the special review process.

² NA means not applicable

³ The requirements for the mobile homes contained herein relate only to a mobile home subdivision; see Chapter 17.44 of this code for the requirements for a mobile home park.

⁴ Zero side setbacks may be permitted if approved through the special review process.

⁵ All pens, coops, barns, stables, or permanent corrals shall be set back not less than 50 feet from any residence, public road, or water course, and any property line.



17.20.020 - Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.
(Prior code § 17.32.020)

Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front ^(a)	NA	20	20	NA	20	20	20	20	20
Side ^(b)		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear ^(b)		0	0		0	0	0	0	0
Maximum height for all buildings ^(c)	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

(Ord. No. O-14-03,8-5-2014)

Laurel City Planner

From: RITA ATKINSON <ritarose71@msn.com>
Sent: Sunday, February 14, 2021 7:30 PM
To: Laurel City Planner
Subject: Fw: Variance application for 503 Fir

From: RITA ATKINSON
Sent: Sunday, February 14, 2021 7:20 PM
To: cityplanner@laurel.my.gov <cityplanner@laurel.my.gov>
Subject: Variance application for 503 Fir

I live at 510 Fir, across the street from this address. Although it has been zoned commercial for decades, I can see no reason for this variance. There are 2 residences on this lot. Exactly what commercial enterprise would be situated here? At the moment, there are 3 cars on what once was a lawn and 1 on the street that haven't moved in months. The small back yard is being used by large dogs that I believe is a breeding operation for a mix of Great Danes and German Shepards. There is usually between 4 to 8 large dogs and this fall also 3 puppies. There is now more chain link kennels and a shed in the back. The police have been called on these dogs numerous times for incessant barking and once for what appeared to be a deceased dog in the yard. The only thing that has changed since these calls are that the dogs are more restricted for space. If the variance is permitted, the lot gets even smaller. Having had German Shepards all of my life, this whole situation is so unfair to those dogs that I have considered calling the Humane Society and having them check to see if this breeding operation was reported in Nevada before it moved here to our neighborhood where everyone has a dog or even two, but they are never treated like this.

Decades ago, when the back building was a glass shop, there was only one residence there and I do understand that when the shop was converted to a house, the commercial zoning was probably grandfathered in but at this point in time, it has created a hardship for everyone in this whole neighborhood. We have residents that work at night, but the dogs bark at all different times of the day and well into the evening. Sometimes they are quiet for hours and sometimes they bark for hours. I have always thought that in the city of Laurel, you could only have 3 dogs unless you have a kennel license. After all the calls to the police, and nothing being done about the number of dogs at that residence, is it being allowed for that reason? And if the parcel is split, can they double the amount of dogs and cars on the lawn??

If it were allowed, the parcel should go back to residential, there is no reason to have a commercial business on that lot.

For this reason not only am I opposed to this variance, but vehemently opposed to this variance.

Sincerely,

Rita Atkinson
510 Fir
Laurel, Mont.

Laurel City Planner

From: Ron Bureau <RDBU1003@msn.com>
Sent: Sunday, February 7, 2021 1:19 PM
To: Laurel City Planner
Subject: Public hearing 503 Fir Ave.

Hello,

My husband and I are concerned with the idea of 503 Fir Ave being split into a nonconforming lot.

We have lived at 518 Fir Ave for 26 years. Our concern is, if allowing the variance change to occur, will this permit the current residents to establish a commercial dog kennel. This property does not conform to the zoning district requirements. The splitting of the lot into two lots will create, as the City had pointed out, a non-conforming lot and is not allowable. We have no problem with the splitting of lot as long the variance states these lots are to be residential rather than commercial.

Some of our neighbors as well as us have called the Laurel Police due to the constant noise from all the barking dogs. The barking goes on for hours at a time, literally all day and night. This being a residential area, will affect all residences within a two-block area if not more. At one point, Laurel had a City Ordinance that permitted no more than 3 dogs permitted at any one residence.

503 Fir Ave currently has approximately 10-11 dogs (that we have counted on a few occasions. The dogs are Great Dane and German Shepards). The barking is an annoyance for the current and future residents on Fir Ave to have to deal with.

Please decline the request for the variance change as stated in the notice to 503 Fir Ave.

Thank you.

Sincerely,
Ronald and Darla Bureau
518 Fir Ave

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LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board and Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: Iron Horse Station Subdivision Zone Change
DATE: February 12, 2021

DESCRIPTION OF REQUEST

The owner/develop of Iron Horse Station Subdivision has requested a zone change for a portion of the subdivision known as "Phase Two." The area requested for a zone change includes Lots 3-11, Block 7, of Phase Two of the Iron Horse Station Subdivision.

This zone change was included in a settlement agreement made between the owner/developer of Iron Horse Station Subdivision and the City of Laurel. The owner/developer requests that Lots 3-11, Block 7 of the Iron Horse Station Subdivision be rezoned from Residential-6000 to Residential Multi-Family (RMF). This Zone Change is required as per the settlement agreement made between the Owner/Developer of Iron Horse Station Subdivision and the City of Laurel.

Owner: Iron Horse Station LLC
Legal Description: IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 7, Lot 3-10, (06)
Address: 1110 Great Northern Road
Parcel Size: 4 Acres
Existing Land Use: Vacant
Proposed Land Use: Multi-Family Residential use
Existing Zoning: Residential 6000
Proposed Zoning: Residential Multi-Family

BACKGROUND AND PROCEDURAL HISTORY

- The Planning Director met with the Public Works Director and City Attorney to discuss the capacity and specifics of the zone change request in December, 2020.
- The Zone Change is included in a settlement agreement between the owner/developer of the Iron Horse Station Subdivision and the City of Laurel.
- The settlement agreement was approved by the City of Laurel on February 9, 2021.

- The Zone Change application was prepared and submitted to the Laurel Planning Board for its February 17, 2021 meeting as part of the conditions of the settlement agreement.
- A public hearing for the Zone Change application will be held on March 9, 2021 at the Laurel City Council.

STAFF FINDINGS

The Applicant is requesting a variance to Table LMC 17.16.020 which presents the zoning requirements for Residential districts. The RLMF zoning jurisdiction (which the CC district uses as the requirements for one and two-family dwellings) requires a minimum of 6,000sqft for a single dwelling unit. The Applicant seeks to split the property, creating two lots each with a single-family home.

- ❖ The Applicant is requesting a zone change from Residential-6000 (R-6000) to Residential Multi-Family (RMF).
- ❖ The Zone Change shall be completed by March 15, 2021 as described in the settlement agreement between the owner/developer of Iron Horse Station Subdivision and the City of Laurel.
- ❖ The City of Laurel has the capacity to meet the flow/demand needs of the new zoning designation.
- ❖ The City of Laurel has a water line that runs through Lots 3-11, Block 7 of the subdivision.
- ❖ The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.

- A. The zoning commission shall make a recommendation to the city council to:
 1. Deny the application for amendment to the official map;
 2. Grant action on the application for a period not to exceed thirty days;
 3. Delay action on the application for a period not to exceed thirty days;
 4. Give reasons for the recommendation.
- B. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

RECOMMENDATIONS

The Planning Director recommends that the Planning Board approve the zone change. The Planning Director has prepared drafted conditions of approval which are presented below.

1. The Owner/Developer shall comply with all the requirements of LMC Chapter 17.72
2. The Owner/Developer shall submit any and all applicable and necessary permits and fees for development of the parcels subject to this zone change approval.
3. The Owner/Developer shall not install and/or operate any uses on parcels subject to this zone change which are not allowable under LMC Chapter 17.16.

ATTACHMENTS

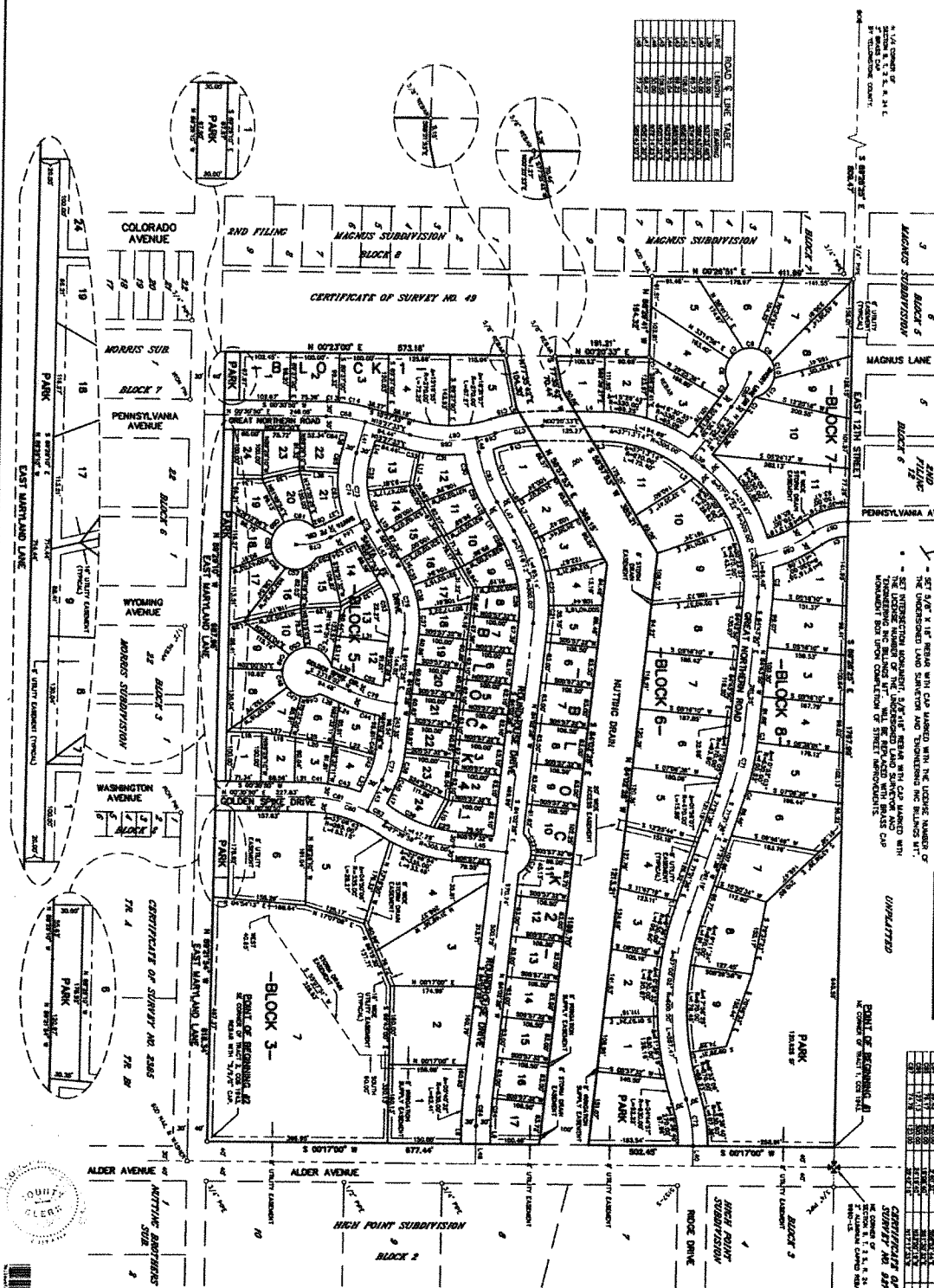
1. Exhibit A.
2. Overhead Map with 300ft buffer
3. Iron Horse Station Subdivision plat (2005)
4. List of Adjacent Property Owners
5. Public Hearing Notice
6. LMC 17.72 – Amendments
7. LMC 17.16 – Residential Districts

AN ADDITION TO THE CITY OF LAUREL,
SITUATED IN THE NE 1/4 OF SECTION 9, T. 2 S., R. 24 E., P.M.M.
CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

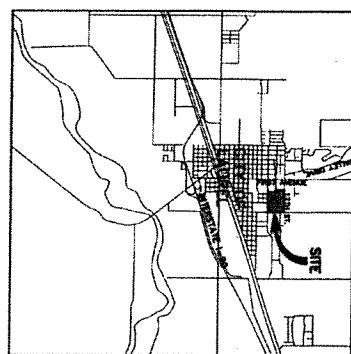
FEBRUARY, 2005
 BILLINGS, MONTANA
 100 50 0 100 25

FEBRUARY, 2005
BILLINGS, MONTANA

HEAD & LINE TABLE		
LINE	LENGTH	REMARKS
1.00	20.00	RT-27-001
1.00	40.00	RT-27-002
1.01	40.00	RT-27-003
1.02	100.00	RT-27-004
1.03	100.00	RT-27-005
1.04	100.00	RT-27-006
1.05	100.00	RT-27-007
1.06	100.00	RT-27-008
1.07	100.00	RT-27-009
1.08	100.00	RT-27-010
1.09	100.00	RT-27-011
1.10	100.00	RT-27-012
1.11	100.00	RT-27-013
1.12	100.00	RT-27-014
1.13	100.00	RT-27-015
1.14	100.00	RT-27-016
1.15	100.00	RT-27-017
1.16	100.00	RT-27-018
1.17	100.00	RT-27-019
1.18	100.00	RT-27-020
1.19	100.00	RT-27-021
1.20	100.00	RT-27-022
1.21	100.00	RT-27-023
1.22	100.00	RT-27-024
1.23	100.00	RT-27-025
1.24	100.00	RT-27-026
1.25	100.00	RT-27-027
1.26	100.00	RT-27-028
1.27	100.00	RT-27-029
1.28	100.00	RT-27-030
1.29	100.00	RT-27-031
1.30	100.00	RT-27-032
1.31	100.00	RT-27-033
1.32	100.00	RT-27-034
1.33	100.00	RT-27-035
1.34	100.00	RT-27-036
1.35	100.00	RT-27-037
1.36	100.00	RT-27-038
1.37	100.00	RT-27-039
1.38	100.00	RT-27-040
1.39	100.00	RT-27-041
1.40	100.00	RT-27-042
1.41	100.00	RT-27-043
1.42	100.00	RT-27-044
1.43	100.00	RT-27-045
1.44	100.00	RT-27-046
1.45	100.00	RT-27-047
1.46	100.00	RT-27-048
1.47	100.00	RT-27-049
1.48	100.00	RT-27-050
1.49	100.00	RT-27-051
1.50	100.00	RT-27-052
1.51	100.00	RT-27-053
1.52	100.00	RT-27-054
1.53	100.00	RT-27-055
1.54	100.00	RT-27-056
1.55	100.00	RT-27-057
1.56	100.00	RT-27-058
1.57	100.00	RT-27-059
1.58	100.00	RT-27-060
1.59	100.00	RT-27-061
1.60	100.00	RT-27-062
1.61	100.00	RT-27-063
1.62	100.00	RT-27-064
1.63	100.00	RT-27-065
1.64	100.00	RT-27-066
1.65	100.00	RT-27-067
1.66	100.00	RT-27-068
1.67	100.00	RT-27-069
1.68	100.00	RT-27-070
1.69	100.00	RT-27-071
1.70	100.00	RT-27-072
1.71	100.00	RT-27-073
1.72	100.00	RT-27-074
1.73	100.00	RT-27-075
1.74	100.00	RT-27-076
1.75	100.00	RT-27-077
1.76	100.00	RT-27-078
1.77	100.00	RT-27-079
1.78	100.00	RT-27-080
1.79	100.00	RT-27-081
1.80	100.00	RT-27-082
1.81	100.00	RT-27-083
1.82	100.00	RT-27-084
1.83	100.00	RT-27-085
1.84	100.00	RT-27-086
1.85	100.00	RT-27-087
1.86	100.00	RT-27-088
1.87	100.00	RT-27-089
1.88	100.00	RT-27-090
1.89	100.00	RT-27-091
1.90	100.00	RT-27-092
1.91	100.00	RT-27-093
1.92	100.00	RT-27-

[illegible]

CURVE TABLE

[illegible]

LINE	LINE	ITEM	QTY	UNIT	PRICE	AMOUNT
1	1	1000	1	EA	1.00	1.00
2	2	2000	1	EA	2.00	2.00
3	3	3000	1	EA	3.00	3.00
4	4	4000	1	EA	4.00	4.00
5	5	5000	1	EA	5.00	5.00
6	6	6000	1	EA	6.00	6.00
7	7	7000	1	EA	7.00	7.00
8	8	8000	1	EA	8.00	8.00
9	9	9000	1	EA	9.00	9.00
10	10	10000	1	EA	10.00	10.00
11	11	11000	1	EA	11.00	11.00
12	12	12000	1	EA	12.00	12.00
13	13	13000	1	EA	13.00	13.00
14	14	14000	1	EA	14.00	14.00
15	15	15000	1	EA	15.00	15.00
16	16	16000	1	EA	16.00	16.00
17	17	17000	1	EA	17.00	17.00
18	18	18000	1	EA	18.00	18.00
19	19	19000	1	EA	19.00	19.00
20	20	20000	1	EA	20.00	20.00
21	21	21000	1	EA	21.00	21.00
22	22	22000	1	EA	22.00	22.00
23	23	23000	1	EA	23.00	23.00
24	24	24000	1	EA	24.00	24.00
25	25	25000	1	EA	25.00	25.00
26	26	26000	1	EA	26.00	26.00
27	27	27000	1	EA	27.00	27.00
28	28	28000	1	EA	28.00	28.00
29	29	29000	1	EA	29.00	29.00
30	30	30000	1	EA	30.00	30.00
31	31	31000	1	EA	31.00	31.00
32	32	32000	1	EA	32.00	32.00
33	33	33000	1	EA	33.00	33.00
34	34	34000	1	EA	34.00	34.00
35	35	35000	1	EA	35.00	35.00
36	36	36000	1	EA	36.00	36.00
37	37	37000	1	EA	37.00	37.00
38	38	38000	1	EA	38.00	38.00
39	39	39000	1	EA	39.00	39.00
40	40	40000	1	EA	40.00	40.00
41	41	41000	1	EA	41.00	41.00
42	42	42000	1	EA	42.00	42.00
43	43	43000	1	EA	43.00	43.00
44	44	44000	1	EA	44.00	44.00
45	45	45000	1	EA	45.00	45.00
46	46	46000	1	EA	46.00	46.00
47	47	47000	1	EA	47.00	47.00
48	48	48000	1	EA	48.00	48.00
49	49	49000	1	EA	49.00	49.00
50	50	50000	1	EA	50.00	50.00
51	51	51000	1	EA	51.00	51.00
52	52	52000	1	EA	52.00	52.00
53	53	53000	1	EA	53.00	53.00
54	54	54000	1	EA	54.00	54.00
55	55	55000	1	EA	55.00	55.00
56	56	56000	1	EA	56.00	56.00
57	57	57000	1	EA	57.00	57.00
58	58	58000	1	EA	58.00	58.00
59	59	59000	1	EA	59.00	59.00
60	60	60000	1	EA	60.00	60.00
61	61	61000	1	EA	61.00	61.00
62	62	62000	1	EA	62.00	62.00
63	63	63000	1	EA	63.00	63.00
64	64	64000	1	EA	64.00	64.00
65	65	65000	1	EA	65.00	65.00
66	66	66000	1	EA	66.00	66.00
67	67	67000	1	EA	67.00	67.00
68	68	68000	1	EA	68.00	68.00
69	69	69000	1	EA	69.00	69.00
70	70	70000	1	EA	70.00	70.00
71	71	71000	1	EA	71.00	71.00
72	72	72000	1	EA	72.00	72.00
73	73	73000	1	EA	73.00	73.00
74	74	74000	1	EA	74.00	74.00
75	75	75000	1	EA	75.00	75.00
76	76	76000	1	EA	76.00	76.00
77	77	77000	1	EA	77.00	77.00
78	78	78000	1	EA	78.00	78.00
79	79	79000	1	EA	79.00	79.00
80	80	80000	1	EA	80.00	80.00
81	81	81000	1	EA	81.00	81.00
82	82	82000	1	EA	82.00	82.00
83	83	83000	1	EA	83.00	83.00
84	84	84000	1	EA	84.00	84.00
85	85	85000	1	EA	85.00	85.00
86	86	86000	1	EA	86.00	86.00
87	87	87000	1	EA	87.00	87.00
88	88	88000	1	EA	88.00	88.00
89	89	89000	1	EA	89.00	89.00
90	90	90000	1	EA	90.00	90.00
91	91	91000	1	EA	91.00	91.00
92	92	92000	1	EA	92.00	92.00
93	93	93000	1	EA	93.00	93.00
94	94	94000	1	EA	94.00	94.00
95	95	95000	1	EA	95.00	95.00
96	96	96000	1	EA	96.00	96.00
97	97	97000	1	EA	97.00	97.00
98	98	98000	1	EA	98.00	98.00
99	99	99000	1	EA	99.00	99.00
100	100	100000	1	EA	100.00	100.00

PREPARED FOR: MARVIN BROWN
PREPARED BY : ENGINEERING, INC.
SCALE : 1" = 100'

LOG	BEAMS	SCORE	FEET
1	5.10	4.10	1.00
2	5.10	4.10	1.00
3	5.10	4.10	1.00
4	5.10	4.10	1.00
5	5.10	4.10	1.00
6	5.10	4.10	1.00
7	5.10	4.10	1.00
8	5.10	4.10	1.00
9	5.10	4.10	1.00
10	5.10	4.10	1.00
11	5.10	4.10	1.00
12	5.10	4.10	1.00
13	5.10	4.10	1.00
14	5.10	4.10	1.00
15	5.10	4.10	1.00
16	5.10	4.10	1.00
17	5.10	4.10	1.00
18	5.10	4.10	1.00
19	5.10	4.10	1.00
20	5.10	4.10	1.00
21	5.10	4.10	1.00
22	5.10	4.10	1.00
23	5.10	4.10	1.00
24	5.10	4.10	1.00

BLOCK 7 AREA TABLE			
LOT	ACRES	SQUARE FEET	
1	0.10	5,280	
2	0.10	5,280	
3	0.10	5,280	
4	0.10	5,280	
5	0.10	5,280	
6	0.10	5,280	
7	0.10	5,280	
8	0.10	5,280	
9	0.10	5,280	
10	0.10	5,280	
11	0.10	5,280	
12	0.10	5,280	
13	0.10	5,280	
14	0.10	5,280	
15	0.10	5,280	
16	0.10	5,280	
17	0.10	5,280	
18	0.10	5,280	
19	0.10	5,280	
20	0.10	5,280	
21	0.10	5,280	
22	0.10	5,280	
23	0.10	5,280	
24	0.10	5,280	
25	0.10	5,280	
26	0.10	5,280	
27	0.10	5,280	
28	0.10	5,280	
29	0.10	5,280	
30	0.10	5,280	
31	0.10	5,280	
32	0.10	5,280	
33	0.10	5,280	
34	0.10	5,280	
35	0.10	5,280	
36	0.10	5,280	
37	0.10	5,280	
38	0.10	5,280	
39	0.10	5,280	
40	0.10	5,280	
41	0.10	5,280	
42	0.10	5,280	
43	0.10	5,280	
44	0.10	5,280	
45	0.10	5,280	
46	0.10	5,280	
47	0.10	5,280	
48	0.10	5,280	
49	0.10	5,280	
50	0.10	5,280	
51	0.10	5,280	
52	0.10	5,280	
53	0.10	5,280	
54	0.10	5,280	
55	0.10	5,280	
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63	0.10	5,280	
64	0.10	5,280	
65	0.10	5,280	
66	0.10	5,280	
67	0.10	5,280	
68	0.10	5,280	
69	0.10	5,280	
70	0.10	5,280	
71	0.10	5,280	
72	0.10	5,280	
73	0.10	5,280	
74	0.10	5,280	
75	0.10	5,280	
76	0.10	5,280	
77	0.10	5,280	
78	0.10	5,280	
79	0.10	5,280	
80	0.10	5,280	
81	0.10	5,280	
82	0.10	5,280	
83	0.10	5,280	
84	0.10	5,280	
85	0.10	5,280	
86	0.10	5,280	
87	0.10	5,280	
88	0.10	5,280	
89	0.10	5,280	
90	0.10	5,280	
91	0.10	5,280	
92	0.10	5,280	
93	0.10	5,280	
94	0.10	5,280	
95	0.10	5,280	
96	0.10	5,280	
97	0.10	5,280	
98	0.10	5,280	
99	0.10	5,280	
100	0.10	5,280	

Block	4	1002	1003
Let	1	1014	Cedden
Let	2	512	Rundsh
Let	3	517	Rundsh
Let	4	508	Rundsh
Let	5	504	Rundsh
Let	6	509	Rundsh
Let	7	504	Rundsh
Let	8	410	Rundsh
Let	9	408	Rundsh
Let	10	405	Rundsh
Let	11	405	Rundsh
Let	12	405	Rundsh
Let	13	1007	Ornd N
Let	14	401	Sonfs
Let	15	405	Sonfs
Let	16	407	Sonfs
Let	17	409	Sonfs
Let	18	401	Sonfs
Let	19	503	Sonfs
Let	20	503	Sonfs

[illegible][illegible]

Sheet 2 of 2
04090_Jen_Horne_Motion_Sds_SV 04-07-05

SCOTT J CHESTER TRUST
D02522
405 E 13TH ST
LAUREL, MT 59044

WAYNE, JOHNNY
B01544
1115 MONTANA AVE
LAUREL, MT 59044

EVANS, WAYNE & NORMAN
& ESTHER P
B01526
938 ARONSON AVE
BILLINGS, MT 59105-2331

MAGNUS, DARRELL D &
MAYBELLE
B01557
1131 COLORADO AVE
LAUREL, MT 59044

WOLLMAN, JUNIA JOYCE
B01550
PO BOX 272
LAUREL, MT 59044-0272

WILMETH, MATTHEW K &
SHERRY L
B01547A B01555 B01554
B01557
2110 CHATTO DRIVE
BELGRADE, MT 59714

BOUCHER, RONALD C &
NATALIE L
B03033
130 E 13TH ST
LAUREL, MT 59044-1828

NUTTING DRAIN DISTRICT
D02623
1366 CLARHILL RD
LAUREL, MT 59044-8334

OLSON, WILTON B
B03034
PO BOX 1116
LAUREL, MT 59044-1116

RESIDENTIAL SUPPORT
SERVICES INC
C14953
2110 OVERLAND AVE # 128
BILLINGS, MT 59102-6480

FRANK, TODD K
B03035
350 E 13TH ST
LAUREL, MT 59044

IRON HORSE STATION LLC
C14955M
PO BOX 80661
BILLINGS, MT 59108-0661

METZGER, G M & LORETTA
B01558
215 E MARYLAND LN
LAUREL, MT 59044-2123

NESSAN, RICK
D12716
2432 HOWARD AVE
BILLINGS, MT 59102-4623

MEADOWOOD APARTMENTS
LP
D02625
136 BURLINGTON AVE
BILLINGS, MT 59101-6029

LOUCKS, DALE W
B01543
201 E 12TH ST
LAUREL, MT 59044

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a zone change requested for parcels within Iron Horse Station Subdivision submitted by Representatives of Iron Horse Station LLC. The Zoning Commission hearing is scheduled for 5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, February 17th, 2021.

Additionally, the City Council has scheduled a public hearing for the consideration of the zone change request. The City Council hearing is scheduled for 6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, March 9th, 2021.

The applicant is requesting a zone change from the R-6000 zoning district to Residential Multi-Family (RMF) for Lots 3 to 11, Block 7 of the Iron Horse Station Subdivision. The Residential-6000 district is intended to promote an area for a high, urban density, duplex residential environment on lots that are usually served by a public water and sewer system. The requested Residential Multi-Family (RMF) zoning is intended to provide a suitable residential environment for medium to high density residential dwellings, and to establish a buffer between residential and commercial areas.

Public comment is encouraged and can be provided in person at the public hearings on February 17th and March 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the zone change documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

Chapter 17.72 - AMENDMENTS

Sections:

17.72.010 - Purpose of provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

(Prior code § 17.84.010)

17.72.020 - Amendment procedure.

Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendment shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

(Ord. 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.025 - Amendment by private property owner.

Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by all other materials and data required in the application.

(Ord. 01-4 (part), 2001; Ord 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.030 - Preapplication conference required.

Persons or parties interested in submitting an application for a zoning change shall consult with the planning director and the building inspector, at a joint meeting, if possible, concerning a proposed zoning change, its relation to and effect upon the comprehensive plan, any applicable specific plans or any plans being prepared by the planning department, and whether the proposed change is in conformance with public necessity, convenience, general welfare and good zoning practice.

(Prior code § 17.84.030)

17.72.040 - Application requirements.

A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:

1. Name of applicant;
2. Mailing address;
3. Telephone number;

4. Accurate legal description of location;
 5. Nature of zoning change requested;
 6. Description of present land uses;
 7. Description of adjacent land uses;
 8. Statement of intended land use;
 9. Statement concerning any expected effect upon the adjacent neighborhood;
 10. Date of preapplication conference;
 11. Names and addresses of adjacent property owners, within three hundred feet;
 12. Signature of applicant;
 13. Payment of all applicable fees.
- B. An application for amendment to the official map shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.
- C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

(Prior code § 17.84.040)

17.72.050 - Planning department evaluation responsibility.

The planning director, upon receiving an application for rezoning of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. In the case of a protest petition filed in the matter of any application for rezoning determine the validity of such petition;
- D. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- E. Notify, by mail, the applicant or his authorized agent five days prior to the date of the public hearing of the time and place of such hearing;
- F. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the rezoning; of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have substantial environmental impact on surrounding land uses;
- G. The planning director shall report his findings and conclusions in writing to the zoning commission, which report shall be a matter of public record.

(Ord. 01-4 (part), 2001; prior code § 17.84.050)

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 - 1. Deny the application for amendment to the official map;
 - 2. Grant action on the application for a period not to exceed thirty days;
 - 3. Delay action on the application for a period not to exceed thirty days;
 - 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

(Prior code § 17.84.060)

17.72.070 - Public hearing—Notice required.

- A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.
- B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board, and not less than fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.
- C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.
- D. In case, however, of a valid protest petition against such change signed by the owners of twenty per centum or more either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

(Ord. 01-4 (part), 2001; prior code § 17.84.070)

17.16.010 - List of uses.

Table 17.16.010 designates the special review (SR) and allowed uses (A) in residential districts.

Table 17.16.010

	RE 22,000	R 7,500	R 6,000	RLMF	RMF	RMH	PUD	SR	RT
Accessory building or use incidental to any permitted residential use customarily in connection with the principal building and located on the same land parcel as the permitted use		A	A	A	A	A	A	A	A
Animals (see zoning district description for specifics)								A	
Automobile parking in connection with a permitted residential use		A	A	A	A	A	A	A	A
Bed and breakfast inn		SR	SR	SR	SR	SR	SR	SR	SR
Boarding and lodging houses		SR	SR	SR	SR	SR	SR	SR	SR
Cell towers (see Sections 17.21.020—17.21.040)									
Cemetery		SR	SR	SR	SR	SR	SR	SR	
Childcare facilities									
Family day care home		A	A	A	A	A	A	A	A
Group day care home		A	A	A	A	A	A	A	A
Day care center		SR	SR	SR	SR	SR	SR	SR	SR
Churches and other places of worship including parish house and Sunday school buildings		SR	SR	SR	SR	SR	SR	A	SR
Communication towers (see Sections 17.21.020—17.21.040)									
Community residential facilities serving eight or fewer persons		A	A	A	A	A	A	A	A
Community residential facilities serving nine or more persons		SR	SR	SR	SR	SR	SR	SR	SR
Orphanages and charitable institutions		SR	SR	SR	SR	SR	SR	A	SR
Convents and rectories		SR	SR	SR	SR	SR	SR	A	SR
Crop and tree farming, greenhouses, and truck gardening									
Day care facilities		SR	SR	SR	SR	SR	SR	SR	SR
Kennels (noncommercial)		A	A	A	A	A	A	A	A
Dwellings Single-family		A	A	A	A	A	A	A	A
Two-family			A	A	A		A		
Multifamily				A	A		A		
Manufactured homes									
Class A						A			
Class B						A			
Class C						A			
Row Housing				SR	SR		A		
Family day care homes		A	A	A	A	A	A	A	A
Greenhouses for domestic uses		A	A	A	A	A	A	A	A
Group day care homes		A	A	A	A	A	A	A	A
Home occupations		A	A	A	A	A	A	A	A
Parking, Public		SR	SR	SR	SR	SR	SR	SR	SR
Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood or homeowners' associations		A	A	A	A	A	A	A	A
Planned developments							A		
Post-secondary school		A	A	A	A	A	A	A	A
Preschool		SR	SR	SR	SR	SR	SR	SR	SR
Public service installations		SR	SR	SR	SR	SR	SR	SR	SR
Schools, commercial		SR	SR	SR	SR	SR	SR	SR	SR
Schools, public elementary, junior and senior high schools		A	A	A	A	A	A	A	A
Towers (see Sections 17.21.020—17.21.040)									

17.16.020 - Zoning classified in districts.

Zoning for residential districts is classified in and subject to the requirements of Table 17.16.020.

Table 17.16.020

Zoning Requirements	R 7,500	R 6,000	RLMF	RMF	RMH	PUD	SR	RT
Minimum lot area per dwelling unit in square feet								
One unit	7,500	6,000	6,000 ¹	6,000 ¹	6,000 ³	See	5 acres	1 acre
Two units		7,500	7,500	7,750		Chapter		
Three units		8,500	8,500	9,500		17.32		
Four units			10,000	11,250				
Five units				13,000				
Six units or more				Add 2,500 each additional unit				
Minimum yard – setback requirements (expressed in feet) and measured from public right-of-way								
Front	20	20	20	20	10		25 ⁵	25
Side	5	5 ⁴	5 ⁴	5 ⁴	5		5 ⁵	5
Side adjacent to street	20	20	20	20	20		10 ⁵	10
Rear	5	5	5	5	5		25 ⁵	25
Maximum height for all buildings	30	35	35	40	30		30	30
Maximum lot coverage (percentage)	30	30	40	45	40		15	30
Minimum district size (expressed in acres)	2.07	2.07	2.07	2.07	2.07		20	5

¹ Row housing may be permitted to be constructed on 3,000 square foot lots if approved through the special review process.

² NA means not applicable

³ The requirements for the mobile homes contained herein relate only to a mobile home subdivision; see Chapter 17.44 of this code for the requirements for a mobile home park.

⁴ Zero side setbacks may be permitted if approved through the special review process.

⁵ All pens, coops, barns, stables, or permanent corrals shall be set back not less than 50 feet from any residence, public road, or water course, and any property line.

File Attachments for Item:

19. Council Workshop Minutes of March 16, 2021.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, MARCH 16, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:33 p.m. on March 16, 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:

Kurt Markegard, Public Works Director
Nick Altonaga, Planning Director
Nathan Herman, Utility Plants Superintendent

Public Input:

There were none.

General Items

Executive Review

1. Resolution - A Resolution Of The City Council To Amend The Large Grant Request Program Budget Pursuant To The Recommendation Of The Laurel Urban Renewal Agency.

Nick Altonaga, Planning Director, stated the Laurel Urban Renewal Agency had discussed the increase for the past few months. Last year the Large Grant cap was increased to \$225k. The use of this program has significantly increased. They are recommending the cap be increased to \$275k. Total project costs last year were over \$500k. They would like to have the budget increased to be able to review projects and provide more reimbursement. So far this year, there have not been any applications.

It was questioned how this increase falls with LURA's overall budget. It was clarified there is still extra money left over after the loan payment and the current grant expenditures. In the past few years, LURA has received approximately \$600k in revenue. The Small Grant program is a small portion of their expenditures. There are a new hotel and commercial rental space going in near Walmart. That will increase revenues as well.

2. Resolution - A Resolution Of The City Council Authorizing The Mayor To Sign A Memorandum Of Understanding With The Laurel Lions Club And Laurel Community Foundation Accepting Donations For Improvements At The Laurel Lion's Family Park.

Kurt Markegard, Public Works Director, stated this project is in connection with the money granted from the Exxon oil spill. The Lions spearheaded this project. The City applied for the funds on their behalf. The project is expected to cost up to \$200k. The Lions have been fundraising for this project. Laurel Community Foundation has been handling the donations.

Paul Kober, 1008 E. 8th Street, stated he is with the Lions. They were awarded a grant of \$80k. There are approximately \$30k of additional funds that they could contribute to the project.

These funds will be transferred to the City as they bid on the project. The plans were turned over to the City earlier today. The dock will be a T-shaped dock to allow for handicap accessibility to the pond. KLJ did the design work, and the project is ready to go out to bid.

The City has used pit fill gravel to widen the walking path around the pond. It will be a community amenity. Fishing will be available. The fishing game stocks the pond. The City is looking at putting in more riprap along the pond's eastern side to keep the shore from eroding.

This MOU is to transfer those funds to the City to begin work on this project.

It was questioned if the riprap is needed all the way around. It was clarified only on the eastern side as the prevailing winds are in a northwesterly direction.

Any funds remaining after the construction of the dock will be used to pave the walkway. Most likely, there will not be enough to pave all the way around the pond, but a portion will be paved.

3. Ordinance - An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana.

Nick Altonaga, Planning Director, stated that Karen has been working over the past few years to update various codes. This is another one of those efforts. There are minor tweaks in the language in tandem with other codes. There is a statutory deadline with the State on this ordinance.

Council Issues

4. Individual Duck Variance

It was clarified that both this agenda item and the next would be part of the same discussion.

The attached handout was given to Council.

Recently a Constituent contacted a Council Member about being fined for ducks on her property. She stated that due to the incline of the ducks, they naturally congregate there. This Council

Member is proposing the attached ordinance change. This Council Member wanted to get feedback from the rest of the Council on if they would like to pursue the code change.

It was questioned why the constituent was fined for the ducks if they were naturally on the property. Council noted they felt there was more to this story. Council noted that by allowing ducks as proposed in the language change, they felt that chickens would come up again. It was questioned if Council wanted to broach the topic. Council also questioned what happens if the ducks choose to come back and raise their ducklings in a yard. They would have more than six ducks would they get fined.

Council Members were not interested in bringing this ordinance forward at a business meeting.

Mayor Nelson stated that if people are interested in discussing the chicken issue, they would need to bring it to Emergency Services.

5. Review Ordinance 6.16.010.

This agenda item was discussed with the previous item.

Other Items

- **Small Service Contract – Manhole Repairs**

Kurt Markegard, Public Works Director, and Nathan Herman, Utility Plants Superintendent, stated this small service contract could not wait the five weeks it would have taken to bring this forward on the next Council cycle. The rubber liners need to be ordered before the work can begin.

The quote was received yesterday. The contractor will be in the area repairing manholes and will waive the \$2500 mobilization fee. This is the same contractor as in past years. One manhole slotted to be repaired at the Water Treatment Plant. That manhole contains the meter for raw water going to CHS. The liner will help waterproof the manhole. The meter is water submergible but cannot be submerged 100% of the time. When the ditches fill in April, water will begin to fill the manhole as in previous years. The City cannot pump out water fast enough. Currently have a 150-gallon pump in the manhole to keep the water level down. The City has had to replace the meter before because of this issue. When the meter goes down, the City must take an average usage to bill CHS. That may or may not be what the refinery is currently using. It is better not to have the meter fail.

The manholes are typically on a monthly cleaning schedule. Crews go in with a jet rodder and move any solids. However, with Covid concerns, the monthly maintenance has been suspended as the water vapor is an exposure risk.

There is one manhole on the southside that is made of brick. The goal is to preserve this manhole as long as possible.

It was questioned what the cost to replace the meter would be. It was clarified that the meter costs \$4k to replace.

- **Small Service Contract - Doors**

Kurt Markegard, Public Works Director, apologized to Council. When the Utility Plants Superintendent gave him the quote, he thought it needed to go to Budget/Finance Committee; however, the quote is not just for the doors themselves but also for the labor to install the doors. Thus needing to come to Council.

Nathan, Utility Plants Superintendent, stated the recent windstorm caught the door and broke the pins on the top and bottom. It also bent the door. The doors are 9 feet by 14 feet in size. These are custom doors. The doors are used to bring the chlorine into the Water Treatment Plant.

It was questioned if, while replacing the doors if they could be fixed so this does not happen again. It was clarified that they would be reinforced to stop this from happening again in the future.

It was questioned why the doors were so pricey. It was clarified the doors are made out of fiberglass. It was further questioned why this is not an insurance claim. It was further clarified that this could be an insurance claim; however, since the City has the funds to replace the door, it is better not to submit an insurance claim. It would cost the City more to submit the claim as the rates would go up for the next three years.

Review of Draft Council Agendas

6. Draft Council Agenda for March 23, 2021.

The two small service contracts will be added to next week's meeting.

Attendance at Upcoming Council Meeting

All present at tonight's meeting will be at next week's meeting.

Announcements

Mayor Nelson briefly reviewed the proper meeting procedure. There have been questions on how the two different meetings work. Many municipalities around the State do not have work sessions. We have moved to having work sessions in conjunction with Council meetings. The Workshop is meant to have items brought before Council for debate. Then it will move onto a Council meeting. Staff will not be present at Council meetings. The motion is made to bring the item forward. Public comment is for the public to state if they are in favor or not of the item being presented. Council discussion is for Council to state to other Council Members why they think it should be voted up or down. Council Members are allowed to speak twice. Should Council feel they need additional questions answered to make a decision, they can move to bring back to the next Workshop. If the motion to table the motion fails, the original question would then be called to question.

In the event, an item is brought to Council without being debated at a Workshop; the item will be debated prior to the motion being called.

A Council Member noted the Tri-County banquet would be held in Joliet this year. They were hoping to have the banquet in Riverside Park, but that is not ironed out just yet.

The next Emergency Services Committee will be Monday, March 22, 2021, at 6:00 in Council Chambers.

A Council Member noted the maps in Council Chambers are about four years old. It was questioned if these maps can be updated.

Council was reminded that March is a five Tuesday month. There will be no meeting held on March 30, 2021.

The council workshop adjourned at 7:37 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.

Council:

I decided to write out everything I was going to say regarding this topic to prevent confusion.

I was approached by a constituent who was asking for a Variance specific to her situation.

I am aware certain Councilmembers are not fond of variances, due to future possible ramifications.

As such, I listened to what this constituent had to say and considered how her situation might affect the community as a whole.

My solution is what follows.

Please understand that I am asking two things.

First, I want the Council to consider the change to Ordinance I am proposing.

If the Council agrees tonight that the changes are acceptable, I would like a simple Resolution drawn up for vote next week which reflects that the Council would be in favor of making these changes. If the Council votes in favor of the Resolution reflecting these simple changes to the Ordinance, I would then like to pass this proposal along to Code Enforcement so the proper steps can be followed in changing this Ordinance.

Second, I would like Code Enforcement to make the simple changes I am proposing. I don't want to have these changes be included in a larger update of the Code or be put aside for later consideration.

This proposal is in response to a specific constituent request and I want to only address that request.

Title 6 Animals

Chapter 6.16 Miscellaneous Animal Regulations

Section 6.16.010 Keeping Certain Animals Prohibited.

Paragraph A reads:

- A. No person shall keep swine, chickens, ducks, geese, turkeys, goats, horses, sheep, cows, mules, or chinchillas within the limits of the city except when transferring such animals to market or where otherwise allowed within this code.

What I propose is to simply remove the word “ducks” from this paragraph.

Title 6 Animals

Chapter 6.16 Miscellaneous Animal Regulations

Section 6.16.010 Keeping Certain Animals Prohibited.

Paragraph C reads:

- C. No person shall keep or maintain more than three pairs or total of six pigeons. Persons keeping pigeons shall not allow any barn, shed, cage, yard or other place wherein such pigeons are kept or housed to become filthy or offensive to neighbors or passersby, or injurious to the health of any neighborhood or tend to contaminate the atmosphere in any place in the city, nor shall the persons suffer or permit such pigeons to make any loud or continuous noises tending to annoy or disturb any neighbors or neighborhood. Violations of this subsection are deemed to constitute a public nuisance under Section 6.16.030 of this code and shall be punishable as provided in Sections 6.16.030 and 6.08.080 of this code.

What I would like to propose in this section is to add the word “or ducks” in the four places where the word “pigeons” appear, so that it reads:

No person shall keep or maintain more than three pairs or total of six pigeons or ducks.

Persons keeping pigeons or ducks shall not allow any barn, shed, cage, yard or other place wherein such pigeons or ducks are kept or housed to become filthy or offensive to neighbors or passersby, or injurious to the health of any neighborhood or tend to contaminate the atmosphere in any place in the city, nor shall the persons suffer or permit such pigeons or ducks to make any loud or continuous noises tending to annoy or disturb any neighbors or neighborhood.

RESOLUTION NO. R21-__

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
SIGN A CONTRACT WITH CIP CONSTRUCTION TECHNOLOGIES, INC. FOR
THE REHABILITATION AND REPAIR OF CERTAIN SEWER
MANHOLES FOR THE CITY OF LAUREL.

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Independent Contractor Service Contract ("Contract") recommended by the Mayor and Staff, is attached hereto and incorporated herein and by adoption of the resolution, hereby approved.

Section 2: Adoption and Execution. The Mayor and City Clerk are hereby authorized to execute the Contract on the City's behalf.

Introduced at a regular meeting of the City Council on _____, 2021, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this ____ day of _____ 2021.

APPROVED by the Mayor this ____ day of _____ 2021.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 23rd day of March, 2021, between the City of Laurel, a municipal corporation organized and existing under the laws of the State of Montana whose address is P.O. Box 10, Laurel, Montana 59044, hereinafter referred to as "City" and CIP Construction Technologies, Inc., a contractor licensed to conduct business in the State of Montana, whose address is 134 1st Ave W Kalispell, MT 59901, hereinafter referred to as "Contractor".

SECTION ONE DESCRIPTION OF SERVICES

A. Purpose. City shall hire Contractor as an independent contractor to perform for City the services described in the Bid dated March 15, 2021, attached hereto as Exhibit "A" and by this reference made part of this contract.

B. Effective Date. This contract is effective upon the date of its execution by both Parties. Contractor shall complete the services within 60 days of commencing work. The parties may extend the term of this contract in writing prior to its termination for good cause.

C. Scope of Work. Contractor shall perform his/her work and provide services in accordance with the specifications and requirements of this contract, any applicable Montana Public Work Standard(s) and Exhibit "A".

SECTION TWO CONTRACT PRICE

Payment. City shall pay Contractor seventeen thousand four hundred eighty five dollars and no cents (\$17,485.00) for the work described in Exhibit A. Any alteration or deviation from the described work that involves extra costs must be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree to extra payments or charges in writing. Prior to final payment, Contractor shall provide City with an invoice for all charges.

SECTION THREE CITY'S RESPONSIBILITIES

Upon completion of the contract and acceptance of the work, City shall pay Contractor the contract price, plus or minus any additions or deductions agreed upon between the parties in accordance with Sections one and two, if any.

SECTION FOUR CONTRACTOR'S WARRANTIES AND RESPONSIBILITIES

A. Independent Contractor Status. The parties agree that Contractor is an independent contractor for purposes of this contract and is not to be considered an employee of the City for any purpose hereunder. Contractor is not subject to the terms and provisions of the City's personnel policies or handbook and shall not be considered a City employee for workers' compensation or any other purpose. Contractor is not authorized to represent the City or otherwise bind the City in any dealings,

agreements or sub-contracts in any dealings between Contractor and any third parties. The City is interested solely in the results of this contract. Contractor is solely responsible for all work and work product under this contract, including techniques, sequences, procedures, and means. Contractor shall supervise and direct the work to the best of his/her ability.

B. Wages and Employment. Contractor shall abide by all applicable State of Montana Rules, Regulations and/or Statutes in regards to prevailing wages and employment requirements. Contractor shall comply with the applicable requirements of the Workers' Compensation Act. Contractor shall maintain workers' compensation coverage for all members and employees of his/her business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA. Contractor understands that all contractors or subcontractors working on publicly funded projects are required to have withheld from earnings a license fee of one percent (1%) of the gross contract price if the gross contract price is Five Thousand Dollars (\$5,000) or more. This license fee is paid to the Montana Department of Revenue pursuant to Montana law.

C. Unless otherwise specified by the terms of this Agreement, all materials and equipment used by Contractor on the Construction Project shall be new and where not otherwise specified, of the most suitable grade for their intended uses.

D. All workmanship and materials shall be of a kind and nature acceptable to the City.

E. All equipment, materials, and labor provided to, on, or for the Contract must be free of defects and nonconformities in design, materials, and workmanship for a minimum period beginning with the commencement of the work and ending one (1) year from completion and final acceptance by the City. Upon receipt of City's written notice of a defective or nonconforming condition during the warranty period, Contractor shall take all actions, including redesign and replacement, to correct the defective or nonconforming condition within a time frame acceptable to the City and at no additional cost to the City. Contractor shall also, at its sole cost, perform any tests required by City to verify that such defective or nonconforming condition has been corrected. Contractor warrants the corrective action taken against defective and nonconforming conditions for a period of an additional one (1) year from the date of City's acceptance of the corrective action.

F. Contractor and its sureties are liable for the satisfaction and full performance of all warranties.

G. Contractor has examined the facilities and/or has made field examinations. Contractor has knowledge of the services or project sought under this Contract and he/she further understands the site conditions to be encountered during the performance of this Contract. Contractor has knowledge of the types and character of equipment necessary for the work, the types of materials needed and the sources of such materials, and the condition of the local labor market.

H. Contractor is responsible for the safety of the work and shall maintain all lights, guards, signs, temporary passages, or other protections necessary for that purpose at all times.

I. All work is performed at Contractor's risk, and Contractor shall promptly repair or replace all damage and loss at its sole cost and expense regardless of the reason or cause of the damage or loss; provided, however, should the damage or loss be caused by an intentional or negligent act of the City, the risk of such loss shall be placed on the City.

J. Contractor is responsible for any loss or damage to materials, tools, work product or other articles used or held for use in the completion or performance of the Contract.

K. Title to all work, work product, materials and equipment covered by any payment of Contractor's compensation by City, whether directly incorporated into the Contract or not, passes to City at the time of payment, free and clear of all liens and encumbrances.

SECTION FIVE INDEMNITY AND INSURANCE

Contractor shall indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees.

SECTION SIX COMPLIANCE WITH LAWS

Contractor shall comply with all federal, state, local laws, ordinances, rules and regulations. Contractor shall either possess a City business license or shall purchase one, if a City Code requires a business license.

SECTION SEVEN NONDISCRIMINATION

Contractor agrees that any hiring of persons as a result of this contract must be on the basis of merit and qualification and further that Contractor shall not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability or national origin.

SECTION EIGHT DEFAULT

If either party fails to comply with any term or condition of this Contract at the time or in the manner provided for, the other party may, at its option, terminate this Contract and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law except for punitive damages. The Parties hereby waive their respective claims for punitive damages. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Contract.

SECTION NINE TERMINATION

Either party may terminate the contract for their convenience upon thirty days written notice sent postage prepaid, to the addresses provided herein.

SECTION TEN
GOVERNING LAW AND DISPUTE RESOLUTION

The Parties agree that the laws of the State of Montana govern this Contract. The Parties agree that venue is proper within the Courts of Yellowstone County, Montana. If a dispute arises, the Parties, through a representative(s) with full authority to settle a dispute, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third party mediator and equally share the costs of the mediator or file suit.

SECTION ELEVEN
ATTORNEY FEES

If any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either is ordered to pay, a reasonable sum for the successful party's attorney's fees and all costs charges and expenses related to the action.

SECTION TWELVE
ENTIRE AGREEMENT

This contract and its referenced attachment and Exhibit A contain the entire agreement and understanding of the parties and supersede any and all prior negotiations or understandings relating to this project. This contract shall not be modified, amended, or changed in any respect except through a written document signed by each party's authorized respective agents.

SECTION THIRTEENTH
ASSIGNMENT OF RIGHTS

The rights of each party under this Contract are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

SECTION FOURTEEN
SEVERABILITY

Each provision, section, or subsection of this Contract shall stand separate and independent of every other. In the event that a court of competent jurisdiction shall find any provision, section, or subsection of this contract to be invalid, the remaining provisions, sections, and subsections of this contract shall remain in full force and effect.

SECTION FIFTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this contract are solely for the convenience of the parties and shall not be used to explain, simplify, or aid in the interpretation of the provisions of this agreement.

SIGNED AND AGREED BY BOTH PARTIES ON THE 23rd DAY OF MARCH, 2021.

CITY OF LAUREL

CONTRACTOR

Thomas C. Nelson, Mayor

CIP Construction Technologies, Inc.

ATTEST:

Employer Identification Number

Bethany Langve, Clerk/Treasurer

CIP Construction Technologies, Inc.

134 1st Ave W Kalispell, MT 59901

Phone (406) 291-8017 Fax (406) 752-4630

Billing Phone: (406) 257-3938

E-mail: JimSwain@cipmanhole.com Website: www.cipmanhole.com

PROPOSAL #LaurelPro21-3-15

March 15, 2021 Emailed
City of Laurel
Laurel, MT
Phone 406-860-8139
Email: mwheeler@laurel.mt.gov, jbaker@laurel.mt.gov
Pages: 1

Attn: Matt Wheeler and Justin Baker

PROJECT: City of Laurel Manhole Rehabilitation

SCOPE: Rehabilitate sewer manholes with cured-in-place fiberglass liner by authorized licensed installer
CIP Construction Technologies, Inc.

ITEM	DESCRIPTION	DIMENSIONS'	PRICE
1a.	Line mh in alley 505 W 6 th St	4.0 x 7.0	5250.00
1b.	Reshape benches		750.00
2a.	Line mh 315 E Maryland Ln	4.0 x 6.58	4935.00
2b.	Build new invert channel		950.00
3.	Water Plant mh – seal with grout – risers, barrel joint & barrel joint		1000.00
4.	Line mh at S 5 th St & S 1 st Ave	4.0 x 5.75	4600.00
5.	Mobilization*		NC
TOTAL			\$17,485.00

* The normal mobilization fee of \$2500 will be waived performed in conjunction with other upcoming CIP projects with MT Rail Link in Laurel.

It is agreed that the City of Laurel in all instances and at its expense, including but not limited to installation, repair, or warranty service, will provide CIP with the following: adequate access to structure(s), a source of water supply, traffic control if needed, assistance as needed to coordinate and control sewage flow (normally sewage flow does not need to be controlled as our process allows the flow to continue during installation), a location for garbage disposal (e.g., access to dumpster).

CIP will provide the normal preparatory work and equipment necessary to install the liner system. We expect that our process will eliminate further deterioration and greatly increase the life of the structure(s).

Best regards,

Jim Swain

Jim Swain
President

RESOLUTION NO. R21-__

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
SIGN A CONTRACT WITH ROCKY MOUNTAIN DOORS FOR THE PURCHASE
AND INSTALLATION OF A DOOR FOR THE CITY'S WATER PLANT.**

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Independent Contractor Service Contract ("Contract") recommended by the Mayor, City Attorney and Staff, is attached hereto and incorporated herein and is hereby approved.

Section 2: Adoption. The Mayor and City Clerk are hereby authorized to execute the Contract on the City's behalf.

Introduced at a regular meeting of the City Council on _____, 2021, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana, this ____ day of _____ 2021.

APPROVED by the Mayor this ____ day of _____ 2021.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, City Clerk/Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 23rd day of March, 2021, between the City of Laurel, a municipal corporation organized and existing under the laws of the State of Montana whose address is P.O. Box 10, Laurel, Montana 59044, hereinafter referred to as "City" and Rocky Mountain Doors, a contractor licensed to conduct business in the State of Montana, whose address is 131 Moore Lane Billings, MT 59101, hereinafter referred to as "Contractor".

SECTION ONE DESCRIPTION OF SERVICES

A. Purpose. City shall hire Contractor as an independent contractor to perform for City the services described in the Bid dated January 29, 2021, attached hereto as Exhibit "A" and by this reference made part of this contract.

B. Effective Date. This contract is effective upon the date of its execution by both Parties. Contractor shall complete the services within 60 days of commencing work. The parties may extend the term of this contract in writing prior to its termination for good cause.

C. Scope of Work. Contractor shall perform his/her work and provide services in accordance with the specifications and requirements of this contract, any applicable Montana Public Work Standard(s) and Exhibit "A".

SECTION TWO CONTRACT PRICE

Payment. City shall pay Contractor eighteen thousand seven hundred ninety one dollars and sixty six cents (\$18,791.66) for the work described in Exhibit A. Any alteration or deviation from the described work that involves extra costs must be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree to extra payments or charges in writing. Prior to final payment, Contractor shall provide City with an invoice for all charges.

SECTION THREE CITY'S RESPONSIBILITIES

Upon completion of the contract and acceptance of the work, City shall pay Contractor the contract price, plus or minus any additions or deductions agreed upon between the parties in accordance with Sections one and two, if any.

SECTION FOUR CONTRACTOR'S WARRANTIES AND RESPONSIBILITIES

A. Independent Contractor Status. The parties agree that Contractor is an independent contractor for purposes of this contract and is not to be considered an employee of the City for any purpose hereunder. Contractor is not subject to the terms and provisions of the City's personnel policies or handbook and shall not be considered a City employee for workers' compensation or any other purpose. Contractor is not authorized to represent the City or otherwise bind the City in any dealings,

agreements or sub-contracts in any dealings between Contractor and any third parties. The City is interested solely in the results of this contract. Contractor is solely responsible for all work and work product under this contract, including techniques, sequences, procedures, and means. Contractor shall supervise and direct the work to the best of his/her ability.

B. Wages and Employment. Contractor shall abide by all applicable State of Montana Rules, Regulations and/or Statutes in regards to prevailing wages and employment requirements. Contractor shall comply with the applicable requirements of the Workers' Compensation Act. Contractor shall maintain workers' compensation coverage for all members and employees of his/her business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA. Contractor understands that all contractors or subcontractors working on publicly funded projects are required to have withheld from earnings a license fee of one percent (1%) of the gross contract price if the gross contract price is Five Thousand Dollars (\$5,000) or more. This license fee is paid to the Montana Department of Revenue pursuant to Montana law.

C. Unless otherwise specified by the terms of this Agreement, all materials and equipment used by Contractor on the Construction Project shall be new and where not otherwise specified, of the most suitable grade for their intended uses.

D. All workmanship and materials shall be of a kind and nature acceptable to the City.

E. All equipment, materials, and labor provided to, on, or for the Contract must be free of defects and nonconformities in design, materials, and workmanship for a minimum period beginning with the commencement of the work and ending one (1) year from completion and final acceptance by the City. Upon receipt of City's written notice of a defective or nonconforming condition during the warranty period, Contractor shall take all actions, including redesign and replacement, to correct the defective or nonconforming condition within a time frame acceptable to the City and at no additional cost to the City. Contractor shall also, at its sole cost, perform any tests required by City to verify that such defective or nonconforming condition has been corrected. Contractor warrants the corrective action taken against defective and nonconforming conditions for a period of an additional one (1) year from the date of City's acceptance of the corrective action.

F. Contractor and its sureties are liable for the satisfaction and full performance of all warranties.

G. Contractor has examined the facilities and/or has made field examinations. Contractor has knowledge of the services or project sought under this Contract and he/she further understands the site conditions to be encountered during the performance of this Contract. Contractor has knowledge of the types and character of equipment necessary for the work, the types of materials needed and the sources of such materials, and the condition of the local labor market.

H. Contractor is responsible for the safety of the work and shall maintain all lights, guards, signs, temporary passages, or other protections necessary for that purpose at all times.

I. All work is performed at Contractor's risk, and Contractor shall promptly repair or replace all damage and loss at its sole cost and expense regardless of the reason or cause of the damage or loss; provided, however, should the damage or loss be caused by an intentional or negligent act of the City, the risk of such loss shall be placed on the City.

J. Contractor is responsible for any loss or damage to materials, tools, work product or other articles used or held for use in the completion or performance of the Contract.

K. Title to all work, work product, materials and equipment covered by any payment of Contractor's compensation by City, whether directly incorporated into the Contract or not, passes to City at the time of payment, free and clear of all liens and encumbrances.

SECTION FIVE INDEMNITY AND INSURANCE

Contractor shall indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees.

SECTION SIX COMPLIANCE WITH LAWS

Contractor shall comply with all federal, state, local laws, ordinances, rules and regulations. Contractor shall either possess a City business license or shall purchase one, if a City Code requires a business license.

SECTION SEVEN NONDISCRIMINATION

Contractor agrees that any hiring of persons as a result of this contract must be on the basis of merit and qualification and further that Contractor shall not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability or national origin.

SECTION EIGHT DEFAULT

If either party fails to comply with any term or condition of this Contract at the time or in the manner provided for, the other party may, at its option, terminate this Contract and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law except for punitive damages. The Parties hereby waive their respective claims for punitive damages. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Contract.

SECTION NINE TERMINATION

Either party may terminate the contract for their convenience upon thirty days written notice sent postage prepaid, to the addresses provided herein.

SECTION TEN
GOVERNING LAW AND DISPUTE RESOLUTION

The Parties agree that the laws of the State of Montana govern this Contract. The Parties agree that venue is proper within the Courts of Yellowstone County, Montana. If a dispute arises, the Parties, through a representative(s) with full authority to settle a dispute, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third party mediator and equally share the costs of the mediator or file suit.

SECTION ELEVEN
ATTORNEY FEES

If any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either is ordered to pay, a reasonable sum for the successful party's attorney's fees and all costs charges and expenses related to the action.

SECTION TWELVE
ENTIRE AGREEMENT

This contract and its referenced attachment and Exhibit A contain the entire agreement and understanding of the parties and supersede any and all prior negotiations or understandings relating to this project. This contract shall not be modified, amended, or changed in any respect except through a written document signed by each party's authorized respective agents.

SECTION THIRTEENTH
ASSIGNMENT OF RIGHTS

The rights of each party under this Contract are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

SECTION FOURTEEN
SEVERABILITY

Each provision, section, or subsection of this Contract shall stand separate and independent of every other. In the event that a court of competent jurisdiction shall find any provision, section, or subsection of this contract to be invalid, the remaining provisions, sections, and subsections of this contract shall remain in full force and effect.

SECTION FIFTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this contract are solely for the convenience of the parties and shall not be used to explain, simplify, or aid in the interpretation of the provisions of this agreement.

SIGNED AND AGREED BY BOTH PARTIES ON THE 23rd DAY OF MARCH, 2021.

CITY OF LAUREL

CONTRACTOR

Thomas C. Nelson, Mayor

Rocky Mountain Doors

ATTEST:

Employer Identification Number

Bethany Langve, Clerk/Treasurer

Rocky Mountain Doors

131 Moore Lane
Suite A
Billings, MT 59101
(406) 259-4898

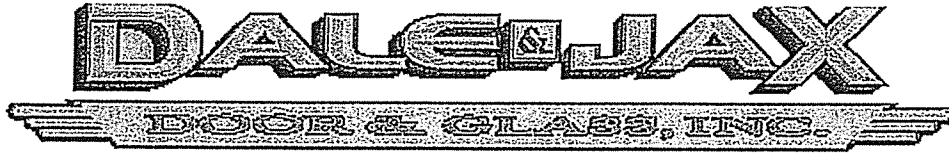
Estimate

Date	Estimate #
1/29/2021	45672

Name / Address
HP NUERNBERGER 406-6961008 hpnuernberger@gmail.com

			Project
Description	Qty	Cost	Total
PAIR OF DOORS-SPECIAL-LITE AF-100 SERIES FIBERGLASS 96 X 177 1- LOUVER IN INACTIVE DOOR 1- CHAIN BOLT 1- LEVER LOCK 1-BOTTOM SURFACE BOLT HINGES DOOR SWEEPS ASTRAGALS WEATHERSTRIP KITS OVERHEAD STOPS INSTALL	1	18,791.66	18,791.66
		Total	\$18,791.66

Customer Signature _____



536 Moore Lane – P.O. Box 80385 – Billings, MT 59108-0385

(406) 252-8990 Fax (406) 252-0051 Toll Free 888-837-5107

February 23, 2021

Laurel Water Treatment Plant
Laurel, MT

Re: Door & hardware replacement

Quote:

- 2 - Special-lite AF100 series fiberglass doors approx. 96" x 177"
- 1 - Louver in inactive door
- 1 - Chain bolt
- 1 - Bottom surface bolt
- 1 - Lever lock
- 1 - Set of hinges
- 1 - Set of door sweeps
- 1 - Set of astragals
- 1 - Set of weather-stripping
- 2 - Overhead stops

Supply and Install - \$24,950.00

Note: 50% down payment required prior to ordering materials

Should you have any questions concerning the above, please feel free to telephone me at 406-252-8990 or on my cell phone at 406-698-4940.

Jeremy M. Hein - Vice President
Dale & Jax Door & Glass, Inc.

File Attachments for Item:

20. Council Workshop Minutes of April 6, 2021.

**MINUTES
CITY OF LAUREL
CITY COUNCIL WORKSHOP
TUESDAY, APRIL 06, 2021**

A Council Workshop was held in Council Chambers and called to order by Mayor Tom Nelson at 6:31 p.m. on April 6, 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 checked="" type="checkbox"/> Don Nelson

OTHERS PRESENT:

Brent Peters, Fire Chief
Nick Altonaga, Planning Director
Sam Painter, City Attorney
Karen Courtney, Building Official
Matt Wheeler, Maintenance Superintendent
Jessica McCartney, 303 Union President

Public Input:

DJ Poolet, 809 8th Ave, briefly read the attached handout. She requested that Council address this at the next Council meeting. This process would need to start now so people can have their chicken coops ready be winter.

Mayor Nelson stated that he would take that under advisement and asked that Ms. Poolet speaks with her Wards Council Member.

General Items

1. Appointment of Jake Worden to the Laurel Volunteer Fire Department.

Brent Peters, Fire Chief, introduced Mr. Worden to Council.

It was questioned if Mr. Worden had any previous experience. Mr. Worden stated that he did not have any advanced training. He was a Boy Scout and achieved Eagle Scout.

2. Appointment of Russ Bunn, Andrew Zimmermann, Mariel Riley, and Amanda Hemmen to the Laurel Volunteer Ambulance Service.

Mayor Nelson stated that the Ambulance Director could not attend this evening; her letter is attached to this set of minutes.

3. Appointment of Katie Fjelstad to the Library Board for the remainder of a five-year term ending 6/30/2023.

Katie Fjelstad briefly introduced herself to Council. She briefly reviewed her attached letter of interest.

Executive Review

4. Resolution - A Resolution Of The City Council Approving A Three-Year Agreement Between The City Of Laurel And Local Union Local 303, American Federation Of State, County And Municipal Employees, AFSCME.

Sam Painter, City Attorney, introduced Jessica McCartney, the Union 303 President. He was a member of the City team, and Jessica was a member of the team representing the Union. The process of negotiating was wonderful. They used an interspace bargaining technique. This is where both teams sit in the same room and someone from the State Department of Labor. All issues are brought forward and worked through together. This negotiation took a total of 12 hours in two separate meetings. Jessica agreed that the process went very smoothly and that she was incredibly proud of both teams.

Sam briefly reviewed the changes proposed in this agreement, attached to these minutes. Any previous MOA's have been added to the contract. The City team recommends the contract.

One of the significant changes to the contract was the addition of the Sargent role. This role in the past had been a non-union position. This role will stay within the Union. They will have some supervisory responsibilities but not disciplinary responsibilities.

The Union has voted unanimously to ratify the contract.

5. Resolution - A Resolution Of The City Council Authorizing The Mayor To Request A Traffic Study For A Portion Of West Main Street Within The City Of Laurel.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff letters. There are concerns about the speed and accidents at the intersection. The hope is to reduce the speed at the intersection and make it a controlled intersection.

It was requested what the turnaround is for this request. It was clarified that the timeframe for the turnaround is not clear. But they do not expect it to take too long.

It was further clarified that the State would evaluate the data and determine what type of intersection will work best for the area, including roundabouts.

6. Resolution - 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.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

Mayor Nelson stated that these are the same variances approved in the properties adjacent to this one.

7. Resolution - A Resolution Approving A Zone Change For Property Located At 801 East Main Street Within The City Of Laurel.

Nick Altonaga, Planning Director, briefly reviewed the attached Staff report.

This is a natural progression of the Central Business District. The Planning Director is in conversation with the gas station next door to apply for the same zone change.

8. Ordinance No. O21-02: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana.

Karen Courtney, Building Official, stated the State has now adopted the International Energy Conservation Code 2018 Edition. Because we are a certified City for Building/Code Enforcement, we must adopt the same thing. This change is adding the 2018 edition. She noticed when previously adopted; we forgot to add in the information required by the International Code Council, which were modifications to the residential building code—stating that it is the code for the City of Laurel and adding in the violation sections. The only one that has not been updated is the Fire Code, as it is still going through hearings at the State level.

Council Issues

9. Kids Kingdom Equipment Replacement Discussion

Mayor Nelson stated that the Kids Kingdom's wooden structures had been identified as needing to be replaced. A group has been working hard to raise funds to replace the playground equipment.

Council Member Stokes, Park Board Chair, stated the cost to fix the current playground equipment is more than it is to replace. There have been rumors of what is going on with the park, and we wanted to bring it forward to Council and have a discussion.

Rob Gray, 708 4th Avenue, stated he was here to represent the group working on fundraising to replace the equipment. He reviewed the quotes they have received to replace the equipment; see attached handout.

Each year Grace Bible Church does a service project. In recent years they have done projects for the City. This year they were told that Kids Kingdom needed repair. It did not take long to see the repairs needed were greater than the resources they have. Leathers came in and inspected the equipment. The estimate to restore was greater than the estimate to replace. We need to make the equipment safe for the kids and pass inspection. The cost to repair the current structure is approximately \$152k. It will extend the life of the equipment by ten years before it needs to be done again. To fully replace what is currently there will be approximately \$260k.

By chance had a conversation with the representative for Montana School Equipment, a company based out of Great Falls, when they were in town for the school and realized they do playground equipment as well. They gave a quote of \$121k for a complete replacement. Their design would make the playground more ADA compliant, be more open to giving parents better visuals of their children playing, and will last 30 to 40 years. They have also had conversations with Jares Fence about putting up a coated chain link fence. The goal is to keep the original entrance to the playground.

There has been concern about what will happen with the name pickets currently up there. There are quite a few of them. There is thought to maybe use them to cordon off the little area from the big kid's area. The hope is that by moving them into the playground, there will be less vandalism. At worst, if the name pickets are unable to be repurposed, they would be returned to the people who purchased them. Jares Fence will be donating two benches for the park.

The goal is to raise \$150k for this project. While the quote is for \$121k, the equipment's cost has already gone up 6%. Montana School Equipment has assured the products will be available when they are ready to order; however, the cost has already risen. It takes approximately 8-11 weeks after ordering it to installation. So far, they are almost halfway to the fundraising goal. Overall they have raised almost \$60k for this project.

The other significant difference between using Leathers and Montana School Equipment is the number of volunteers needed. Leathers needed approximately 180-200 volunteers over a specific timeframe to construct the equipment vs. needing volunteers to demo the current structure and schedule the new equipment installation.

This park is heavily utilized, especially since the pool is not an option right now. Mayor Nelson stated parks and pools attract people to communities.

Council Member Stokes, Park Board Chair, stated that Park Board had discussed the disrepair at Kids Kingdom. Glad this group has stepped up to help address the situation. He appreciates all their hard work.

A Council Member noted the concern of removing the aging equipment without have a plan to replace it. This needs to stay as a service to the community. Park Board had been discussing what to do with the park before this group took up the fundraising. There was a possibility the park would go away.

It was questioned who owned the park. It was clarified the City owns the park; this group is volunteering the legwork to get this playground replaced. Park Board still needs to approve and recommend the design to Council. This conversation is to address some of the rumors related to this project.

Mayor Nelson clarified that originally Kids Kingdom was donated and installed by volunteers. It then became the property of the City. The Council would need to pass legislation allowing for the disposal of the current structure. He thanked this group for all their hard work with this project. There have been many hours put into identifying the best route and fundraising the funds.

Other Items

Review of Draft Council Agendas

10. Draft Council Agenda for April 13, 2021.

There were no changes.

Attendance at Upcoming Council Meeting

All Council Members present will be at next week's meeting.

Announcements

Mayor Nelson received an email from the Chamber of Commerce regarding a groundbreaking ceremony for the new hotel. That ceremony will be on April 16th at noon. Council is invited to attend.

The council workshop adjourned at 7:48 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.

Introduction:

Thousands of cities across the United States and many cities here in Montana allow their citizens to raise Urban Chickens. Urban chickens are affectionately known as “pets with benefits”. Their small size and hardiness make them appropriate pets to own in urban areas of Montana. Chickens also provide many benefits such as fresh eggs, bug control, compostable waste, and economic opportunity.

Why are Laurel citizens lobbying for urban chickens now? We want them and the benefits that come with keeping them. Covid related supply chain issues from 2020 have many people returning to self-sufficient means to sustain their families. This is in the form of bigger gardens, preserving fruits and vegetables, and raising urban chickens for a steady source of protein.

There are local economic benefits to allowing citizens to raise urban chickens. A bigger sense of community is created in areas that allow chickens. Most chicken keepers tend to have attractive coops which are often purchased from local builders. Chicken keepers may have the opportunity to sell their eggs to local restaurants who appreciate having a fresh, organic supply found right in their back yard. Being able to give your neighbors extra eggs could also strengthen the relationships within our community. Many people in addition to the chicken owners could benefit from allowing citizens to keep chickens.

The following proposal to change Laurel City Ordinance 6.16.010 is taken from successful programs in Montana cities such as Billings, Missoula, Kalispell, and Bozeman.

Proposed changes to Laurel City Ordinance 6.16.010

1. Remove Chickens from the list of “keeping certain animals prohibited”.
2. A permit to keep urban chickens shall have to be applied for and granted by the City of Laurel. Costs for the permit ranges from \$15 to \$25 dollars in other cities.
3. Chickens may only be raised in single family lots. Residents in multiple family lots must obtain permission in writing from all other tenants and landlord prior to applying for a permit.
4. No more than (6) hens are allowed.
5. Roosters are prohibited.
6. No chicken coop shall be within 10 feet of a property line or public right of way.
7. During daylight hours the chickens must be allowed to roam in an outdoor predator proof enclosure or run.
8. Chickens must be in their coop from sunset to sunrise.

9. Coops must be predator-proof and provide adequate ventilation in the summer and warmth during winter months. Coops must accommodate 2 square feet per chicken.
10. Coops must be able to be easily cleaned and maintained by the owner.
11. The owner must not allow noxious odors from the animals or their enclosure to become offensive to neighbors or passerby's.
12. Chicken feed must be stored in rodent proof containers.

Possible Concerns and Possible Solutions

Concern: Chicken waste stinks.

Solution: Limiting the number of allowed chickens to 6 would minimize waste produced by the chickens. The waste that is produced by chickens could create a valuable fertilizer. In addition to producing valuable fertilizer chickens are great for composters, which means less trash being thrown away and more opportunity to recycle.

Concern: Chickens are noisy.

Solution: Allow hens only. Hens do not crow like roosters. Keeping the hens in their henhouse from sunset to sunup would also minimize the possible noise that may happen during the portion of the evening when large amount of people may be sleeping.

Concern: Chickens will be loose around the neighborhood.

Solution: Keeping chickens in a predator proof coop or run would mean that the chickens are enclosed within enclosure and not loose.

Concern: Property values will be affected by chickens.

Solution: Keeping coops tidy would not affect a property value, instead it may create a more desired environment for a homeowner.

Concern: Allowing chickens will open the door to allowing other livestock in the city limits.

Solution: The State of Montana classifies chickens as poultry or fowl. Allowing poultry or fowl would not be the same as allowing livestock.

Concern: Chickens attract rodents and insects.

Solution: Keeping feed in a locked container when not in use would prevent the attraction of mice. Some chickens do eat mice and all chickens eat many insects, including but not limited to grasshoppers.

Concern: Chickens will create an issue for Code Enforcement.

Solution: Require a permit to keep chickens. This allows Code Enforcement to address issues with chicken owners on an individual basis.

Conclusion:

Raising urban chickens has far more benefits than risks. Allowing the people to experience the many other opportunities and benefits of chickens could be a great thing for Laurel's citizens. Thousands of American cities including many Montanan cities have successful programs and encourage the raising of urban chickens. Urban chickens provide a clean, sustainable source of protein in a time when food supply chains have become uncertain. We ask that you allow the citizens of Laurel to raise urban chickens alongside the many other successful chicken owning urban families across the United States.



CITY OF LAUREL
MONTANA
EMERGENCY MEDICAL SERVICES
215 W 1ST ST
LAUREL, MONTANA – 59044
OFFICE: (406) 628 – 1611 | DISPATCH: (406) 628 - 8737



Dear Mayor and City Council,

We are excited to announce that we have EMS providers interested in joining our EMS service as volunteers. We have interviewed the following people and would be excited to bring them onto our team.

- Ross Bunn, paramedic, Ross was a Medic in the Army and also an AMR medic for many years. Ross also spends countless hours volunteering his time to teach at EMT classes. He is currently going through electrician school but misses patient care, teaching EMS providers and running on an ambulance and feels like this would be a perfect fit. I believe he will be a great asset to our team.
- Andrew Zimmermann, EMT, he has EMS experience from serving as a volunteer in Worden for many years. He also spends countless hours volunteering his time teaching at EMT class. Andrew is a hard worker with excellent skills and will be a great fit for our team.
- Mariel Riley, EMT, she is a new EMT, however is currently gaining experience by working at AMR, her goal is to become a paramedic and she works with some of our providers and feels that she would love to spend time volunteering for Laurel to gain greater experience and work with our team.
- Amanda Hemmen, EMT, is a fairly new licensed EMT currently gaining patient care experience in the StVs ED. Her goal is to become a physician but she has a strong desire to provide care in a prehospital setting. We feel that her personality and desire to learn will be a great fit for our team.

Thank you very much for your consideration on these candidates.

Lyndy Gurchiek, NRP, Director
Laurel EMS
215 W 1st Street
Laurel, MT 591044
lgurchiek@laurel.mt.gov
406-860-8233



Laurel Public Library

720 West 3rd St. • ~~P.O. Box 68~~ • Laurel, MT 59044
(406) 628-4961 • library@laurelpubliclibrary.org • www.laurelpubliclibrary.org

March 10, 2021

Mayor Nelson,

The Library Board of Trustees have reviewed the two letters of interest received at the library for the Board vacancies. Either candidate is acceptable to the current participating members. Please advise the candidates of their status as soon as possible. Thank you for your attention to this matter.

Sincerely,

Nancy L Schmidt
Director
Laurel Public Library
406.628.4961

January 20, 2021

Mayor of Laurel and Laurel Public Library trustees
Laurel Public Library
720 W 3rd St.
Laurel, MT

Dear Mayor of Laurel and Laurel Public Library trustees,

My name is Katie Fjelstad and I am interested in becoming a Laurel Public Library trustee. I am a long-time Laurel resident, wife of a Laurel native, and mother of two young children. I am also a registered nurse. I have had a deep love of reading and literature since first grade and three years as a Comparative Literature major at the University of Wisconsin.

I have an interest in helping the Laurel Public Library pursue community goals. I am interested in children's literature in particular, but I have an interest in all types of media and how the library operates. I also work with the elderly and could be a resource to you on how to reach this population.

I work part time and I have been looking for an opportunity to devote energy to a cause in which I feel strongly. Feel free to call me at 406-670-2338 or email me at katiefjelstad@yahoo.com if you have further questions.

Thank you for your time.

Sincerely,

Katie Fjelstad

Boyd 2.1.21 n.c

January 2, 2021

Administrative Assistant
City of Laurel
P. O. Box 10
Laurel, Mt. 59044

Attention: Thomas C. Nelson - Mayor City of Laurel
Nancy Schmidt - Director of the Laurel Public Library

I am writing in regards to a trustee position that is open with the Laurel Public Library board. As I have been a former Trustee and working officer with the Laurel Library board, I feel I have the training and broad work experience that will qualify me to be a part of this very elite group. As a member of the board, I would also be the Rural board member - giving a voice to the patrons living outside your city limits. I understand the importance to actively work with the fellow board members by attending all meetings, trainings and workshops. I also will look forward to working with volunteers and board members on book sales, summer reading programs, any and all activities as needed. I will be available to attend the State Library Federation Meetings which are held twice a year and working with other knowledgeable representatives. There library board members not only exchange ideas, discuss funding but serve as a united front in the educational needs of our communities.

At this time our library is of great importance to the community. It has been named as an essential community area- serving meals to the community children, offering the use of computers, information on what is happening in our area and of course the reading that we have all enjoyed. It is considered the one safe gathering place where everyone can feel welcome.

I believe that as a board member I can offer a knowledgeable talent to your library board, helping the library continue to grow and flourish with the times. I would like to continue to be a part of the team that has helped to keep the doors of the Laurel Library open. I would find it a pleasure to meet with you on a one to one basis at your convenience.

Thank you for your time.



Clair Killebrew
406-690-3411

R. N. 1.18.21 n.s.

Council handout

- 1) 3-year contract to run July 1 2021 to June 30 2024.
- 2) Detectives pay – removed language “for city cases” from contract – any member assigned to the Detective position will now receive the \$1.00 per hour as incentive pay. “b. Detectives – Union members who are assigned to the detective division **for city cases** will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities.”
- 3) Sergeants pay - c. Sergeant – Union members who are assigned to the Sergeant position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities.
- 4) Canine pay – d. Canine Officer – Union members who are assigned to the Canine position will receive a three hundred and fifty dollar (\$350) monthly stipend as incentive pay for the additional responsibilities associated with having a dog.
- 5) TAC/Assistant TAC - e. Terminal Agency Coordinator (TAC) – Union members who are assigned to the Assistant TAC position will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities. The Union member who is assigned to the TAC position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities. (For fiscal year 21/22 Assistant TAC will receive incentive pay of fifty (.50) cents per hour and TAC will receive seventy-five (.75) cents per hour and for Fiscal year 22/23 Assistant TAC will receive an additional fifty (.50) cents per hour and TAC will receive an additional seventy-five (.75) cents per hour, in addition to the overall percentage wage increase.)
- 6) Bereavement leave – language shored up to reflect - Upon the death of a member of the employee’s immediate family, an employee may be granted up to three (3) working days off with pay **for the employee’s work period, not to exceed 24 hours for each death.**
- 7) Shift Bid language - b. ~~Police officers and Dispatchers~~ shall bid for shifts three times each year and shall begin on the first Monday **of a new pay week** in the months of January, June and September. Police Officers shall bid shifts three times each year and shall begin on the first Monday of a new pay week in the month of January. Shift bids for the months of May/June and August/September shall be on the first Monday of a new pay week to coincide with the beginning and ending of the school year (Shift bids will coincide with the vacation request. Each employee will have five (5) calendar days

to complete their request at which time it will proceed to the next employee in order of seniority

Language was also added to reflect possibility of part time personnel in the parking/animal control –

g. The work period for part-time personnel shall be assigned as needed by the Employer's Chief of Police or designee.

8) Gym Membership - Section 8. Gym Membership: ~~The City agrees to pay the annual gym membership, up to \$300.00 per year per employee, who elect to participate in the Gym Membership program offered through the City's insurance plan. If the City's insurance plan no longer offers provisions for gym membership, the City agrees to reimburse the employee up to \$300.00 per year for gym membership. Reimbursement will only be made after the employee provides the City a gym membership receipt.~~ The City agrees to pay the annual gym or fitness center membership for each employee at the Locomotion Fitness Center to encourage employee health and wellness. If an employee elects to utilize a different fitness facility, the City agrees to reimburse the employee up to \$300.00 per year for his/her membership. Reimbursement will only be made after the employee provides the City a gym membership receipt showing he/she has in fact paid for the membership.

9) WAGES – 3-year contract increases are year 1 and 2 - 2% and year 3 - 3%

2% to base Year 21/22

2% to base Year 22/23

3% to base Year 23/24

CITY HALL
115 W. 1ST ST.
PLANNING: 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 City Planner

January 13, 2021

Regarding the Need for a Traffic/Speed Study at the Intersection of West Main Street and 5th Avenue.

Mr. Mayor and City Council,

I would like to have City Council discuss approving the submittal of a letter to MDT to study the intersection of West Main Street and 5th Avenue. Chief Langve contacted me in the fall to discuss the need for a traffic and/or speed study at the intersection of West Main Street and 5th Avenue. Increased development on the western edge of Laurel and the recent opening of the West Laurel Interchange will bring increased traffic volume into the city. He would like to see some sort of traffic/speed mitigation to handle the steady increase in traffic in that area.

Chief Langve and I would like to see this intersection studied by MDT. MDT can conduct a traffic/speed study of the situation after receiving a letter from the City Council officially stating the request. I would be happy to draft the text of a letter to provide to MDT on behalf of the City Council. I have also provided Chief Langve's letter on the situation. Please let me know if you have any questions about this request. Thank you for your time.

Regards,

Nicholas Altonaga, CFM

Planning Director



LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Chief of Police Stanley J Langve

September 30, 2020

To whom it may concern,

I am writing regarding traffic concerns on West Main Street in Laurel, MT. Currently the speed limit increases from 25 MPH to 35 MPH as you are west bound on West Main Street near the intersection with 4th Avenue. It then increases to 45 MPH around the 900 Block of West Main Street.

I am a lifelong resident of Laurel and this has been the speed limit configuration for as long as I can recall. Both as a resident and a Police Officer, I have noticed many changes in Laurel over the decades. The City of Laurel is growing as is the area surrounding Laurel. This has meant an increase in businesses, population density, and vehicle traffic. I have long believed that the 35 MPH speed limit from 4th Avenue to the 900 block of West Main Street was too fast and should be reduced to 25 MPH out to the west of Wood's Powr -Grip. With the recent improvements of the West Laurel interchange there will be significant increases to vehicle traffic and development to the west side of Laurel. In my opinion, this is a change that is decades overdue.

I also support a study to determine the feasibility of making the intersection of West Main Street and 5th Avenue a 4-way stop. There is significant traffic that uses the 5th Avenue crossing due too refinery traffic and the Laurel South School. With West Main being a through street, it creates a significant hazard with vehicles and school busses attempting to navigate the increased traffic flow aggravated by the 35 MPH speed zone. A 4-way stop would help traffic getting onto and leaving south 5th Avenue. It would also greatly increase the safety of bicyclists and pedestrians attempting to cross West Main Street.

These two easily implemented and inexpensive measures could be put into place quickly and greatly increase the safety of our motoring, bicycling, and pedestrian public.

Respectfully,

Chief Stanley J. Langve



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: EBY Trailers – East Railroad Street Variance Request
DATE: March 24, 2021

DESCRIPTION OF REQUEST

A Variance Request Application was submitted by EEC Engineering for the property owner of ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17), located on East Railroad Street in Laurel. Five (5) variances are being applied for to LMC Chapter 17.26 – Community Entryway Zoning District and Chapter 17.27 – SE 4th Street Overlay District. The affected property is currently not assigned an 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. The applicant is requesting four variances to LMC 17.26 – Community Entryway Zoning District including:

- a. 17.26.052 Development Standards Part B: Building Design Standards, Part 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.
- d. 17.27.060 Building Design Requirements Part A
- e. 17.27.070 Site Design Requirements Part C.

Owner: TNL Big Sky LLC
Legal Description: ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17)
Address: E. Railroad St.
Parcel Size: 3.2 Acres
Existing Land Use: Vacant Field
Proposed Variance: Design standards and landscaping standards within the Community Entryway Zoning District and SE 4th Street Overlay District.
Existing Zoning: Highway Commercial, Community Entryway Zoning District, SE 4th Street Overlay District

BACKGROUND AND PROCEDURAL HISTORY

- A pre-application meeting was held in December 2021 with the Planning Director, Building Official, and Public Works Director with staff from EEC Engineering, the representatives of the owner/developer.
- The Variance Application was submitted on January 29, 2021.
- The Variance Application fee was submitted on January 29, 2021.
- A Public Hearing took place at the Planning Board / Zoning Commission meeting on March 17, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.
- The Planning Board voted to approve the Variances with the updated Staff Conditions.
- A Public Hearing is scheduled at the City Council meeting on April 13, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.

STAFF FINDINGS

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. 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.
3. LMC 17.26.052 Part C. Additional Provisions for Commercial Uses 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.
2. LMC 17.26.054 Part B. Landscaping Standards states:
 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
4. 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.
5. LMC 17.27.070 – Site Design Requirements, Section C, which states:
 - a. Landscape islands are required at the terminal ends of all parking rows.
6. The applicant and staff discussed 17.26.052.B.1 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.
7. 17.26.052.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 black 6' chain link fence in order to secure the site, as well as ensure full visibility of products for the travelling public.
8. In regard to 17.26.054.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.
9. The Applicant is proposing architectural wood panels with concealed fasteners and exposed Douglas Fir Heavy Timbers as an alternative to the direct log accent requirement as stated in 17.27.060.A. It is stated that this meets the spirit, intent, and purpose of the code, and it would not affect or injure or result in injustice to others.
10. The Applicant is seeking a variance to 17.27.070.C. solely for the parking rows designated for employees. This is a targeted variance solely on areas not accessible to the public, and not visible to the general public accessing the site. This variance has been applied to in order to not limit the potential for frequent maintenance issues and allow flexibility on-site for removing and/or relocating display trailers and equipment from the showroom and storage yard.
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.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

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
- A. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

RECOMMENDATIONS

The Planning Director and Planning Board / Zoning Commission recommend the approval of the variances with the following conditions of approval:

- 1. The proposed fencing shall be black six (6) foot high chain link fencing shall be securely affixed and/or anchored.
- 2. The proposed fencing shall not become an eye sore by way of a 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.
- 5. The development shall comply with the requirements of the Laurel Sign Code.

ATTACHMENTS

- 1. Variance Application Form
- 2. Variance Justification Letter
- 3. Overhead Map with 300ft buffer
- 4. Site Elevations, Design, and Concept Images
- 5. List of Adjacent Property Owners within 300ft.
- 6. LMC 17.60 – Zoning Commission

7. LMC 17.26 – Community Entryway Zoning District
8. LMC 17.27 – SE 4th Street Overlay District



INSTRUCTIONS

CITY-COUNTY PLANNING VARIANCE REQUEST

These application instructions cover appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

This application form is supplied by the City and must be returned to the City.

The following is a list of information required for submittal to be considered complete.

1. It is mandatory that you meet with the City Planner prior to applying. The City Planner will provide you with a map of the property owners within 300' that you must have certified by a title company.
2. Provide a plot plan drawn to scale on paper not larger than 11"x17" which includes all existing and proposed structures and proposed variance measurements.
3. A set of three mailing labels for each surrounding property owner within the 300 feet.
4. A detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
5. Application, with fee (\$550 for residential; \$1,100 for commercial), must be made on or before the first day of the month prior to the month it will appear before the Laurel City-County Planning Board.

The public hearing before the City-County Planning Board is held on the 3rd Wednesday of the month at 5:35PM. in the City Council Chambers at 115 W. 1st Street, Laurel. **Applicant or Applicant Representative must be present at the meeting.**

The Laurel City-County Planning Board makes a recommendation to the City Council. The City Council will review the application at Council Workshop and then make a decision on the Council agenda.



Laurel Variance Request Application

This application covers appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

The undersigned owner or agent of the owner of the following described property requests a variance to the Zoning Ordinances of the City of Laurel as outlined by the laws of the State of Montana.

1. Name of property owner: TNL Big Sky, LLC
2. Name of Applicant if different from above: Chuck Henrichs - EEC Inc.
3. Phone number of Applicant: 406.839.9151
4. Street address and general location: Entrainment Park Sub. Block 1, Lot 1B
E. Railroad St., Laurel, MT 59044
5. Legal description of the property: Entrainment Park Sub., S15, T02 S, R24 E, Block 1, Lot 1B,
AMD BLK1 LT1 (17)
6. Current Zoning: Highway Commercial (HC), Entryway Zoning Districts (EZD)
7. Provide a copy of covenants or deed restrictions on property.

I understand that the filing fee accompanying this application is not refundable, that it pays part of the cost of process, and that the fee does not constitute a payment for a variance. I also understand I or my agent must appear at the hearing of this request before the Planning Board and all of the information presented by me is true and correct to the best of my knowledge.

Signature of Applicant: 

Date of Submittal: 01/28/21

01/28/20

Laurel City-County Planning Board
115 W. First Street
Laurel, MT 59044

RE: City-County Planning Variance Request: Items #1-5

To whom it may concern,

Enclosed you will find completed, all the information required for our submittal to be considered for review and recommendation by the Laurel City-County Planning Board.

1. We met with the City Planner on 12/16/2020, to discuss this project/variance and provided a map of property owners within 300 feet of the property, see attached.
2. See attached 11x17 (Half-Scale) drawings, which includes all existing and proposed structures and proposed variance measurements. 9 sheets: C101, A.1, A.2, A.3, A.4, and four concept renderings (A.5-A.8).
3. See the provided set of three mailing labels for each surrounding property owner within the 300 feet.
4. With the following five proposed variance measures, we provide a detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
 - A. Reference Section 17.26.052 Development Standards – B. Building Design Standards which states *"All buildings shall be completed on all sides with one of the following finishing materials: ...architectural concealed fastener metal panels."*

The material under review for this variance request is an exposed fastener vertical metal panel siding, see attached Exterior Elevations and Material Board sheets (A.2-A.4) for full scope. We are proposing the architectural concealed fastener metal panels around the public frontage/entrance section as detailed, which meet the requirements set for under the Building Design Standards. However, at the shop we are proposing an exposed fastener vertical metal panel siding that does not meet the "concealed fastener" standard, a situation very similar to the two neighboring facilities recently completed. The change in materials/texture allows the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

01/28/20

- B. Reference Section 17.26.054 Landscaping Standards – B. Landscaping Standards which states *"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..."* Furthermore, it states *"...The number of trees and shrubs required per one hundred feet of frontage: (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs..."*

The material under review for this variance request item is a proposed 20'-0" Bufferyard that meets the landscaping standard, however, does not provide the required 10 trees or fifteen shrubs per one hundred feet of frontage, see attached Site Plan sheet C101 for full scope. We have taken this direction after meeting with the City on a few recent projects, with the realization that there is an existing Sanitary Sewer line that runs directly under the bufferyard, the full extent of frontage on this property. It was clear that the City was not in favor of putting trees nor shrubs directly above this existing line, under any circumstance. We feel the same, it would be a design flaw and future maintenance issue. Please note, we do not intend to utilize this bufferyard area in any way for our stormwater detention. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the requested variance meets requirement #2 "Unless the grant relates to a condition or situation special and peculiar to the applicant;" the existing location of the Sanitary Sewer line running directly under the bufferyard creates that special situation/condition.

- C. Reference Section 17.26.052 Development Standards – B. Additional Provisions for Commercial Uses, which 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."*

The material under review for this variance request item is leaving in place the existing barbwire fence running along the interstate and providing a new black 6' chain-link fencing, in replace of a site obstruction fence (see attached Site Plan sheet C101 for full scope). M.H. Eby is a leading provider of Trailers, Parts, and Service in Montana and offers a large selection of horse, livestock, flatbed, and bulk commodity trailers, along with truck bodies, associated parts, and more. It is key for the public to have full visibility to M.H. Eby's merchandise available for sale and their service facility. The intent of the proposal is that all sale merchandise for display along interstate I-90 will be outside an approved building and enclosed in the yard area appurtenant to the building. With the proposed existing fencing and new black 6' chain-link fencing, merchandise for sale would be secure and still have the visibility to the public that the sight obscuring fence would not allow. Additionally, the new black 6' chain-link fencing would keep within the aesthetic of the surrounding properties recently completed. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the

01/28/20

requested variance meets requirement #2 "Unless the grant relates to a condition or situation special and peculiar to the applicant;" and requirement #3 "Unless the basis is something more than a mere financial loss to the owner." The 6' sight obscuring fence creates the inability to display merchandise for sale which is a special situation/condition to a trailer supply/service company and would easily create a basis for more than a mere financial loss.

- D. Reference Section 17.27.060 - Building Design Requirements, Section A which states *"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."*

The material under review for this variance request is the requirement to finish the front façade with a minimum 40 percent half log and/or rock accents, see attached Exterior Elevations and Material Board sheets (A.2-A.4) for full scope. We are proposing a horizontal architectural concealed fastener metal panel around the top of public frontage/entrance section, with a change in color/panel direction at the more pedestrian level as detailed. Specifically, around the main public entrance, great care was taken in further emphasizing the rustic western aesthetic by utilizing architectural wood panels with concealed fasteners and exposed Douglas Fir Heavy Timbers. We believe this approach would meet the requirements set forth under the Building Design Requirements and achieves its intent by providing a rustic western appearance without the need to add rock accents on the front façade. Our design strategy with this facility is to keep with this rustic western aesthetic throughout the facade, while utilizing the change in color/texture to allow the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

- E. Reference Section 17.27.070 – Site Design Requirements, Section C which states *"Landscape islands are required at the terminal ends of all parking rows."*

The material under review for this variance request item is the proposed concrete surfaced employee parking stalls on the North and South side of the building and not providing a landscape island at the terminal ends of each parking rows. This Variance is limited only to these 2 employee parking areas, which are on the interior of the proposed new fence line and would not be accessible to the public, see attached Site Plan sheet C101 for full scope. The intent of both parking rows is to be employee only and it should be noted, the terminal ends on the public accessible/facing side (east), we are providing landscape islands as required. At both employee parking sections, each is to be hard surfacing (concrete) and laid out in a similar manner to the recent facilities in the area. The Design Intent with not providing these "interior/employee" landscape islands are to limit the potential for frequent maintenance issues and allows for some flexibility when adding or removing display trailers/equipment from the showroom and yard. The proposed design for the public

01/28/20

facing/public accessible parking stalls and related site landscape islands is above and beyond the required/standards set in the site design requirements. For example, we are providing 2,778 S.F. of parking landscaping, while only 480 S.F. of parking landscaping is required. This overall design approach does in our view meets the spirit or intent of the standard set forth and pursuant with precedent set with similar recently completed projects. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

5. See attached completed Laurel Variance Request Application and associated fee of \$1,100 for a commercial property.

Sincerely,



Chuck Henrichs, P.E.
Vice President of Engineering, EEC, Inc.
Owners Representative

Yellowstone County
Mapping Sites

Help
GIS web page
Cemetery gravestone lookup

Navigation Tools

Layers

- ☐ Fire locations in the USA
- ☐ Floodplain
- ☐ Sheriff
- ☒ Yellowstone County
- ☐ Public Works
- ☐ Schools
- ☒ Zoning
- ☐ Elections
- ☐ Levy Districts
- ☐ Fire
- ☐ Emergency
- ☒ Cemetery
- ☐ Imagery

Legend

Q Find

Draw

Measurement

Print

Google Street View

Select and Buffer

By Attribute

By Shape

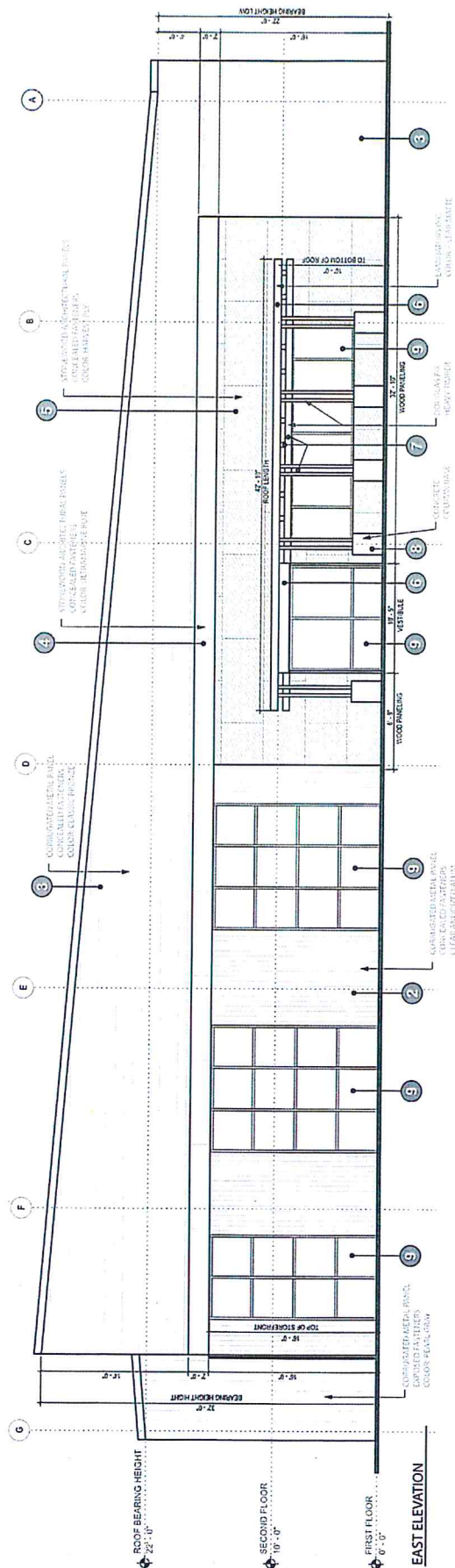
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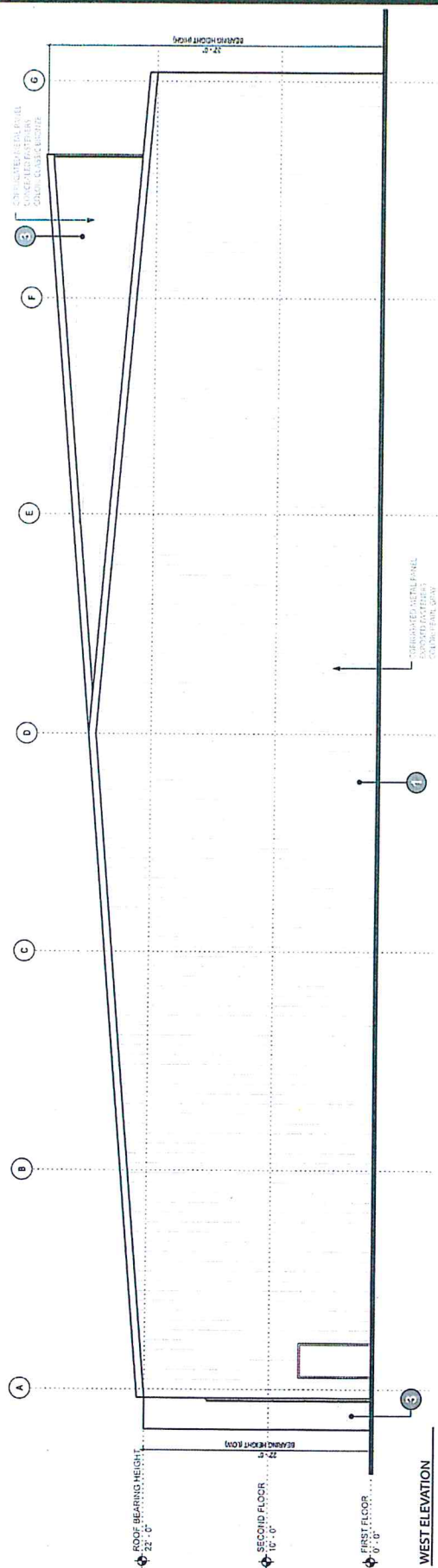
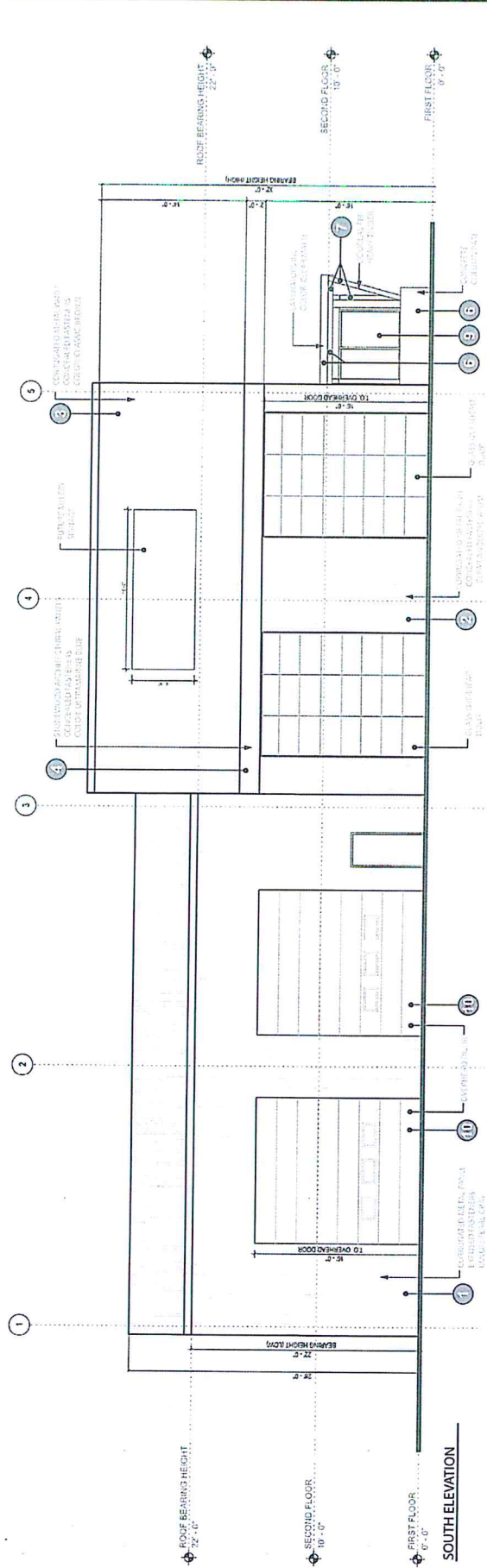
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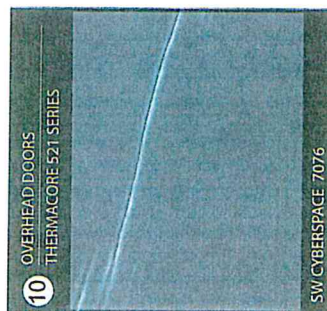
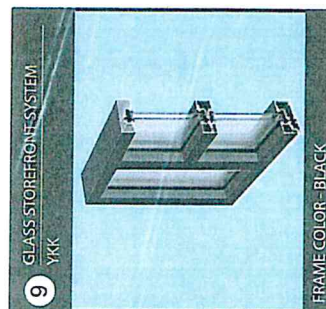
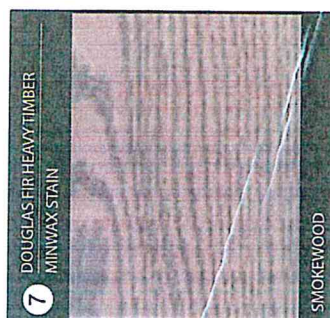
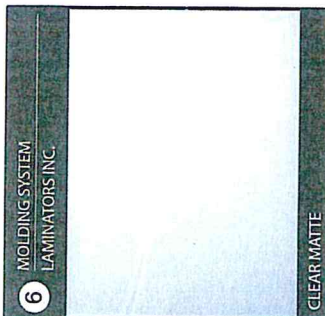
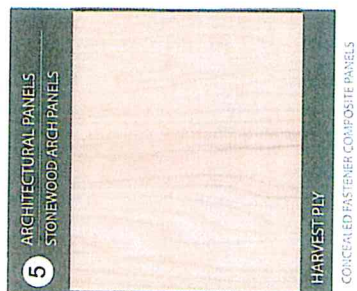
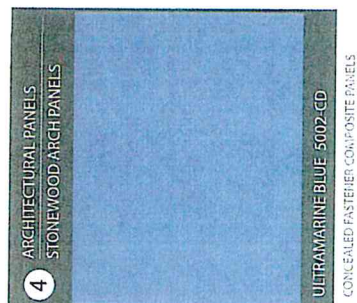
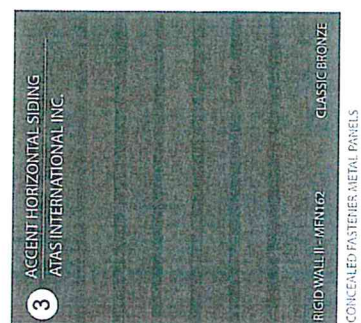
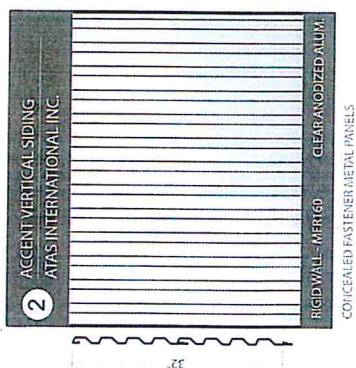
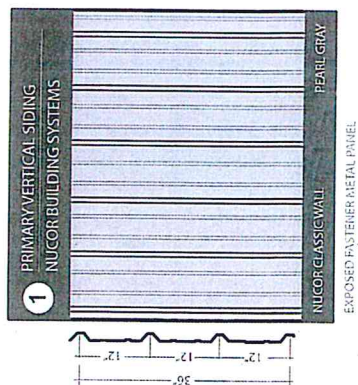
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FLOOR PLAN









RENDERING - WEST FACADE

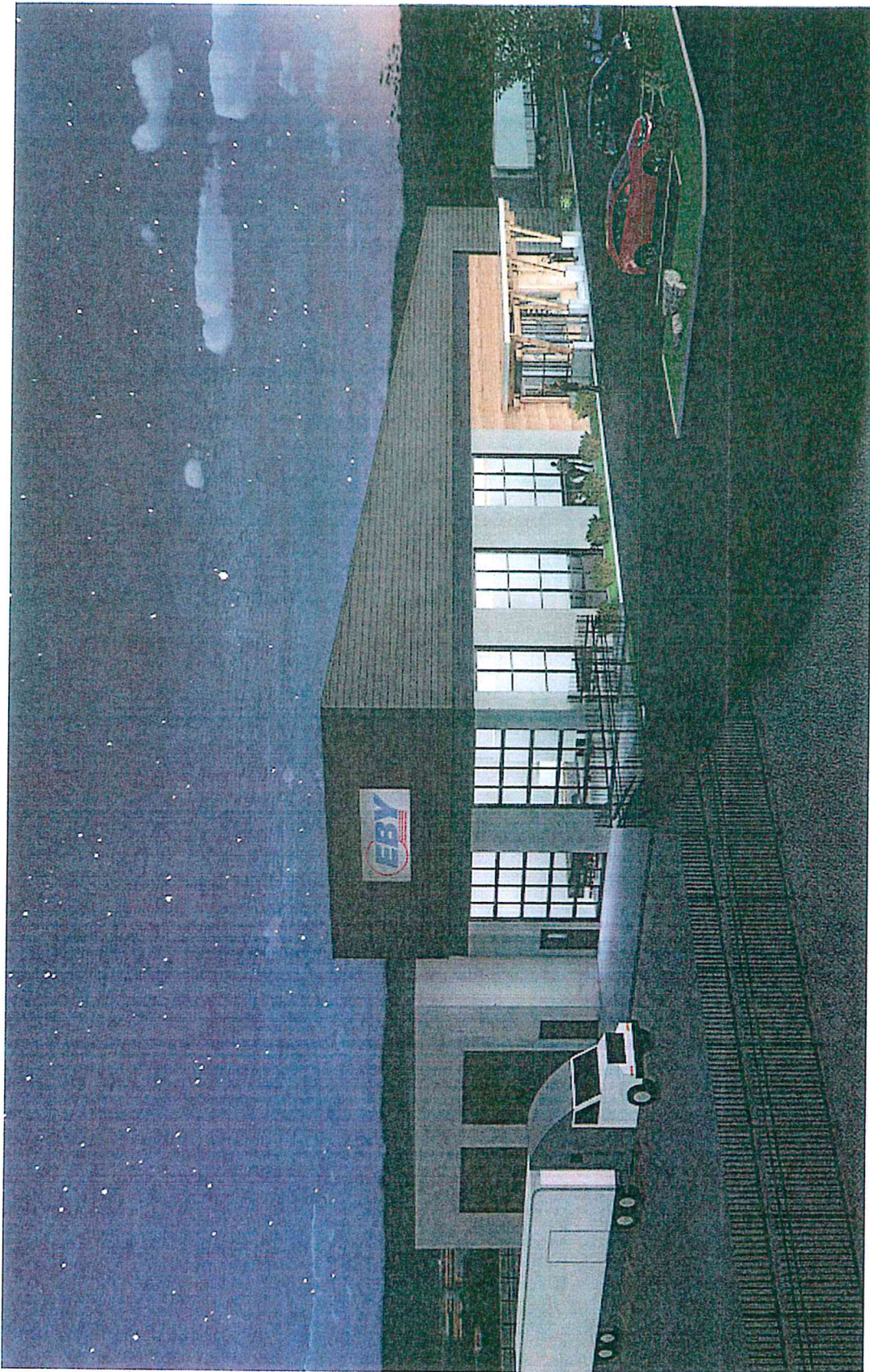
20-043
01/28/21



RENDERING - ENTRANCE



RENDERING - NORTH / EAST FACADE



RENDERING - SOUTH FACADE

Owner name	Tax Code	Legal Description	Mailing Address
KRUM, TERRY R & JUDITH L	D02667	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1, FRAC LOT 1	1311 E RAILROAD ST LAUREL MT 59044
FORSTNER, GEORGE T & IRENE	D02668	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1, LESS E65 FT & W 82.40 10 2S 24	1321 E RAILROAD ST LAUREL MT 59044
STRECKER, JOHN JR	D02670	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1B, LTS 1 & 2 AMD 1978 GALLATIN T1*	1411 E RAILROAD ST Laurel MT 59044
BOESHANS, NATHAN P & COLLEEN M	D02669	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1A, AMEND LTS 1,2	2553 ALPINE VIEW DR LAUREL, MT 59044-9355
FARNES, LEILA A	D02671	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 2, E 1 A OF LOT 2	1423 E RAILROAD ST LAUREL, MT 59044-3339
MONTANA RAIL LINK	D13144C	S10, T02 S, R24 E, INFORMATIONAL ONLY - CENTRALLY ASSESSED PARCEL IN SEC 10-2S-*	PO Box 16624 Missoula MT 59808-6624
CHS INC	D02712	S15, T02 S, R24 E, FRAC N2NW S OF HWY (LESS C/S 1142 & 1291)	PO Box 909 Laurel MT59044-0909
CHS INC	D02713	S15, T02 S, R24 E, C.O.S. 1142, PARCEL 1, AMND	PO Box 909 Laurel MT59044-0909
X LAZY H LLC	B03037A	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2B	10087 HIGHWAY 12 JOLIET, MT 59041
X LAZY H LLC	B03037B	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2C	10087 HIGHWAY 12 JOLIET, MT 59041
X LAZY H LLC	B03037C	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2D	10087 HIGHWAY 12 JOLIET, MT 59041
DIEFENDERFER FAMILY TRUST	B03036	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1A, AMD BLK 1 LT*	3619 FLAGSTONE DR BILLINGS, MT 59102-0301
DIEFENDERFER FAMILY TRUST	B03036A	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17)	3619 FLAGSTONE DR BILLINGS, MT 59102-0301

Chapter 17.60 - ZONING COMMISSION

Sections:

17.60.010 - Powers and duties.

The city-county planning board shall act as a zoning commission whose duty it shall be to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein.

(Prior code § 17.08.010)

17.60.020 - Land use variances issuance and denial—Determination procedure.

- 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.

Chapter 17.26 - COMMUNITY ENTRYWAY ZONING DISTRICT

Sections:

17.26.010 - Intent.

The purpose of the Laurel Entryway Zoning District is to regulate outdoor advertising, outdoor advertising signs, and outdoor signs of all types, to provide fair and comprehensive regulations that will foster a good visual environment for Laurel, enhancing the area in which we live, and creating an aesthetic and enjoyable appearance for our visitors and our residents.

The natural landscape in the Yellowstone Valley is a major influence on the form and character of Laurel. Residents appreciate being able to see the Beartooth Range, the river's corridor of trees, and the large expanse of sky. The intent of the Community Entryway Zoning District (EZD) is to promote attractive, high quality development and to provide an appealing image of the city of Laurel to the traveling public and the people of the community and region. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and the pastoral ambience and protecting environmentally sensitive areas. Creativity in meeting these requirements is encouraged with the overall intent of all development representing the image and economy of the Laurel area—and not just a reflection of the same commercial buildings, signage, and parking lots that are seen alongside the interstate across the nation.

Projects in the vicinity of large natural areas/corridors shall be designed to compliment the visual context of the natural area. Techniques include architectural design, site design, use of native landscaping, and choices of colors and building materials shall be utilized in such manner that scenic views across or through the site are protected and man-made facilities are screened from off-site observers and blend with the natural visual character of the area.

This overlay district provides requirements that are in addition to the existing, underlying zoning districts in the jurisdictional area of the city of Laurel and are in addition to the signage standards of the city of Laurel Municipal Sign Code. Except for signage applications, residential uses in the Entryway Zoning District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape that will assist in making Laurel an attractive place to live and work and be inviting to new industries;
- B. Encourage creativity in design and quality in site planning and development;
- C. Reduce the level of adverse impacts from the transportation system on adjoining lands;
- D. Promote development patterns in harmony with the goals and objectives of Laurel's Growth Management Plan;
- H. Promote compatible land use transitions with a sensitivity toward existing residential uses.

Non-commercial/industrial uses falling within the EZD are exempt from the requirements of the EZD except as such requirements pertain to signage.

(Ord. 02-31, 2002)

17.26.030 - Location of district.

The Community Entryway Zoning District (EZD) shall extend three hundred feet on either side of Interstate 90 right-of way as it extends through the Laurel Zoning Jurisdiction Area, an area that extends outside the city municipal limits one mile. Specifically, along the interstate the EZD shall extend as described from the east limit of the extra-territorial zoning boundary west to the limit of the west extra-territorial boundary. The district shall also include that area three hundred feet on either side of the north extra-territorial boundary on Buffalo Trail Road south through Laurel on First Avenue to where First Avenue turns into US Highway 212-310

(Ord. 02-31, 2002)

(Ord. No. O15-03, 5-5-2015)

17.26.040 - Application and approval process.

- A. All plans and applications for development shall be submitted to the city-county planning board. All applications involving signs shall be submitted to the public works department which shall provide a copy thereof to the planning board. All applications must be submitted and signed by the property owner, lessee, the contract purchaser, or the authorized agent of the property owner. Approval is required prior to any construction activity.
- B. Each application shall include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1" = 40' showing the dimensions and locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;
 - 6. Complete elevation drawings drawn to scale including the dimensions and height of the structure;
 - 7. Signage Plan specifications, location, and ground lighting pattern (applications for signs only—see Section 17.26.050); and
 - 8. Application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, other city designee, or the public works department (in the case of signs) shall issue approval for development or sign or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial.

(Ord. 02-31, 2002)

17.26.050 - Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. The standard dictionary meaning shall be applied to terms not otherwise defined.

(Ord. 02-31, 2002)

17.26.052 - Development standards.

A. Signage.

1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
 - a. Use of subdued, low-key colors;
 - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
 - c. Sign is built of permanent, durable materials;
 - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
 - e. The sign is professionally prepared and finished on both sides;
 - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
 - g. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
 - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
 - i. The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
 - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
4. Signs shall be limited to one hundred sixty square feet in copy area.
5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
 - a. The sign is relocated or replaced;

- b. The structure or size of the sign is altered in any way;
 - c. The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
 - d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
 - 6. No portable signs as described in the city signage ordinance are allowed in the EZD.
 - 7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.
 - 8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.
- B. Building Design Standards.
- 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.
 - 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
 - 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.
- C. Additional Provisions for Commercial Uses.
- 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.

2. Site Lighting. All outdoor lighting shall be designed, located and mounted at heights no greater than eighteen feet above grade for non-cutoff lights and thirty-five feet above grade for cutoff lights. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed three-tenths foot-candle for non-cutoff lights and three foot-candles for cutoff lights.
3. Storage of Junk. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight-obscuring fence at least six feet in height.
4. Solid Waste Area. All solid waste storage facilities shall be located within an area enclosed with a sight-obscuring fence or wall that is architecturally compatible in color and design with the building.

D. Cell Towers.

No wireless communication facilities are allowed in the entryway zone.

(Ord. 02-31, 2002)

(Ord. No. O11-07, 6-7-2011; Ord. No. O16-02, 2-2-2016)

17.26.054 - Landscaping standards.

Landscaping in the form of trees, shrubs, and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of ground water, the reflection of seasonal color change, the provision of sound barriers (such as around utility substations or industrial yards), and urban wildlife habitat.

A. Landscaping Definitions.

Canopy Tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity. Minimum size of canopy trees shall be two and one half inches in caliper.

Evergreen Tree or Shrub. A tree or shrub of a species which normally retains leaves / needles throughout the year. Minimum size of evergreen trees shall be five feet in height.

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
 - b. The following criteria shall also apply to the bufferyards.
 - i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
 - ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
 - iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
 - iv. Depth of bufferyard shall depend on density of vegetation.
 - v. All new utility lines shall be placed underground.
 - vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.
- C. Off-Street Parking Lot Landscaping.

Landscaping shall be provided within all parking areas as follows:

Parking lots containing more than ten spaces shall contain internal areas of landscaping totaling at least ten percent of the parking area. Each planting area shall contain at least three hundred square feet and at least one major tree and groundcover with irrigation. There must be a clearly designated pedestrian route from the parking lot to the street or main entrance.

- 1. A minimum of twenty square feet of landscaped area shall be provided for each parking space on parking lots containing more than ten spaces.
- 2. Two canopy and/or evergreen trees and five shrubs shall be required for every ten parking spaces or component thereof over ten parking spaces.

3. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than twenty-five percent of the landscaped area shall contain rock, bark chips, stepping stones or similar material.
4. The minimum width and/or length of any parking lot landscaped area shall be five feet.
5. Internal parking lot landscaping provided shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
6. Any development that has parking abutting a required bufferyard, may extend the width of parking landscaping plant material. The minimum bufferyard width and that bufferyard a minimum of five feet and include the additional required landscaping material is required in addition to the parking landscaping.
7. Protection of Landscaped Areas. Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
8. All new utility lines shall be placed underground.

D. Commercial Uses Abutting Residential Uses.

All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten feet wide and shall contain ten evergreen and/or canopy trees and ten shrubs per one hundred lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building shall be required on the property line. The fence height shall be a minimum of six feet. Chain link or other wire fencing material is prohibited.

E. Fractions in the Calculation of Number of Trees and Shrubs.

In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest, highest whole number.

(Ord. 02-31, 2002)

Chapter 17.27 - SE 4TH STREET OVERLAY DISTRICT

Sections:

17.27.010 - Intent.

The city of Laurel hereinafter ("city"), in collaboration with the Laurel Urban Renewal Agency, prepared the following set of regulations to preserve and protect the unique nature of the SE 4th Street corridor of the city of Laurel. These regulations are intended to promote, preserve, and enhance the character of the built environment while encouraging a cohesive identity.

In addition to building construction, further elements include, but are not limited to parking and pedestrian connectivity requirements, landscaping, and signage.

This district's requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the district are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape to make the district an attractive place to live and work;
- B. Encourage creativity in design and quality site planning;
- C. Promote development patterns in coordination with the goals and objectives of the city's growth management plan;
- D. Provide consistency to land uses and design that will protect the investment of property owners in the district.

(Ord. No. O15-04, 5-5-2015)

17.27.020 - District boundaries.

The boundaries of the District are identified in Figure 1.

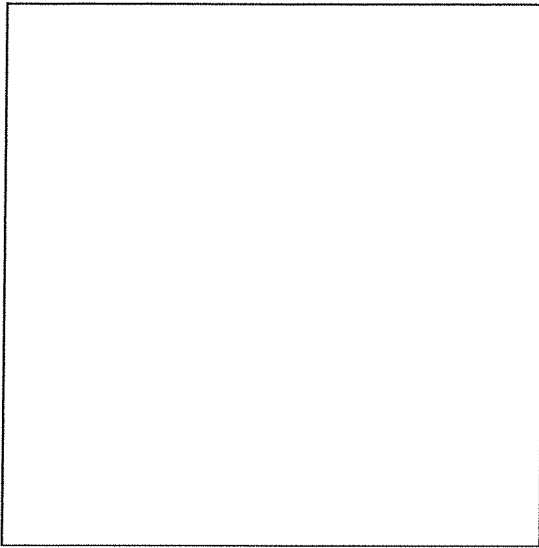
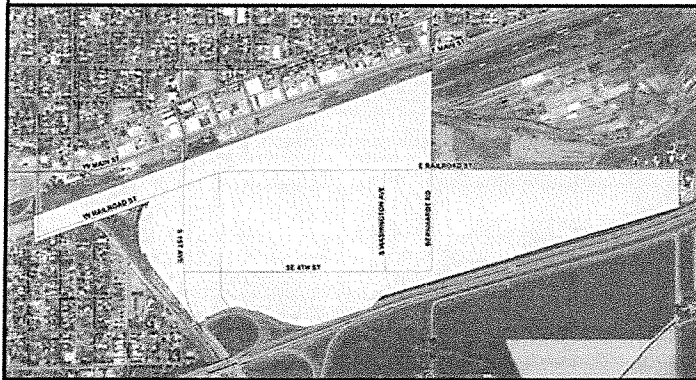


Figure 1 SE 4th Street Overlay District Boundaries



(Ord. No. O15-04, 5-5-2015)

17.27.030 - Application and approval process.

- A. All building permit applications shall be submitted to the city's building official. All permit applications must be submitted and signed by the property owner or the authorized agent of the property owner. An approved building permit is required prior to any construction activity.
- B. Each building permit application must include, but not be limited to, the following information:
1. The name and address of the property owner;
 2. The name and address of the applicant;
 3. The legal description of the parcel;
 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 5. A complete site plan drawn to a scale of no less than 1"=40' showing the dimensions and height of the structure;

6. A Complete elevation drawing drawn to the scale 1"=40' including the dimensions and height of the structure;
 7. If applicable, signage plan specifications, location and ground lighting pattern; and
 8. Payment of application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, designee, or the public works department (in the case of signs) shall issue approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial. (Ord. No. 002-31,2002)

(Ord. No. O15-04, 5-5-2015)

17.27.040 - Nonconformance.

- A. Any lawful characteristic of the properties existing prior to the effective date of the ordinance that would not be a permitted characteristic under these regulations is declared to constitute a nonconforming characteristic.
- B. Nonconforming structures shall not be enlarged, extended, reconstructed, or structurally altered in an amount greater than fifty percent of its assessed valuation, unless the characteristics of the building are changed to comply with the appropriate regulations.
- C. If any nonconforming structure is damaged by an event including, but not limited to, fire, flood, explosion, wind, or war, in an amount equal to or greater than fifty percent of its assessed valuation, reconstruction must comply with the appropriate regulations. In addition, repair and maintenance may be carried out each year in an amount not to exceed twenty-five percent of the assessed valuation of the structure for that year.
- D. A nonconforming structure may continue pursuant to these regulations, but it shall not be changed in any way except to conform to the regulations herein.

(Ord. No. O15-04, 5-5-2015)

17.27.050 - Definitions.

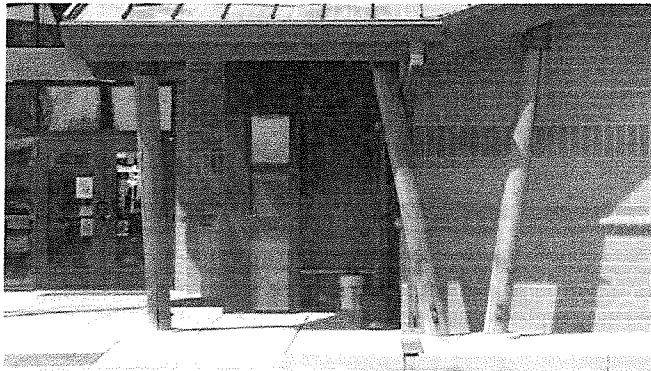
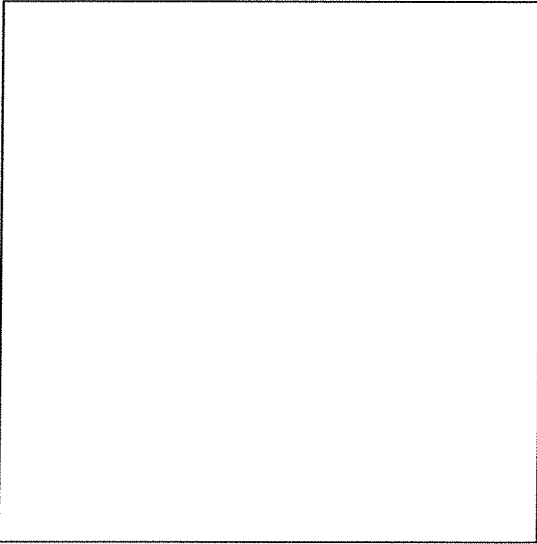
All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. For purposes of this title, certain words and terms used herein are defined in this chapter.

- A. "Architectural design elements" means an architectural feature consisting of a decorative, three dimensional element, horizontal or vertical, protruding or indented at least two inches from the exterior façade of a building typically utilized to provide additional aesthetic relief to a façade.
- B. "Façade" means the exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines.
- C. "Front façade" means any building face adjacent to the street. In the case of a corner lot, the front façade is the face that the building is addressed.
- D. "Lot line, front" means the boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured. The front lot line shall be to the street to which the building is addressed.
- E. "Lot line, side" means the boundary line adjacent to the front lot line and may or may not abut a right-of-way depending on lot location from which the required setback or build-to zone is measured.

(Ord. No. O15-04, 5-5-2015)

17.27.060 - Building design requirements.

- 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.
- B. Structures not located along SE 4th street are excluded from the forty percent threshold.
- C. Architectural design elements are required on the front façade. Permitted design element materials include any finish of wood, wood timbers or wooden logs.



Architectural Design Element: The wooden timbers in front of the buildings are a prime example of the required design element.

(Ord. No. O15-04, 5-5-2015)

17.27.070 - Site design requirements.

- A. Inter-site circulation is required to provide for orderly and appropriate vehicular traffic between adjacent properties. This will also limit the number of necessary approaches on busy roadways.
- B. Parking exceeding the minimum requirement is discouraged.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. Pedestrian connectivity from parking areas to buildings shall be provided by interior sidewalks or designated, striped pedestrian crossings.
- E. Shared parking is encouraged when property owners have a written agreement as to the terms of the shared parking. The written agreement is not subject to approval by the city but should be presented if it is applicable to meeting off-street parking requirements. See Figure 2.

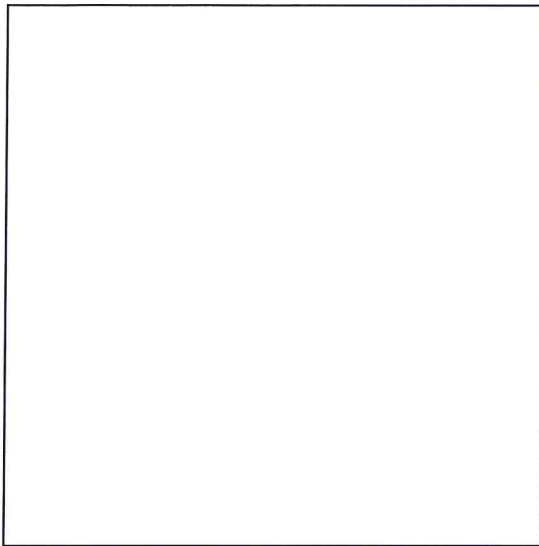
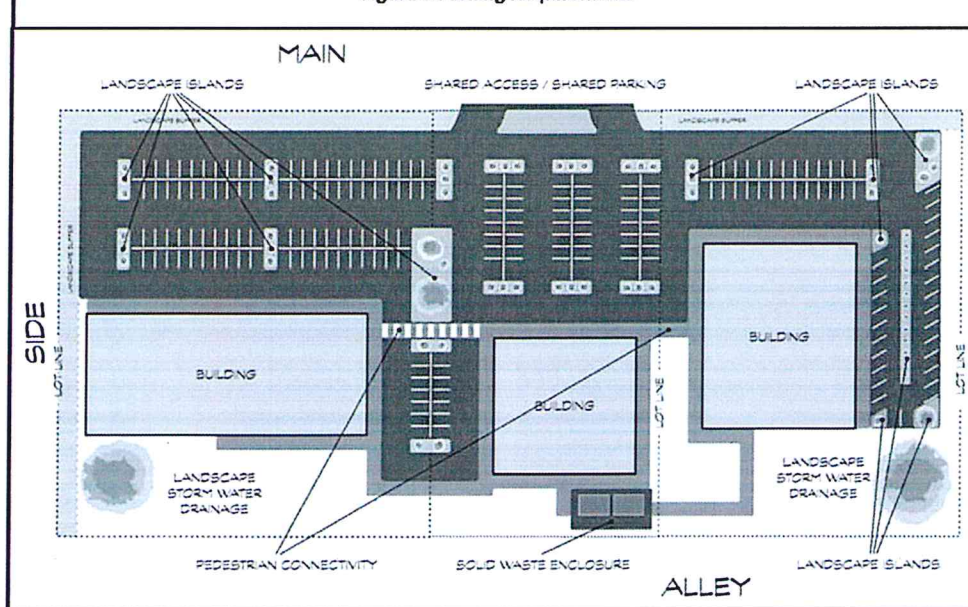
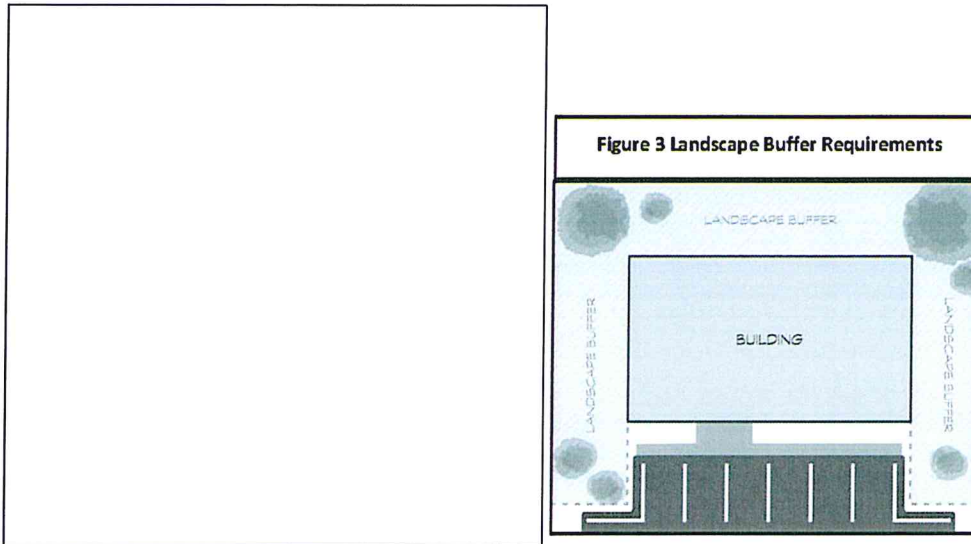


Figure 2 Parking Requirements



- F. Landscaping must be an integral part of the site design. A landscape buffer is required as part of any site development. The buffer shall be designed to provide both screening and aesthetic effect. See Figure 3.



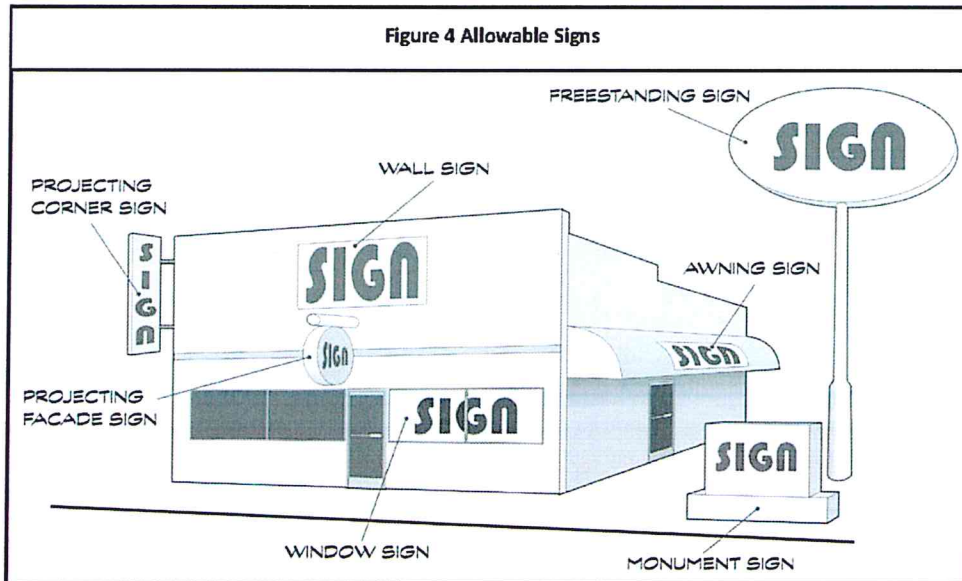
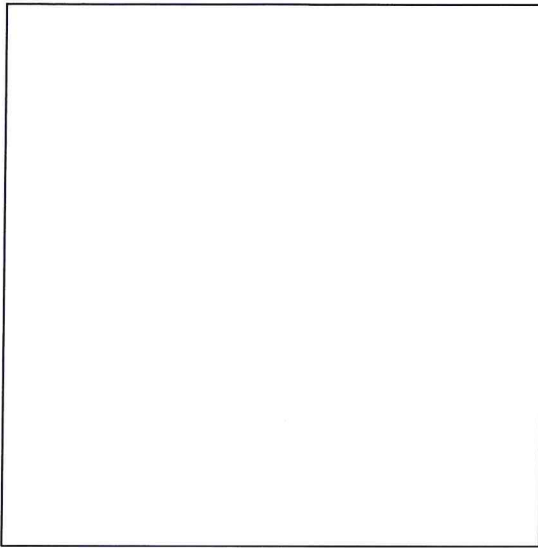
- G. Landscaping should be of an indigenous species or one that is acclimated to the city's climate.
- H. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of fifty percent of the trees shall be at least 2.5 inch in caliper size.
- I. Landscaping shall not interfere with clear vision requirements.
- J. If a property is located in this district and the entryway zoning district, parking and landscape requirements of the entryway zoning district shall apply.

(Ord. No. O15-04, 5-5-2015)

17.27.080 - Signage requirements.

Laurel Municipal Code Chapter 17.42 governs signage within the city of Laurel. Exceptions to LMC 17.42 occur only when a property is located in a special zoning district. If a property is located in this District and the Entryway Zoning District, signage requirements of the Entryway Zoning District shall apply.

- A. Allowable sign types include wall signs, window signs, awning signs, corner projecting signs, and projecting signs. See Figure 7.



- B. Illumination is encouraged to be internal. When external illumination is used, it must be focused only upon the sign face and must have cut off shields to prevent light spillage.
- C. Any projecting or corner projecting sign shall not extend above the roofline of the attached building.
- D. Any wall sign shall not exceed 30 percent of the area of any building façade.
- E. Electronic message boards are not permitted in this district.

(Ord. No. O15-04, 5-5-2015)



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 17, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at 5:45pm

John Klasna
Roger
Evan Bruce
Dan Koch
Judy Goldsby
Nick Altonaga (City of Laurel)
Gavin Williams (arrived at 5:45pm)

General Items

2. Meeting Minutes: February 17, 2021

The Chair presented the minutes from the meeting on February 17, 2021.

Dan Motioned to accept the minutes from February 17, 2021 meeting.
Jon Seconded.
Motion Carried.

New Business

3. Public Hearing: EBY Trailers Variance (E. Railroad St.)

The Planning Director presented the details of the staff report.

Judy questioned where the exact location of the development was. The Planning Director explained that it was located towards the end of E. Railroad street, adjacent to other recent developments.

The Chair Called for Proponents

Chuck Henricks, EEC Engineering
720 Well West Lane, Billings, MT

The civil engineer representing the client on this application as well as previous similar applications. These are similar to the previous variances applied for. The only difference is that this project is within the SE 4th Street Overlay District and provides alternatives to that strict standard.

Rustic Modern versus traditional log and stone façade.

- The Variance for the fastener panels will only be on the east side of the building.

- Roof is architectural concealed fastener panelling, along with the rear portion.
- Bufferyard variance is self-explanatory – Sewer main line exists within the landscape bufferyard area.
- Landscaping islands – Only looking for this for the 8 employee parking spots.
- Have about 6-7x the required parking spots.

Roger: Roof type?

24 gauge

Standing seam, trapezoidal, 3inch tall.

The Chair Called for Proponents

The Chair Called for Proponents

The Chair Called for Opponents

The Chair Called for Opponents

The Chair Called for Opponents

There being none, the chair moved on to Planning Board discussion.

Jon had questions about the number of bays for trailers.

2 exterior, and additional bays inside.

Dan asked about Fire protection.

We are under the square foot requirements for fire suppression systems.

Dan called the question.

The Chair summarized the situation.

Board members discussed additional possible conditions of approval. The Planning Director will update the staff report to suit the situation.

- All applicable building and other permits shall be applied for
- The development shall comply with the sign code.

Gavin Motioned to approve the Variance for EBY Trailers with the staff conditions of approval presented in the Staff Report.

Evan Seconded.

Motion Carried.

4. Public Hearing: 801 E. Main Street Zone Change

Nick presented the findings of the staff report.

The Chair called for Proponents.

Shannon Otis. 3670 Spaulding Ave, Billings, MT

- Owner of the company that owns 801 E. Main St.
- The current parking requirements limit the amount of development on the lot.

- Plan to fix the laydown on the lot in order to fix the landscaping.
- Proposing new curbing along the property.
- The current zoning limits the development due to parking. This zone change focuses on the current rehabilitation.

Roger- Entrances to the rentals? What side will they be on?

The East. Can enter from Main Street and the rear street. Hope to close up the accesses.

Dan: The property line between the car wash and the current building should be considered. That neighboring Convenience store and Car wash – Is there an agreement for shared access?

The alleyway is on the 801 E Main Property, but the owner and the neighboring owner want to keep shared access.

The Chair Called for Proponents

Dan Foos – Owner of neighboring Car Wash and Gas Station. Questions on lots. Sidewalks

- Sidewalks will be on the western edge of the property.
- Stormwater drainage is a concern.
- Can they build across

Shannon – We don't have the current plans to build on the north side.

Parking situation?

Currently will have them behind the building,

Will utilize on-street parking on Alder

Dan Foos –

- Concerned about E. 4th Street access. No problem with on-street parking on Alder. But want to ensure access to the rear of his properties to the East.
- Pins for the driveway – They are at the centerline of the driveway. Need to be sure to

Dan: What will the parking area be composed of?

Shannon: Right now, we are planning to clean it up and put gravel down. And keep the gravel out of the street through curbing.

Dan: Greenery?

Boulevard areas will have greenery.

There are water pooling issues on-site currently.

Need to decide how the water will be channeled.

Roger: Catch basins on the property? Aren't there two on the corners of the property?

The Chair Called for Opponents

Kurt Bradley, Lives across the street. Not necessarily an opponent but wanted to provide comment.

- Dan Foos and his wife have been very good neighbors with maintenance.
- Currently down-wind from this development. Garbage dumping brings an aroma.
- The City tried to put garbage cans in the street and it did not work well.

- Placed the garbage cans on Alder. This caused stray trash to blow into his yard. We HAVE to deal with garbage pick-ups and routes. Street strength? Garbage corrals/enclosures? Have concerns about the situation due to not wanting to pick up stray trash in the front yard. What might help is to ensure that all garbage is bagged.
- Garbage collection currently – Foos property has one can on the block but many adjacent property owners drop their trash in it. Have moved the can down to Alder Avenue due to the bad road conditions. This works better for the garbage route. The cans can fill up very fast.

The Chair Called for Opponents
The Chair Called for Opponents

The board moved on to voting.
Dan called for the question.

Jon Motioned to approve the Zone Change for 801 E. Main Street with the conditions presented in the staff report.
Roger Seconded.
Motion Carried.

5. Sign Review: Jimmy John's, SE 4th Street

Nick presented the Sign permit for Jimmy Johns at the new retail location on SE 4th Street.

What side will the Drive-Thru be on?
East Side.

Gavin Motioned to approve the sign permit for new Jimmy John's location.
Jon Seconded.
Motion Carried.

Old Business

Other Items

6. Ongoing Projects

Casa Linda Subdivision
Cherry Hills Subdivision
Golf Course Annexation and Subdivision
Goldberg Sporting Estates
Dyer PUD In-office.
West Laurel Interchange Planning
BSTF Planning Grant
Downtown Parking Study
Downtown Landscaping and Lighting
Zoning Code Update

Announcements

7. Adjourn

8. Next Meeting: April 21, 2021

Meeting Adjourned at 6:56pm.

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.

DATES TO REMEMBER



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board / Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: 801 E. Main Street Zone Change
DATE: March 24, 2021

DESCRIPTION OF REQUEST

The Owner of 801 E. Main Street has requested a zone change from Community Commercial (CC) to Central Business District (CBD). Shannon Otis, the representative of the property owner, submitted the application packet to the Planning Department on February 17, 2021. The Applicant previously met with the Planning Director on site to discuss the zone change process and what a change of zoning designation would mean.

Owner: Investment Properties Finance Group LLC
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 20, Lot 12A, AMND LESS 2731' FOR MAIN ST (08)
Address: 801 E. Main Street
Parcel Size: 10,939sqft
Existing Land Use: Commercial, vacant (under construction)
Existing Zoning: Community Commercial
Proposed Land Use: Central Business District

BACKGROUND AND PROCEDURAL HISTORY

- Applicant met with Planning Director in January of 2021 to discuss the current project on the property and the zone change process.
- Applicant submitted the zone change application on February 17, 2021.
- A Public Hearing was held at the Laurel City-County Planning Board meeting on March 17, 2021 to receive public comment and approve, approve with conditions, or deny the zone change.
- The Planning Board voted to approve the Zone Change Request with the stated staff conditions.

- A Public Hearing is scheduled at the Laurel City Council meeting on April 13, 2021 to receive public comment and approve, approve with conditions, or deny the zone change.

STAFF FINDINGS

The Applicant is requesting a zone change for the property at 801 E. Main Street. They request a zone change from the existing Community Commercial (CC) designation to the Central Business District (CBD) designation.

- The Applicant has met with the Planning Director regarding the zone change application.
- The Applicant has submitted the application and applicable fees.
- The Applicant has a goal of redeveloping and rehabilitating the parcel in order to build more residential units within the East downtown area.
- The Applicant has stated that the CBD designation provides greater opportunities for future lot development.
- The property is directly adjacent to the current delineated Central Business District.
- The property is one of two commercial properties directly East of the Central Business District zoning district that were not included in that zoning at the time of its establishment.
- The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 1. Deny the application for amendment to the official map;
 2. Grant action on the application for a period not to exceed thirty days;
 3. Delay action on the application for a period not to exceed thirty days;
 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

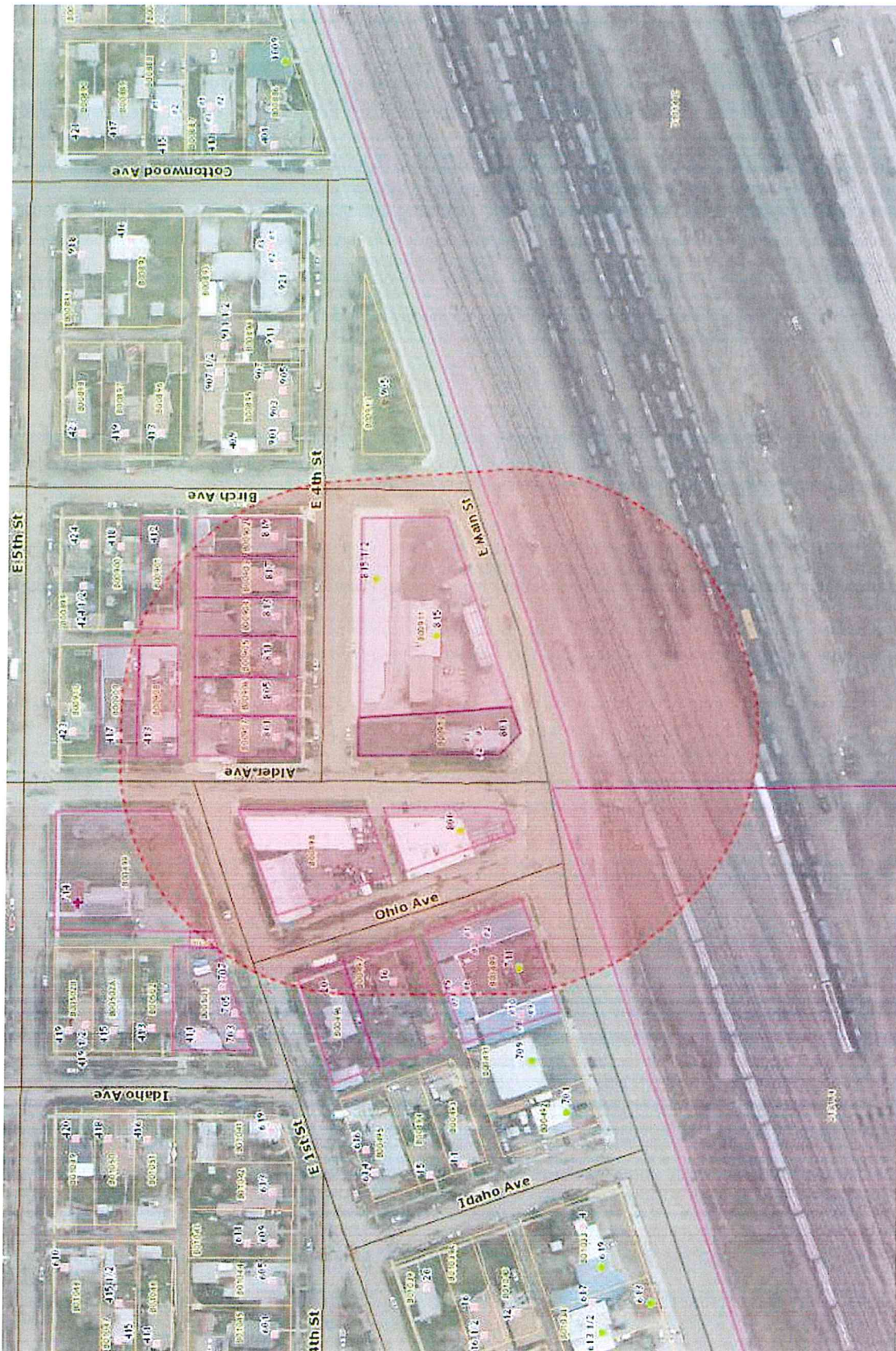
RECOMMENDATIONS

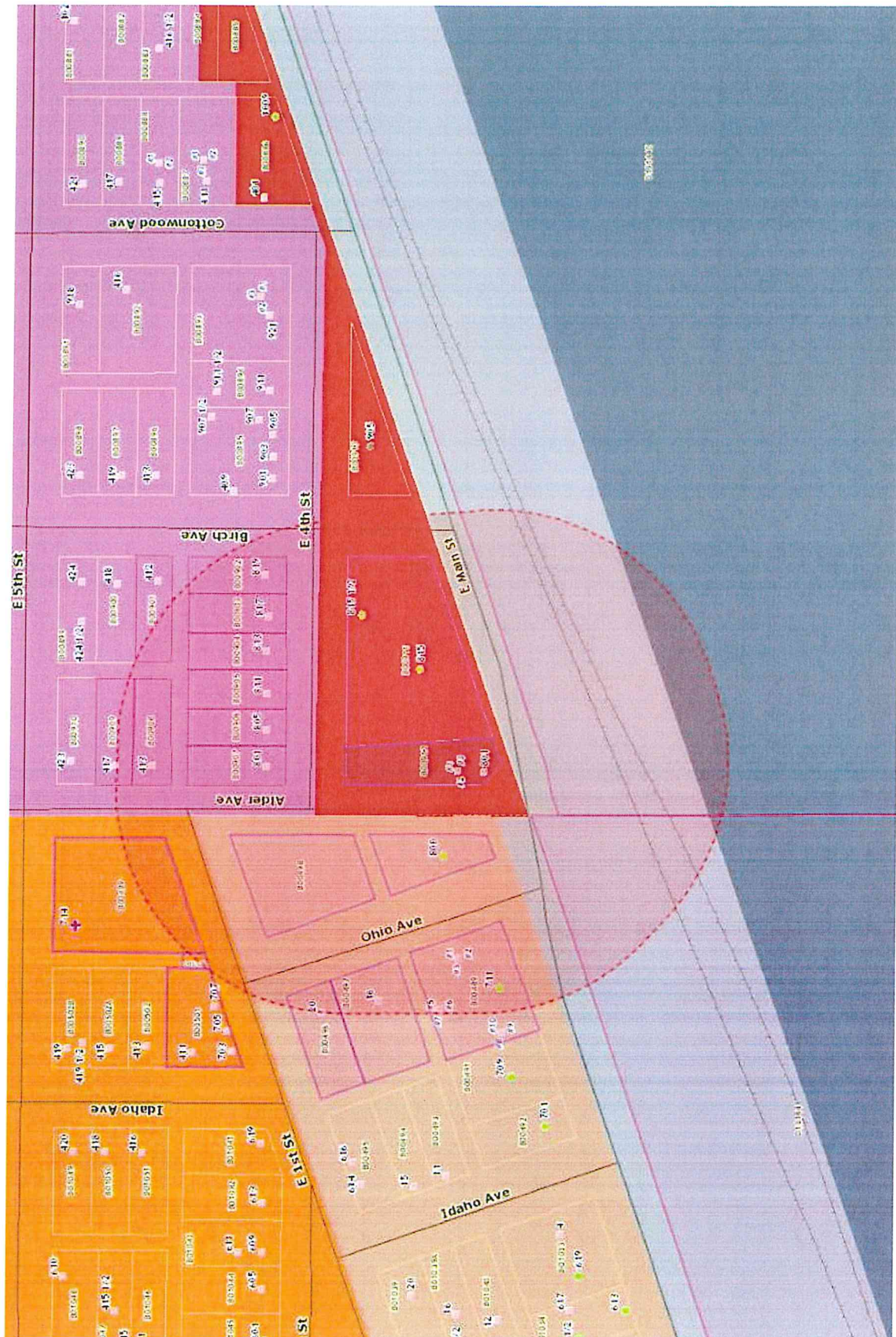
The Planning Director recommends that the Zoning Commission approve the zone change request. The Planning Director has drafted conditions of approval which are presented below.

1. The Owner/Developer shall comply with all the requirements of LMC Chapter 17.72
2. The Owner/Developer shall submit any and all applicable and necessary permits and fees for development of the parcels subject to this zone change approval.
3. The Owner/Developer shall not install and/or operate any uses on parcels subject to this zone change which are not allowable under LMC Chapter 17.16.

ATTACHMENTS

1. 801 E. Main Street Zone Change Application
2. Overhead Map with 300ft buffer
3. Nutting Subdivision Plat (1909)
4. List of Adjacent Property Owners
5. Public Hearing Notice
6. LMC 17.72 – Amendments
7. LMC 17.20 – Commercial-Industrial Use Regulations





2419 11TH LLC
B00501
PO BOX 7128
SHERIDAN, WY 82801-7003

MONSON, CHRIS
B00903
817 E 4TH ST
LAUREL, MT 59044

ARROYO SECO GROUP INC
B00489
7308 EL NIDO
LA VERNE, CA 91750-1127

MONTANA RAIL LINK
D13144C
PO BOX 16624
MISSOULA, MT 59808-6624

BRADLEY, CURTIS J & BONNIE
J
B00904
813 E 4TH ST
LAUREL, MT 59044-2801

MORAN, MICHAEL G
B00908
PO BOX 461
LAUREL, MT 59044-0461

CITY OF LAUREL
B00500
115 W 1ST ST.
LAUREL, MT 59044

PORCH LIGHT LLC
B00906
805 E 4TH ST
LAUREL, MT 59044

DEMARAY, ROGER D &
KRISTINA R
B00497
4207 RIMROCK RD
BILLINGS, MT 59106-1420

RICHARDS, STEVEN W &
JENNY L
B00902
819 E 4TH ST
LAUREL, MT 59044

EAST MAIN DEVELOPMENT
LLC
B00911
1415 RIDGE DR.
LAUREL, MT 59044-1817

SMITH, LANCE E & AMBER
B00496
20 OHIO AVE
LAUREL, MT 59044

HOLYCROSS, DAVID A
B00907
801 E 4TH ST
LAUREL, MT 59044

TOWN & COUNTRY SUPPLY
ASSOCIATION
B00498
PO BOX 367
LAUREL, MT 59044-0367

INVESTMENT PROPERTIES
FINANCE GROUP LLC
B00912
801 MAIN ST
LAUREL, MT 59044

VANDYKE, BECKY L
B00909
417 ALDER AVE
LAUREL, MT 59044

LAUREL CHURCH OF CHRIST
B00499
PO BOX 95
LAUREL, MT 59044-0095

WEATHERFORD, KEENAN
B00901
412 BIRCH AVE
LAUREL, MT 59044

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a zone change requested for 801 East Main Street. The Zoning Commission hearing is scheduled for 5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, March 17th, 2021.

Additionally, the City Council has scheduled a public hearing for the consideration of the zone change request. The City Council hearing is scheduled for 6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, April 13th, 2021.

The applicant is requesting a zone change from the Community Commercial zoning District to the Central Business District zoning district. The Community Commercial district is intended to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. The requested Central Business District zoning district is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's transportation system.

Public comment is encouraged and can be provided in person at the public hearings on March 17th and April 13th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the zone change documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628-4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

Chapter 17.72 - AMENDMENTS

Sections:

17.72.010 - Purpose of provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

(Prior code § 17.84.010)

17.72.020 - Amendment procedure.

Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendment shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

(Ord. 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.025 - Amendment by private property owner.

Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by all other materials and data required in the application.

(Ord. 01-4 (part), 2001; Ord 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.030 - Preapplication conference required.

Persons or parties interested in submitting an application for a zoning change shall consult with the planning director and the building inspector, at a joint meeting, if possible, concerning a proposed zoning change, its relation to and effect upon the comprehensive plan, any applicable specific plans or any plans being prepared by the planning department, and whether the proposed change is in conformance with public necessity, convenience, general welfare and good zoning practice.

(Prior code § 17.84.030)

17.72.040 - Application requirements.

- A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:
1. Name of applicant;
 2. Mailing address;
 3. Telephone number;

4. Accurate legal description of location;
 5. Nature of zoning change requested;
 6. Description of present land uses;
 7. Description of adjacent land uses;
 8. Statement of intended land use;
 9. Statement concerning any expected effect upon the adjacent neighborhood;
 10. Date of preapplication conference;
 11. Names and addresses of adjacent property owners, within three hundred feet;
 12. Signature of applicant;
 13. Payment of all applicable fees.
- B. An application for amendment to the official map shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.
- C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

(Prior code § 17.84.040)

17.72.050 - Planning department evaluation responsibility.

The planning director, upon receiving an application for rezoning of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. In the case of a protest petition filed in the matter of any application for rezoning determine the validity of such petition;
- D. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- E. Notify, by mail, the applicant or his authorized agent five days prior to the date of the public hearing of the time and place of such hearing;
- F. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the rezoning; of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have substantial environmental impact on surrounding land uses;
- G. The planning director shall report his findings and conclusions in writing to the zoning commission, which report shall be a matter of public record.

(Ord. 01-4 (part), 2001; prior code § 17.84.050)

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 - 1. Deny the application for amendment to the official map;
 - 2. Grant action on the application for a period not to exceed thirty days;
 - 3. Delay action on the application for a period not to exceed thirty days;
 - 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

(Prior code § 17.84.060)

17.72.070 - Public hearing—Notice required.

- A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.
- B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board, and not less than fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.
- C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.
- D. In case, however, of a valid protest petition against such change signed by the owners of twenty per centum or more either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

(Ord. 01-4 (part), 2001; prior code § 17.84.070)

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	A	A	A	A	A	A	A	A	A
Airports	A								A
Alcoholic beverages manufacturing and bottling (except below):							A	A	
1,500 to 5,000 31-gallon barrels per year				SR	SR	SR	A	A	
Less than 1,500 gallon barrels per year				A	A	A	A	A	
Ambulance service			A	A	A	A	A	A	
Antique store				A	A	A	A		
Appliance - (household) sales and service			A	A	A	A	A		
Assembly halls and stadium					SR	SR	SR		SR
Assembly of machines and appliances from previously prepared parts					SR	SR	SR		SR
Auction house, excluding livestock				SR	SR	A	A	A	
Auction, livestock	SR								
Automobile sales (new and used)				A	A	A	A		
Automobile - commercial parking enterprise				A	A	A	A	A	
Automobile and truck repair garage				A	A	A	A	A	
Automobile service station			A	A	A	A	A	A	
Automobile wrecking yard								SR	
Bakery products manufacturing					SR	A	A	A	
Bakery shops and confectioneries			A	A	A	A	A		
Banks, savings and loan, commercial credit unions			A	A	A	A	A		
Barber and beauty shops			A	A	A	A	A		
Bed and breakfast inns	A		A		A	A			
Bicycle sales and repair			A	A	A	A	A		
Blueprinting and photostating			A	A	A	A	A		
Boarding and lodging houses	A		A		A	A			
Boat building and repair						A	A	A	
Boat sales new and used					A	A	A	A	
Boiler works (manufacturing servicing)								A	
Boiler works (repair and servicing)								A	
Book and stationery store			A	A	A	A	A		
Bottling works							A	A	
Bowling alleys				A	A	A	A		
Brick, tile or terra cotta manufacture								A	
Bus passenger terminal buildings local and cross country				A	A	A	A		
Bus repair and storage terminals						A	A	A	
Camera supply stores			A	A	A	A	A		
Camps, public					SR	A			A
Car washing and waxing					A	A	A		
Car wash - coin operated			A	A	A	A	A		
Cement, lime and plastic manufacture								A	
Ceramics shop		SR	A	A	A	A	A		
Chemical and allied products manufacture								A	
Child care facilities	A		A		A	A			
Churches and other places of worship including parish houses and Sunday school building	A	SR	A	A	A	A	A	A	
Clinic, animal	A		A	A	A	A	A		
Clinics, medical and dental		SR	A	A	A	A	A		
Clothing and apparel stores			A	A	A	A	A		
Coal or coke yard								A	
Cold storage					A	A	A		
Colleges or universities			A	A	A	A			A
Commercial recreation areas			SR	A	A				A

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Commercial food products, storage and packaging						SR	A	A	
Communication towers (commercial)	A	A	A	A	A	A	A	A	SR
Concrete mixing plants and manufacturing of concrete products							A	A	
Construction contractors:									
Office			A	A	A	A	A	A	
Open storage of construction materials or equipment						SR	A	A	
Community residential facilities:									
Adult foster family care home	A		A		A	A			
Community group home	A		A		A	A			
Halfway house	A		A		A	A			
Youth foster home	A		A		A	A			
Youth group home	A		A		A	A			
Nursing, homes, convalescent homes, orphanages, and charitable institutions	A		A		A	A			
Crematorium						SR	A	A	SR
Creameries, dairy products manufacturing							A	A	
Creosote manufacturing or treatment plants								A	
Department stores				A	A	A	A		
Drug stores			A	A	A	A	A		
Dry kiln								A	
Dwellings: single-family Manufactured home	A	A	A	A	A				
Class A, Class B, Class C									
two family			A	A	A				
multiple family			A	A	A				
row housing			SR	SR	SR				
Eating and drinking establishments:									
Cocktail lounge, restaurants, bars and taverns				SR	SR	SR	SR		
Restaurants (without the sale of alcoholic beverages)				A	A	A	A		
Drive-in restaurants					SR	SR	SR		
Extractive industries - excavations of sand and gravel		SR					SR		
Farm implements, sales and service						A	A	A	
Fat rendering or production of fats and oils								SR	
Feedlots – livestock	A							SR	
Feed and seed processing and cleaning for retail purposes									
Feed and seed - farm and garden retail sales					A	A	A		
Fertilizer manufacturing								SR	
Fertilizer wholesale sales						SR	SR	A	
Fertilizer - retail sales					A	A	A		
Florist, wholesale sales	SR				A	A	A		
Florist, retail sales			A	A	A	A	A		
Flour mills							SR	SR	
Food products manufacturing, storage and processing						SR	SR	A	
Food stores (retail only)				A	A	A	A		
Food stores (retail only) - 3000 sq. ft.			A	A	A	A	A		
Foundry								A	
Frozen food lockers					A	A	A		
Fuel oil, gasoline and petroleum products bulk storage or sale						A	A	A	
Furnace repair and cleaning					A	A	A	A	
Furniture and home furnishings, retail sales			A	A	A	A	A		
Furriers, retail sales and storage			A	A	A	A	A		
Gambling establishments				A	A	A	A		
Garbage, offal and animal reduction or processing							SR		
Garbage and waste incineration								SR	
Gas storage								SR	

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Gases or liquified petroleum gases in approved portable metal containers for storage or sale						A	A	A	
Grain elevators	A					SR	SR	A	
Greenhouses	A				A	A	A	A	
Hardware, appliance and electrical supplies, retail sales				A	A	A	A		
Hatcheries	A						SR	SR	
Heliports				SR		SR	SR	SR	SR
Hobby and toy stores			A	A	A	A	A		
Hospitals (for the care of human patients)			A	A	A	A		A	
Hospital, animal		A		SR	SR	A	A	A	
Hotels				A	A	A			
Industrial chemical manufacture except highly corrosive, flammable or toxic materials								SR	
Irrigation equipment sales and service					A	A	A	A	
Jails and penal institutes									A
Janitor service				A	A	A	A		
Jewelry and watch sales			A	A	A	A	A		
Kennels – commercial	A				SR	A	A		
Laboratories for research and testing						SR	A	A	
Landfills - reclamation or sanitary									A
Laundries, steam and dry-cleaning plants							A	A	
Laundries, steam pressing, dry-cleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size			A	A	A	A	A		
Laundries, pick up stations			A	A	A	A	A		
Laundries, self-service coin operated			A	A	A	A	A		
Libraries, museums, and art galleries			A	A	A	A	A		A
Lock and gunsmiths			A	A	A	A	A		
Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain				A	A	A			
Lumber yards, building materials, storage and sales						A	A	A	
Machine shops						SR	A	A	
Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created						SR	A	A	
Heavy manufacturing not otherwise mentioned or blending or mixing plants						SR	SR		
Meat processing - excluding slaughter plants						SR	A		
Meat processing, packing and slaughter								SR	
Medical marijuana cultivation facility or cultivation facility							A	A	
Medical marijuana dispensary or dispensary							A		
Metal fabrication						SR	SR	A	
Motorcycle sales and repair				A	A	A	A		
Mortuary			A	A	A	A	A		
Motels and motor courts				A	A	A			
Music stores			A	A	A	A	A		
Office building, professional government and private office buildings in which no activity is carried on catering to retail trade and no stock of goods is maintained for sale	SR	SR	A	A	A	A	A	A	SR
Office equipment, supplies and service			A	A	A	A	A		
Optician and optical supplies and sales			A	A	A	A	A		
Oxygen manufacturing and/or storage								A	
Paint and body shops				A	A	A	A	A	
Paint and retail sales			A	A	A	A	A		
Parking, public		SR	A	A	A	A	A	A	A

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Parks, playgrounds, playfields and golf courses, community center buildings - operated by public agency, neighborhood or homeowner's association	A	SR							A
Pawn shops				A	A	A	A		
Pet shops			A	A	A	A	A		
Photographic studios		SR	A	A	A	A	A		
Planing or saw mills								A	
Post-secondary school	A	A	A	A	A	A			A
Prefabricated building materials assembly and manufactures						SR	A	A	
Preschool	A	SR	SR	SR					
Printing, publishing, reproduction and lithography				A	A	A	A	A	
Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners					A	A	A	A	
Public utilities service installations	SR	SR	SR	A	A	A	A	A	SR
Public utilities storage yard						A	A	A	SR
Radio and TV broadcasting stations				A	A	A	A	A	
Radio and TV tower						A	A	A	SR
Railroad yard							A	A	
Real estate office			A	A	A	A	A		
Rental service store and yard					A	A	A		
Repair and servicing of industrial equipment and machinery						A	A	A	
School, commercial			A	A	A	A			A
Scrap yards - storage and processing								A	
Secondhand stores and/or antique store				A	A	A	A		
Sheet metal shops and processing							A	A	
Shoe repair				A	A	A	A	A	
Sign manufacturing, painting and maintenance						A	A	A	
Sign									
Billboards	SR					SR	SR	SR	
On premises	A	SR	A	A	A	A	A	A	
Off premises	SR			SR	SR	SR	SR	SR	
Slaughterhouse	SR							SR	
Sporting goods sales				A	A	A	A		
Storage, compartmentalized storage for commercial rent							SR	SR	
Storage and warehouse and yards							SR	A	
Stone cutting, monuments manufacturing and sales							SR	A	
Sugar and sugar beet refining								SR	
Swimming pools or beaches, public									A
Taxi stands				A	A	A	A		
Theaters, cinema, opera houses				A	A	A			
Drive-in theaters						SR			
Tire recapping and retreading						A	A	A	
Trailer and recreational vehicle sales area					A	A	A		
Travel trailer park (transient)						SR			
Truck terminals, repair shops, hauling and storage yards						A	A	A	
Water and sewage treatment plant	A								A
Wholesale and jobbing establishments						SR	A	A	
Woodworking shops, millwork						SR	A	A	
Zoo, arboretum	SR								A

(Ord. No. 009-01, 3-17-09; Ord. No. 009-07, 7-7-09; Ord. No. 011-01, 2-15-2011; Ord. No. 0-14-03, 8-5-2014)

17.20.020 - Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.
(Prior code § 17.32.020)



Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front ^(a)	NA	20	20	NA	20	20	20	20	20
Side ^(b)		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear ^(b)		0	0		0	0	0	0	0
Maximum height for all buildings ^(c)	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

(Ord. No. O-14-03,8-5-2014)



Kids' Kingdom Playground Restore or Rebuild

COST/ANALYSIS/RECOMMENDATION

Grace Bible Church/Playground Restoration Team



LEATHERS & ASSOCIATES, INC.
725 North A1A, Unit C201
Jupiter, FL 33477
(877) 564-6464
<http://www.leathersassociates.com>



INVOICE

BILL TO
City of Laurel
P.O. Box 10
Laurel, MT 59044

INVOICE # 11351
DATE 10/14/2020
DUE DATE 10/29/2020

DESCRIPTION	AMOUNT
Playground Assessment by William Hugill on 10/16-17/20	1,800.00

BALANCE DUE	\$1,800.00
-------------	-------------------

Make checks payable to Leathers & Associates. We also accept credit cards. Card payments over \$2,000 will be assessed a 2.5% fee. A finance charge of 1.5% per month is added to any outstanding balances after due date.



**Playground renovation Proposal
Kiwanis Park Playground**

City of Laurel, MT
115 West 1st Street
Laurel, MT 59044

DATE: 12/27/20
Project Manager: TBD
Construction Week: 12-16 May 2021

READ THIS ENTIRE PROPOSAL CAREFULLY. IT CONTAINS IMPORTANT INFORMATION FOR YOUR PROJECT.

This proposal constitutes an estimate of the work our office will provide for your project and the associated fees. The fees described in this proposal assume that we are providing standard services based on our community build model as summarized in the "Playground Planning Guide" and this document. **The fees outlined here will vary only if additional work is requested or required.** Examples of work that would generate additional fees include details above and beyond those necessary for us to build the project, a major change in project's scope, or a change of site.

The construction phase will not change except by mutual agreement between Leathers & Associates and the community. Certain conditions may be encountered during construction that significantly affects consultants' total number of hours. Variables such as weather and low volunteer turnout are impossible to identify until the time of construction and may affect the total hour's necessary for construction consultation. However, additional fees will be charged only if construction continues beyond the final scheduled day.

The following pages contain an outline of the remaining services we are to provide. If you have any questions about this proposal, please contact us by 1/27/21. Otherwise, we will assume the proposal is acceptable and will proceed with your project.

The following is an outline of fees for Leathers & Associates' professional services:

<u>Design Phase</u>	\$ 2,500
<u>Construction Phase Fee</u> <i>(The Construction Phase fee confirms your construction date and is due upon acceptance of your proposal.)</i>	\$ 950
<u>Design Development & Construction Documents Phase</u>	
Design Development, Detailed drawings, Rendering	\$ 12,600
Project management services, Materials list	\$ 4,400
<u>Organization Phase</u>	
Organization Phase Fee	\$ 1,900
Estimated travel expenses	\$ 1,200
<u>Construction Consultation</u>	
Construction Consultants (estimated 5 days)	\$ 17,900
Estimated travel expenses. *Hotel accommodations are <u>not</u> included and are typically donated.	\$ 3,000
<u>Estimated materials</u> (TBD upon completion of Schematic design)	\$ 100,000
<u>Sub-total</u>	\$ 145,550
Materials contingency	\$ 2,500
Project contingency	\$ 4,000
<u>TOTAL ESTIMATED BUDGET</u>	\$ 152,050

CONSTRUCTION OPTIONS

Most of our projects are constructed through community volunteers. This process is L&A's heart and soul. The community build method not only saves money but empowers communities with limitless potential and benefits. At the same time, we understand that the community build model may not be an option or the best choice. In those situations, we also can work with contractors, city workers, volunteers, and a variety of combinations. In many cases L&A can also provide a turn-key option for the project. Our goal is to find the right solution for your community and situations.

ASSOCIATED COSTS

An estimate for the proposed scope of work above including L&A fees (design, project management and construction consultation) and all materials is estimated at around \$140,000. It's anticipated that the work can be completed in five days.

As a reminder this is just an estimate until we define the final scope of work and get actual quotes for the materials.

Due the structures age and condition, we have provided an estimated cost to replace the playground with a new design utilizing all of today's latest materials (no wood). Today's playgrounds are expected to last minimally 30 years with minimal maintenance needs.

A custom designed community build replacement estimate is around \$260,000 for a playground with similar square footage as your existing playground. This cost estimate is based on utilizing our community build model.. It's anticipated that the work can be completed in five days. While a renovation is an option, consideration should be given to the total amount budgeted vs. the expected longevity of each option. Also yearly maintenance cost and needs for upkeep must be kept in mind.

Removal or demo of the existing playground is not included in any of these estimates. If neither of the two options above are within an obtainable budget a smaller scope based on a reduced budget could be developed.

NEXT STEPS

Work with L&A to develop a final scope of work based on your budget and our recommendations. Review when you would want the work completed by and develop a timeline from there. Please contact us if you have any questions. We truly appreciate the opportunity to work with your community again.



6100 3rd Ave South, Great Falls, MT 59405

QUOTATION

406 / 454- 0420
FAX ----- 406 / 454- 0439

Quotation #	
P.O. #	

PREPARED FOR:

NAME: Tami
SCHOOL: Grace Bible Church
ADDRESS: 917 Washington Ave
Laurel, MT

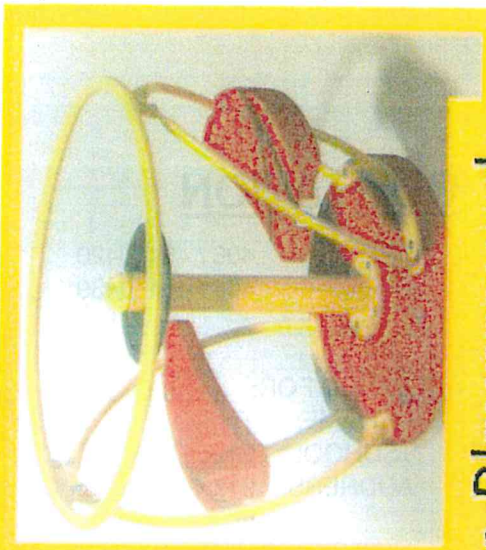
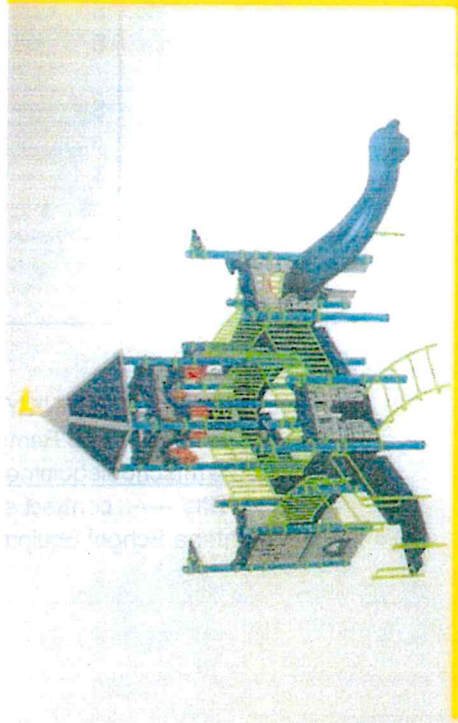
Revised 1-19-2021

INQUIRY #	DUE DATE	COUNTY	DISTRICT	STATE	SALESMAN

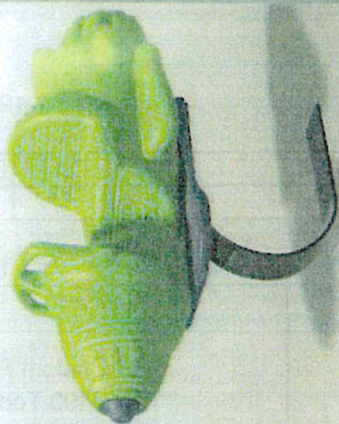
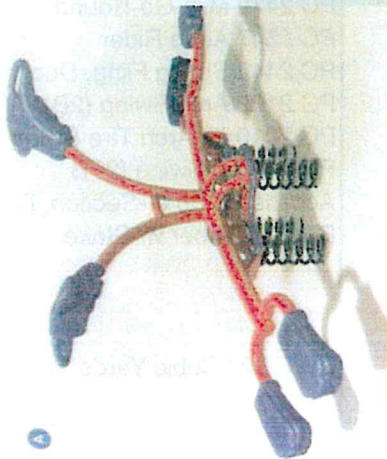
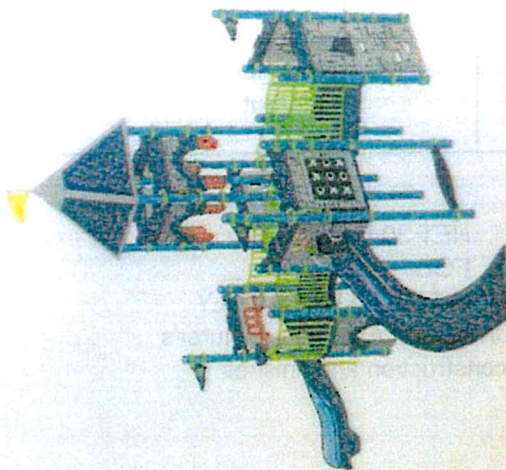
QTY.	UNIT	DESCRIPTION	UNIT PRICE	EXTENDED
		Playcraft		
		R5 Custom Play System - R5053D8FA		
		PC 3490 Toddler Train, Engine		
		PC 2474 Stand-n-Spin (Enclosed)		
		PC 2479 Mini-Go-Round		
		PC 1347 Astro Rider		
		PC 2442 Spring Fling, Duo		
		PC 2120 Arch Swing (2B)		
		PC 2010 7ft Arch Tire Swing		
		PC 2190 T-Swing (2FB)		
		Access Ramp (1-Section, Female Pivot		
		Border Timber w/ Stake		
		Freight	\$	3,200.00
		Equipment Total	\$	74,738.00
		EWf 300 Cubic Yards	\$	5,850.00
		Freight	\$	1,125.00
		EWf Total	\$	6,975.00
		Install of EWf and Equipment	\$	29,500.00
		Total	\$	111,213.00
		Does not include extreme digging,ground prep or		\$ 121,388.00
		tear out		

TERMS: NET 30 DAYS
FREIGHT: FOB-----
PRICES FIRM FOR 30 DAYS ONLY
SPECIFICATIONS: ALL manufacturer's
standard construction and finishes.

THANK YOU ----
BY: Bob Remy
bob@mtschoolequipment.com
Title ----- contract sales dept.
Montana School Equipment Co.



Some of the new components of Kids Kingdom Playground



GRACE CHURCH TOP VIEW

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
6	6/3	0	3/2	2/2

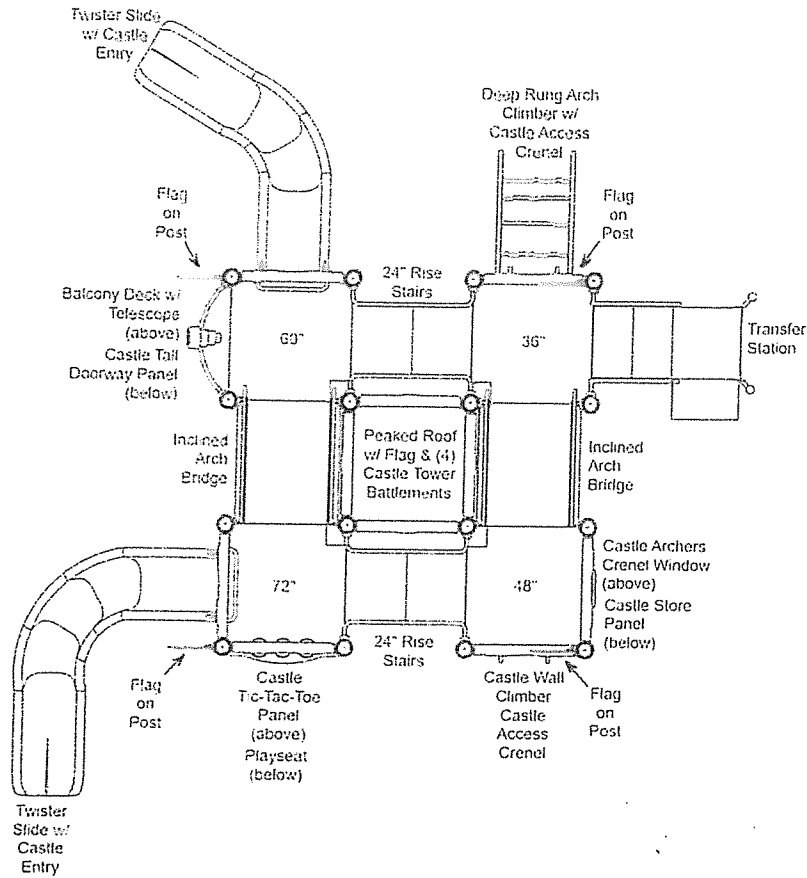
R5

FOR KIDS
AGES
2-12

GENERAL NOTES:

This conceptual plan is based on information provided prior to construction. Detailed site information, including the following, should be obtained, evaluated, and utilized in the final project design. Exact site dimensions, topography, existing utilities, soil conditions and drainage solutions.

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC's Handbook For Public Playground Safety, Section 4: Surfacing.



STRUCTURE#: R5053D8FA

PROJECT#: MSE212D93BB

DATE: 1/18/2021 | DRAWN BY: Alyssa

MIN. USE ZONE: 35' x 36'

PLAYCRAFT REP:

Montana School Equipment Con

GRACE CHURCH SITE PLAN

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP	ACCESSIBLE	GROUND	TYPES
6	6/3	0	13/2	4/2	



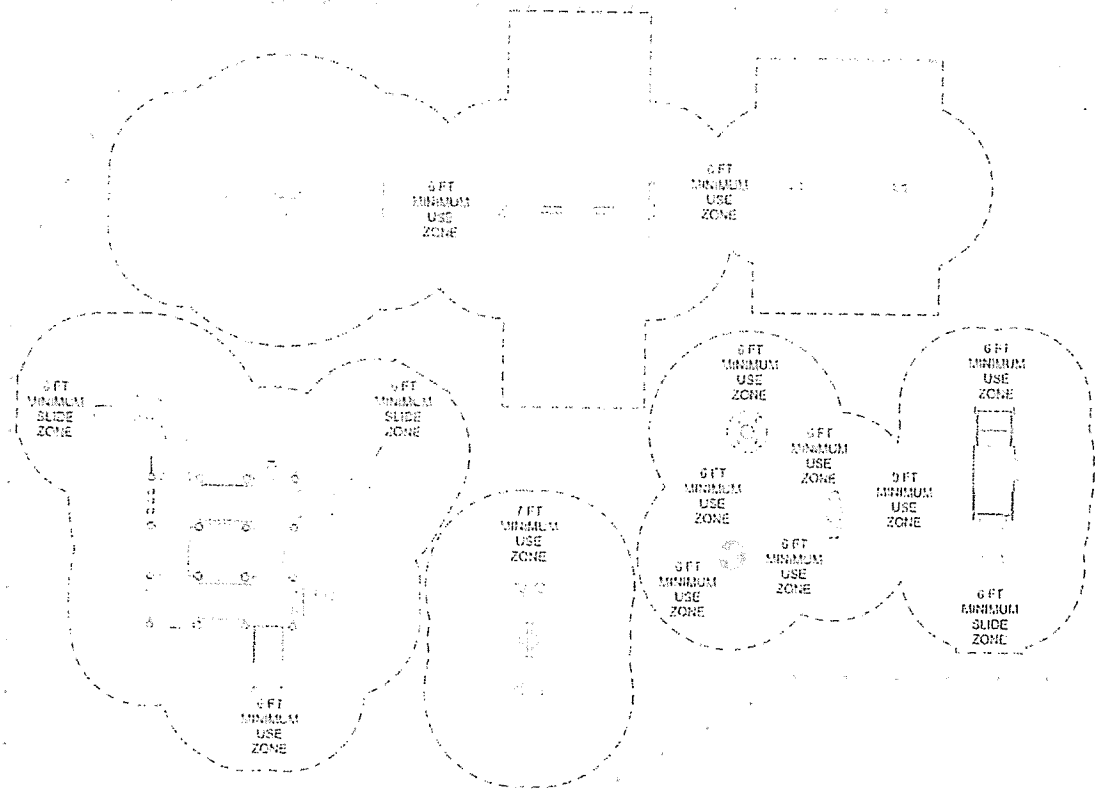
FOR KIDS
AGES
[Mixed]

GENERAL NOTES:

This Preliminary Site Plan is based on measurements that were provided in the initial planning phase. All dimensions must be verified prior to the submission of a purchase order. Playcraft Systems will not be held responsible for any discrepancies between actual dimensions and dimensions submitted in the planning phase.

The Minimum Use Zone for a play structure is based on the product design at the time of proposal. Components and structure designs may be subject to change which may affect dimensions. Therefore, before preparing the site, we strongly recommend obtaining final drawings from the factory (available after the order is placed and included in the Assembly Manual).

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (Fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC's Handbook For Public Playground Safety, Section 4: Surfacing.



PROJECT#: MSE212D938B

DATE: 1/18/2021 | DRAWN BY: Alyssa

MIN. USE ZONE: 85' x 60'

PLAYCRAFT REP:

Montana School Equipment Con



4' Gravel Chain Link \$9,925.
4' Black Chain Link \$12,480.

6' Gravel Chain Link \$11,385. 4' V2 steel \$20,875.
6' Black Chain Link \$13,675. New Frame work
w/ Old Pickets \$15,330.

File Attachments for Item:

21. Budget/Finance Committee Minutes of March 23, 2021.

**Minutes of City of Laurel
Budget/Finance Committee
Tuesday, March 23, 2021**

Members Present: **Emelie Eaton**
 Richard Klose

Scot Stokes

Others Present: Mayor Nelson

Bethany Langve

The meeting was called to order by the Committee Chair at 5:32pm.

Public Input: Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.

There was no public input.

General Items –

1. Review and approve the February 23, 2021 Budget and Finance Committee meeting minutes. Richard Klose moved to approve the minutes of the February 23, 2021 Budget and Finance Committee meeting. Scot Stokes seconded the motion, all in favor, motion passed.
2. Review and approve the March 9, 2021 Budget and Finance Committee meeting minutes. Richard Klose moved to approve the minutes of the March 9, 2021 Budget and Finance Committee meeting. Emelie Eaton seconded the motion, all in favor, motion passed.
3. Review and Approve purchase requisition – The Committee was presented with a purchase requisition from the Sewer Department for replacement to the Elm lift station pump. This purchase had previously been approved by the Committee; however, the final cost was greater than the original approval. The Clerk/Treasurer stated the original approval was based upon a quote, and the actual costs were greater. She stated the additional amount needing approval was \$4,143.10. Richard Klose made a motion to approve the increase to the previously approved purchase requisition from the Sewer Department for the replacement of the Elm lift station pump. Scot Stokes seconded the purchase requisition, all in favor, motion passed.
4. Review and Approve purchase requisition – The Committee was presented with the annual purchase requisition from the Fire Department to replace turnout gear. Richard Klose made a motion to approve the purchase requisition from the Fire Department for the annual replacement of turnout gear. Scot Stokes seconded the purchase requisition, all in favor, motion passed.
5. Review and recommend approval to Council, Claims entered through 03/19/2021. The claims and check register had previously been reviewed by the Committee. Scot Stokes made a motion to approve the claims entered through 03/19/2021. Richard Klose seconded the motion, all in favor, motion passed.
6. Review and approve Payroll Register for pay period ending 03/07/2021 totaling \$196,720.40. Scot Stokes made a motion to recommend approval of the payroll register for pay period ending 03/07/2021 totaling \$196,720.40. Richard Klose seconded the motion, all in favor, motion passed.

New Business – None

Old Business –

7. The Committee asked the Mayor if he would be requesting any money from the State, for the American Rescue Plan Act of 2021, to create a Cemetery parking lot. The Mayor stated he would love to do that, but he first had to find out if the City would be receiving any money from the State.

Other Items –

8. Review the Pay Period Ending 03/7/2021 Comp/Overtime Report. The Committee asked how the Ambulance Department staffing was, and if there were enough people hired. The Mayor stated there was not enough people hired full time. The Committee stated the Ambulance Director, and the Fire Chief gave excellent reports at the last Emergency Services meeting.
9. Clerk/Treasurer Update – The Clerk/Treasurer stated she had a Utility Billing Clerk hired and her start date would be April 5th. She also stated the Finance Department staff would be back in the office full time beginning April 19th, and she planned to open up the water office the week of April 26th, although with limited hours.
10. Mayor Update – The Mayor stated there was an item on the City Council agenda, later that evening, that had not been through a workshop. He stated he would assist Council with the proper method of bringing this forward. He also stated he is continuing to work on getting the State to pay the 25% match for the Intake disaster project worksheet. He stated he would also be working on obtaining money from the new COVID bill. He stated approximately 900 million had been set aside for infrastructure projects. The Committee asked if the CARES money already received by the City could be spent. The Mayor stated it could be spent and he is working with his departments to determine needs. He stated there are no restrictions regarding spending the money. The Committee asked how the current budget was looking. The Clerk/Treasurer stated the General Fund looked good because the CARES funds had not been expended. The Committee asked if General Fund was good, even without the CARES funds. The Clerk/Treasurer stated there was concern about tax revenue, however that revenue has come in close to budget so far. The Committee stated they were concerned about the Gas Tax revenue due to the decrease in driving during COVID. The Clerk/Treasurer stated she was concerned a reduction in Gas Tax revenue would be coming for the next fiscal year. The Mayor stated Street Maintenance was not affected by COVID so far. The Mayor also stated the Water and Sewer Departments have approximately 16 million dollars in project targeted for the next budget year.

Announcements –

11. The next Budget and Finance Committee meeting will be held on April 13, 2021 at 5:30pm.
12. Bruce McGee will be reviewing the claims for the next meeting.

Respectfully submitted,

Bethany Langve
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.

File Attachments for Item:

22. City/County Planning Board Minutes of March 17, 2021.



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 17, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at 5:45pm

John Klasna
Roger
Evan Bruce
Dan Koch
Judy Goldsby
Nick Altonaga (City of Laurel)
Gavin Williams (arrived at 5:45pm)

General Items

2. Meeting Minutes: February 17, 2021

The Chair presented the minutes from the meeting on February 17, 2021.

Dan Motioned to accept the minutes from February 17, 2021 meeting.
Jon Seconded.
Motion Carried.

New Business

3. Public Hearing: EBY Trailers Variance (E. Railroad St.)

The Planning Director presented the details of the staff report.

Judy questioned where the exact location of the development was. The Planning Director explained that it was located towards the end of E. Railroad street, adjacent to other recent developments.

The Chair Called for Proponents

Chuck Henricks, EEC Engineering
720 Well West Lane, Billings, MT

The civil engineer representing the client on this application as well as previous similar applications. These are similar to the previous variances applied for. The only difference is that this project is within the SE 4th Street Overlay District and provides alternatives to that strict standard.

Rustic Modern versus traditional log and stone façade.

- The Variance for the fastener panels will only be on the east side of the building.

- Roof is architectural concealed fastener panelling, along with the rear portion.
- Bufferyard variance is self-explanatory – Sewer main line exists within the landscape bufferyard area.
- Landscaping islands – Only looking for this for the 8 employee parking spots.
- Have about 6-7x the required parking spots.

Roger: Roof type?

24 gauge

Standing seam, trapezoidal, 3inch tall.

The Chair Called for Proponents

The Chair Called for Proponents

The Chair Called for Opponents

The Chair Called for Opponents

The Chair Called for Opponents

There being none, the chair moved on to Planning Board discussion.

Jon had questions about the number of bays for trailers.

2 exterior, and additional bays inside.

Dan asked about Fire protection.

We are under the square foot requirements for fire suppression systems.

Dan called the question.

The Chair summarized the situation.

Board members discussed additional possible conditions of approval. The Planning Director will update the staff report to suit the situation.

- All applicable building and other permits shall be applied for
- The development shall comply with the sign code.

Gavin Motioned to approve the Variance for EBY Trailers with the staff conditions of approval presented in the Staff Report.

Evan Seconded.

Motion Carried.

4. Public Hearing: 801 E. Main Street Zone Change

Nick presented the findings of the staff report.

The Chair called for Proponents.

Shannon Otis. 3670 Spaulding Ave, Billings, MT

- Owner of the company that owns 801 E. Main St.
- The current parking requirements limit the amount of development on the lot.

- Plan to fix the laydown on the lot in order to fix the landscaping.
- Proposing new curbing along the property.
- The current zoning limits the development due to parking. This zone change focuses on the current rehabilitation.

Roger- Entrances to the rentals? What side will they be on?

The East. Can enter from Main Street and the rear street. Hope to close up the accesses.

Dan: The property line between the car wash and the current building should be considered. That neighboring Convenience store and Car wash – Is there an agreement for shared access?

The alleyway is on the 801 E Main Property, but the owner and the neighboring owner want to keep shared access.

The Chair Called for Proponents

Dan Foos – Owner of neighboring Car Wash and Gas Station. Questions on lots. Sidewalks

- Sidewalks will be on the western edge of the property.
- Stormwater drainage is a concern.
- Can they build across

Shannon – We don't have the current plans to build on the north side.

Parking situation?

Currently will have them behind the building,

Will utilize on-street parking on Alder

Dan Foos –

- Concerned about E. 4th Street access. No problem with on-street parking on Alder. But want to ensure access to the rear of his properties to the East.
- Pins for the driveway – They are at the centerline of the driveway. Need to be sure to

Dan: What will the parking area be composed of?

Shannon: Right now, we are planning to clean it up and put gravel down. And keep the gravel out of the street through curbing.

Dan: Greenery?

Boulevard areas will have greenery.

There are water pooling issues on-site currently.

Need to decide how the water will be channeled.

Roger: Catch basins on the property? Aren't there two on the corners of the property?

The Chair Called for Opponents

Kurt Bradley, Lives across the street. Not necessarily an opponent but wanted to provide comment.

- Dan Foos and his wife have been very good neighbors with maintenance.
- Currently down-wind from this development. Garbage dumping brings an aroma.
- The City tried to put garbage cans in the street and it did not work well.

- Placed the garbage cans on Alder. This caused stray trash to blow into his yard. We HAVE to deal with garbage pick-ups and routes. Street strength? Garbage corrals/enclosures? Have concerns about the situation due to not wanting to pick up stray trash in the front yard. What might help is to ensure that all garbage is bagged.
- Garbage collection currently – Foos property has one can on the block but many adjacent property owners drop their trash in it. Have moved the can down to Alder Avenue due to the bad road conditions. This works better for the garbage route. The cans can fill up very fast.

The Chair Called for Opponents
The Chair Called for Opponents

The board moved on to voting.
Dan called for the question.

Jon Motioned to approve the Zone Change for 801 E. Main Street with the conditions presented in the staff report.
Roger Seconded.
Motion Carried.

5. Sign Review: Jimmy John's, SE 4th Street

Nick presented the Sign permit for Jimmy Johns at the new retail location on SE 4th Street.

What side will the Drive-Thru be on?
East Side.

Gavin Motioned to approve the sign permit for new Jimmy John's location.
Jon Seconded.
Motion Carried.

Old Business

Other Items

6. Ongoing Projects

Casa Linda Subdivision
Cherry Hills Subdivision
Golf Course Annexation and Subdivision
Goldberg Sporting Estates
Dyer PUD In-office.
West Laurel Interchange Planning
BSTF Planning Grant
Downtown Parking Study
Downtown Landscaping and Lighting
Zoning Code Update

Announcements

7. Adjourn

8. Next Meeting: April 21, 2021

Meeting Adjourned at 6:56pm.

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.

DATES TO REMEMBER

File Attachments for Item:

23. Park Board Minutes March 4, 2021.

**MINUTES
CITY OF LAUREL
PARK BOARD
THURSDAY, MARCH 04, 2021**

A Park Board was held in Council Chambers and called to order by C0-Chair Wilke at 5:35 p.m. on March 4, 2021.

BOARD MEMBERS PRESENT:

Irv Wilke	Matt Wheeler
Richard Herr	Evan Bruce
Jon Ruff	

OTHERS PRESENT:

Kurt Markegard, Public Works Director

Public Input:

There were none.

General Items

New Business

Old Business

1. Rental Rules

Read through rental agreement from LRGC.

Review Billings parks, building rental agreement.

Rental agreement specific each park or building.

No host bar have to have license with \$75 increased fee, must use cities alcohol permit.

Free bar \$75 fee and still have city permit.

Jon and Kurt will work over Billings rental agreement to fit Laurel.

Issues at JC Hall are as follows;

1. No occupancy signs
2. Several electrical issues
3. No covers over the rear of the heaters.
4. Open Romax wiring (not in conduit)
5. Outside breaker box doesn't function.
6. Light switches too high to be ADA compliant
7. No exit signs (floor level)
8. No emergency power out lightning

The Mayor and City Attorney request an inspection of the JC Hall.

ACE electric stopped by and noted the listed items above. No real estimate was given but a \$7K-\$30K to address electrical issues.

Kurt reported that there was \$14K left from the DOJ monies. Alicia will write a task order for that figure used for a 2nd Vault. Said vault estimated to be \$57K installed.

Even Bruce made a motion to use the \$14K for the electrical repairs at JC Hall. 2nd by Ricard Herr. Evan amended the motion to read if the \$14K cannot be used for hall repairs then use that money for a walking trail around the perimeter of Riverside Park. Passed 4/0. Rental fees waiting on city Attorney approval or the Mayor.

2. Rental Fees

The board wants the campground and hall to be an on line reservations and fees paid system.

Other Items

Grace Bible and volunteers have collected or have donation support \$1100-\$33K. Play ground equipment ordered. Tear down to start soon. The park is city property therefore council has to approve removal and replacement of the equipment.

Kurt would ask the Mayor to have this R & R of equipment be on the next council work shop. Then bring a resolution to the council for the council to approve R & R kids kingdom play ground.

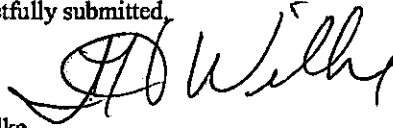
Lyon Park walk way being widened to allow for paving.

Announcements

3. Next Park Board Meeting is scheduled for April 1, 2021.

The Park Board adjourned at 6:56 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Irv Wilke", written over a horizontal line.

Irv Wilke

File Attachments for Item:

24. Appointment of Jake Worden to the Laurel Volunteer Fire Department.



LAUREL FIRE/EMS

215 WEST 1ST STREET • LAUREL, MT • 59044
OFFICE 406.628.4911 • FAX 406.628.2185

City of Laurel
PO Box 10
Laurel, Mt. 59044

March 18, 2021

Mayor and Laurel City Council,

The following have been selected by the members of the Laurel Volunteer Fire Department/ Association to become volunteers.

Firefighter
Jake Worden

Jake has been selected unanimously by the Department, approved by the Chief of the Department and are seeking your appointment.

Brent Peters
Fire Chief
Laurel Volunteer Fire Department

File Attachments for Item:

25. Appointment of Russ Bunn, Andrew Zimmermann, Mariel Riley, and Amanda Hemmen to the Laurel Volunteer Ambulance Service.



**CITY OF LAUREL
MONTANA**
EMERGENCY MEDICAL SERVICES
215 W 1ST ST
LAUREL, MONTANA – 59044
OFFICE: (406) 628 – 1611 | DISPATCH: (406) 628 - 8737



Dear Mayor and City Council,

We are excited to announce that we have EMS providers interested in joining our EMS service as volunteers. We have interviewed the following people and would be excited to bring them onto our team.

- Ross Bunn, paramedic, Ross was a Medic in the Army and also an AMR medic for many years. Ross also spends countless hours volunteering his time to teach at EMT classes. He is currently going through electrician school but misses patient care, teaching EMS providers and running on an ambulance and feels like this would be a perfect fit. I believe he will be a great asset to our team.
- Andrew Zimermann, EMT, he has EMS experience from serving as a volunteer in Worden for many years. He also spends countless hours volunteering his time teaching at EMT class. Andrew is a hard worker with excellent skills and will be a great fit for our team.
- Mariel Riley, EMT, she is a new EMT, however is currently gaining experience by working at AMR, her goal is to become a paramedic and she works with some of our providers and feels that she would love to spend time volunteering for Laurel to gain greater experience and work with our team.
- Amanda Hemmen, EMT, is a fairly new licensed EMT currently gaining patient care experience in the StVs ED. Her goal is to become a physician but she has a strong desire to provide care in a prehospital setting. We feel that her personality and desire to learn will be a great fit for our team.

Thank you very much for your consideration on these candidates.

Lyndy Gurchiek, NRP, Director
Laurel EMS
215 W 1st Street
Laurel, MT 591044
lgurchiek@laurel.mt.gov
406-860-8233

File Attachments for Item:

26. Appointment of Katie Fjelstad to the Library Board for the remainder of a five-year term ending 6/30/2023.



Laurel Public Library

720 West 3rd St. • ~~P.O. Box 60~~ • Laurel, MT 59044

(406) 628-4961 • library@laurelpubliclibrary.org • www.laurelpubliclibrary.org

March 10, 2021

Mayor Nelson,

The Library Board of Trustees have reviewed the two letters of interest received at the library for the Board vacancies. Either candidate is acceptable to the current participating members. Please advise the candidates of their status as soon as possible. Thank you for your attention to this matter.

Sincerely,

Nancy L Schmidt

Director

Laurel Public Library

406.628.4961

January 20, 2021

Mayor of Laurel and Laurel Public Library trustees
Laurel Public Library
720 W 3rd St.
Laurel, MT

Dear Mayor of Laurel and Laurel Public Library trustees,

My name is Katie Fjelstad and I am interested in becoming a Laurel Public Library trustee. I am a long-time Laurel resident, wife of a Laurel native, and mother of two young children. I am also a registered nurse. I have had a deep love of reading and literature since first grade and three years as a Comparative Literature major at the University of Wisconsin.

I have an interest in helping the Laurel Public Library pursue community goals. I am interested in children's literature in particular, but I have an interest in all types of media and how the library operates. I also work with the elderly and could be a resource to you on how to reach this population.

I work part time and I have been looking for an opportunity to devote energy to a cause in which I feel strongly. Feel free to call me at 406-670-2338 or email me at katiefjelstad@yahoo.com if you have further questions.

Thank you for your time.

Sincerely,



January 2, 2021

Administrative Assistant
City of Laurel
P. O. Box 10
Laurel, Mt. 59044

Attention: Thomas C. Nelson - Mayor City of Laurel
Nancy Schmidt - Director of the Laurel Public Library

I am writing in regards to a trustee position that is open with the Laurel Public Library board. As I have been a former Trustee and working officer with the Laurel Library board, I feel I have the training and broad work experience that will qualify me to be a part of this very elite group. As a member of the board, I would also be the Rural board member - giving a voice to the patrons living outside your city limits. I understand the importance to actively work with the fellow board members by attending all meetings, trainings and workshops. I also will look forward to working with volunteers and board members on book sales, summer reading programs, any and all activities as needed. I will be available to attend the State Library Federation Meetings which are held twice a year and working with other knowledgeable representatives. There library board members not only exchange ideas, discuss funding but serve as a united front in the educational needs of our communities.

At this time our library is of great importance to the community. It has been named as an essential community area- serving meals to the community children, offering the use of computers, information on what is happening in our area and of course the reading that we have all enjoyed. It is considered the one safe gathering place where everyone can feel welcome.

I believe that as a board member I can offer a knowledgeable talent to your library board, helping the library continue to grow and flourish with the times. I would like to continue to be a part of the team that has helped to keep the doors of the Laurel Library open. I would find it a pleasure to meet with you on a one to one basis at your convenience.

Thank you for your time.



Clair Killebrew
406-690-3411

File Attachments for Item:

27. Resolution No. R21-23: A Resolution Of The City Council Approving A Three-Year Agreement Between The City Of Laurel And Local Union Local 303, American Federation Of State, County And Municipal Employees, AFSCME.

RESOLUTION NO. R21-23

**A RESOLUTION OF THE CITY COUNCIL APPROVING A THREE-YEAR
AGREEMENT BETWEEN THE CITY OF LAUREL AND LOCAL UNION
LOCAL 303, AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, AFSCME.**

WHEREAS, the City of Laurel and the above Union have been actively negotiating a labor agreement through their respective negotiation teams; and

WHEREAS, the negotiating teams arrived at an agreement through collective bargaining efforts and have prepared the final written agreement in which all modifications, additions or deletions have been written and approved by a vote of the Union membership; and

WHEREAS, the Agreement provides a three-year agreement as contained in the attached agreement; and

WHEREAS, the City Council must next approve the attached agreement in order to finalize and implement the agreement.

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

Section 1: Approval. The attached agreement between the City of Laurel and the Union is hereby approved.

Section 2: Execution. The Mayor, Clerk-Treasurer and City's negotiating team are hereby given authority to execute said agreement on behalf of the City.

Introduced at a regular meeting of the City Council on April 13, 2021, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 13th day of April 2021.

APPROVED by the Mayor this 13th day of April 2021.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer, Clerk-Treasurer

Approved as to form:

Sam Painter, Civil City Attorney

AGREEMENT
BETWEEN
THE CITY OF LAUREL
AND
LOCAL 303

AMERICAN FEDERATION OF STATE
COUNTY & MUNICIPAL EMPLOYEES
MONTANA STATE COUNCIL 9
AFL-CIO
REPRESENTING THE
EMPLOYEES OF THE
CITY OF LAUREL, MONTANA

JULY 1, 2021 – JUNE 30, 2024

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AGREEMENT

This Agreement is made and entered into by and between the City of Laurel, Yellowstone County, Montana, hereinafter referred to as "Employer", and Local 303, American Federation of State, County and Municipal Employees, AFL-CIO, Laurel, Montana, hereinafter referred to as "Union" and "Employee(s)".

WITNESS: In consideration of the mutual covenants herein set forth which have been mutually agreed to, the Employer and the Union agree to be bound as follows:

ARTICLE I – RECOGNITION

The Employer recognizes the Union as the sole and exclusive bargaining agent for all employees of the Laurel Police Department, as listed by classification in Addendum "A", attached and by this reference made a part of this Agreement as though fully set forth herein, excluding elected and appointed officials, supervisory employees, management officials, and members of any City Board or Commission.

ARTICLE II – UNION SECURITY

Section 1. Membership Information: The Union shall receive ample opportunity to provide membership information to Union-represented positions during the employee onboarding process. The City and the Union shall work together to ensure reasonable access during the onboarding process through either in-person presentations or other avenues.

The Union and the City agree that the City may not interfere with, restrain, or coerce employees in the exercise of rights guaranteed in 39-31-201, MCA. The parties further agree that the City shall direct all newly hired employees and current employees who have questions and concerns regarding Union membership to contact the Union-designated representatives.

Section 2. The Union shall indemnify and hold the Employer harmless, for any action that the Employer takes in response to any written request of the Union, by certified mail, to terminate an employee for reasons identified in Article II, Section 1.

ARTICLE III – DUES ASSIGNMENT

Section 1. The Employer agrees to accept and honor voluntary written assignments of wages or salaries due employees covered by this Agreement for union dues, initiation fees, or agency shop fees.

Section 2. The amounts to be deducted shall be certified to the Employer by the Secretary of the Union, and the aggregate deductions of all employees shall be remitted, together with an

itemized statement, to the Treasurer of the Union within five (5) working days after payroll warrants are issued.

Section 3. The Union agrees to hold harmless the Employer from any loss or damage arising from the operation of this Article due to unintentional errors.

ARTICLE IV – MANAGEMENT RIGHTS

Section 1. Rights of the Employer: The Union recognizes that the Employer has the responsibility and authority to manage and direct, on behalf of the public, all of the operations and activities of the Employer to the full extent authorized by law.

Section 2. Management Rights: Public employees and their Representatives shall recognize the prerogatives of the Employer to operate and manage its affairs in such areas, but not limited to: (MCA 39-31-303)

- a. Direct employees;
- b. Hire, promote, transfer, assign and retain employees;
- c. Relieve employees from duties because of lack of work or funds or under conditions where continuation of such work would be ineffective or unproductive;
- d. Maintain the efficiency of government operations;
- e. Determine the methods, means, job classifications and personnel by which the government operations are to be conducted;
- f. Take whatever actions may be necessary to carry out the mission of the Employer in situations of emergency;
- g. Establish the methods and processes by which work is performed.

Section 3. Effective Laws, Rules and Regulations: The parties recognize the right, obligation, and duty of the Employer, and its duly designated officials, to promulgate rules, regulations, directives, and orders from time to time as deemed necessary in so far as such rules, regulations, directives, and orders are not in conflict with the terms of this Agreement. All terms of this Agreement are subject to the laws of the State of Montana, federal laws, and valid rules, regulations, and orders of the state and federal governmental agencies.

ARTICLE V – NONDISCRIMINATION

Section 1. It is agreed between the parties that each will fully comply with applicable laws and regulations regarding discrimination against any employee or applicant for employment, or any applicant for Union membership, because of a person's race, religion, color, national origin, age, marital status, sex or disability.

Section 2. It is further recognized that no employee shall be discharged or discriminated against by the Employer for such employee upholding Union principals or Union activities.

ARTICLE VI – STRIKES AND LOCKOUTS

Section 1. There shall not be any layoffs due to contracting out of bargaining unit work during the term of this Agreement.

Section 2. The Union and City agree to abide by state law (MCA 39-31-501 through MCA 39-31-505), regarding binding arbitration, for all positions under this contract as set out in Addendum “A”.

Section 3. The Union recognizes that the Employer has statutory and other rights and obligations in contracting for matters relating to municipal operations. The right of contracting or subcontracting is vested in the Employer. The right to contract or subcontract shall not be used for the purpose or intention of undermining the Union, nor to discriminate against any of its members.

ARTICLE VII – SENIORITY

Section 1. Seniority means an employee’s length of continuous service with the Employer since his/her last date of hire.

Section 2. Seniority with the Employer may be affected by:

- a. To be absent from the job due to layoffs will be considered lost time for the purpose of seniority; however, previous service upon re-employment shall count towards seniority.
- b. To be absent from the job due to a leave of absence without pay that exceeds fifteen (15) calendar days will be considered lost time for the purpose of seniority; however, previous service upon re-employment shall count towards seniority.
- c. To be absent from the job due to active military leave will not affect seniority. Time spent in military service will count towards seniority. After completion of military service, the Employer shall re-hire such persons in accordance with applicable federal law.
- d. An employee’s continuous service for purposes of seniority shall be broken by voluntary resignation, discharge for just cause, and by retirement.
 - (1) Seniority shall stop accumulating, but not be forfeited, when an employee is transferred or promoted to a position not covered by this Agreement. Should a qualified employee of the Laurel Police Department not covered by this Agreement return to a covered

open position, his/her seniority shall resume upon the assumption of the covered position.

- (2) If the employee does not successfully complete the probationary period in the new position and is returned to an open covered position by the City, the employee's seniority continues without interruption. If an employee returns to an open covered position during the probationary period of his/her own will, his/her seniority resumes where it stopped accumulating.
- e. Absences due to injury in the line of duty shall be considered time worked for the purposes of determining seniority and granting of any benefits, which are based upon seniority covered by this Agreement.

Section 3. The Employer shall recognize seniority and minimum qualifications in awarding promotions to employees when filling newly created or vacated positions, or when filling special duty assignments within the Police Department. If qualifications are equal, seniority shall prevail. It is the intention of the parties of this Agreement that the Employer shall grant preference to current employees.

Section 4. Layoffs caused by reduction in force shall be in order of seniority within the City; that is, the last employee hired shall be the first released. Full-time and part-time employees who are scheduled to be released shall be given at least ten (10) working days' notice. All recalls to employment shall likewise be in order of seniority within the City; that is, the last employee released as a result of reduction in force shall be the first rehired when the Employer needs additional employees. The Employer shall notify such employees to return to work on a certain date and furnish the Union Secretary a copy of such notification, and if the employee fails to notify the Employer within five (5) working days of his/her intentions to return to work, the employee shall be considered as having forfeited his/her right to re-employment. No regular established employee shall be laid off while there are still seasonal employees working for Employer.

Section 5. If Employer fails to provide ten (10) working days' notice to the employee, and employee is terminated without cause, under the layoff provisions herein, said employee shall be granted two (2) weeks' pay at his/her regular rate of pay.

Section 6. Employees may protest their seniority designation through the usual grievance procedures if they have cause to believe an error has been made.

Section 7. Application of Seniority to Overtime and Call-Outs: The Employer agrees there is one seniority list for the purpose of overtime and call-out within the Police Department. Employer shall consider the position involved and the purpose of the overtime and/or call-out.

Section 8. Seniority in a position will take priority when two employees hold the same position on a special duty assignment (detective, drug unit, school resource officer), and one position is eliminated.

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ARTICLE VIII – HOURS OF WORK

Section 1. Workweek: A standard workweek shall consist of forty (40) hours, and shall begin at 6 a.m. Monday and shall terminate at 5:59 a.m. on the Monday following. This shall exclude the 6/3 rotation set out below.

Section 2. Work period: Work periods for the positions identified in Addendum “A” may include, but is not limited to, the following:

- a. A 5/2 rotation, composed of any five (5) consecutive eight (8) hour workdays immediately followed by two (2) days off, consisting of forty (40) hours.
- b. A 4/3 rotation, composed of four (4) consecutive ten (10) hour days with three consecutive days off, consisting of forty (40) hours.
- c. A 6/3 rotation, composed of those positions that will provide the primary 24-hour coverage and consists of six consecutive workdays of 8½ hours each followed by three consecutive days off.
- d. A 3.5/3.5 rotation, composed of three (3) consecutive twelve (12) hour days and a four (4) hour day followed by three and one-half (3.5) consecutive days off, consisting of forty (40) hours.
- e. A 2/2/3 rotation, composed of two weeks of shifts, where the blocks of on and off days follow a 2-2-3 pattern. Officers are divided into two equal teams working rotating 12-hour shifts as follows. (Note: this schedule must begin on a Monday.) The parties agree this schedule does not constitute a 2/3/2 Individual Schedule.
 1. Team one will work 2 days on, 2 days off, 3 days on, 2 days off, 2 days on, and 3 days off.
 2. Team two will work 2 days off, 2 days on, 3 days off, 2 days on, 2 days off, and 3 days on.
 3. Personnel assigned to the 2-2-3 schedule will forfeit any and all shift differential payments. Forfeiture of differential payments will only be while the 2-2-3 schedule is in use and only those assigned to work the 2-2-3 schedule.
 4. When working a 2-2-3 schedule any employee that works more than 80 hours in a 14-day work period will receive overtime pay for any hours worked above the 80 hours.

- f. "Cover Shift" position will work regular schedules, except when relieving a shift person who is off on approved leave, or in case of sick leave. In case of a short back situation, Employer may require "cover shift" position to take an (8) hour break when transitioning back to his/her regular shift for purposes of safety.

"Cover shift" position will assume the days off and the work hours of the person he/she is relieving, unless he/she is only filling in for less than a week.

- g. The work period for part-time personnel shall be assigned as needed by the Employer's Chief of Police or designee.

- h. The shift schedule and work period set out above may be changed by mutual agreement between the Union and Employer's Chief of Police or designee.

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Section 3. Work Schedule:

- a. All employees shall be scheduled to work on a regular work shift and each work shift shall have a regular starting and quitting time, except in cases of emergency when life or property are in imminent danger and for the employee in the "cover shift" position.
- b. ~~Police officers and Dispatchers shall bid for shifts three times each year and shall begin on the first Monday of a new pay week in the months of January, June and September. Police Officers shall bid shifts three times each year and shall begin on the first Monday of a new pay week in the month of January. Shift bids for the months of May/June and August/September shall be on the first Monday of a new pay week to coincide with the beginning and ending of the school year~~ (Shift bids will coincide with the vacation request. Each employee will have five (5) calendar days to complete their request at which time it will proceed to the next employee in order of seniority. Employees who fail to bid in the appropriate time frame will forfeit their opportunity to bid and will move to the bottom of the bidding list. The Chief of Police or designee will post the shift bid allowing enough time for all bidding employees to use their five (5) calendar days.) The schedule may be changed upon the mutual agreement of the Union and Employer's Chief of Police or designee. No overtime will be earned or straight time lost as a result of a shift change that is the result of shift bidding.
- c. Employer's Chief of Police or designee may assign a probationary officer any shift deemed appropriate and the assignment will take precedence over shift bidding.

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- d. Employees may trade shifts voluntarily, subject to the following limitations:
 - 1) The trade cannot affect overtime earnings for either employee;
 - 2) No more than 3 consecutive days may be traded in any month;
 - 3) The employee originally assigned a shift remains responsible that the shift is covered; and
 - 4) A shift trade is an agreement between employees and in doing so the employees agree to hold Employer harmless.
- e. After shift bid is completed, two employees may request to trade the remainder of the shift bidding if the circumstances support determination that a trade is necessary by the Employer's Chief of Police or designee and Union president.
- f. Employer's Chief of Police or designee may assign a particular employee to a shift for one rotation for the betterment of the employee and Police Department.
- g. Work schedules showing the employee's shifts, workdays and hours shall be posted. Except for emergency situations, work schedules shall not be changed except for the employee in the "cover shift" position on the 6/3 rotation.
- h. All positions set out in Addendum "A" shall be considered shift workers unless specifically agreed and identified otherwise.

Section 4. Lunch and Rest Periods:

- a. All employees shall be granted a paid lunch period of 30 minutes during each work shift consisting of more than four (4) hours. Employees are subject to call out during the break.
- b. Two rest breaks of fifteen (15) minutes are provided, one in each half of the workday. The time and place of the rest period shall be determined by the supervisor.

ARTICLE IX – COMPENSATION

Section 1. Salaries, Wages and Longevity:

- a. Employee classification and conditions relative to and governing wages, salaries, or extraordinary pay rates are contained in Addendum “B” to this Agreement, which is attached to and by this reference made a part hereof as though fully set forth herein.
- b. Longevity pay benefits are contained in Addendum “C” to this Agreement, which is attached to and by this reference made a part hereof as though fully set forth herein.
- c. It is mutually agreed between the parties that compensation will be paid on or before 9:00 a.m. every other Friday following completion of the work period.

Section 2. Overtime:

- a. Time worked outside the employee's regular shift schedule shall be compensated at time and one-half.
- b. An employee that works more than sixteen (16) continuous hours or over sixteen total hours in a work day will be compensated at two (2) times their normal rate of pay for each hour after the 16th hour.
- c. No employee shall work more than sixteen consecutive hours unless in case of emergency.
- d. Scheduled overtime is defined as the filling of a shift and is subject to the scheduled overtime guidelines.
- e. Situational overtime is defined as an incident requiring a specific employee or employee type.
- f. An employee shall receive short back pay of 16 hours (double time) at their regular rate of pay if they are scheduled to work with less than 8 hours rest period between shifts in a 24-hour period to receive 40 hours within the workweek. Short back pay does not apply to an overtime situation or as a result of shift bidding.
- g. No overtime shall be worked without the approval of his/her supervisor.
- h. Employees shall not be required to suspend work during regular hours to absorb overtime.
- i. Overtime shall be paid in half-hour (1/2) increments as follows:

0 – 30 minutes = ½ hour
31 - 60 minutes = 1 hour

- j. When computing overtime, sick leave or vacation time taken during the workweek will be considered time worked.
- k. The drug investigator shall not be required to be available for scheduled overtime. For scheduled overtime, the first person offered the overtime will be the most senior employee, and then continuing to the most junior employee scheduled off during the day the overtime is needed.

If none of the employees on their day off wish to work the scheduled overtime, the employees working on each side of the empty shift will split the shift evenly. An employee not wishing to split the shift may refuse the overtime unless no replacement is available; then the employee must work the shift.
- l. It is not the intention of the parties to have employees work overtime in positions for which they are not trained, licensed, or qualified except in a bona fide emergency and at the explicit direction of the Employer's Chief of Police or designee.
- m. There shall be no compounding or pyramiding of overtime pay, holiday pay, or premium pay, and only the highest applicable rate will be paid.
- n. The shift is considered to be overtime when there is no cover shift available to fill the shift, or part-time employee with less than forty (40) hours available to fill the shift.

Section 3. Compensatory Time: Employees under this Agreement may receive compensatory time in lieu of overtime payment in compliance with the provisions of the Fair Labor Standards Act, as amended.

- a. The employee has the option to save and use as approved leave within the same calendar year, or receive a lump-sum payment on the first payday in December of each calendar year.
- b. Employer shall pay each employee's lump-sum payment by separate check for accounting purposes.

Section 4. Call Outs: Each and every call-out will be for a minimum of two and one half (2½) hours of pay. All time worked will be compensated at one and one-half (1½) times the regular rate of pay. Time shall be calculated from the time of employee notification to time of completion of the duty assigned.

Section 5. Court Time: Employees required to appear for court hearings of trials shall be compensated at a rate of one and a half (1½) times the employee's normal rate of pay. Time shall be paid for a minimum of three (3) hours, or until the conclusion of court hearings or trials if greater than three (3) hours. If Employer fails to notify an employee regarding a cancellation or continuation of a scheduled court hearing or trial by 5:30 p.m. the day before the scheduled court hearing or trial, the employee must be compensated three (3) hours of pay at one and a half (1½) times the employee's normal rate of pay.

Section 6. Special Assignments:

a. Field Training Officer – Union members who are designated as a Field Training Officer for the purposes of training probationary officers shall receive one dollar (\$1.00) per hour as incentive pay for these additional responsibilities. Field Training Officer pay will be paid for each hour worked as a Field Training Officer for probationary employee (officers and dispatch only), not for police reserves. Field Training Officer pay will be in addition to detective pay when the detective is assigned to conduct Field Training Officer duties.

b. Detectives – Union members who are assigned to the detective division ~~for city cases~~ will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities.

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c. Sergeant – Union members who are assigned to the Sergeant position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities.

d. Canine Officer – Union members who are assigned to the Canine position will receive a three hundred and fifty dollar (\$350) monthly stipend as incentive pay for the additional responsibilities associated with having a dog.

e. Terminal Agency Coordinator (TAC) – Union members who are assigned to the Assistant TAC position will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities. The Union member who is assigned to the TAC position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities. (For fiscal year 21/22 Assistant TAC will receive incentive pay of fifty (.50) cents per hour and TAC will receive seventy-five (.75) cents per hour and for Fiscal year 22/23 Assistant TAC will receive an additional fifty (.50) cents per hour and TAC will receive an additional seventy-five (.75) cents per hour, in addition to the overall percent wage increase)

ARTICLE X – HOLIDAYS

Section 1. Employees will receive straight time pay at their basic hourly wage for each of the following named holidays:

1.	New Year's Day	January 1
2.	Martin Luther King Day	3 rd Monday in January
3.	Presidents' Day	3 rd Monday in February
4.	Memorial Day	Last Monday in May
5.	Independence Day	July 4
6.	Labor Day	1 st Monday in September
7.	Columbus Day	2 nd Monday in October
8.	Veterans' Day	November 11
9.	Thanksgiving Day	4 th Thursday in November
10.	Christmas Day	December 25
11.	State General Election Day	(when applicable)

Also legal holidays declared by the President of the United States and the Governor of Montana, with the concurrence of the Mayor of the City of Laurel. All accumulation of holiday pay shall be in accordance with the Montana Operations Manual (MOM).

Section 2. Part-time employees shall receive holiday pay on a pro-rated basis, based on their average hours worked.

Section 3. The holiday will be observed on the day/date stated in this Agreement (the actual holiday) for all employees subject to this Agreement.

Section 4. Work performed on the holiday will be paid at one and one-half (1½) times the regular rate of pay for hours worked in addition to holiday pay, unless the employee has elected to accumulate such holiday in accordance with Section 7. Holiday pay is for eight (8) hours. An employee who is scheduled for a day off on a legal holiday shall be compensated for either holiday pay at straight time, bank the holiday hours at straight time, or take an alternative day off in lieu of the holiday with permission of the Employer's Chief of Police or designee.

Section 5. If a holiday falls on an employee's annual vacation, or while an employee is on approved sick leave, the employee shall be compensated by either receiving eight (8) hours pay at their regular straight time rate of pay or by a one-day extension of their vacation leave, at the employee's option. Employer shall not charge the additional time as sick leave or vacation.

Section 6. Employees may elect to bank holiday time. In the event the holiday time is not used by the last work day in June, a lump sum for the remaining time will be paid out on the first pay period in July by a separate check.

ARTICLE XI – ANNUAL VACATION LEAVE

Section 1. Each full-time employee earns paid vacation as follows:

	Work day credit per year*
1 day through 10 years	15
10 years through 15 years	18
15 years through 20 years	21
20 years and over	24

*Based on an eight (8) hour day

An employee is not entitled to any vacation leave with pay until they have been continuously employed for a period of six (6) calendar months.

Section 2. A part-time employee is entitled to pro-rated vacation benefits after working the qualifying period of six (6) months.

Section 3. Vacation credits may be accrued to a total not to exceed two (2) times the maximum number of days earned annually at the end of any calendar year. Any accumulation of annual vacation leave in excess of this total at the end of the calendar year must be used in the first 90 days of the next calendar year or be forfeited.

Section 4. Vacations must be requested in writing and approved by the Employer's Chief of Police or designee. Vacation bids will coincide with the bidding of shifts. Each employee will have five (5) calendar days to complete their request at which time it will proceed to the next employee in order of seniority. Employees who fail to bid in the appropriate time frame will forfeit their opportunity to bid and will move to the bottom of the bidding list. The Chief of Police or designee will post the vacation bid with enough time for all bidding employees to use their five (5) calendar days. Vacation time may be split. Any conflict in schedules will be determined by seniority, Employer's best interests, and the best interests of the employee. All parties concerned have five (5) calendar days from the time the approved vacation list is posted to make corrections. Vacation requests after the beginning of the shift change shall be on a first come, first served basis. If vacation has been approved by the parties, seniority cannot affect or change the vacation schedule. The number of employees off in the Police Department may be limited based upon the workload and shall be determined at the discretion of Employer's Chief of Police or designee.

Section 5. Leave requests and responses. Employee must submit leave requests for more than four (4) consecutive days at least seven (7) days prior to the requested leave. Employer shall respond no later than five (5) working days prior to the leave requested. Employee must submit leave requests for less than four (4) days at least two (2) days prior to the requested leave. Employer shall respond no later than one (1) working day prior to the leave requested.

Section 6. Vacation and sick leave shall not accrue during a leave of absence without pay.

Section 7. Leaves of absence without pay may be used to extend regular vacation with prior approval of the Employer's Chief of Police or designee.

Section 8. An employee who terminates his/her employment is entitled, upon the date of such termination, to cash compensation for any unused vacation leave, assuming that the employee has worked the qualifying period set forth in Section 1.

In the event, however, an employee transfers between departments of the Employer, there shall be no cash compensation paid for the unused vacation leave. In such a transfer, the receiving department assumes the liability for the accrued vacation credits transferred with the employee.

Section 9. In the event of the death of an employee, unused earned vacation time shall be paid to the employee's heirs at his/her regular rate of pay providing the proper forms provided by the City Clerk-Treasurer's office have been signed and are in the employee's file.

Section 10. Vacation charges and credits shall be charged to the nearest full hour.

Section 11. Employer shall not terminate or separate an employee from employment in an attempt to circumvent the provisions of this Article. Should a dispute arise under this Article, it shall be resolved pursuant to the grievance procedures.

ARTICLE XII – SICK LEAVE

Section 1. Sick leave means a leave of absence with pay for sickness suffered by an employee or his/her immediate family. Sick leave is the necessary absence from duty caused when an employee has suffered illness, injury, pregnancy, or pregnancy-related illness, exposure to contagious disease that requires quarantine, or the necessary absence from duty to receive medical or dental examination or treatment.

Section 2. Each full-time employee is entitled to and shall earn sick leave credits from the first full pay period of employment. For calculating sick leave credits, one (1) day per month up to twelve (12) working days per year sick leave at regular pay. Proportionate sick leave credits shall be earned at the rate of twelve (12) working days for each year of service without restriction as to the number of working days he/she may accumulate.

Section 3. An employee may not accrue sick leave credits during a continuous leave of absence without pay which exceeds fifteen (15) working days. Employees are not entitled to be paid for sick leave under the provisions of this Article until they have been continuously

employed for ninety (90) days. Upon completion of the qualifying period, the employee is entitled to all sick leave credits he/she has earned.

Part-time employees receive pro-rated sick leave credit. Temporary and seasonal employees are entitled to sick leave benefits provided they have worked the qualifying period.

Section 4. An employee who terminates his/her employment is entitled to a lump-sum payment equal to one-fourth (1/4) of the pay attributed to the accumulated sick leave. The pay attributed to the accumulated sick leave shall be computed on the basis of the employee's salary or wage at the time the employee terminates their employment.

However, when an employee transfers between departments, the employee shall not be entitled to a lump-sum payment. The department receiving the transferred employee shall assume responsibility for the accrued sick leave.

An employee who receives a lump-sum payment pursuant to this Article and who is reemployed by the Employer shall not be credited with any previous sick leave.

Sick leave charges in excess of earned sick leave credits may be charged to earned and available leave or leave without pay at the employee's option with the Employer's Chief of Police or designee's approval.

Section 5. Sick leave is for the benefit of the employee or his/her immediate family members who are sick and is not intended to be additional time off with pay. Abuse of sick leave or the falsification of illness, injury, or other authorized claim misrepresenting the actual reason for charging an absence to sick leave, or the use of sick leave for any unauthorized purposes constitute cause for termination. Employer must substantiate charges of sick leave abuse resulting in the employee's termination.

Section 6. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery are, for all job-related purposes, temporary disabilities and should be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment.

Any holidays that fall during a period that an employee is on sick leave will be charged as a holiday and not taken off the total accumulate sick leave.

An employee on sick leave shall inform his/her immediate supervisor, or Employer's Chief of Police or designee, of the fact as soon as possible.

After the third consecutive day of sick leave, a medical certification may be required by the Employer. If the Employer requires a medical certificate, the Employer will pay the cost of such certificate.

Section 7. Sick leave pertaining to shift personnel:

- a. Cover shift or part-time personnel must work for an employee who is on sick leave unless it is an overtime situation; then the Employer shall follow the overtime procedure.
- b. Employees working during another employee's illness, if an overtime situation, will submit extra time to their supervisor on the daily time report, which will be paid at one and one-half (1½) times his/her hourly rate.

Section 8. Sick leave charges and credits shall be charged to the nearest full hour.

Section 9. Employees covered by the Workers' Compensation Act are entitled to benefits administered under the provisions of the Act when they suffer injury or illness as a result of their employment. An employee may elect to use their accrued sick leave credits to supplement their Workers' Compensation payments, but not to exceed their normal expected pay, in accordance with the applicable laws and regulations of the State of Montana.

Section 10. In the event that an employee becomes incapable of performing the duties of his/her regular position through occupational illness or injury, the Employer may transfer the employee without loss of pay to a position for which he/she is qualified, provided the change can be accomplished without displacing another employee.

Section 11. Emergency Sick Leave:

- a. Emergency sick leave is defined as a necessary absence due to (1) the illness of a member of the employee's immediate family; or (2) the death of a member of the employee's immediate family.
- b. An employee's immediate family includes: spouse, children, parents, grandparents, grandchildren, brothers, sisters, in-laws, step relatives, household dependents, and similar relation of the employee's spouse.
- c. Emergency sick leave charged against an employee's sick leave credits shall not exceed a total of five (5) working days per illness in the immediate family. In addition, emergency sick leave charged against an employee's sick leave credits shall not exceed a total of five (5) workdays for each death in the immediate family.
- d. Employees may be granted three (3) additional days leave with pay for a death in the family (not to be charged to sick leave), as provided in Article XIII, Section 3.

ARTICLE XIII – LEAVE WITH OR WITHOUT PAY

Section 1. Military Leave: Upon formal request, either oral or written, for military leave, a regular or temporary full-time employee, who is a member of the organized state militia or the reserve military forces of the United States, and who has satisfactorily completed six (6) months of employment, is eligible to receive up to fifteen working (15) days, with pay, per calendar year of military leave. Any part-time employee meeting the above requirements is eligible to receive pro-rated military leave. The employee will submit a copy of their military orders, upon receipt, to the Employer to substantiate such leave request.

An employee who has not completed six (6) months employment is not eligible to receive military leave with pay; however, he/she will be given leave without pay to attend cruises, encampments, or other similar training upon a formal request either oral or written, for such leave. The employee will submit a copy of their military orders, upon receipt, to the Employer to substantiate such leave request.

Section 2. Family and Medical Leave: The Employer may grant Family and Medical Leave after completion of fifty-two (52) weeks of employment, and a minimum of 1250 hours worked in the year preceding the leave, unpaid leave, not to exceed twelve (12) workweeks in a twelve-month period for reasons of bona fide serious health condition, child or family care, or other allowable care. All leaves must be requested in writing and shall state the reason for the leave and the date desired. A doctor's certification may be required for any medical or family leave. All leaves shall be granted only in writing by the Mayor or his designee. Upon the expiration of the leave or upon notification of intent to return, the employee will be returned to their original position, or one equivalent in the employee's classification. Notwithstanding the provisions of the Family and Medical Leave Act (FMLA), the reinstatement of an employee returning from FMLA leave shall not displace another employee, or limit another employee's hours of work, who was a member of the bargaining unit upon commencement of such leave, except as may be mutually agreed to by the Union and the Employer.

While on a family medical leave of absence, any employee benefits will be continued in the same manner that would have been provided had the employee not taken any leave. If the employee fails to return from such a leave, the employee may be required to repay such extended benefits.

Section 3. Bereavement Leave: Upon the death of a member of the employee's immediate family, an employee may be granted up to three (3) working days off with pay for the employee's work period, not to exceed 24 hours for each death. In addition, up to five (5) additional days bereavement leave may be charged to sick leave by requesting the time off from Employer's Chief of Police or designee who must obtain approval of the Mayor or Chief Administrative Officer. Employees shall be granted leave not to exceed four (4) hours to attend the funeral of employees.

Section 4. Jury Duty: Each employee who is under proper summons as a juror shall collect all fees and allowances payable as a result of the service and forward all the fees to the Employer. Juror fees shall be applied against the amount due the employee from the Employer. However, if an employee elects to charge his/her juror time off against annual leave, he/she shall not be required to remit to the Employer any juror fee, expense, or mileage allowance paid by the Court.

An employee subpoenaed to serve as a witness shall collect all fees and allowances payable as a result of the service and forward the fees to the Employer. Witness fees shall be applied against the amount due the employee from the Employer. However, if an employee elects to charge his/her witness time off against his/her annual leave, he/she shall not be required to remit witness fees to the Employer. In no instance is an employee required to remit to the Employer any expense or mileage allowances paid him/her by the Court.

The Employer may request the Court to excuse the employee from jury duty if they are needed for the proper operation of the department.

Section 5. If an employee is required to testify at any legal hearing or trial due to an event that occurred while the employee was on duty or acting within the scope of his/her authority, the employee may elect to have the Employer pay for all travel and expenses for the employee. To receive this benefit, the employee will sign over to the Employer any compensation received for the testimony and the employee will receive his/her normal rate of pay. However, if an employee elects to charge the time off against annual leave, the employee shall not be required to remit to the Employer any fee, expense, or mileage allowance paid by the court.

Section 5. Other Leaves With or Without Pay:

- a. After satisfactory completion of the probationary period, leaves of absence may be granted for good and sufficient reason with prior approval of the Employer. Leaves may be used for personal business requiring the employee's attention and other reason mutually agreed upon. Employees may take a leave of absence without pay without loss or charge against other leave and if the work schedule allows. Requests for a leave of absence without pay shall be submitted in writing by the employee to the Employer's Chief of Police or designee. The request shall state the reason for the leave and the approximate length of time off the employee desires.
- b. Employer may grant reasonable leaves of absence to employees whenever required in the performance of duties as "duly authorized representatives of the Union". "Duly authorized representatives" means members of regularly constituted committees and/or officers of the Union, pursuant to a list supplied to the Employer.

- c. Any employee subject to this Agreement, elected or appointed to public office, shall be entitled to a leave of absence not to exceed one hundred eighty (180) days per year while such employee is performing public service. Any employee granted such leave shall make arrangements to return to work within ten (10) days following the completion of the service for which the leave was granted unless such employee is unable to do so because of illness or disability certified to by a licensed physician.
- d. Leave, with or without pay, may be granted by the Employer for attendance at a college, university or business school for the purpose of training in subjects related to the work of the employee that will benefit the employee and the Employer.

Section 6. Personal Leave: Each employee is entitled to thirty (30) hours of personal leave per contract (fiscal) year. Part-time employees will receive a pro-rated amount of personal leave. Employees must utilize personal leave prior to utilizing their comp or vacation leave. Employer shall not compensate or pay-out employees for unused personal leave. If an employee fails to utilize his/her personal leave during the year, he/she shall forfeit all unused personal leave. Employees shall coordinate the use of personal leave with the Employer's Chief of Police or designee, who must approve leave requests.

ARTICLE XIV – WORKING CONDITIONS

Section 1. Separations: Employees who terminate their service will be furnished, upon request, a letter stating their classification, length of service and reason for leaving.

Section 2. Union Bulletin Boards: Employer will allow the Union to place Union-owned bulletin boards in convenient places in any work area to be used for Union business.

Section 3. Off-Duty Meetings: Employees shall be compensated at the rate of time and one-half (1½) their regular rate of pay if required to attend a meeting on their own time. If an employee is called out for a meeting, such employee shall be paid for a call-out.

Section 4. Education Conference: The Employer agrees that time off with pay may be granted to an employee to attend an educational conference, seminar, or convention with the mutual consent of the Employer's Chief of Police or designee and the employee. In the event an employee needs to earn educational credits to maintain a license or certification, which belongs to the employee, the employee will furnish the Employer in writing the number of credits earned and to which license or certification the educational credits are to be credited.

Section 5. Training: A training committee shall be established comprised of the Captain, one employee assigned to the patrol division, and one employee assigned to dispatch. The training committee shall determine and schedule all training as available, pending available funding.

Section 6. Past Practices: Employer agrees to recognize that wages will not be reduced because of this Agreement. Employer further agrees that working conditions and benefits enjoyed by employees will continue by the adoption of this Agreement, subject to budgetary limitations and analysis of departmental requirements.

Section 7. Visits by Union Representatives: Employer agrees that accredited representatives of the American Federation of State, County and Municipal Employees, AFL-CIO shall have full and free access to the premises of the Employer at any time during working hours to conduct union business, provided the representative shall notify the Employer's Chief of Police or designee of their presence.

Section 8. Supervisor's Performance of Bargaining Unit Work: No supervisory or management employee shall perform duties of a bargaining unit employee, except infrequent work of short duration due to severe emergencies to avoid accident or injury, or to maintain the health and safety of the Employer and/or the City of Laurel.

Section 9. Uniform Allowance: The Employer shall establish a Police Department Uniform Account:

- a. Purpose: The purpose of the account shall be to provide assistance to Police Officers to maintain their uniforms.
- b. Maximum limits per fiscal year:

New Hire Police Officer (first year only)	\$1,000.00
Police Officer	\$ 800.00
Animal Control/Parking Attendant	\$ 400.00
- c. All uniform allowance payments shall be due and payable at the beginning of each fiscal year. It shall be the employee(s) responsibility to purchase their required uniforms and accessories.
- d. Modification: If there is any significant uniform change mandated by the Employer, related costs shall be absorbed by the Employer.
- e. New Hire: Newly-hired employees shall receive the same uniform allowance as other employees within the first five (5) days of employment. If an employee voluntarily terminates his/her employment within one year from date of employment, the employee will have deducted from the final check the amount of the clothing allowance *he/she* received.

- g. A standard list of required uniform items and accessories will be developed by the Employer's Chief of Police or designee and approved by the City Council and posted by the Employer.

Section 10. Labor/Management Coordinating Committee: The parties agree to meet and establish a Labor/Management Coordinating Committee whose membership, meeting schedule, policies, procedures, rules and regulation shall be established by and between the Committee members.

ARTICLE XV – HEALTH, SAFETY AND WELFARE

Section 1. Workers' Compensation Insurance: Employer shall maintain Workers' Compensation Insurance on all employees. Each employee must, within twenty-four (24) hours, verbally if physically possible, or seventy-two (72) hours of the accident, report in writing to the Employer any personal injuries received in the course of employment. Each employee must give notification to their immediate supervisor during the work shift, except in cases of emergency and if the supervisor is not accessible when the injury occurs. Failure to do so may result in the loss of benefits.

Section 2. Health Insurance Plan:

The Employer shall maintain an insurance program for the employee and their dependents, substantially equivalent to the existing program and available through the selected insurance company as previously approved by the Insurance Committee and Management, with the following contribution limitations, unless increased by the City:

Employee Only	\$ 823.87/month
Employee/child(ren)	\$ 823.87/month
Employee/spouse	\$1100.00/month
Employee/family	\$1100.00/month

The Employer shall adjust the Employee only and Employee/Child(ren) contribution yearly as the premium increases up to the \$1,100/month maximum. The Employee only and Employee/Child(ren) contributions shall remain the same as an Employee only contribution, which includes health, dental and vision coverage. The Employee/Child(ren) rate may be used in any combination of health/dental/vision or only health insurance if employee desires.

The parties agree that an insurance committee shall be created, with fair and equitable representation for all employees of the city who are entitled to receive insurance benefits. The Insurance Committee shall review all matters of the insurance program and make recommendations to the Employer. If the Employer does not adopt the recommendations of the Insurance Committee, the matter will be returned to the Insurance Committee, with

recommendations and explanations, for further review until the Employer and the Insurance Committee reaches mutual agreement.

Section 3. First Aid Kits: The Employer shall provide and maintain first aid kits in convenient places in each work area. "Work Area" shall be determined by the Employer's Chief of Police or designee.

Section 4. Safety: Safety is everyone's business. Employer shall provide and maintain all safety gear (i.e. hard hats, crash helmets, rain gear, rubber boots, rubber gloves, and goggles) and all other equipment required by MOSHA. Each employee is to wear and/or use safety equipment furnished, or required by the Employer, including the use of seat belts, orange safety vests, hard hats, hand, eye, and body protection gear as appropriate. Employer shall issue specific guidelines in the use of safety equipment and safety practices. Failure to use safety equipment furnished and follow safety guidelines may lead to disciplinary action.

The Union, Employer, and employees shall cooperate in complying with the general safety standards and special standards as required by the State Department of Labor and Industry, MOSHA, OSHA, and the Employer's Safety Standards. MOSHA inspections – the representative from the work area being inspected may accompany the state representative on any such inspections.

No employee shall be required to perform unreasonable services that may seriously endanger his/her physical safety. Refusal by the employee, with valid and substantiated reason, will not warrant or justify suspension, dismissal, or other disciplinary action.

Section 5. Safety Committee: A union member will be included in the Safety Committee when formed.

Section 6. Unemployment Insurance: Employer shall provide all employees covered by this Agreement with Unemployment Insurance.

Section 7. Drug and Alcohol-Free Workplace: Employees are prohibited from the use, consumption, distribution, or unauthorized possession of controlled substances (illegal drugs) or alcoholic beverages while on duty; to unlawfully manufacture, distribute, dispense, possess, or use a controlled substance (illegal drugs) at the work site or in any Employer-owned vehicle, at any time in any Employer-owned vehicle; or reporting to work under the influence of illegal drugs and/or alcohol.

As a condition of employment, each employee must abide by the terms of this policy and notify the Mayor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. In the event the employee is operating in a

department funded in whole or part by a federal grant, the sponsoring agency will be notified of such conviction within ten calendar days after receiving notice of the conviction.

Discipline for any violation will be in accordance with the disciplinary procedures that may include suspension and/or termination. As an alternative to termination, the employee may be referred to available drug and alcohol abuse assistance or rehabilitation programs.

Section 8. Gym Membership: ~~The City agrees to pay the annual gym membership, up to \$300.00 per year per employee, who elect to participate in the Gym Membership program offered through the City's insurance plan. If the City's insurance plan no longer offers provisions for gym membership, the City agrees to reimburse the employee up to \$300.00 per year for gym membership. Reimbursement will only be made after the employee provides the City a gym membership receipt.~~ The City agrees to pay the annual gym or fitness center membership for each employee at the Locomotion Fitness Center to encourage employee health and wellness. If an employee elects to utilize a different fitness facility, the City agrees to reimburse the employee up to \$300.00 per year for his/her membership. Reimbursement will only be made after the employee provides the City a gym membership receipt showing he/she has in fact paid for the membership.

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Section 9. Changing Area: The Employer shall provide a designated area to be available as a changing room. Employer shall endeavor to make a shower operational if possible.

Section 10. Healthy Work Environment: A healthy work environment shall be provided to all employees. The Union must notify the Employer's Chief of Police or designee of any unhealthy work environment. The unhealthy work environment must be corrected by the Employer's Chief of Police or designee.

ARTICLE XVI – JOB POSTING

Section 1. When a new position is created or a vacancy occurs in any existing position listed under Addendum "A", Employee Classification Program, the Employer shall prepare and furnish to the union secretary and post in places to be agreed upon by the Employer and the Union stating, among other things: location and title of position to be filled, a listing of the essential job functions, principal duties, minimum qualifications, hours of work, assigned days of rest, salary range of the position, whether the position is a regular established position or temporary (if temporary, how long it is probable that the position will continue), the starting date of the assignment; last day when applications will be received and accepted, and to whom the applications shall be filed.

- a. When a vacancy or newly created position is posted when an employee is on vacation, sick leave, or any approved leave, the employee has two (2) working days to bid for such position after he/she returns to work.

- b. If a position is vacant due to an employee bidding another position in the Employer, the position vacated will be bid as temporary or left vacant until the previous employee has completed his/her probationary period or posted as vacant.
- c. Employer shall post such vacancies in all departments for a period of no less than five (5) working days.
- d. An employee who bids into a new position may not bid into another position until he/she completes his/her probationary period, unless agreed by the Union and the Employer that such action is in the best interest of the Employer.
 - (1) Exception: If no employee bids a position, the employee who is serving the probationary period may bid for the position within three (3) working days after the closing date of the bid;
 - (2) Exception: If an employee is disqualified by the Employer from his/her position during his/her probationary period and reverts back to the originally-held position, such employee may then bid other jobs; and
 - (3) If more than one employee bids, the procedure for awarding will be the same as for bidding a position.
- e. If no qualified employee bids on a posted position, Employer may search outside its current employees for an applicant to fill such position.
- f. Employer shall not bid a vacated position where an employee will be first assigned as temporary and then regular full-time position unless the Employer is prepared to fill the fully-funded position within two (2) weeks of the closing date of the final bid. No employee shall be awarded such a position and be held in his/her old position for a period that exceeds two (2) working weeks.

Section 2. The filling of any vacancy through promotion shall be done so in accordance with Article captioned "Seniority" of this Agreement. Any salary adjustments shall be made in accordance with Addendum "B".

Section 3. When a senior employee, who has applied for a bulletin position, is not assigned the position, he/she shall upon request, be entitled to be advised in writing the reason he/she did not receive the assignment. If not satisfied with the reason stated, he/she may invoke the grievance procedure as outlined in this Agreement.

Section 4. During the employee's probation period, the employee has the right to revert back his/her previously held position within the first 30 days of the 12-month probationary period.

Section 5. Prior to opening any city employment position to the public, members of Local 303 will be allowed to bid the position. The applying member must meet the "minimum requirements" as stated by the city. The employee must understand that "overtime" may be required for the position.

ARTICLE XVII – DISCIPLINE

Section 1. Penalties for violations of Policy are outlined in Addendum "D" to this Agreement.

Section 2. If the Employer determines at any time during an employee's initial twelve (12) month employment probationary period that the service of the probationary employee is unsatisfactory, the employee may be discharged upon written notice from the Employer without recourse through the grievance procedures.

ARTICLE XVIII – GRIEVANCE PROCEDURE

Section 1. Definitions:

"Grievance" is defined as an employee's alleged violation of a specific term of this Agreement or an employee's dispute regarding an interpretation of the Agreement.

"Grievant" shall mean a bargaining unit employee ("Employee"), Union Member, member or Employer.

"Union" shall mean the Local 303, American Federation of State, County and Municipal Employees, AFL-CIO.

Section 2. Agreement and Purposes. Employer and the Union agree that there shall be no reprisals of any kind against any party in interest for reasons of participation in the grievance procedure.

It is the desire of the Employer and the Union to address grievances informally; both parties commit themselves to make every effort to resolve problems when they arise. Direct communications and discussion should result in a full disclosure of acts and a fair and speedy resolution to most complaints arising out of day-to-day operations. If the grievance is not resolved informally, the following procedure will apply.

Each grievance will be submitted separately except when the Employer and Union mutually agree to have more than one grievance handled in one procedure.

Grievances by the Employer, should they occur as a result of official Union activities or actions, shall be presented directly by the City's Chief Administrative Officer or Mayor to the Union President within fifteen (15) calendar days of the date upon which he/she became aware of the situation prompting the grievance. The Union President shall provide a written answer within fifteen (15) days. If the grievance is not resolved, the following procedures will apply.

Section 3. Procedures. The following procedures shall be used by a Grievant when seeking relief of his/her Grievance under this Agreement.

A Grievance not filed or advanced by the Grievant within the time limits provided in this section shall be deemed permanently withdrawn as having been settled on the basis of the decision most recently received. Failure on the part of either party to answer within the time limits set forth in this grievance procedure entitles the grievant to advance the grievance to the next step.

Step 1. Chief of Police

A Grievant who believes he/she has a grievance shall file a written grievance within a period of fifteen (15) calendar days after the occurrence giving rise to the grievance or after the failure to informally resolve the grievance. The grievance shall be reduced to writing in the form of a petition indicating the specific term(s) of this Agreement violated or misinterpreted, facts supportive of the grievance, and the specific relief sought. The written grievance shall be filed with the Chief of Police. The Chief of Police shall meet with the Grievant and issue a written decision and disposition of the grievance within fifteen (15) calendar days of the meeting.

Step 2. Union Member Grievance Presentation to the Union

If the Grievant is not satisfied with the decision and disposition through Step 1, the Grievant shall submit the grievance petition to the Union within five (5) calendar days' receipt of the Chief of Police's written decision and disposition of the grievance issued pursuant to Step 1. The Union shall have fifteen (15) calendar days to provide a response to the Union Member. If the Union determines no basis for the grievance exists, no further action on the part of the Union is necessary since the grievance shall be considered null and void. If the Union determines, by a majority vote of the members present at a posted meeting, that a valid grievance exists, the grievance shall proceed to Step 3.

Step 3. Appeal to the City's Chief Administrative Officer and Mayor

If the grievance remains unresolved and the Union determines a valid grievance exists pursuant to Step 2, the Union shall have fifteen (15) calendar days after the Union's decision in Step 2, for an appeal of the Chief of Police's decision to the CAO and/or Mayor. The CAO and/or Mayor shall issue a written decision on the grievance within fifteen (15) calendar days.

Step 4. Appeal to the Grievance Committee

- a. The Union and Employer shall utilize a Grievance Committee as provided herein for Appeals of decisions rendered pursuant to Step 3. The Grievance Committee shall constitute three members. The Members must include a duly appointed and serving member of the City's Police Commission, a Union Member, and an Employer representative. The Grievance Committee for each grievance shall be formed and selected by random name draw. The Union and Employer shall provide each other the names of at least three representatives who are willing to serve on the Grievance Committee by January 1 of each year. The Grievance Committee shall include only those members who have not had any active participation in the current grievance before the Grievance Committee.
- b. The Union President and City's Chief Administrative Officer shall meet and form the Grievance Committee by random draw five working days after Step 4 is initiated. The Grievance Committee shall convene within ten (10) days and shall conduct a hearing where the Union and Employer may present their arguments and any documentary evidence as part of the record. The Grievance Committee shall render a decision within fifteen (15) days after the hearing. The Grievance Committee decision is final unless the Union or Employer elects to proceed to Step 5.

Step 5. Arbitration

- a. The Union and the Employer agree to submit to arbitration any grievance which has not been resolved through the above-enumerated grievance steps and procedures, provided it is submitted within ten (10) calendar days following the decision of the Grievance Committee. The Union or

the Employer shall notify the other party in writing that the matter is to be submitted for Arbitration.

- b. The arbitrator shall be selected by mutual agreement. If a selection is not possible, the Union and Employer shall jointly request a list of five (5) names from the Montana Board of Personnel Appeals. The parties shall, within ten (10) business days of the receipt of the list, select the arbitrator by the method of alternately striking names with the parties flipping a coin to determine who strikes the first name. The final name left on the list shall be the selected arbitrator. The arbitrator selected will be contacted immediately and asked to start proceedings at the earliest possible date.
- c. If requested by a party or ordered by the arbitrator, a hearing shall be scheduled by the arbitrator in consultation with the Employer and the Union. The arbitrator shall issue a decision within 30 calendar day after the conclusion of the proceedings, including filing of briefs, if any. The arbitrator's decision shall be final and binding on both parties, but the arbitrator shall have no authority to extend, alter or modify this Agreement or its terms, nor imply any restriction or burden against either party that has not been assumed in the Agreement.
- d. It is mutually agreed that representatives of the Employer and the Union are the only proper parties to the arbitration proceedings, and the proceedings shall not be open to the public unless required to be an open meeting pursuant to law.
- e. The Employer and the Union shall each bear their own fees and expenses incurred through the arbitration, and the two parties shall share equally the cost of the arbitrator.
- f. The time limits, as specified, may be extended by mutual written consent of the parties.
- g. The Union agrees, in consideration to the arbitration process outlined herein and in accordance with §39-31-501 MCA, that upon consummation and during the term of this Agreement, no police officer shall strike or recognize a picket line of any labor organization while in the performance of his/her official duties.

ARTICLE XIX – SAVINGS CLAUSE

Should any article, section, or portion thereof, of this Agreement be held unlawful or invalid by any court or board of competent jurisdiction, such decision shall apply only to the specific article, section, or portion thereof, directly specified in the decision. Upon issuance of such a decision, the parties agree to immediately negotiate a substitute for the invalidated article, section, or portion thereof. Any city ordinance passed subsequent to the adoption of this Agreement that would contravene the terms of this Agreement shall not apply during the life of this Agreement.

**ARTICLE XX – TERMS, AMENDMENTS, AND MODIFICATIONS OF THE
AGREEMENT**

Section 1. The provisions of this Agreement shall be effective July 1, 2021 and will remain in full force and effect until June 30, 2024. This Agreement shall automatically renew from year to year thereafter unless either party gives written notice to the other, not later than sixty (60) days prior to its termination date, that it desires to make changes. In the event changes are desired, the parties shall seek forthwith to arrange a meeting for the purpose of negotiating changes and shall remain in full force and effect until negotiations are concluded.

Negotiations shall begin no later than thirty (30) days prior to the anniversary date of this Agreement.

Section 2. Neither party to the Agreement shall make unilateral changes in the terms of the basic Agreement, pending the settlement of the outstanding differences through mutually agreeable procedures.

In Witness Whereby: The parties, acting by and through their respective and duly authorized officers and representatives, have set their hands and seals on this ____ day of _____, 2021.

For the City of Laurel:

For the American Federation of State, County
and Municipal Employees, AFL- CIO

Mayor	President, Local #303
City Clerk-Treasurer	Local #303 Negotiation Committee
Chief Administrative Officer	Local #303 Negotiation Committee
City Negotiation Committee	Local #303 Negotiation Committee
City Negotiation Committee	Local #303 Negotiation Committee
City Negotiation Committee	Field Representative Montana Council #9, AFSCME, AFL-CIO

CLASSIFICATION APPEAL

A classification appeal system shall be developed for the purpose of permitting employees covered by this Agreement, within the same classification to appeal for an upgrade of the entire classification due to additional work duties, responsibilities, or changing work conditions within that classification.

A committee shall be established comprising three members of the City Council, three bargaining unit members, and the City Clerk-Treasurer. This committee will meet to discuss such an appeal no later than thirty (30) days after such appeal is filed with the Mayor.

The committee shall hear testimony, examine documents and other pertinent materials and make their decision and recommendation to the City Council within forty-five (45) days of the Mayor's receipt of the appeal.

The City Council's decision shall be reported to the Committee at the next regular Council meeting.

All documentation, recommendations, and decisions shall be in writing.

ADDENDUM "A"
CLASSIFICATION

GRADE	CLASSIFICATION
1	
2	Animal Control/Parking Attendant (Vacant – Grade and salary to be negotiated when filled through future negotiation)
3	Communications Officer I
4	Communications Officer II
5	Communications Officer III
6	Police Officer, Patrolman
7	Police Officer, Senior Patrolman
8	Police Officer, Master Patrolman
9	

ADDENDUM “B” WAGES

1. Effective July 1, 20~~21~~ each bargaining unit employee shall receive a two percent (2%) increase to their current base rate: police officers - 2%, dispatchers - 2%
2. Effective July 1, 20~~22~~ each bargaining unit employee shall receive a two percent (2%) increase to their current base rate: police officers - 2%, dispatchers - 2%
3. Effective July 1, 20~~23~~ each bargaining unit employee shall receive a ~~three~~ percent (~~3~~%) increase to their current base rate: police officers - ~~3~~%, dispatchers - ~~3~~%
4. This contract will remain in effect until June 30, 20~~24~~ at which time it will be renegotiated under the terms of this Agreement
5. The Employer shall compensate a newly hired employee one-dollar (\$1.00) per hour below that of the base rate for his/her classification grade for the first twelve (12) months of employment. After employee's successful completion of his/her twelve (12) month probation period, the Employer shall compensate employee in accordance with the position's pay schedule.

6. Employees will receive differential pay of seventy-five cents (\$.75) per hour for the afternoon shift and one dollar (\$1.00) per hour for the night shift in addition to any other compensation.

Afternoon shift shall be hours between 3 p.m. and 11 p.m. Night shift shall be hours between 11 p.m. and 7 a.m.

7. When an employee is temporarily assigned to a higher grade, the employee shall receive the wage rate of the step of the higher grade corresponding to his/her current step for each hour worked in the higher grade, provided however, that if such employee works four (4) hours or more in the higher grade in the same shift. The employee shall receive the higher rate of pay for the full shift.

ADDENDUM "B" (continued)

Grade	Position	7/01/ 21 18	7/01/ 22 19	7/01/ 23 30
		To	To	To
		6/30/ 22 19	6/30/ 23 30	6/30/ 24 44
1				
2	Animal Control/Parking Attendant (Vacant – Grade and salary to be negotiated when filled through future negotiations)			
3	Communications Officer I	\$21.80 20.54 /hr	\$22.24 20.95 /hr	\$22.91 21.37 /hr
4	Communications Officer II	\$22.88 21.56 /hr	\$23.34 21.99 /hr	\$24.04 22.43 /hr
5	Communications Officer III	\$24.18 22.79 /hr	\$24.66 23.24 /hr	\$25.40 23.74 /hr
6	Police Officer, Patrolman	\$24.59 23.17 /hr	\$25.08 23.64 /hr	\$25.83 24.14 /hr
7	Police Officer, Senior Patrolman	\$25.67 24.49 /hr	\$26.18 24.68 /hr	\$26.97 25.17 /hr
8	Police Officer, Master Patrolman	\$27.30 25.72 /hr	\$27.85 26.24 /hr	\$28.69 26.76 /hr
9				

A. Senior Patrolman is \$1.00 per hour over Patrolman's base wage. Master Patrolman is \$2.50 per hour over Patrolman's base wage.

B. Communication Officer II is \$1.00 per hour over Communication Officer I base wage. Communication Officer III is \$2.20 per hour over Communication Officers I base wage.

ADDENDUM "C"
LONGEVITY

1. Longevity Defined: Longevity means an employee's length of continuous loyal and faithful service with the Employer, irrespective of classification and/or assignment.

The number of years of longevity shall be computed from the date the employee started continuous employment with the City of Laurel. This date shall be called "date of hire". Longevity raises shall be computed from the first day of the monthly pay period following the employee's date of hire. In the event an employee has a break in service greater than 90 calendar days, and returns to employment with the City of Laurel, said employee will be given a new "date of hire" for longevity purposes.

Longevity pay will be computed as follows:

\$7.75 per month for each year of service.

ADDENDUM “D” DISCIPLINARY ACTIONS
Maximum Penalties Noted for 1st, 2nd & 3rd Offense

		1 st	2 nd	3 rd
2.1	Bringing or using unauthorized alcohol or illegal drugs on City property or work place during working hours	Dismissal		
2.2	Reporting to work intoxicated from alcohol or other drugs	Referral for diagnosis and treatment	Suspension or Dismissal	
2.3	False statement on application	Dismissal		
2.4	Stealing from fellow employees or the City	Dismissal		
2.5	Refusal to do work assigned	Dismissal		
2.6	Punching another employee's time card	Dismissal		
2.7	Intentionally reporting incorrect production or falsifying records	Dismissal		
2.8	Abusive or threatening language to any supervisor or to any employee	Written reprimand	3-day suspension	Dismissal
2.9	Willful destruction or defacing City property	Dismissal		
2.10	Fighting on City property	3-day suspension	Dismissal	
2.11	Failure to report to your supervisor any accident you have while at work within current working shift	Written reprimand	3-day suspension	Dismissal
2.12	Horseplay	Written reprimand	3-day suspension	Dismissal
2.13	Unauthorized use of equipment or property	Written reprimand	3-day suspension	Dismissal
2.14	Leaving the work assignment during working hours without permission	Written reprimand	3-day suspension	Dismissal
2.15	Disregarding starting and quitting time for shifts and rest periods	Written reprimand	3-day suspension	Dismissal
2.16	Unexcused absence or persistent absenteeism	Written reprimand	3-day suspension	Dismissal
2.17	Abuse of sick leave policy	Written reprimand	3-day suspension	Dismissal
2.18	Absent for 3 days without notice	Dismissal		
2.19	Substandard quality of work	Written reprimand	3-day suspension	Dismissal
2.20	Disobeying safety regulations	Written reprimand	3-day suspension	Dismissal
2.21	Failing to notify your supervisor that you will be absent from work that day	Written reprimand	3-day suspension	Dismissal
2.22	Sleeping on duty	Written reprimand	Dismissal	
2.23	Failure to drive City vehicles in a safe manner	Written reprimand	3-day suspension	Dismissal
2.24	Discourteous or degrading service to citizens of the City	Written reprimand	3-day suspension	Dismissal
2.25	Insubordination	Dismissal		
2.26	Unauthorized distribution of written printed material of any description	Written reprimand	3-day suspension	Dismissal
2.27	Unauthorized solicitation or sales on premises	Written reprimand	3-day suspension	Dismissal
2.28	Willful violation of written rules, regulations policies or directives	Written reprimand	3-day suspension	Dismissal
2.29	Conviction of a felony	Dismissal		

2.30	Receiving 3 reprimand letters in 9 months	Dismissal		
2.31	Receiving 3 suspensions within 9 months	Dismissal		
2.32	Willful violation of any federal, state or local laws, excluding traffic	Dismissal		
2.33	Any employee required to have a valid driver's license or CDL – conviction of DUI and failure to obtain a work permit	Dismissal		
2.34	Any employee required to have a valid driver's license or CDL and they fail to maintain insurability	Dismissal		
2.35	Failure to follow 49CFR Part 382 of Omnibus Transportation Employee Testing Act of 1991 and the DOT policies for CDL drivers	See specific Act for discipline required		
2.36	Sexual harassment or other unwelcome behavior of another employee or other person	Suspension or dismissal	Dismissal	
2.37	Unauthorized possession of firearms on City property	Dismissal		
2.38	Failure to report off-duty misconduct. All Employees shall report off-duty conduct that results in charges being filed against him/her. At a minimum, an Employee must report the name of the Agency involved, the date of the incident, and the reason the Agency responded. An Employee is deemed to have failed to report and violated this section if he/she fails to report the incident to his/her supervisor within two working days after he/she returns to work.	Dismissal		

1. Employees are encouraged to report off-duty conduct that results in official contact or interaction with a law enforcement agency.
2. Employees, after completing their initial twelve (12) month probationary period, shall not be discharged except for just cause.
3. In all cases of suspension or discharge, the employee must be presented with a dated written statement outlining the reason for such action.
4. As noted, the preceding are maximum penalties, and circumstances will be considered in actual determination of penalties.

The foregoing enumeration of rules covering discipline and dismissal is primarily presented here by way of illustration and shall not exclude the Employer's right to discipline or dismiss employees for other just causes.

ADDENDUM “E”
POLICE OFFICER STEP SYSTEM
COMMUNICATIONS OFFICER STEP SYSTEM

For purposes of pay, Laurel Police Officers and Laurel Communications Officers must possess the below listed education and experience in order to receive pay in accordance with the STEP System. All STEP requirements shall be in accordance with the Montana Law Enforcement Academy (MLEA) certification standards.

Implementation of the MLEA standards

Officers and Communications Officers shall not be reduced in STEP if they do not currently possess the necessary requirements for their current STEP. Officers and Communications Officers shall remain in their current STEP until such a time they obtain the necessary requirements for advancement.

Patrol Officer: A Patrol Officer must possess a Basic MLEA Certificate.

Senior Patrol Officer: A Senior Patrol Officer must possess a MLEA Intermediate Certificate.

Master Patrol Officer: A Master Patrol Officer must possess a MLEA Advanced Certificate.

Communications Officer I: Must possess a MLEA Basic Certificate

Communications Officer II: Must possess a MLEA Intermediate Certificate

Communications Officer III: Must possess a MLEA Advanced Certificate

Employer agrees to reasonably provide educational opportunities for its police officers and communications officers to obtain the educational hours necessary to help them achieve the requisite educational hours for Senior Patrol and Master Patrol Officers, and Communications Officer II and Communications Officer III

ADDENDUM "F"
POLICE/DISPATCH RETENTION SYSTEM

Years of Service = \$.05/hour Increase beginning 2nd year of employment
\$.10/hour increase beginning year 11-15 and then returns to \$.05/hour.

Years	Increase/Hour	Yearly Increase
1	\$.00	\$.00
2	\$.05	\$ 104.00
3	\$.10	\$ 208.00
4	\$.15	\$ 312.00
5	\$.20	\$ 416.00
6	\$.25	\$ 520.00
7	\$.30	\$ 624.00
8	\$.35	\$ 728.00
9	\$.40	\$ 832.00
10	\$.45	\$ 936.00
11	\$.55	\$1,144.00
12	\$.65	\$1,352.00
13	\$.75	\$1,560.00
14	\$.85	\$1,768.00
15	\$.95	\$1,976.00
16	\$ 1.00	\$2,080.00
17	\$ 1.05	\$2,184.00
18	\$ 1.10	\$2,288.00
19	\$ 1.15	\$2,392.00
20	\$ 1.20	\$2,496.00
21	\$ 1.25	\$2,600.00
22	\$ 1.30	\$2,704.00
23	\$ 1.35	\$2,808.00
24	\$ 1.40	\$2,912.00
25	\$ 1.45	\$3,016.00

Amounts will not compound. This is for all 303 Members. This amount is based on work year of 2080 hours/year. Yearly amount will depend on regular hours worked. This no cap on years of service.

Council handout

- 1) 3-year contract to run July 1 2021 to June 30 2024.
- 2) Detectives pay – removed language “for city cases” from contract – any member assigned to the Detective position will now receive the \$1.00 per hour as incentive pay. “b. Detectives – Union members who are assigned to the detective division ~~for city cases~~ will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities.”
- 3) Sergeants pay - c. Sergeant – Union members who are assigned to the Sergeant position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities.
- 4) Canine pay – d. Canine Officer – Union members who are assigned to the Canine position will receive a three hundred and fifty dollar (\$350) monthly stipend as incentive pay for the additional responsibilities associated with having a dog.
- 5) TAC/Assistant TAC - e. Terminal Agency Coordinator (TAC) – Union members who are assigned to the Assistant TAC position will receive an additional one dollar (\$1.00) per hour as incentive pay for these additional responsibilities. The Union member who is assigned to the TAC position will receive an additional one dollar and fifty cents (\$1.50) per hour as incentive pay for these additional responsibilities. (For fiscal year 21/22 Assistant TAC will receive incentive pay of fifty (.50) cents per hour and TAC will receive seventy-five (.75) cents per hour and for Fiscal year 22/23 Assistant TAC will receive an additional fifty (.50) cents per hour and TAC will receive an additional seventy-five (.75) cents per hour, in addition to the overall percentage wage increase.)
- 6) Bereavement leave – language shored up to reflect - Upon the death of a member of the employee’s immediate family, an employee may be granted up to three (3) working days off with pay ~~for the employee’s work period, not to exceed 24 hours for each death.~~
- 7) Shift Bid language - b. ~~Police officers and Dispatchers~~ shall bid for shifts three times each year and shall begin on the first Monday ~~of a new pay week~~ in the months of January, June and September. Police Officers shall bid shifts three times each year and shall begin on the first Monday of a new pay week in the month of January. Shift bids for the months of May/June and August/September shall be on the first Monday of a new pay week to coincide with the beginning and ending of the school year (Shift bids will coincide with the vacation request. Each employee will have five (5) calendar days

to complete their request at which time it will proceed to the next employee in order of seniority

Language was also added to reflect possibility of part time personnel in the parking/animal control –

g. The work period for part-time personnel shall be assigned as needed by the Employer's Chief of Police or designee.

8) Gym Membership - Section 8. Gym Membership: ~~The City agrees to pay the annual gym membership, up to \$300.00 per year per employee, who elect to participate in the Gym Membership program offered through the City's insurance plan. If the City's insurance plan no longer offers provisions for gym membership, the City agrees to reimburse the employee up to \$300.00 per year for gym membership. Reimbursement will only be made after the employee provides the City a gym membership receipt.~~ The City agrees to pay the annual gym or fitness center membership for each employee at the Locomotion Fitness Center to encourage employee health and wellness. If an employee elects to utilize a different fitness facility, the City agrees to reimburse the employee up to \$300.00 per year for his/her membership. Reimbursement will only be made after the employee provides the City a gym membership receipt showing he/she has in fact paid for the membership.

9) WAGES – 3-year contract increases are year 1 and 2 - 2% and year 3 - 3%

2% to base Year 21/22

2% to base Year 22/23

3% to base Year 23/24

File Attachments for Item:

28. Resolution No. R21-24: A Resolution Of The City Council Authorizing The Mayor To Request A Traffic Study For A Portion Of West Main Street Within The City Of Laurel.

RESOLUTION NO. R21 -24

**A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO
REQUEST A TRAFFIC STUDY FOR A PORTION OF WEST MAIN STREET
WITHIN THE CITY OF LAUREL.**

WHEREAS, City Staff has recommended the Mayor and City Council consider requesting a traffic study on West Main Street, from the intersection of 4th Avenue to the 900 Block of West Main Street to determine if a lower speed limit is appropriate as well as installing a four way stop at West Main Street and 5th Avenue due to high traffic volume at the intersection; and

WHEREAS, the Mayor met with Staff and determined that a traffic study is appropriate and necessary due to the City's growth and increased traffic in the areas identified by Staff; and

WHEREAS, based on the recommendations of the City Staff and Mayor, the City Council has determined requesting a traffic study for the area identified herein is in the City's best interest at this time.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the Mayor is hereby requested and authorized to submit a written request to the Montana Department of Transportation ("MDOT") on the City's behalf, requesting a traffic study that is consistent with the recommendations from City Staff which are attached hereto and incorporated herein.

Introduced at a regular meeting of the City Council on April 13, 2021 by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana this 13th day of April 2021.

APPROVED BY THE MAYOR this 13th day of April 2021.

CITY OF LAUREL

Thomas C Nelson, Mayor

ATTEST:

Bethany Langve, Clerk/Treasurer

APPROVED AS TO FORM:

Sam S. Painter, Civil City Attorney

CITY HALL
115 W. 1ST ST.
PLANNING: 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 City Planner

January 13, 2021

Regarding the Need for a Traffic/Speed Study at the Intersection of West Main Street and 5th Avenue.

Mr. Mayor and City Council,

I would like to have City Council discuss approving the submittal of a letter to MDT to study the intersection of West Main Street and 5th Avenue. Chief Langve contacted me in the fall to discuss the need for a traffic and/or speed study at the intersection of West Main Street and 5th Avenue. Increased development on the western edge of Laurel and the recent opening of the West Laurel Interchange will bring increased traffic volume into the city. He would like to see some sort of traffic/speed mitigation to handle the steady increase in traffic in that area.

Chief Langve and I would like to see this intersection studied by MDT. MDT can conduct a traffic/speed study of the situation after receiving a letter from the City Council officially stating the request. I would be happy to draft the text of a letter to provide to MDT on behalf of the City Council. I have also provided Chief Langve's letter on the situation. Please let me know if you have any questions about this request. Thank you for your time.

Regards,

Nicholas Altonaga, CFM

Planning Director



LAUREL POLICE DEPARTMENT

215 West 1st Street, Laurel, MT 59044 Phone: 406-628-8737 Fax: 406-628-4641

Chief of Police Stanley J Langve

September 30, 2020

To whom it may concern,

I am writing regarding traffic concerns on West Main Street in Laurel, MT. Currently the speed limit increases from 25 MPH to 35 MPH as you are west bound on West Main Street near the intersection with 4th Avenue. It then increases to 45 MPH around the 900 Block of West Main Street.

I am a lifelong resident of Laurel and this has been the speed limit configuration for as long as I can recall. Both as a resident and a Police Officer, I have noticed many changes in Laurel over the decades. The City of Laurel is growing as is the area surrounding Laurel. This has meant an increase in businesses, population density, and vehicle traffic. I have long believed that the 35 MPH speed limit from 4th Avenue to the 900 block of West Main Street was too fast and should be reduced to 25 MPH out to the west of Wood's Powr -Grip. With the recent improvements of the West Laurel interchange there will be significant increases to vehicle traffic and development to the west side of Laurel. In my opinion, this is a change that is decades overdue.

I also support a study to determine the feasibility of making the intersection of West Main Street and 5th Avenue a 4-way stop. There is significant traffic that uses the 5th Avenue crossing due too refinery traffic and the Laurel South School. With West Main being a through street, it creates a significant hazard with vehicles and school busses attempting to navigate the increased traffic flow aggravated by the 35 MPH speed zone. A 4-way stop would help traffic getting onto and leaving south 5th Avenue. It would also greatly increase the safety of bicyclists and pedestrians attempting to cross West Main Street.

These two easily implemented and inexpensive measures could be put into place quickly and greatly increase the safety of our motoring, bicycling, and pedestrian public.

Respectfully,

Chief Stanley J. Langve

File Attachments for Item:

29. Resolution No. R21-25: 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.

RESOLUTION NO. R21-25

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.

WHEREAS, the property located on East Railroad Street (as further described herein) is currently zoned Highway Commercial and is within the Community Entryway District and SE 4th Street Overlay District pursuant to 17.26 and 17.27 of the Laurel Municipal Code ("LMC"); and

WHEREAS, such zoning provides that all buildings must be completed on all sides, roofs shall be finished with material that is architecturally compatible in color and design with the construction of the building, must conform to specific façade requirements, include sight-obscuring fencing, and bufferyards that meet specific requirements of the City; and

WHEREAS, on January 28, 2021, the property owner, by and through its agent, prepared and filed a Variance Request Application seeking a variance from the zoning requirements for the property at issue as provided in his application which is part of the record in this proceeding; and

WHEREAS, the Laurel City-County Planning Board acting as the City's Zoning Commission held a public hearing on the variance request on March 17, 2021 at 5:35 pm. The Zoning Commission received public comments generally supporting the requested variance and no opposition specific to the requested variances; and

WHEREAS, the Zoning Commission's record and decision is contained in the City-County Planning Board meeting minutes which are incorporated as part of this resolution as well as all documents submitted into the record; and

WHEREAS, the Zoning Commission considered all of the documentary evidence in the record along with the testimony presented at the public hearing, and recommends the approval of the requested variances, subject to the conditions recommended by Staff as follows:

1. The proposed fencing shall be black six (6) foot high chain link fencing, securely affixed and/or anchored.
2. The proposed fencing shall not become an eye sore by way of a lack of regular 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. The lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.
5. The development shall comply with the requirements of the Laurel Sign Code.

WHEREAS, the City Council held a public hearing concerning this matter on April 13, 2021.

WHEREAS, based on the evidence contained in the record, including the Zoning Commission's File, the City Council of the City of Laurel hereby finds it is in the best interests of the residents of the City of Laurel to allow the variances since:

1. granting the variance in this case relates only to a special condition that is specific to the applicant;
2. the current hardship was not created by the applicant;
3. the variance requested appears to be within the spirit, intent and purpose of the zoning regulations; and
4. granting the variance will not injure or result in an injustice to others.

NOW THEREFORE, BE IT RESOLVED that the owner's request for a variance is hereby approved for the property located at East Railroad Street further described as follows:

ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1
LT 1 (17) , Yellowstone County, Montana

BE IT FURTHER RESOLVED, pursuant to the variance, the Property Owner may disregard the buffereyard requirement, sight-obscuring fence requirement, and building design standards for the property described herein; and

BE IT RESOLVED, that the variance is approved subject to the following conditions:

1. The proposed fencing shall be black six (6) foot high chain link fencing, securely affixed and/or anchored.
2. The proposed fencing shall not become an eye sore by way of a lack of regular 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. The lot and landscaping must be kept free of weeds as per the City of Laurel Weed Management Plan.
5. The development shall comply with the requirements of the Laurel Sign Code.

Introduced at a regular meeting of the City Council on April 13, 2021 by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana this 13th day of April 2021.

APPROVED BY THE MAYOR this 13th day of April, 2021.

CITY OF LAUREL

Thomas C Nelson, Mayor

ATTEST:

Bethany Langve, Clerk/Treasurer

APPROVED AS TO FORM:

Sam S. Painter, Civil City Attorney



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 17, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at 5:45pm

John Klasna
Roger
Evan Bruce
Dan Koch
Judy Goldsby
Nick Altonaga (City of Laurel)
Gavin Williams (arrived at 5:45pm)

General Items

2. Meeting Minutes: February 17, 2021

The Chair presented the minutes from the meeting on February 17, 2021.

Dan Motioned to accept the minutes from February 17, 2021 meeting.
Jon Seconded.
Motion Carried.

New Business

3. Public Hearing: EBY Trailers Variance (E. Railroad St.)

The Planning Director presented the details of the staff report.

Judy questioned where the exact location of the development was. The Planning Director explained that it was located towards the end of E. Railroad street, adjacent to other recent developments.

The Chair Called for Proponents

Chuck Henricks, EEC Engineering
720 Well West Lane, Billings, MT

The civil engineer representing the client on this application as well as previous similar applications. These are similar to the previous variances applied for. The only difference is that this project is within the SE 4th Street Overlay District and provides alternatives to that strict standard.

Rustic Modern versus traditional log and stone façade.

- The Variance for the fastener panels will only be on the east side of the building.

- Roof is architectural concealed fastener panelling, along with the rear portion.
- Bufferyard variance is self-explanatory – Sewer main line exists within the landscape bufferyard area.
- Landscaping islands – Only looking for this for the 8 employee parking spots.
- Have about 6-7x the required parking spots.

Roger: Roof type?

24 gauge

Standing seam, trapezoidal, 3inch tall.

The Chair Called for Proponents

The Chair Called for Proponents

The Chair Called for Opponents

The Chair Called for Opponents

The Chair Called for Opponents

There being none, the chair moved on to Planning Board discussion.

Jon had questions about the number of bays for trailers.

2 exterior, and additional bays inside.

Dan asked about Fire protection.

We are under the square foot requirements for fire suppression systems.

Dan called the question.

The Chair summarized the situation.

Board members discussed additional possible conditions of approval. The Planning Director will update the staff report to suit the situation.

- All applicable building and other permits shall be applied for
- The development shall comply with the sign code.

Gavin Motioned to approve the Variance for EBY Trailers with the staff conditions of approval presented in the Staff Report.

Evan Seconded.

Motion Carried.

4. Public Hearing: 801 E. Main Street Zone Change

Nick presented the findings of the staff report.

The Chair called for Proponents.

Shannon Otis. 3670 Spaulding Ave, Billings, MT

- Owner of the company that owns 801 E. Main St.
- The current parking requirements limit the amount of development on the lot.

- Plan to fix the laydown on the lot in order to fix the landscaping.
- Proposing new curbing along the property.
- The current zoning limits the development due to parking. This zone change focuses on the current rehabilitation.

Roger- Entrances to the rentals? What side will they be on?

The East. Can enter from Main Street and the rear street. Hope to close up the accesses.

Dan: The property line between the car wash and the current building should be considered. That neighboring Convenience store and Car wash – Is there an agreement for shared access?

The alleyway is on the 801 E Main Property, but the owner and the neighboring owner want to keep shared access.

The Chair Called for Proponents

Dan Foos – Owner of neighboring Car Wash and Gas Station. Questions on lots. Sidewalks

- Sidewalks will be on the western edge of the property.
- Stormwater drainage is a concern.
- Can they build across

Shannon – We don't have the current plans to build on the north side.

Parking situation?

Currently will have them behind the building,

Will utilize on-street parking on Alder

Dan Foos –

- Concerned about E. 4th Street access. No problem with on-street parking on Alder. But want to ensure access to the rear of his properties to the East.
- Pins for the driveway – They are at the centerline of the driveway. Need to be sure to

Dan: What will the parking area be composed of?

Shannon: Right now, we are planning to clean it up and put gravel down. And keep the gravel out of the street through curbing.

Dan: Greenery?

Boulevard areas will have greenery.

There are water pooling issues on-site currently.

Need to decide how the water will be channeled.

Roger: Catch basins on the property? Aren't there two on the corners of the property?

The Chair Called for Opponents

Kurt Bradley, Lives across the street. Not necessarily an opponent but wanted to provide comment.

- Dan Foos and his wife have been very good neighbors with maintenance.
- Currently down-wind from this development. Garbage dumping brings an aroma.
- The City tried to put garbage cans in the street and it did not work well.

- Placed the garbage cans on Alder. This caused stray trash to blow into his yard. We HAVE to deal with garbage pick-ups and routes. Street strength? Garbage corrals/enclosures? Have concerns about the situation due to not wanting to pick up stray trash in the front yard. What might help is to ensure that all garbage is bagged.
- Garbage collection currently – Foos property has one can on the block but many adjacent property owners drop their trash in it. Have moved the can down to Alder Avenue due to the bad road conditions. This works better for the garbage route. The cans can fill up very fast.

The Chair Called for Opponents
The Chair Called for Opponents

The board moved on to voting.
Dan called for the question.

Jon Motioned to approve the Zone Change for 801 E. Main Street with the conditions presented in the staff report.
Roger Seconded.
Motion Carried.

5. Sign Review: Jimmy John's, SE 4th Street

Nick presented the Sign permit for Jimmy Johns at the new retail location on SE 4th Street.

What side will the Drive-Thru be on?
East Side.

Gavin Motioned to approve the sign permit for new Jimmy John's location.
Jon Seconded.
Motion Carried.

Old Business

Other Items

6. Ongoing Projects

Casa Linda Subdivision
Cherry Hills Subdivision
Golf Course Annexation and Subdivision
Goldberg Sporting Estates
Dyer PUD In-office.
West Laurel Interchange Planning
BSTF Planning Grant
Downtown Parking Study
Downtown Landscaping and Lighting
Zoning Code Update

Announcements

7. Adjourn

8. Next Meeting: April 21, 2021

Meeting Adjourned at 6:56pm.

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.

DATES TO REMEMBER



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board
FROM: Nicholas Altonaga, Planning Director
RE: EBY Trailers – East Railroad Street Variance Request
DATE: March 24, 2021

DESCRIPTION OF REQUEST

A Variance Request Application was submitted by EEC Engineering for the property owner of ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17), located on East Railroad Street in Laurel. Five (5) variances are being applied for to LMC Chapter 17.26 – Community Entryway Zoning District and Chapter 17.27 – SE 4th Street Overlay District. The affected property is currently not assigned an 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. The applicant is requesting four variances to LMC 17.26 – Community Entryway Zoning District including:

- a. 17.26.052 Development Standards Part B: Building Design Standards, Part 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.
- d. 17.27.060 Building Design Requirements Part A
- e. 17.27.070 Site Design Requirements Part C.

Owner: TNL Big Sky LLC
Legal Description: ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17)
Address: E. Railroad St.
Parcel Size: 3.2 Acres
Existing Land Use: Vacant Field
Proposed Variance: Design standards and landscaping standards within the Community Entryway Zoning District and SE 4th Street Overlay District.
Existing Zoning: Highway Commercial, Community Entryway Zoning District, SE 4th Street Overlay District

BACKGROUND AND PROCEDURAL HISTORY

- A pre-application meeting was held in December 2021 with the Planning Director, Building Official, and Public Works Director with staff from EEC Engineering, the representatives of the owner/developer.
- The Variance Application was submitted on January 29, 2021.
- The Variance Application fee was submitted on January 29, 2021.
- A Public Hearing took place at the Planning Board / Zoning Commission meeting on March 17, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.
- The Planning Board voted to approve the Variances with the updated Staff Conditions.
- A Public Hearing is scheduled at the City Council meeting on April 13, 2021 to receive public comment and approve, approve with conditions, or deny the variance requests.

STAFF FINDINGS

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. 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.
3. LMC 17.26.052 Part C. Additional Provisions for Commercial Uses 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.
2. LMC 17.26.054 Part B. Landscaping Standards states:
 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
4. 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.
5. LMC 17.27.070 – Site Design Requirements, Section C, which states:
 - a. Landscape islands are required at the terminal ends of all parking rows.
6. The applicant and staff discussed 17.26.052.B.1 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.
7. 17.26.052.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 black 6' chain link fence in order to secure the site, as well as ensure full visibility of products for the travelling public.
8. In regard to 17.26.054.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.
9. The Applicant is proposing architectural wood panels with concealed fasteners and exposed Douglas Fir Heavy Timbers as an alternative to the direct log accent requirement as stated in 17.27.060.A. It is stated that this meets the spirit, intent, and purpose of the code, and it would not affect or injure or result in injustice to others.
10. The Applicant is seeking a variance to 17.27.070.C. solely for the parking rows designated for employees. This is a targeted variance solely on areas not accessible to the public, and not visible to the general public accessing the site. This variance has been applied to in order to not limit the potential for frequent maintenance issues and allow flexibility on-site for removing and/or relocating display trailers and equipment from the showroom and storage yard.
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.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

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
- A. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.

RECOMMENDATIONS

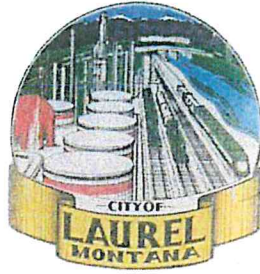
The Planning Director and Planning Board / Zoning Commission recommend the approval of the variances with the following conditions of approval:

- 1. The proposed fencing shall be black six (6) foot high chain link fencing shall be securely affixed and/or anchored.
- 2. The proposed fencing shall not become an eye sore by way of a 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.
- 5. The development shall comply with the requirements of the Laurel Sign Code.

ATTACHMENTS

- 1. Variance Application Form
- 2. Variance Justification Letter
- 3. Overhead Map with 300ft buffer
- 4. Site Elevations, Design, and Concept Images
- 5. List of Adjacent Property Owners within 300ft.
- 6. LMC 17.60 – Zoning Commission

7. LMC 17.26 – Community Entryway Zoning District
8. LMC 17.27 – SE 4th Street Overlay District



INSTRUCTIONS

CITY-COUNTY PLANNING VARIANCE REQUEST

These application instructions cover appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

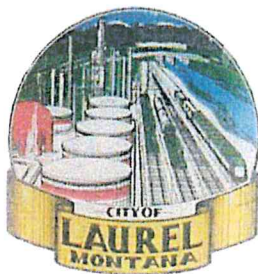
This application form is supplied by the City and must be returned to the City.

The following is a list of information required for submittal to be considered complete.

1. It is mandatory that you meet with the City Planner prior to applying. The City Planner will provide you with a map of the property owners within 300' that you must have certified by a title company.
2. Provide a plot plan drawn to scale on paper not larger than 11"x17" which includes all existing and proposed structures and proposed variance measurements.
3. A set of three mailing labels for each surrounding property owner within the 300 feet.
4. A detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.
5. Application, with fee (\$550 for residential; \$1,100 for commercial), must be made on or before the first day of the month prior to the month it will appear before the Laurel City-County Planning Board.

The public hearing before the City-County Planning Board is held on the 3rd Wednesday of the month at 5:35PM. in the City Council Chambers at 115 W. 1st Street, Laurel. **Applicant or Applicant Representative must be present at the meeting.**

The Laurel City-County Planning Board makes a recommendation to the City Council. The City Council will review the application at Council Workshop and then make a decision on the Council agenda.



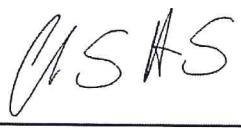
Laurel Variance Request Application

This application covers appeals from decisions of the Planning Department (and sometimes other officials) and for requests for variances concerning setbacks, structures, heights, lot coverage, etc.

The undersigned owner or agent of the owner of the following described property requests a variance to the Zoning Ordinances of the City of Laurel as outlined by the laws of the State of Montana.

1. Name of property owner: TNL Big Sky, LLC
2. Name of Applicant if different from above: Chuck Henrichs - EEC Inc.
3. Phone number of Applicant: 406.839.9151
4. Street address and general location: Entrainment Park Sub. Block 1, Lot 1B
E. Railroad St., Laurel, MT 59044
5. Legal description of the property: Entrainment Park Sub., S15, T02 S, R24 E, Block 1, Lot 1B,
AMD BLK1 LT1 (17)
6. Current Zoning: Highway Commercial (HC), Entryway Zoning Districts (EZD)
7. Provide a copy of covenants or deed restrictions on property.

I understand that the filing fee accompanying this application is not refundable, that it pays part of the cost of process, and that the fee does not constitute a payment for a variance. I also understand I or my agent must appear at the hearing of this request before the Planning Board and all of the information presented by me is true and correct to the best of my knowledge.

Signature of Applicant: 

Date of Submittal: 01/28/21

01/28/20

Laurel City-County Planning Board
115 W. First Street
Laurel, MT 59044

RE: City-County Planning Variance Request: Items #1-5

To whom it may concern,

Enclosed you will find completed, all the information required for our submittal to be considered for review and recommendation by the Laurel City-County Planning Board.

1. We met with the City Planner on 12/16/2020, to discuss this project/variance and provided a map of property owners within 300 feet of the property, see attached.
2. See attached 11x17 (Half-Scale) drawings, which includes all existing and proposed structures and proposed variance measurements. 9 sheets: C101, A.1, A.2, A.3, A.4, and four concept renderings (A.5-A.8).
3. See the provided set of three mailing labels for each surrounding property owner within the 300 feet.
4. With the following five proposed variance measures, we provide a detailed justification referring to the Laurel Municipal Code Chapter 17.60.020.

- A.** Reference Section 17.26.052 Development Standards – B. Building Design Standards which states *“All buildings shall be completed on all sides with one of the following finishing materials: ...architectural concealed fastener metal panels.”*

The material under review for this variance request is an exposed fastener vertical metal panel siding, see attached Exterior Elevations and Material Board sheets (A.2-A.4) for full scope. We are proposing the architectural concealed fastener metal panels around the public frontage/entrance section as detailed, which meet the requirements set for under the Building Design Standards. However, at the shop we are proposing an exposed fastener vertical metal panel siding that does not meet the “concealed fastener” standard, a situation very similar to the two neighboring facilities recently completed. The change in materials/texture allows the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance “would be within the spirit, intent, purpose and general plan of this title” and #6 the requested variance “would not affect adversely or injure or result in injustice to others.”

01/28/20

- B. Reference Section 17.26.054 Landscaping Standards – B. Landscaping Standards which states “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...*” Furthermore, it states “...*The number of trees and shrubs required per one hundred feet of frontage: (2) Twenty foot wide bufferyard: ten Canopy or evergreen trees, fifteen Shrubs...*”

The material under review for this variance request item is a proposed 20'-0" Bufferyard that meets the landscaping standard, however, does not provide the required 10 trees or fifteen shrubs per one hundred feet of frontage, see attached Site Plan sheet C101 for full scope. We have taken this direction after meeting with the City on a few recent projects, with the realization that there is an existing Sanitary Sewer line that runs directly under the bufferyard, the full extent of frontage on this property. It was clear that the City was not in favor of putting trees nor shrubs directly above this existing line, under any circumstance. We feel the same, it would be a design flaw and future maintenance issue. Please note, we do not intend to utilize this bufferyard area in any way for our stormwater detention. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the requested variance meets requirement #2 “Unless the grant relates to a condition or situation special and peculiar to the applicant,” the existing location of the Sanitary Sewer line running directly under the bufferyard creates that special situation/condition.

- C. Reference Section 17.26.052 Development Standards – B. Additional Provisions for Commercial Uses, which 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.*”

The material under review for this variance request item is leaving in place the existing barbwire fence running along the interstate and providing a new black 6' chain-link fencing, in replace of a site obstruction fence (see attached Site Plan sheet C101 for full scope). M.H. Eby is a leading provider of Trailers, Parts, and Service in Montana and offers a large selection of horse, livestock, flatbed, and bulk commodity trailers, along with truck bodies, associated parts, and more. It is key for the public to have full visibility to M.H. Eby's merchandise available for sale and their service facility. The intent of the proposal is that all sale merchandise for display along interstate I-90 will be outside an approved building and enclosed in the yard area appurtenant to the building. With the proposed existing fencing and new black 6' chain-link fencing, merchandise for sale would be secure and still have the visibility to the public that the sight obscuring fence would not allow. Additionally, the new black 6' chain-link fencing would keep within the aesthetic of the surrounding properties recently completed. Based on the Laurel Municipal Code Chapter 17.60.020, we believe the

01/28/20

requested variance meets requirement #2 "Unless the grant relates to a condition or situation special and peculiar to the applicant;" and requirement #3 "Unless the basis is something more than a mere financial loss to the owner." The 6' sight obscuring fence creates the inability to display merchandise for sale which is a special situation/condition to a trailer supply/service company and would easily create a basis for more than a mere financial loss.

- D. Reference Section 17.27.060 - Building Design Requirements, Section A which states *"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."*

The material under review for this variance request is the requirement to finish the front façade with a minimum 40 percent half log and/or rock accents, see attached Exterior Elevations and Material Board sheets (A.2-A.4) for full scope. We are proposing a horizontal architectural concealed fastener metal panel around the top of public frontage/entrance section, with a change in color/panel direction at the more pedestrian level as detailed. Specifically, around the main public entrance, great care was taken in further emphasizing the rustic western aesthetic by utilizing architectural wood panels with concealed fasteners and exposed Douglas Fir Heavy Timbers. We believe this approach would meet the requirements set forth under the Building Design Requirements and achieves its intent by providing a rustic western appearance without the need to add rock accents on the front façade. Our design strategy with this facility is to keep with this rustic western aesthetic throughout the facade, while utilizing the change in color/texture to allow the design to create a sense of hierarchy that helps to define the entrance with more detail and direct visitors. This design approach does in our view meet the spirit or intent of the standard set forth. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

- E. Reference Section 17.27.070 – Site Design Requirements, Section C which states *"Landscape islands are required at the terminal ends of all parking rows."*

The material under review for this variance request item is the proposed concrete surfaced employee parking stalls on the North and South side of the building and not providing a landscape island at the terminal ends of each parking rows. This Variance is limited only to these 2 employee parking areas, which are on the interior of the proposed new fence line and would not be accessible to the public, see attached Site Plan sheet C101 for full scope. The intent of both parking rows is to be employee only and it should be noted, the terminal ends on the public accessible/facing side (east), we are providing landscape islands as required. At both employee parking sections, each is to be hard surfacing (concrete) and laid out in a similar manner to the recent facilities in the area. The Design Intent with not providing these "interior/employee" landscape islands are to limit the potential for frequent maintenance issues and allows for some flexibility when adding or removing display trailers/equipment from the showroom and yard. The proposed design for the public

01/28/20

facing/public accessible parking stalls and related site landscape islands is above and beyond the required/standards set in the site design requirements. For example, we are providing 2,778 S.F. of parking landscaping, while only 480 S.F. of parking landscaping is required. This overall design approach does in our view meets the spirit or intent of the standard set forth and pursuant with precedent set with similar recently completed projects. Based on the Laurel Municipal Code Chapter 17.60.020 #5, we believe the requested variance "would be within the spirit, intent, purpose and general plan of this title" and #6 the requested variance "would not affect adversely or injure or result in injustice to others."

5. See attached completed Laurel Variance Request Application and associated fee of \$1,100 for a commercial property.

Sincerely,



Chuck Henrichs, P.E.
Vice President of Engineering, EEC, Inc.
Owners Representative



Navigation Tools



Layers

- ☐ Fire locations in the USA
- ☐ Floodplain
- ☐ Sheriff
- ☒ Yellowstone County
- ☐ Public Works
- ☐ Schools
- ☒ Zoning
- ☐ Elections
- ☐ Levy Districts
- ☐ Fire
- ☐ Emergency
- ☒ Cemetery
- ☐ Imagery

Legend

Find

Draw

Measurement

Print

Google Street View

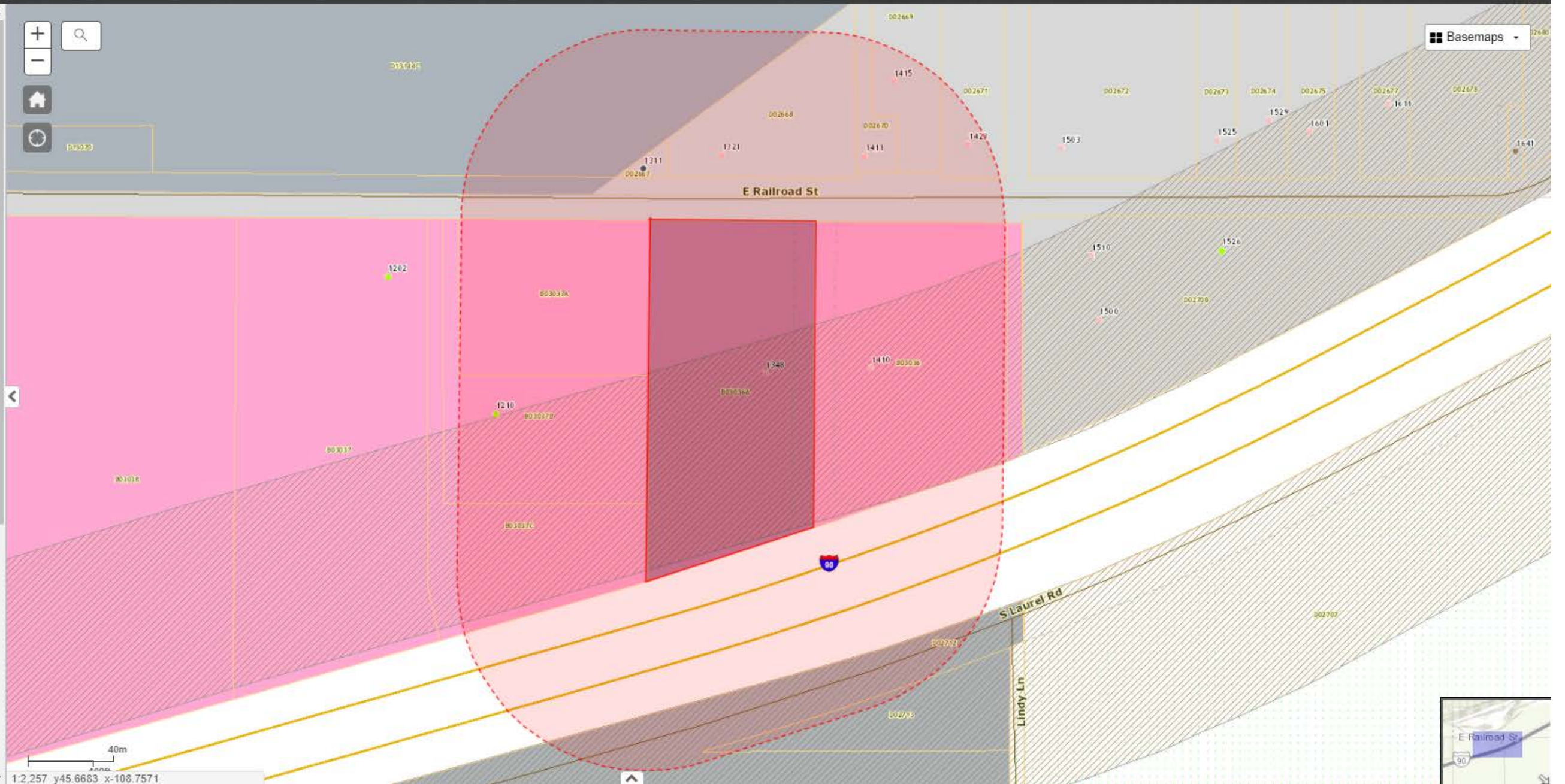
Select and Buffer

By Attribute By Shape

Select A Layer:

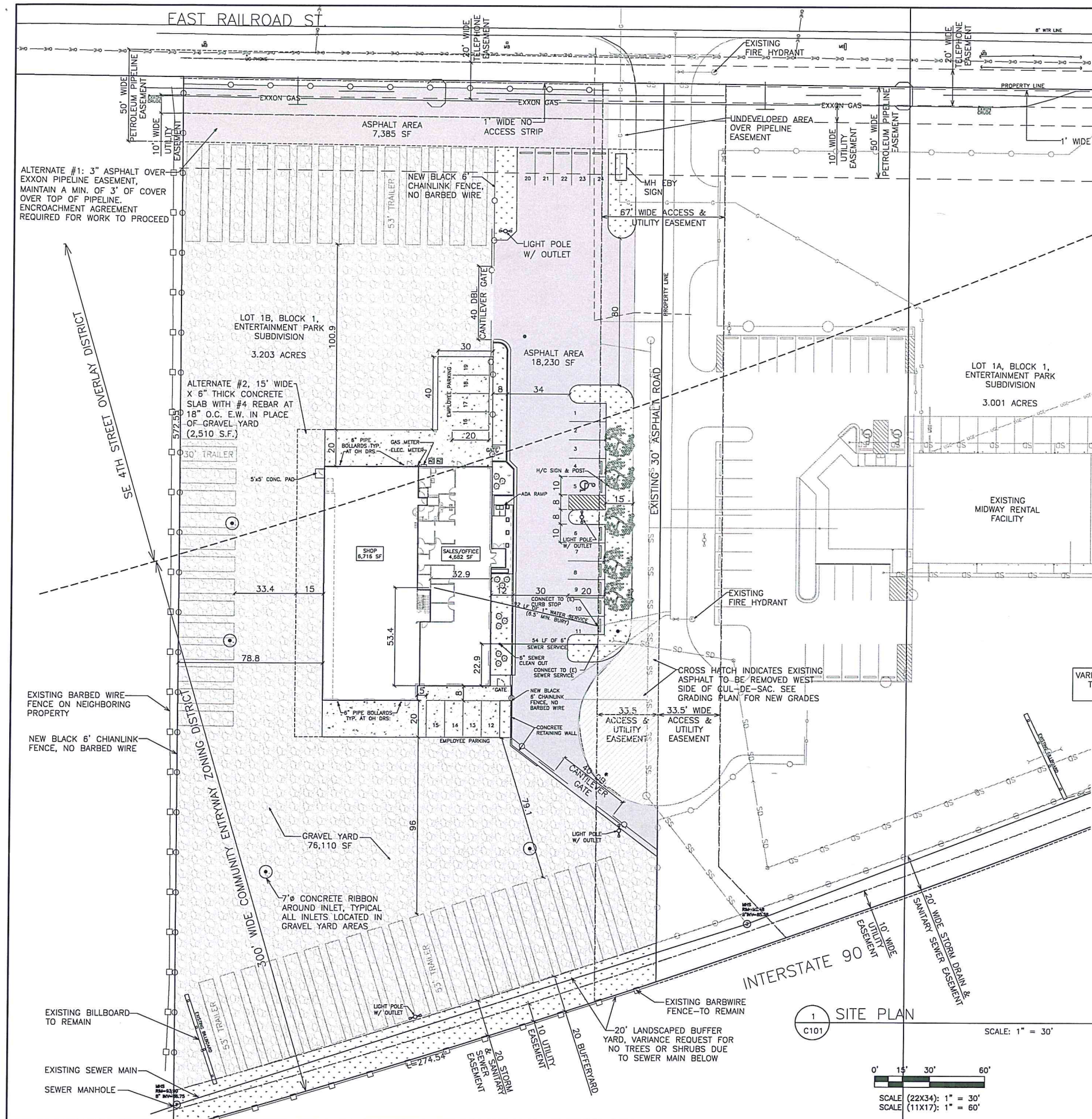


40m
1:2,257 y45.6683 x-108.7571



Basemaps





GENERAL NOTES:

1. NO SIGNAGE WITH THIS PACKAGE; A SEPARATE SIGN PERMIT WITH BE SUBMITTED FOR REVIEW.

LEGEND:

	LANDSCAPED AREA (SEE L101)		TREE (2.5 MIN. CALIPER)
	CONCRETE		SHRUB
	ASPHALT		NEW FENCE
	GRAVEL		

ZONING: HIGHWAY COMMERCIAL (HC), ENTRYWAY ZONING DISTRICTS (EZD)
OFFICE / SALES AREA: 4,682
WAREHOUSE AREA: 6,716
TOTAL BUILDING FOOT PRINT: 11,398 S.F.

LOT AREA: 139,523 S.F. (3.203 ACRES)
SETBACKS: FRONT: 20'
SIDE: 0'
REAR: 0'

MAXIMUM LOT COVERAGE = 75%
ACTUAL LOT COVERAGE = 8.2%
ALLOWABLE HEIGHT = 45'
ACTUAL HEIGHT = 32'
LANDSCAPE REQUIRED(8%) 139,523-11,398(.08) = 10,250 S.F.
LANDSCAPE PROVIDED = 10,926 S.F.

PARKING:

HIGHWAY COMMERCIAL:
1. 17.40,090 (J) 1 SPACE FOR EA. 200 S.F. OF FLOOR ON GROUND
FLOOR PLUS ON SPACE FOR EA. 400 S.F. FO FLOOR AREA IN
BASEMENT OR ANY STORY ABOVE THE GROUND FLOOR

OFFICE & SALES AREA 4,682 SF /200 = 24
PARKING REQUIRED = 24 SPACES
HANDICAP PARKING: 1 PER 1-25 SPACES
PARKING PROVIDED = 24 SPACES

LANDSCAPE:

ENTRYWAY ZONING DISTRICT-PARKING LOT CONTAINING > 10 SPACES:
• 20 S.F. OF LANDSCAPED AREA SHALL BE PROVIDED FOR EACH
PARKING SPACE ON PARKING LOTS CONTAINING MORE THAN TEN SPACES.
• REQUIRED PARKING LANDSCAPE: 20X24=480 S.F.
• PROVIDED PARKING LANDSCAPE: 2,778 S.F.

• 2 TREES AND 5 SHRUBS SHALL BE REQUIRED FOR EVERY TEN
PARKING SPACES OR COMPONENT THERE OF OVER TEN PARKING SPACES
• REQUIRES TREES = 5
• REQUIRED SHRUBS = 12

• NO MORE THAN 25% OF LANDSCAPING AREA SHALL CONTAIN ROCK,
BARK CHIPS, STEPPING STONES, OR SIMILAR MATERIALS
• MINIMUM WIDTH AND OR LENGTH OF ANY PARKING LOT LANDSCAPE
AREA SHALL BE FIVE FEET.

BUFFERYARD:

ENTRYWAY ZONING DISTRICT:

• TWENTY FOOT WIDE BUFFERYARD: TEN CANOPY OR EVERGREEN
TREES, FIFTEEN SHRUBS PER 100' OF FRONTAGE
• TREES: 2.75 X 10 = 28 TREES
• SHRUBS: 2.75 X 15 = 42 SHRUBS

ZONING VARIANCE REQUEST NOTES:

- A. REFERENCE SECTION 17.26.052 DEVELOPMENT STANDARDS - B. BUILDING DESIGN STANDARDS
THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST IS AN EXPOSED FASTENER VERTICAL METAL
PANEL SIDING, SEE ATTACHED EXTERIOR ELEVATIONS AND MATERIAL BOARD SHEETS (A.2-A.4) AND DETAIL
JUSTIFICATION FOR FULL SCOPE.
- B. REFERENCE SECTION 17.26.054 LANDSCAPING STANDARDS - B. LANDSCAPING STANDARDS
THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST ITEM IS A PROPOSED 20'-0" BUFFERYARD THAT
MEETS THE LANDSCAPING STANDARD, HOWEVER, DOES NOT PROVIDE THE REQUIRED 10 TREES OR FIFTEEN
SHRUBS PER ONE HUNDRED FEET OF FRONTAGE, SEE SITE PLAN SHEET C101 AND DETAIL JUSTIFICATION FOR
FULL SCOPE. WE HAVE TAKEN THIS DIRECTION AFTER MEETING WITH THE CITY ON A FEW RECENT PROJECTS,
WITH THE REALIZATION THAT THERE IS AN EXISTING SANITARY SEWER LINE THAT RUNS DIRECTLY UNDER THE
BUFFERYARD, THE FULL EXTENT OF FRONTAGE ON THIS PROPERTY. IT WAS CLEAR THAT THE CITY WAS NOT
IN FAVOR OF PUTTING TREES NOR SHRUBS DIRECTLY ABOVE THIS EXISTING LINE, UNDER ANY CIRCUMSTANCE.
- C. REFERENCE SECTION 17.26.052 DEVELOPMENT STANDARDS, SECTION B
THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST ITEM IS LEAVING IN PLACE THE EXISTING
BARBWARE FENCE RUNNING ALONG THE INTERSTATE AND PROVIDING A NEW BLACK 6' CHAIN-LINK FENCING, IN
REPLACE OF A SITE OBSTRUCTION FENCE (SEE SITE PLAN SHEET C101 AND DETAIL JUSTIFICATION FOR FULL
SCOPE). IT IS KEY FOR THE PUBLIC TO HAVE FULL VISIBILITY TO M.H. EBY'S MERCHANDISE AVAILABLE FOR
SALE AND NEW SERVICE FACILITY. THE INTENT OF THE PROPOSAL IS THAT ALL SALE MERCHANDISE FOR
DISPLAY ALONG INTERSTATE I-90 WILL BE OUTSIDE AN APPROVED BUILDING AND ENCLOSED IN THE YARD
AREA APPURTENANT TO THE BUILDING. WITH THE PROPOSED EXISTING FENCING AND NEW BLACK 6'
CHAIN-LINK FENCING, MERCHANDISE FOR SALE WOULD BE SECURE AND STILL HAVE THE VISIBILITY TO THE
PUBLIC THAT THE SIGHT OBSCURING FENCE WOULD NOT ALLOW.
- D. REFERENCE SECTION 17.27.060 - BUILDING DESIGN REQUIREMENTS, SECTION A
THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST IS THE REQUIREMENT TO FINISH THE FRONT
FAÇADE WITH A MINIMUM 40 PERCENT HALF LOG AND/OR ROCK ACCENTS, SEE ATTACHED EXTERIOR
ELEVATIONS AND MATERIAL BOARD SHEETS (A.2-A.4) AND DETAIL JUSTIFICATION FOR FULL SCOPE. WE ARE
PROPOSING A HORIZONTAL ARCHITECTURAL CONCEALED FASTENER METAL PANEL AROUND THE TOP OF PUBLIC
FRONTAGE/ENTRANCE SECTION, WITH A CHANGE IN COLOR/PANEL DIRECTION AT THE MORE PEDESTRIAN LEVEL
AS DETAILED. SPECIFICALLY, AROUND THE MAIN PUBLIC ENTRANCE, GREAT CARE WAS TAKEN IN FURTHER
EMPHASIZING THE RUSTIC WESTERN AESTHETIC BY UTILIZING ARCHITECTURAL WOOD PANELS WITH CONCEALED
FASTENERS AND EXPOSED DOUGLAS FIR HEAVY TIMBERS.
- E. REFERENCE SECTION 17.27.070 - SITE DESIGN REQUIREMENTS, SECTION C
THE MATERIAL UNDER REVIEW FOR THIS VARIANCE REQUEST ITEM IS THE PROPOSED CONCRETE SURFACED
EMPLOYEE PARKING STALLS ON THE NORTH AND SOUTH SIDE OF THE BUILDING AND NOT PROVIDING A
LANDSCAPE ISLAND AT THE TERMINAL ENDS OF EACH PARKING ROWS. THIS VARIANCE IS LIMITED ONLY TO
THESE 2 EMPLOYEE PARKING AREAS, WHICH ARE ON THE INTERIOR OF THE PROPOSED NEW FENCE LINE AND
WOULD NOT BE ACCESSIBLE TO THE PUBLIC, SEE SITE PLAN SHEET C101 AND DETAIL JUSTIFICATION FOR
FULL SCOPE. THE INTENT OF BOTH PARKING ROWS IS TO BE EMPLOYEE ONLY AND IT SHOULD BE NOTED,
THE TERMINAL ENDS ON THE PUBLIC ACCESSIBLE/FACING SIDE (EAST) WE ARE PROVIDING LANDSCAPE
ISLANDS AS REQUIRED. AT BOTH EMPLOYEE PARKING SECTIONS, EACH IS TO BE HARD SURFACING
(CONCRETE) AND LAID OUT IN A SIMILAR MANNER TO THE RECENT FACILITIES IN THE AREA.

VARIANCE
REQUEST
01-29-2021
SHEET#:
C101

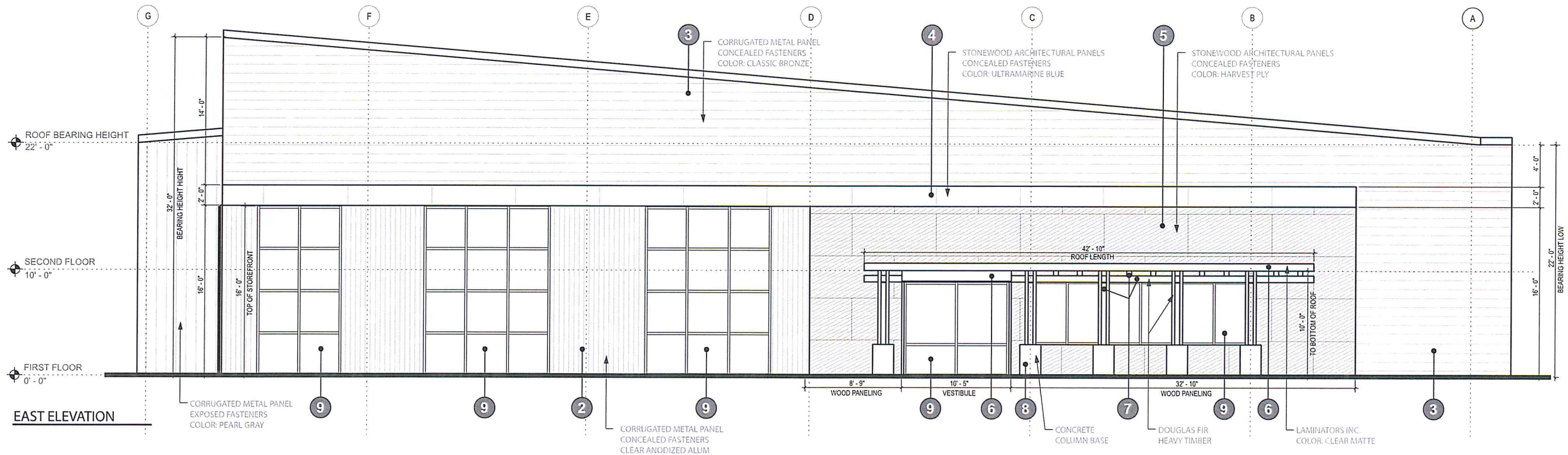
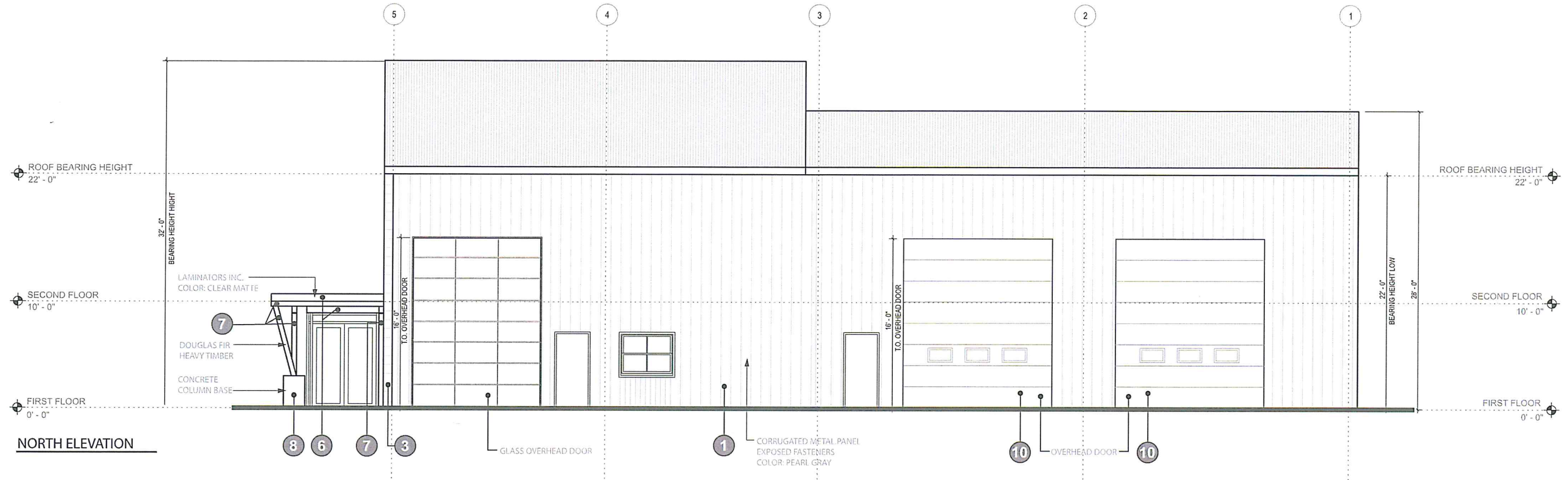
MH EBY SHOP/OFFICE
ENTERTAINMENT PARK SUB.
S15, T02 S, R24 E,
BLOCK 1, LOT 1B, AMD BLK 1, LT 1
1348 E. RAILROAD ST.
LAUREL, MT 59044

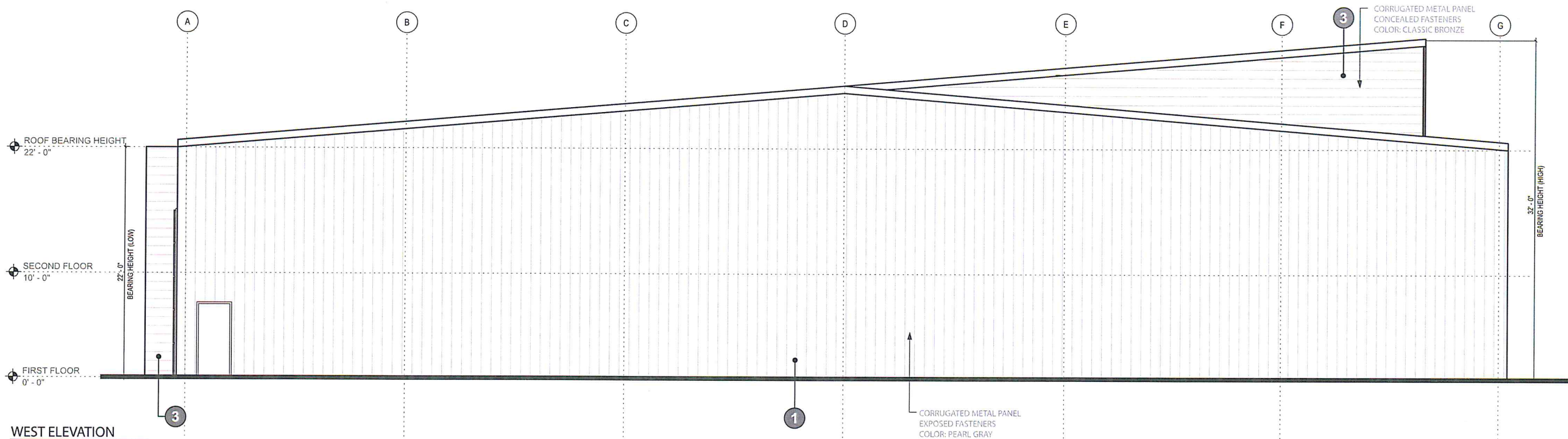
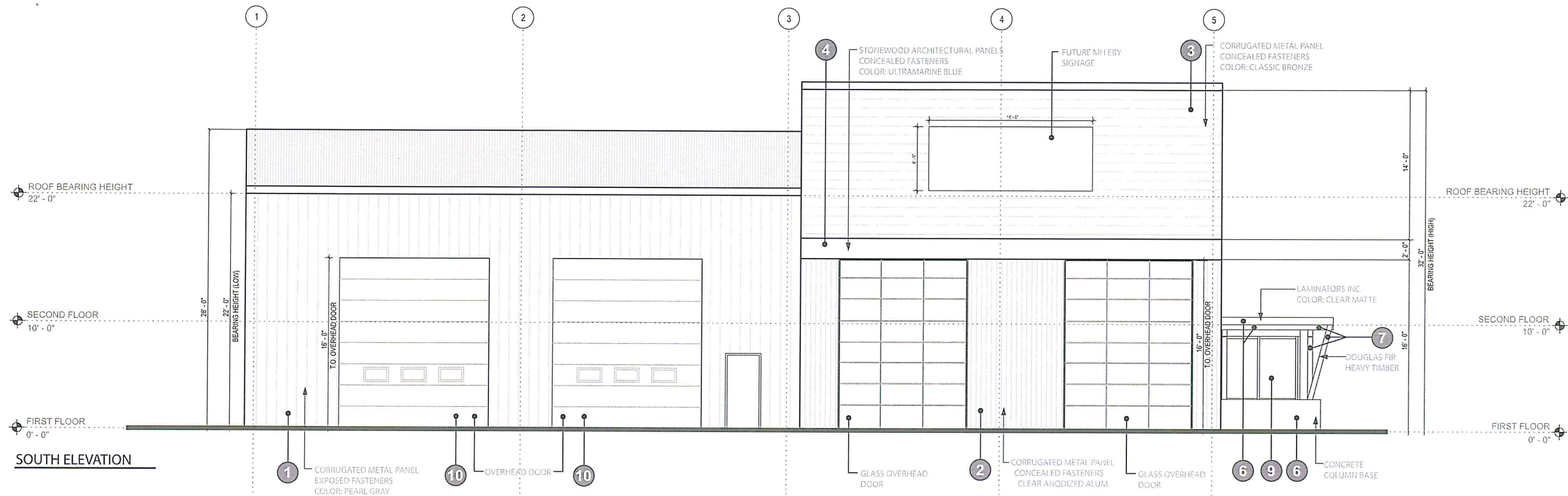
EGGART ENGINEERING COMPANY
720 LOHWEST LANE
BILLINGS, MT 59106
OFFICE: 406-839-9151
FAX: 406-839-9150
www.eecmt.com

ENGINEERS • ARCHITECTS • SURVEYORS • BUILDERS

Drawn By: CH/KL
Checked By:
Date: 01-29-2021
Project #: MH EBY
d file:

394















Owner name	Tax Code	Legal Description	Mailing Address
KRUM, TERRY R & JUDITH L	D02667	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1, FRAC LOT 1	1311 E RAILROAD ST LAUREL MT 59044
FORSTNER, GEORGE T & IRENE	D02668	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1, LESS E65 FT & W 82.40 10 2S 24	1321 E RAILROAD ST LAUREL MT 59044
STRECKER, JOHN JR	D02670	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1B, LTS 1 & 2 AMD 1978 GALLATIN TI*	1411 E RAILROAD ST Laurel MT 59044
BOESHANS, NATHAN P & COLLEEN M	D02669	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 1A, AMEND LTS 1,2	2553 ALPINE VIEW DR LAUREL, MT 59044-9355
FARNES, LEILA A	D02671	NUTTING 2ND FILING, S10, T02 S, R24 E, Lot 2, E 1 A OF LOT 2	1423 E RAILROAD ST LAUREL, MT 59044-3339
MONTANA RAIL LINK	D13144C	S10, T02 S, R24 E, INFORMATIONAL ONLY - CENTRALLY ASSESSED PARCEL IN SEC 10-2S-*	PO Box 16624 Missoula MT 59808-6624
CHS INC	D02712	S15, T02 S, R24 E, FRAC N2NW S OF HWY (LESS C/S 1142 & 1291)	PO Box 909 Laurel MT59044-0909
CHS INC	D02713	S15, T02 S, R24 E, C.O.S. 1142, PARCEL 1, AMND	PO Box 909 Laurel MT59044-0909
K LAZY H LLC	B03037A	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2B	10087 HIGHWAY 12 JOLIET, MT 59041
K LAZY H LLC	B03037B	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2C	10087 HIGHWAY 12 JOLIET, MT 59041
K LAZY H LLC	B03037C	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 2D	10087 HIGHWAY 12 JOLIET, MT 59041
DIEFENDERFER FAMILY TRUST	B03036	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1A, AMD BLK 1 LT*	3619 FLAGSTONE DR BILLINGS, MT 59102-0301
DIEFENDERFER FAMILY TRUST	B03036A	ENTERTAINMENT PARK SUBD, S15, T02 S, R24 E, BLOCK 1, Lot 1B, AMD BLK 1 LT 1 (17)	3619 FLAGSTONE DR BILLINGS, MT 59102-0301

Chapter 17.60 - ZONING COMMISSION

Sections:

17.60.010 - Powers and duties.

The city-county planning board shall act as a zoning commission whose duty it shall be to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein.

(Prior code § 17.08.010)

17.60.020 - Land use variances issuance and denial—Determination procedure.

- 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.

Chapter 17.26 - COMMUNITY ENTRYWAY ZONING DISTRICT

Sections:

17.26.010 - Intent.

The purpose of the Laurel Entryway Zoning District is to regulate outdoor advertising, outdoor advertising signs, and outdoor signs of all types, to provide fair and comprehensive regulations that will foster a good visual environment for Laurel, enhancing the area in which we live, and creating an aesthetic and enjoyable appearance for our visitors and our residents.

The natural landscape in the Yellowstone Valley is a major influence on the form and character of Laurel. Residents appreciate being able to see the Beartooth Range, the river's corridor of trees, and the large expanse of sky. The intent of the Community Entryway Zoning District (EZD) is to promote attractive, high quality development and to provide an appealing image of the city of Laurel to the traveling public and the people of the community and region. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and the pastoral ambience and protecting environmentally sensitive areas. Creativity in meeting these requirements is encouraged with the overall intent of all development representing the image and economy of the Laurel area—and not just a reflection of the same commercial buildings, signage, and parking lots that are seen alongside the interstate across the nation.

Projects in the vicinity of large natural areas/corridors shall be designed to compliment the visual context of the natural area. Techniques include architectural design, site design, use of native landscaping, and choices of colors and building materials shall be utilized in such manner that scenic views across or through the site are protected and man-made facilities are screened from off-site observers and blend with the natural visual character of the area.

This overlay district provides requirements that are in addition to the existing, underlying zoning districts in the jurisdictional area of the city of Laurel and are in addition to the signage standards of the city of Laurel Municipal Sign Code. Except for signage applications, residential uses in the Entryway Zoning District are exempt from the provisions herein.

The intent of this section is to:

- A. Promote a physical landscape that will assist in making Laurel an attractive place to live and work and be inviting to new industries;
- B. Encourage creativity in design and quality in site planning and development;
- C. Reduce the level of adverse impacts from the transportation system on adjoining lands;
- D. Promote development patterns in harmony with the goals and objectives of Laurel's Growth Management Plan;
- H. Promote compatible land use transitions with a sensitivity toward existing residential uses.

Non-commercial/industrial uses falling within the EZD are exempt from the requirements of the EZD except as such requirements pertain to signage.

(Ord. 02-31, 2002)

17.26.030 - Location of district.

The Community Entryway Zoning District (EZD) shall extend three hundred feet on either side of Interstate 90 right-of way as it extends through the Laurel Zoning Jurisdiction Area, an area that extends outside the city municipal limits one mile. Specifically, along the interstate the EZD shall extend as described from the east limit of the extra-territorial zoning boundary west to the limit of the west extra-territorial boundary. The district shall also include that area three hundred feet on either side of the north extra-territorial boundary on Buffalo Trail Road south through Laurel on First Avenue to where First Avenue turns into US Highway 212-310

(Ord. 02-31, 2002)

(Ord. No. O15-03, 5-5-2015)

17.26.040 - Application and approval process.

- A. All plans and applications for development shall be submitted to the city-county planning board. All applications involving signs shall be submitted to the public works department which shall provide a copy thereof to the planning board. All applications must be submitted and signed by the property owner, lessee, the contract purchaser, or the authorized agent of the property owner. Approval is required prior to any construction activity.
- B. Each application shall include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1" = 40' showing the dimensions and locations of all structures, streets, paving, parking, landscaping, signage, waterways or other significant features of the development;
 - 6. Complete elevation drawings drawn to scale including the dimensions and height of the structure;
 - 7. Signage Plan specifications, location, and ground lighting pattern (applications for signs only—see Section 17.26.050); and
 - 8. Application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, other city designee, or the public works department (in the case of signs) shall issue approval for development or sign or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial.

(Ord. 02-31, 2002)

17.26.050 - Definitions.

All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. The standard dictionary meaning shall be applied to terms not otherwise defined.

(Ord. 02-31, 2002)

17.26.052 - Development standards.

A. Signage.

1. Review Consideration. Signage in the EZD needs to recognize the relationship between adjacent land uses and the natural features of the location such as existing views and proximity to residences. Although signs perform a function in providing information concerning services, products, and business, a profusion of signs produces a cumulative effect that cancels out individual effectiveness and detracts from the appearance of the community as a whole. All signage shall be reviewed with the following considerations and criteria:
 - a. Use of subdued, low-key colors;
 - b. Location, size, and height that do not obstruct views of the community, the river corridor, traditional open spaces, or the mountains;
 - c. Sign is built of permanent, durable materials;
 - d. Size and location avoids or minimizes the sense of clutter with nearby signs;
 - e. The sign is professionally prepared and finished on both sides;
 - f. The location and placement of the sign will not endanger motorists or pedestrians and does not interfere with the clear vision triangle at street, railroad, or street driveway intersections;
 - g. The sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance;
 - h. The sign will not obstruct views of users of adjacent buildings to side yards, yards or to nearby open space;
 - i. The sign will not negatively impact the visual quality of a public open space such as a recreation facilities, square, plaza, court yard and the like;
 - j. The sign cannot be seen from the Yellowstone River or any city, county or state park or—if it can be seen—it must be located one thousand feet from the boundaries of such spaces.
2. Only one sign is allowed per parcel of record and there shall be at least one thousand feet between signs.
3. A construction permit is required whenever the sign copy is changed and any alterations to the sign are made.
4. Signs shall be limited to one hundred sixty square feet in copy area.
5. Non-conforming signs are required to be brought into compliance with this section within six years from the date of adoption of this ordinance or upon the earliest occurrence of the following events.
 - a. The sign is relocated or replaced;

- b. The structure or size of the sign is altered in any way;
 - c. The sign suffers more than fifty percent appraised damage or deterioration or the sign is taken out of service for any reason, such as being knocked down by weather or other means;
 - d. If any non-conforming sign is abandoned or voluntarily discontinued for a period of one hundred eighty days, any subsequent use must be in conformity with this ordinance. An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found. An abandoned sign is to be removed by the owner within fifteen days of notice from the public works department.
- 6. No portable signs as described in the city signage ordinance are allowed in the EZD.
- 7. Transit Bus Benches. Transit bus benches, with or without advertising, may be placed within the city right-of-way upon application and approval of the ADA coordinator, the transit administrator and in consultation with the public work director. All benches must comply with any applicable city, state, and or/federal standards or regulations. The city may approve a bench provider, with or without advertising, pursuant to its procurement policy, as amended.
- 8. Lighting. All sign lighting must incorporate cut-off shields to direct light downward. Luminaries shall not be visible from adjacent streets or properties. A sign's lighting will not cause hazardous or unsafe driving conditions for motorists and will not glare, reflect, or spill onto adjacent business or residential areas.
- B. Building Design Standards.
 - 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.
 - 2. Roofs shall be finished with a material that is architecturally compatible in color and design with the construction of the building. Metal roofs, fascia, and mansards shall be limited to the following: standing seam, metal shakes or shingles and architectural metal treatments. All mechanical equipment placed on top of any roof shall be screened by a parapet or other similar architectural apparatus being at least the height of the mechanical equipment. Pitched roofs are encouraged whenever possible.
 - 3. Long, flat facades that front on the interstate highway, First Avenue North or First Avenue South having more than one hundred lineal feet are prohibited. Buildings over one hundred feet in length shall incorporate one of the following: recesses, off-sets, angular forms, landscaping features or other architectural features such as bell towers, clock towers, to provide a visually interesting shape. The break in the facade shall be minimum of eight feet in length. A single uninterrupted length of a facade shall not exceed one hundred lineal feet. It is encouraged that each offset area contains landscaping or other similar amenities which will complement the offset area.
- C. Additional Provisions for Commercial Uses.
 - 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.

2. Site Lighting. All outdoor lighting shall be designed, located and mounted at heights no greater than eighteen feet above grade for non-cutoff lights and thirty-five feet above grade for cutoff lights. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed three-tenths foot-candle for non-cutoff lights and three foot-candles for cutoff lights.
3. Storage of Junk. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials in any commercial zone outside a building. In the case of automobile repair shops, such materials must be enclosed within a building or an area having a sight-obscuring fence at least six feet in height.
4. Solid Waste Area. All solid waste storage facilities shall be located within an area enclosed with a sight-obscuring fence or wall that is architecturally compatible in color and design with the building.

D. Cell Towers.

No wireless communication facilities are allowed in the entryway zone.

(Ord. 02-31, 2002)

(Ord. No. 011-07, 6-7-2011; Ord. No. 016-02, 2-2-2016)

17.26.054 - Landscaping standards.

Landscaping in the form of trees, shrubs, and groundcover serve several purposes: The softening of harsh building forms and paved areas, the absorption of ground water, the reflection of seasonal color change, the provision of sound barriers (such as around utility substations or industrial yards), and urban wildlife habitat.

A. Landscaping Definitions.

Canopy Tree. A species of tree which normally bears crown foliage no lower than six feet above ground level upon maturity. Minimum size of canopy trees shall be two and one half inches in caliper.

Evergreen Tree or Shrub. A tree or shrub of a species which normally retains leaves / needles throughout the year. Minimum size of evergreen trees shall be five feet in height.

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

- b. The following criteria shall also apply to the bufferyards.

- i. The landscape strip may be contoured. Berming shall be one foot of rise to four feet of run with a minimum of three feet in height. Depressions shall be no lower than the existing grade of the site.
- ii. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds, or organic materials. No more than ten percent of the landscaped area shall contain rock, bark chips, stepping stones, or similar material.
- iii. All landscaped areas shall be sub-irrigated, maintained, and kept free of weeds, debris, and litter. Failure to do so constitutes a zoning violation. Existing mature trees and shrubs should be preserved and will be credited toward landscaping requirements.
- iv. Depth of bufferyard shall depend on density of vegetation.
- v. All new utility lines shall be placed underground.
- vi. New tree plantings shall not be constructed so as to grow into existing overhead utility lines.

C. Off-Street Parking Lot Landscaping.

Landscaping shall be provided within all parking areas as follows:

Parking lots containing more than ten spaces shall contain internal areas of landscaping totaling at least ten percent of the parking area. Each planting area shall contain at least three hundred square feet and at least one major tree and groundcover with irrigation. There must be a clearly designated pedestrian route from the parking lot to the street or main entrance.

- 1. A minimum of twenty square feet of landscaped area shall be provided for each parking space on parking lots containing more than ten spaces.
- 2. Two canopy and/or evergreen trees and five shrubs shall be required for every ten parking spaces or component thereof over ten parking spaces.

3. All landscaped areas shall contain ground cover such as sod, shrubs, flowerbeds or organic materials. No more than twenty-five percent of the landscaped area shall contain rock, bark chips, stepping stones or similar material.
4. The minimum width and/or length of any parking lot landscaped area shall be five feet.
5. Internal parking lot landscaping provided shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
6. Any development that has parking abutting a required bufferyard, may extend the width of parking landscaping plant material. The minimum bufferyard width and that bufferyard a minimum of five feet and include the additional required landscaping material is required in addition to the parking landscaping.
7. Protection of Landscaped Areas. Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
8. All new utility lines shall be placed underground.

D. Commercial Uses Abutting Residential Uses.

All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten feet wide and shall contain ten evergreen and/or canopy trees and ten shrubs per one hundred lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building shall be required on the property line. The fence height shall be a minimum of six feet. Chain link or other wire fencing material is prohibited.

E. Fractions in the Calculation of Number of Trees and Shrubs.

In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest, highest whole number.

(Ord. 02-31, 2002)

Chapter 17.27 - SE 4TH STREET OVERLAY DISTRICT

Sections:

17.27.010 - Intent.

The city of Laurel hereinafter ("city"), in collaboration with the Laurel Urban Renewal Agency, prepared the following set of regulations to preserve and protect the unique nature of the SE 4th Street corridor of the city of Laurel. These regulations are intended to promote, preserve, and enhance the character of the built environment while encouraging a cohesive identity.

In addition to building construction, further elements include, but are not limited to parking and pedestrian connectivity requirements, landscaping, and signage.

This district's requirements are in addition to the existing zoning ordinances found in Title 17 of the Laurel Municipal Code (LMC). Single-family and two-family residential uses in the district are exempt from the provisions herein.

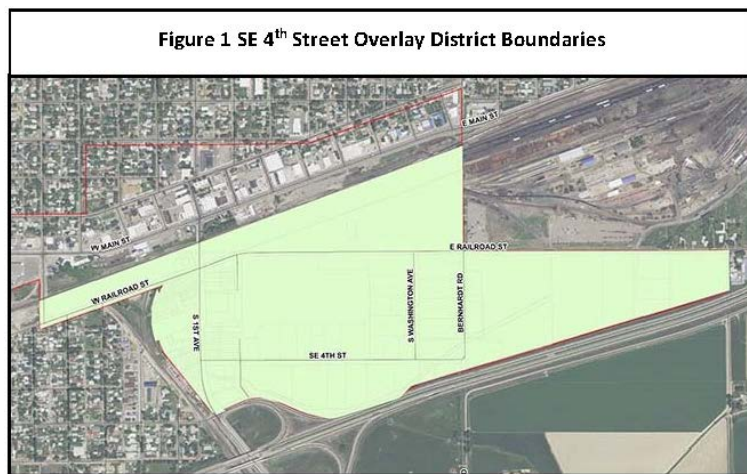
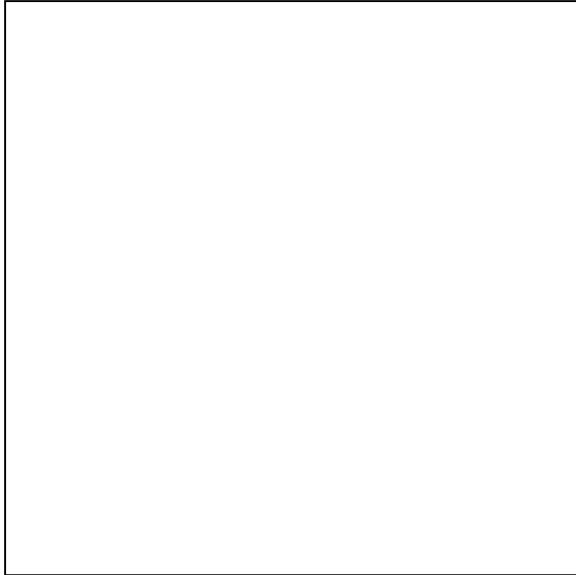
The intent of this section is to:

- A. Promote a physical landscape to make the district an attractive place to live and work;
- B. Encourage creativity in design and quality site planning;
- C. Promote development patterns in coordination with the goals and objectives of the city's growth management plan;
- D. Provide consistency to land uses and design that will protect the investment of property owners in the district.

(Ord. No. O15-04, 5-5-2015)

17.27.020 - District boundaries.

The boundaries of the District are identified in Figure 1.



(Ord. No. O15-04, 5-5-2015)

17.27.030 - Application and approval process.

- A. All building permit applications shall be submitted to the city's building official. All permit applications must be submitted and signed by the property owner or the authorized agent of the property owner. An approved building permit is required prior to any construction activity.
- B. Each building permit application must include, but not be limited to, the following information:
 - 1. The name and address of the property owner;
 - 2. The name and address of the applicant;
 - 3. The legal description of the parcel;
 - 4. A map drawn to scale showing the dimensions, acreage, location of the parcel, north arrow, streets and adjacent land uses;
 - 5. A complete site plan drawn to a scale of no less than 1"=40' showing the dimensions and height of the structure;

6. A Complete elevation drawing drawn to the scale 1"=40' including the dimensions and height of the structure;
 7. If applicable, signage plan specifications, location and ground lighting pattern; and
 8. Payment of application review fee.
- C. Within fifteen working days following the submittal of a complete application, the planning director, designee, or the public works department (in the case of signs) shall issue approval for development or a denial of the application, unless the applicant consents in writing to an extension of the review period. Should the application be denied, the applicant shall be notified in writing specifying the reasons for the denial. (Ord. No. 002-31,2002)

(Ord. No. O15-04, 5-5-2015)

17.27.040 - Nonconformance.

- A. Any lawful characteristic of the properties existing prior to the effective date of the ordinance that would not be a permitted characteristic under these regulations is declared to constitute a nonconforming characteristic.
- B. Nonconforming structures shall not be enlarged, extended, reconstructed, or structurally altered in an amount greater than fifty percent of its assessed valuation, unless the characteristics of the building are changed to comply with the appropriate regulations.
- C. If any nonconforming structure is damaged by an event including, but not limited to, fire, flood, explosion, wind, or war, in an amount equal to or greater than fifty percent of its assessed valuation, reconstruction must comply with the appropriate regulations. In addition, repair and maintenance may be carried out each year in an amount not to exceed twenty-five percent of the assessed valuation of the structure for that year.
- D. A nonconforming structure may continue pursuant to these regulations, but it shall not be changed in any way except to conform to the regulations herein.

(Ord. No. O15-04, 5-5-2015)

17.27.050 - Definitions.

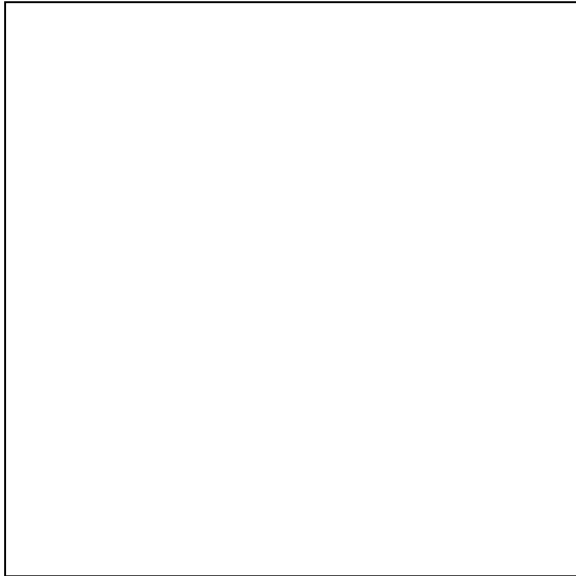
All terms shall have the same meanings as defined elsewhere in the city zoning ordinance or city signage regulations. For purposes of this title, certain words and terms used herein are defined in this chapter.

- A. "Architectural design elements" means an architectural feature consisting of a decorative, three dimensional element, horizontal or vertical, protruding or indented at least two inches from the exterior façade of a building typically utilized to provide additional aesthetic relief to a façade.
- B. "Façade" means the exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines.
- C. "Front façade" means any building face adjacent to the street. In the case of a corner lot, the front façade is the face that the building is addressed.
- D. "Lot line, front" means the boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured. The front lot line shall be to the street to which the building is addressed.
- E. "Lot line, side" means the boundary line adjacent to the front lot line and may or may not abut a right-of-way depending on lot location from which the required setback or build-to zone is measured.

(Ord. No. O15-04, 5-5-2015)

17.27.060 - Building design requirements.

- 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.
- B. Structures not located along SE 4th street are excluded from the forty percent threshold.
- C. Architectural design elements are required on the front façade. Permitted design element materials include any finish of wood, wood timbers or wooden logs.



Architectural Design Element: The wooden timbers in front of the buildings are a prime *example of the required design element.*

(Ord. No. O15-04, 5-5-2015)

17.27.070 - Site design requirements.

- A. Inter-site circulation is required to provide for orderly and appropriate vehicular traffic between adjacent properties. This will also limit the number of necessary approaches on busy roadways.
- B. Parking exceeding the minimum requirement is discouraged.
- C. Landscape islands are required at the terminal ends of all parking rows.
- D. Pedestrian connectivity from parking areas to buildings shall be provided by interior sidewalks or designated, striped pedestrian crossings.
- E. Shared parking is encouraged when property owners have a written agreement as to the terms of the shared parking. The written agreement is not subject to approval by the city but should be presented if it is applicable to meeting off-street parking requirements. See Figure 2.

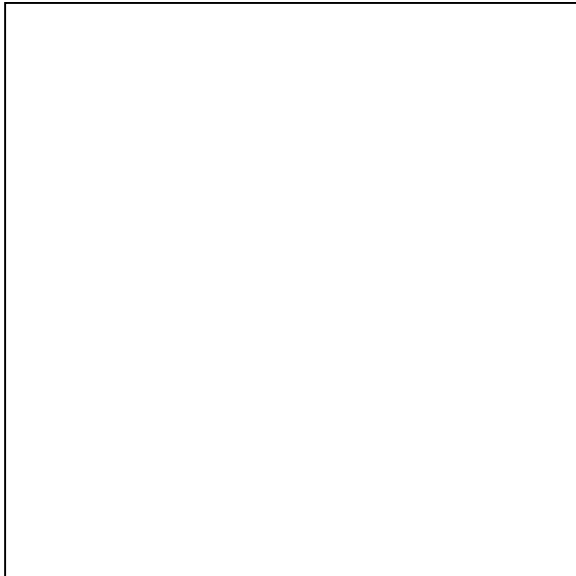
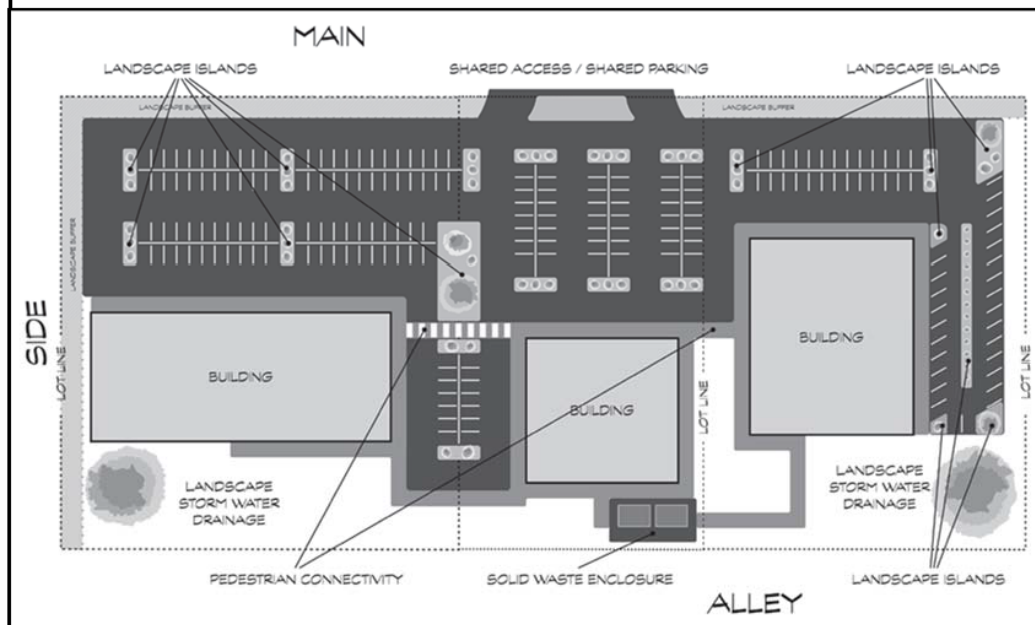
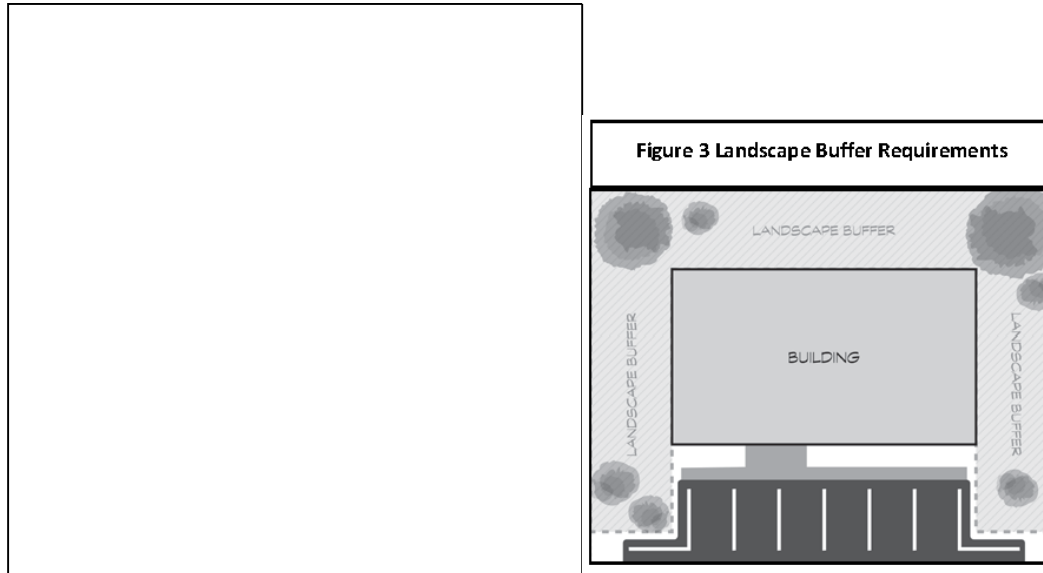


Figure 2 Parking Requirements



- F. Landscaping must be an integral part of the site design. A landscape buffer is required as part of any site development. The buffer shall be designed to provide both screening and aesthetic effect. See Figure 3.



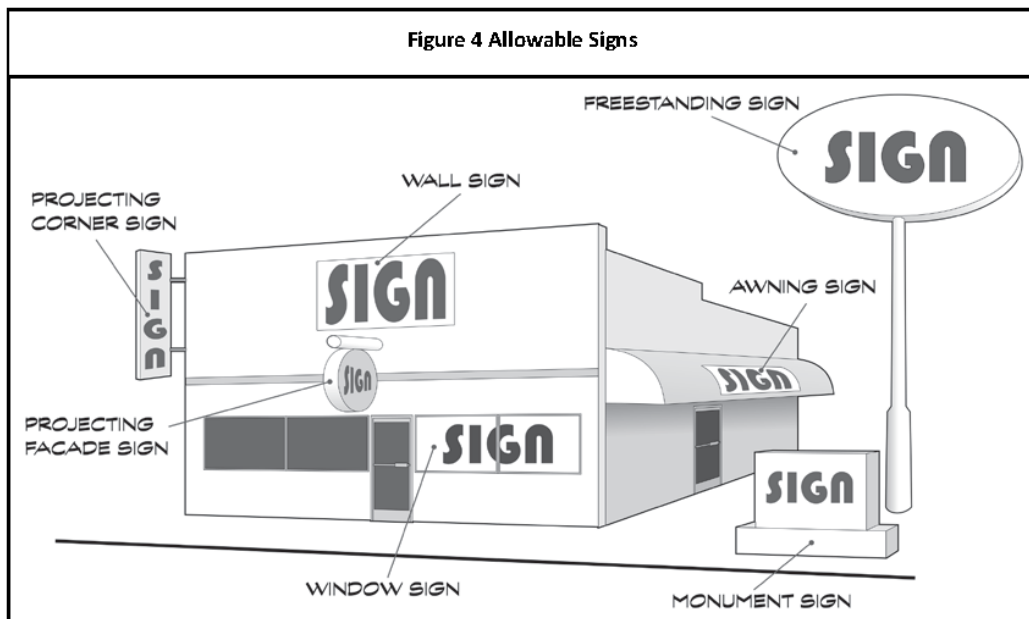
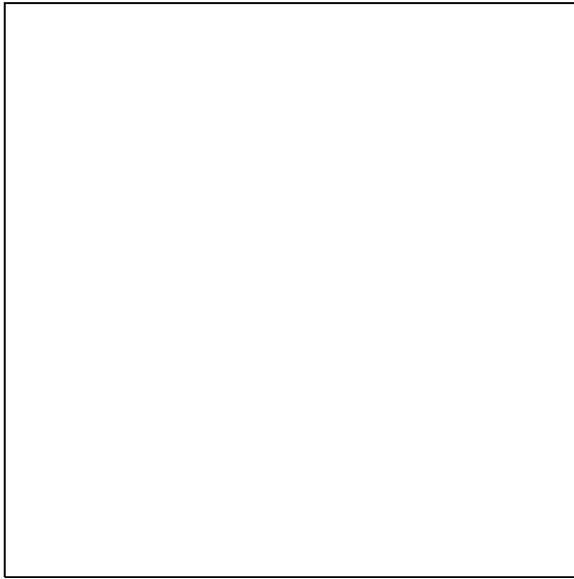
- G. Landscaping should be of an indigenous species or one that is acclimated to the city's climate.
- H. Landscaping shall include a mix of plants, shrubs, sod and trees. A minimum of fifty percent of the trees shall be at least 2.5 inch in caliper size.
- I. Landscaping shall not interfere with clear vision requirements.
- J. If a property is located in this district and the entryway zoning district, parking and landscape requirements of the entryway zoning district shall apply.

(Ord. No. O15-04, 5-5-2015)

17.27.080 - Signage requirements.

Laurel Municipal Code Chapter 17.42 governs signage within the city of Laurel. Exceptions to LMC 17.42 occur only when a property is located in a special zoning district. If a property is located in this District and the Entryway Zoning District, signage requirements of the Entryway Zoning District shall apply.

- A. Allowable sign types include wall signs, window signs, awning signs, corner projecting signs, and projecting signs. See Figure 7.



- B. Illumination is encouraged to be internal. When external illumination is used, it must be focused only upon the sign face and must have cut off shields to prevent light spillage.
- C. Any projecting or corner projecting sign shall not extend above the roofline of the attached building.
- D. Any wall sign shall not exceed 30 percent of the area of any building façade.
- E. Electronic message boards are not permitted in this district.

(Ord. No. O15-04, 5-5-2015)

File Attachments for Item:

30. Resolution No. R21-26: A Resolution Approving A Zone Change For Property Located At 801 East Main Street Within The City Of Laurel.

RESOLUTION NO. R21-26

A RESOLUTION APPROVING A ZONE CHANGE FOR PROPERTY LOCATED AT 801 EAST MAIN STREET WITHIN THE CITY OF LAUREL.

WHEREAS, a zone change has been requested in the current zoning designation by the owner of the herein described property that is located within the City of Laurel and is located at 801 E. Main Street as further described herein (“Property”); and

WHEREAS, the existing zoning for the Property is Community Commercial which the owner seeks to have changed to Central Business District; and

WHEREAS, it is in the best interests of the residents of the City of Laurel to adopt this resolution thereby approving the proposed zoning changes to provide for an expanded, uniform, and orderly growth for the City; and

WHEREAS, a public hearing was held by the City’s Zoning Commission on March 17, 2021 and the City Council on April 13, 2021 and based on the evidence presented at the Public Hearings and documents submitted by Staff, the City Council has determined the requested zone change is in the City’s best interest as detailed in the Zoning Commission and City Council Records which are incorporated herein as part of this resolution; and

WHEREAS, the City Council hereby adopts the findings contained in the Zoning Commission Record as well as all items in the Council Record.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, that the zone change requested by the Property owner is hereby approved for the Property located at 801 East Main Street which is further described as follows:

NUTTING SUBD, S10, T02 S, R24 E, BLOCK 20, Lot 12A, AMND LESS
2731' FOR MAIN ST (08)

BE IT FURTHER RESOLVED, the Property’s zoning designation is hereby changed from Community Commercial to Central Business District subject to the following conditions:

1. The Owner/Developer shall comply with all the requirements of LMC Chapter 17.72
2. The Owner/Developer shall submit any and all applicable and necessary permits and fees for development of the parcels subject to this zone change approval.
3. The Owner/Developer shall not install and/or operate any uses on parcels subject to this zone change which are not allowable under LMC Chapter 17.16.

Introduced at a regular meeting of the City Council on April 13, 2021, by
Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel this 13th
day of April 2021.

APPROVED by the Mayor this 13th day of April 2021.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

Approved as to form:

Sam S. Painter, Civil City Attorney



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, MARCH 17, 2021
5:35 PM
CITY COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

1. Roll Call

The Chair called the meeting to order at 5:45pm

John Klasna
Roger
Evan Bruce
Dan Koch
Judy Goldsby
Nick Altonaga (City of Laurel)
Gavin Williams (arrived at 5:45pm)

General Items

2. Meeting Minutes: February 17, 2021

The Chair presented the minutes from the meeting on February 17, 2021.

Dan Motioned to accept the minutes from February 17, 2021 meeting.
Jon Seconded.
Motion Carried.

New Business

3. Public Hearing: EBY Trailers Variance (E. Railroad St.)

The Planning Director presented the details of the staff report.

Judy questioned where the exact location of the development was. The Planning Director explained that it was located towards the end of E. Railroad street, adjacent to other recent developments.

The Chair Called for Proponents

Chuck Henricks, EEC Engineering
720 Well West Lane, Billings, MT

The civil engineer representing the client on this application as well as previous similar applications. These are similar to the previous variances applied for. The only difference is that this project is within the SE 4th Street Overlay District and provides alternatives to that strict standard.

Rustic Modern versus traditional log and stone façade.

- The Variance for the fastener panels will only be on the east side of the building.

- Roof is architectural concealed fastener panelling, along with the rear portion.
- Bufferyard variance is self-explanatory – Sewer main line exists within the landscape bufferyard area.
- Landscaping islands – Only looking for this for the 8 employee parking spots.
- Have about 6-7x the required parking spots.

Roger: Roof type?

24 gauge

Standing seam, trapezoidal, 3inch tall.

The Chair Called for Proponents

The Chair Called for Proponents

The Chair Called for Opponents

The Chair Called for Opponents

The Chair Called for Opponents

There being none, the chair moved on to Planning Board discussion.

Jon had questions about the number of bays for trailers.

2 exterior, and additional bays inside.

Dan asked about Fire protection.

We are under the square foot requirements for fire suppression systems.

Dan called the question.

The Chair summarized the situation.

Board members discussed additional possible conditions of approval. The Planning Director will update the staff report to suit the situation.

- All applicable building and other permits shall be applied for
- The development shall comply with the sign code.

Gavin Motioned to approve the Variance for EBY Trailers with the staff conditions of approval presented in the Staff Report.

Evan Seconded.

Motion Carried.

4. Public Hearing: 801 E. Main Street Zone Change

Nick presented the findings of the staff report.

The Chair called for Proponents.

Shannon Otis. 3670 Spaulding Ave, Billings, MT

- Owner of the company that owns 801 E. Main St.
- The current parking requirements limit the amount of development on the lot.

- Plan to fix the laydown on the lot in order to fix the landscaping.
- Proposing new curbing along the property.
- The current zoning limits the development due to parking. This zone change focuses on the current rehabilitation.

Roger- Entrances to the rentals? What side will they be on?

The East. Can enter from Main Street and the rear street. Hope to close up the accesses.

Dan: The property line between the car wash and the current building should be considered. That neighboring Convenience store and Car wash – Is there an agreement for shared access?

The alleyway is on the 801 E Main Property, but the owner and the neighboring owner want to keep shared access.

The Chair Called for Proponents

Dan Foos – Owner of neighboring Car Wash and Gas Station. Questions on lots. Sidewalks

- Sidewalks will be on the western edge of the property.
- Stormwater drainage is a concern.
- Can they build across

Shannon – We don't have the current plans to build on the north side.

Parking situation?

Currently will have them behind the building,

Will utilize on-street parking on Alder

Dan Foos –

- Concerned about E. 4th Street access. No problem with on-street parking on Alder. But want to ensure access to the rear of his properties to the East.
- Pins for the driveway – They are at the centerline of the driveway. Need to be sure to

Dan: What will the parking area be composed of?

Shannon: Right now, we are planning to clean it up and put gravel down. And keep the gravel out of the street through curbing.

Dan: Greenery?

Boulevard areas will have greenery.

There are water pooling issues on-site currently.

Need to decide how the water will be channeled.

Roger: Catch basins on the property? Aren't there two on the corners of the property?

The Chair Called for Opponents

Kurt Bradley, Lives across the street. Not necessarily an opponent but wanted to provide comment.

- Dan Foos and his wife have been very good neighbors with maintenance.
- Currently down-wind from this development. Garbage dumping brings an aroma.
- The City tried to put garbage cans in the street and it did not work well.

- Placed the garbage cans on Alder. This caused stray trash to blow into his yard. We HAVE to deal with garbage pick-ups and routes. Street strength? Garbage corrals/enclosures? Have concerns about the situation due to not wanting to pick up stray trash in the front yard. What might help is to ensure that all garbage is bagged.
- Garbage collection currently – Foos property has one can on the block but many adjacent property owners drop their trash in it. Have moved the can down to Alder Avenue due to the bad road conditions. This works better for the garbage route. The cans can fill up very fast.

The Chair Called for Opponents
The Chair Called for Opponents

The board moved on to voting.
Dan called for the question.

Jon Motioned to approve the Zone Change for 801 E. Main Street with the conditions presented in the staff report.
Roger Seconded.
Motion Carried.

5. Sign Review: Jimmy John's, SE 4th Street

Nick presented the Sign permit for Jimmy Johns at the new retail location on SE 4th Street.

What side will the Drive-Thru be on?
East Side.

Gavin Motioned to approve the sign permit for new Jimmy John's location.
Jon Seconded.
Motion Carried.

Old Business

Other Items

6. Ongoing Projects

Casa Linda Subdivision
Cherry Hills Subdivision
Golf Course Annexation and Subdivision
Goldberg Sporting Estates
Dyer PUD In-office.
West Laurel Interchange Planning
BSTF Planning Grant
Downtown Parking Study
Downtown Landscaping and Lighting
Zoning Code Update

Announcements

7. Adjourn

8. Next Meeting: April 21, 2021

Meeting Adjourned at 6:56pm.

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.

DATES TO REMEMBER



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City-County Planning Board / Zoning Commission
FROM: Nicholas Altonaga, Planning Director
RE: 801 E. Main Street Zone Change
DATE: March 24, 2021

DESCRIPTION OF REQUEST

The Owner of 801 E. Main Street has requested a zone change from Community Commercial (CC) to Central Business District (CBD). Shannon Otis, the representative of the property owner, submitted the application packet to the Planning Department on February 17, 2021. The Applicant previously met with the Planning Director on site to discuss the zone change process and what a change of zoning designation would mean.

Owner: Investment Properties Finance Group LLC
Legal Description: NUTTING SUBD, S10, T02 S, R24 E, BLOCK 20, Lot 12A, AMND LESS 2731' FOR MAIN ST (08)
Address: 801 E. Main Street
Parcel Size: 10,939sqft
Existing Land Use: Commercial, vacant (under construction)
Existing Zoning: Community Commercial
Proposed Land Use: Central Business District

BACKGROUND AND PROCEDURAL HISTORY

- Applicant met with Planning Director in January of 2021 to discuss the current project on the property and the zone change process.
- Applicant submitted the zone change application on February 17, 2021.
- A Public Hearing was held at the Laurel City-County Planning Board meeting on March 17, 2021 to receive public comment and approve, approve with conditions, or deny the zone change.
- The Planning Board voted to approve the Zone Change Request with the stated staff conditions.

- A Public Hearing is scheduled at the Laurel City Council meeting on April 13, 2021 to receive public comment and approve, approve with conditions, or deny the zone change.

STAFF FINDINGS

The Applicant is requesting a zone change for the property at 801 E. Main Street. They request a zone change from the existing Community Commercial (CC) designation to the Central Business District (CBD) designation.

- The Applicant has met with the Planning Director regarding the zone change application.
- The Applicant has submitted the application and applicable fees.
- The Applicant has a goal of redeveloping and rehabilitating the parcel in order to build more residential units within the East downtown area.
- The Applicant has stated that the CBD designation provides greater opportunities for future lot development.
- The property is directly adjacent to the current delineated Central Business District.
- The property is one of two commercial properties directly East of the Central Business District zoning district that were not included in that zoning at the time of its establishment.
- The public noticing requirements have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 1. Deny the application for amendment to the official map;
 2. Grant action on the application for a period not to exceed thirty days;
 3. Delay action on the application for a period not to exceed thirty days;
 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

RECOMMENDATIONS

The Planning Director recommends that the Zoning Commission approve the zone change request. The Planning Director has drafted conditions of approval which are presented below.

1. The Owner/Developer shall comply with all the requirements of LMC Chapter 17.72
2. The Owner/Developer shall submit any and all applicable and necessary permits and fees for development of the parcels subject to this zone change approval.
3. The Owner/Developer shall not install and/or operate any uses on parcels subject to this zone change which are not allowable under LMC Chapter 17.16.

ATTACHMENTS

1. 801 E. Main Street Zone Change Application
2. Overhead Map with 300ft buffer
3. Nutting Subdivision Plat (1909)
4. List of Adjacent Property Owners
5. Public Hearing Notice
6. LMC 17.72 – Amendments
7. LMC 17.20 – Commercial-Industrial Use Regulations





2419 11TH LLC
B00501
PO BOX 7128
SHERIDAN, WY 82801-7003

ARROYO SECO GROUP INC
B00489
7308 EL NIDO
LA VERNE, CA 91750-1127

BRADLEY, CURTIS J & BONNIE
J
B00904
813 E 4TH ST
LAUREL, MT 59044-2801

CITY OF LAUREL
B00500
115 W 1ST ST.
LAUREL, MT 59044

DEMARAY, ROGER D &
KRISTINA R
B00497
4207 RIMROCK RD
BILLINGS, MT 59106-1420

EAST MAIN DEVELOPMENT
LLC
B00911
1415 RIDGE DR.
LAUREL, MT 59044-1817

HOLYCROSS, DAVID A
B00907
801 E 4TH ST
LAUREL, MT 59044

INVESTMENT PROPERTIES
FINANCE GROUP LLC
B00912
801 MAIN ST
LAUREL, MT 59044

LAUREL CHURCH OF CHRIST
B00499
PO BOX 95
LAUREL, MT 59044-0095

MONSON, CHRIS
B00903
817 E 4TH ST
LAUREL, MT 59044

MONTANA RAIL LINK
D13144C
PO BOX 16624
MISSOULA, MT 59808-6624

MORAN, MICHAEL G
B00908
PO BOX 461
LAUREL, MT 59044-0461

PORCH LIGHT LLC
B00906
805 E 4TH ST
LAUREL, MT 59044

RICHARDS, STEVEN W &
JENNY L
B00902
819 E 4TH ST
LAUREL, MT 59044

SMITH, LANCE E & AMBER
B00496
20 OHIO AVE
LAUREL, MT 59044

TOWN & COUNTRY SUPPLY
ASSOCIATION
B00498
PO BOX 367
LAUREL, MT 59044-0367

VANDYKE, BECKY L
B00909
417 ALDER AVE
LAUREL, MT 59044

WEATHERFORD, KEENAN
B00901
412 BIRCH AVE
LAUREL, MT 59044

PUBLIC HEARING NOTICE

The Laurel City-County Planning Board and Zoning Commission will conduct a public hearing on a zone change requested for 801 East Main Street. The Zoning Commission hearing is scheduled for **5:35 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Wednesday, March 17th, 2021.**

Additionally, the City Council has scheduled a public hearing for the consideration of the zone change request. The City Council hearing is scheduled for **6:30 P.M., in the City Council Chambers at City Hall, 115 West 1st Street, Laurel, Montana, on Tuesday, April 13th, 2021.**

The applicant is requesting a zone change from the Community Commercial zoning District to the Central Business District zoning district. The Community Commercial district is intended to accommodate community retail, service and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. The requested Central Business District zoning district is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's transportation system.

Public comment is encouraged and can be provided in person at the public hearings on March 17th and April 13th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the zone change documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628-4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

Chapter 17.72 - AMENDMENTS

Sections:

17.72.010 - Purpose of provisions.

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the city council may amend, supplement, or change the regulations in this title, or the zoning boundaries or classification of property on the zoning map, as set forth in this chapter.

(Prior code § 17.84.010)

17.72.020 - Amendment procedure.

Amendments to the text of the title and/or changes in the zoning boundaries or classification of properties shown on the zoning map may be initiated by the city council on their own motion, or upon recommendation of the planning board but no amendment shall become effective unless it shall have been submitted to the zoning commission for review and recommendation. Before enacting an amendment to this title, the city council shall give public notice and hold a public hearing thereon.

(Ord. 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.025 - Amendment by private property owner.

Amendments to the zoning boundaries or classification of property shown on the zoning map may be initiated by property owners of the land proposed to be rezoned, by the filing with the zoning commission secretary of a zoning change application, which application shall be provided by the zoning commission secretary, and accompanied by all other materials and data required in the application.

(Ord. 01-4 (part), 2001; Ord 96-5 (part), 1996; prior code § 17.84.020 (part))

17.72.030 - Preapplication conference required.

Persons or parties interested in submitting an application for a zoning change shall consult with the planning director and the building inspector, at a joint meeting, if possible, concerning a proposed zoning change, its relation to and effect upon the comprehensive plan, any applicable specific plans or any plans being prepared by the planning department, and whether the proposed change is in conformance with public necessity, convenience, general welfare and good zoning practice.

(Prior code § 17.84.030)

17.72.040 - Application requirements.

- A. Unless initiated by the city council or planning board, all applications for official map amendments must be submitted by the owner of such property, the contract purchaser, or the authorized agent of the owner. An application for an amendment affecting the same property shall not be submitted more often than once every twelve months. The zoning change application shall contain the following information:
1. Name of applicant;
 2. Mailing address;
 3. Telephone number;

4. Accurate legal description of location;
 5. Nature of zoning change requested;
 6. Description of present land uses;
 7. Description of adjacent land uses;
 8. Statement of intended land use;
 9. Statement concerning any expected effect upon the adjacent neighborhood;
 10. Date of preapplication conference;
 11. Names and addresses of adjacent property owners, within three hundred feet;
 12. Signature of applicant;
 13. Payment of all applicable fees.
- B. An application for amendment to the official map shall be made on or before five p.m. of the first day of the month preceding the date of the public hearing before the zoning commission. When the date of submittal falls on a weekend or holiday, the submittal shall be on the following day before five p.m.
- C. An application for a zone change may not be withdrawn or amended after the legal advertising, as required by this section, has appeared for final public hearing before the city council. An applicant may be allowed to withdraw at the time of the zoning commission hearing by a majority vote of the members present without requiring council approval of the withdrawal and without prejudice with respect to the twelve month waiting period providing, however, that no application be allowed to be withdrawn more than once within the twelve month period after application shall have first been submitted.

(Prior code § 17.84.040)

17.72.050 - Planning department evaluation responsibility.

The planning director, upon receiving an application for rezoning of an area or a particular place of property shall do the following:

- A. Consult with other departments of the city or county to fully evaluate the impact of any zoning change upon public facilities and services including, but not limited to schools, drainage, traffic and related facilities;
- B. Study each application with reference to its appropriateness and effect on existing and proposed land use, and references to the comprehensive plan;
- C. In the case of a protest petition filed in the matter of any application for rezoning determine the validity of such petition;
- D. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board at least fifteen days in advance of the time and place of the public hearing;
- E. Notify, by mail, the applicant or his authorized agent five days prior to the date of the public hearing of the time and place of such hearing;
- F. Notify, by mail, all property owners within three hundred feet of the exterior boundaries of the property subject to the rezoning; of the time, date, place of the public hearing and the existing and proposed classification. Further, he may notify property owners within a radius of more than three hundred feet if he determines that the proposed use of the property would have substantial environmental impact on surrounding land uses;
- G. The planning director shall report his findings and conclusions in writing to the zoning commission, which report shall be a matter of public record.

(Ord. 01-4 (part), 2001; prior code § 17.84.050)

17.72.060 - Zoning commission action.

- A. The zoning commission shall review and take action upon each application in accordance with the provisions of this chapter, and after a public hearing at which the application shall be presented to the zoning commission by the planning director together with his findings and conclusions on the matter. A report of the commission's recommendation and the planning director's findings and conclusions shall be submitted to the city council.
- B. The zoning commission shall make a recommendation to the city council to:
 - 1. Deny the application for amendment to the official map;
 - 2. Grant action on the application for a period not to exceed thirty days;
 - 3. Delay action on the application for a period not to exceed thirty days;
 - 4. Give reasons for the recommendation.
- C. The zoning commission shall adopt such rules and regulations for the conduct of public hearings and meetings, which shall be published and available to the public, as well as conflict of interest rules, to ensure that no member is entitled to vote on a matter in which he has an interest directly or indirectly.

(Prior code § 17.84.060)

17.72.070 - Public hearing—Notice required.

- A. Before taking action on an application for an amendment to the official map, and after presentation of the zoning commission's recommendation, the city council shall hold a public hearing on the application.
- B. The recommendations of the zoning commission shall be published twice in a newspaper of general circulation in the jurisdictional area of the Laurel-Yellowstone city-county planning board, and not less than fifteen days after the first publication of such notice, a final hearing shall be held at the next regular meeting of the city council.
- C. When such proposed amendment has been denied by the city council neither it nor one involving the same tract(s) shall be offered for adoption within one year after such denial.
- D. In case, however, of a valid protest petition against such change signed by the owners of twenty per centum or more either of the lot included in such proposed change, or of those immediately adjacent in the rear of extending one hundred fifty feet therefrom or of those adjacent on either side thereof within the same block, or of those directly opposite thereof extending one hundred fifty feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the city council.

(Ord. 01-4 (part), 2001; prior code § 17.84.070)

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	A	A	A	A	A	A	A	A	A
Airports	A								A
Alcoholic beverages manufacturing and bottling (except below):							A	A	
1,500 to 5,000 31-gallon barrels per year				SR	SR	SR	A	A	
Less than 1,500 gallon barrels per year				A	A	A	A	A	
Ambulance service			A	A	A	A	A	A	
Antique store				A	A	A	A		
Appliance - (household) sales and service			A	A	A	A	A		
Assembly halls and stadium					SR	SR	SR		SR
Assembly of machines and appliances from previously prepared parts					SR	SR	SR		SR
Auction house, excluding livestock				SR	SR	A	A	A	
Auction, livestock	SR								
Automobile sales (new and used)				A	A	A	A		
Automobile - commercial parking enterprise				A	A	A	A	A	
Automobile and truck repair garage				A	A	A	A	A	
Automobile service station			A	A	A	A	A	A	
Automobile wrecking yard								SR	
Bakery products manufacturing					SR	A	A	A	
Bakery shops and confectioneries			A	A	A	A	A		
Banks, savings and loan, commercial credit unions			A	A	A	A	A		
Barber and beauty shops			A	A	A	A	A		
Bed and breakfast inns	A		A		A	A			
Bicycle sales and repair			A	A	A	A	A		
Blueprinting and photostating			A	A	A	A	A		
Boarding and lodging houses	A		A		A	A			
Boat building and repair						A	A	A	
Boat sales new and used					A	A	A	A	
Boiler works (manufacturing servicing)								A	
Boiler works (repair and servicing)							A	A	
Book and stationery store			A	A	A	A	A		
Bottling works							A	A	
Bowling alleys				A	A	A	A		
Brick, tile or terra cotta manufacture								A	
Bus passenger terminal buildings local and cross country				A	A	A	A		
Bus repair and storage terminals						A	A	A	
Camera supply stores			A	A	A	A	A		
Camps, public					SR	A			A
Car washing and waxing					A	A	A		
Car wash - coin operated			A	A	A	A	A		
Cement, lime and plastic manufacture								A	
Ceramics shop		SR	A	A	A	A	A		
Chemical and allied products manufacture								A	
Child care facilities	A		A		A	A			
Churches and other places of worship including parish houses and Sunday school building	A	SR	A	A	A	A	A	A	
Clinic, animal	A		A	A	A	A	A		
Clinics, medical and dental		SR	A	A	A	A	A		
Clothing and apparel stores			A	A	A	A	A		
Coal or coke yard								A	
Cold storage					A	A	A		
Colleges or universities			A	A	A	A			A
Commercial recreation areas			SR	A	A				A

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Commercial food products, storage and packaging						SR	A	A	
Communication towers (commercial)	A	A	A	A	A	A	A	A	SR
Concrete mixing plants and manufacturing of concrete products							A	A	
Construction contractors:									
Office			A	A	A	A	A	A	
Open storage of construction materials or equipment						SR	A	A	
Community residential facilities:									
Adult foster family care home	A		A		A	A			
Community group home	A		A		A	A			
Halfway house	A		A		A	A			
Youth foster home	A		A		A	A			
Youth group home	A		A		A	A			
Nursing, homes, convalescent homes, orphanages, and charitable institutions	A		A		A	A			
Crematorium						SR	A	A	SR
Creameries, dairy products manufacturing							A	A	
Creosote manufacturing or treatment plants								A	
Department stores				A	A	A	A		
Drug stores			A	A	A	A	A		
Dry kiln								A	
Dwellings: single-family Manufactured home	A	A	A	A	A				
Class A, Class B, Class C									
two family			A	A	A				
multiple family			A	A	A				
row housing			SR	SR	SR				
Eating and drinking establishments:									
Cocktail lounge, restaurants, bars and taverns				SR	SR	SR	SR		
Restaurants (without the sale of alcoholic beverages)				A	A	A	A		
Drive-in restaurants					SR	SR	SR		
Extractive industries - excavations of sand and gravel		SR					SR		
Farm implements, sales and service						A	A	A	
Fat rendering or production of fats and oils								SR	
Feedlots – livestock	A							SR	
Feed and seed processing and cleaning for retail purposes									
Feed and seed - farm and garden retail sales					A	A	A		
Fertilizer manufacturing								SR	
Fertilizer wholesale sales						SR	SR	A	
Fertilizer - retail sales					A	A	A		
Florist, wholesale sales	SR				A	A	A		
Florist, retail sales			A	A	A	A	A		
Flour mills							SR	SR	
Food products manufacturing, storage and processing						SR	SR	A	
Food stores (retail only)				A	A	A	A		
Food stores (retail only) - 3000 sq. ft.			A	A	A	A	A		
Foundry								A	
Frozen food lockers					A	A	A		
Fuel oil, gasoline and petroleum products bulk storage or sale						A	A	A	
Furnace repair and cleaning					A	A	A	A	
Furniture and home furnishings, retail sales			A	A	A	A	A		
Furriers, retail sales and storage			A	A	A	A	A		
Gambling establishments				A	A	A	A		
Garbage, offal and animal reduction or processing							SR		
Garbage and waste incineration								SR	
Gas storage								SR	

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Gases or liquified petroleum gases in approved portable metal containers for storage or sale						A	A	A	
Grain elevators	A					SR	SR	A	
Greenhouses	A				A	A	A	A	
Hardware, appliance and electrical supplies, retail sales				A	A	A	A		
Hatcheries	A						SR	SR	
Heliports				SR		SR	SR	SR	SR
Hobby and toy stores			A	A	A	A	A		
Hospitals (for the care of human patients)			A	A	A	A		A	
Hospital, animal		A		SR	SR	A	A	A	
Hotels				A	A	A			
Industrial chemical manufacture except highly corrosive, flammable or toxic materials								SR	
Irrigation equipment sales and service					A	A	A	A	
Jails and penal institutes									A
Janitor service				A	A	A	A		
Jewelry and watch sales			A	A	A	A	A		
Kennels – commercial	A				SR	A	A		
Laboratories for research and testing						SR	A	A	
Landfills - reclamation or sanitary									A
Laundries, steam and dry-cleaning plants							A	A	
Laundries, steam pressing, dry-cleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size			A	A	A	A	A		
Laundries, pick up stations			A	A	A	A	A		
Laundries, self-service coin operated			A	A	A	A	A		
Libraries, museums, and art galleries			A	A	A	A	A		A
Lock and gunsmiths			A	A	A	A	A		
Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain				A	A	A			
Lumber yards, building materials, storage and sales						A	A	A	
Machine shops						SR	A	A	
Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created						SR	A	A	
Heavy manufacturing not otherwise mentioned or blending or mixing plants						SR	SR		
Meat processing - excluding slaughter plants						SR	A		
Meat processing, packing and slaughter								SR	
Medical marijuana cultivation facility or cultivation facility							A	A	
Medical marijuana dispensary or dispensary							A		
Metal fabrication						SR	SR	A	
Motorcycle sales and repair				A	A	A	A		
Mortuary			A	A	A	A	A		
Motels and motor courts				A	A	A			
Music stores			A	A	A	A	A		
Office building, professional government and private office buildings in which no activity is carried on catering to retail trade and no stock of goods is maintained for sale	SR	SR	A	A	A	A	A	A	SR
Office equipment, supplies and service			A	A	A	A	A		
Optician and optical supplies and sales			A	A	A	A	A		
Oxygen manufacturing and/or storage								A	
Paint and body shops				A	A	A	A	A	
Paint and retail sales			A	A	A	A	A		
Parking, public		SR	A	A	A	A	A	A	A

17.20.010 - List of uses.



Table 17.20.010 designates the special review (SR) and allowed (A) uses as governed by commercial — industrial use regulations.

	AG	RP	NC	CBD	CC	HC	LI	HI	P
Parks, playgrounds, playfields and golf courses, community center buildings - operated by public agency, neighborhood or homeowner's association	A	SR							A
Pawn shops				A	A	A	A		
Pet shops			A	A	A	A	A		
Photographic studios		SR	A	A	A	A	A		
Planing or saw mills								A	
Post-secondary school	A	A	A	A	A	A			A
Prefabricated building materials assembly and manufactures						SR	A	A	
Preschool	A	SR	SR	SR					
Printing, publishing, reproduction and lithography				A	A	A	A	A	
Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners					A	A	A	A	
Public utilities service installations	SR	SR	SR	A	A	A	A	A	SR
Public utilities storage yard						A	A	A	SR
Radio and TV broadcasting stations				A	A	A	A	A	
Radio and TV tower						A	A	A	SR
Railroad yard							A	A	
Real estate office			A	A	A	A	A		
Rental service store and yard					A	A	A		
Repair and servicing of industrial equipment and machinery						A	A	A	
School, commercial			A	A	A	A			A
Scrap yards - storage and processing								A	
Secondhand stores and/or antique store				A	A	A	A		
Sheet metal shops and processing							A	A	
Shoe repair				A	A	A	A	A	
Sign manufacturing, painting and maintenance						A	A	A	
Sign									
Billboards	SR					SR	SR	SR	
On premises	A	SR	A	A	A	A	A	A	
Off premises	SR			SR	SR	SR	SR	SR	
Slaughterhouse	SR							SR	
Sporting goods sales				A	A	A	A		
Storage, compartmentalized storage for commercial rent							SR	SR	
Storage and warehouse and yards							SR	A	
Stone cutting, monuments manufacturing and sales							SR	A	
Sugar and sugar beet refining								SR	
Swimming pools or beaches, public									A
Taxi stands				A	A	A	A		
Theaters, cinema, opera houses				A	A	A			
Drive-in theaters						SR			
Tire recapping and retreading						A	A	A	
Trailer and recreational vehicle sales area					A	A	A		
Travel trailer park (transient)						SR			
Truck terminals, repair shops, hauling and storage yards						A	A	A	
Water and sewage treatment plant	A								A
Wholesale and jobbing establishments						SR	A	A	
Woodworking shops, millwork						SR	A	A	
Zoo, arboretum	SR								A

(Ord. No. O09-01, 3-17-09; Ord. No. O09-07, 7-7-09; Ord. No. O11-01, 2-15-2011; Ord. No. O-14-03, 8-5-2014)

17.20.020 - Zoning classified in districts.

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020.
(Prior code § 17.32.020)



Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front ^(a)	NA	20	20	NA	20	20	20	20	20
Side ^(b)		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear ^(b)		0	0		0	0	0	0	0
Maximum height for all buildings ^(c)	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for 1 and 2 single family dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

(Ord. No. O-14-03,8-5-2014)

File Attachments for Item:

31. Ordinance No. 021-02: An Ordinance Amending Certain Chapters Of Title 14 Of The Laurel Municipal Code Relating To The Adoption And Enforcement Of Building Codes For The City Of Laurel As Required By The State Of Montana.

ORDNANCE NO O21-02

AN ORDINANCE AMENDING CERTAIN CHAPTERS OF TITLE 14 OF THE LAUREL MUNICIPAL CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF BUILDING CODES FOR THE CITY OF LAUREL AS REQUIRED BY THE STATE OF MONTANA.

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; and

WHEREAS, the City's Public Works Department Staff worked with Building Officials from the State of Montana to prepare the amendments to the Laurel Municipal Code to remain consistent and in accordance with the rules adopted by the State of Montana, Building Codes Bureau.

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing Title 14 as noted herein and hereby recommends the same to the City Council for their full approval.

Title 14 BUILDINGS AND CONSTRUCTION

Chapter 14.12 - INTERNATIONAL BUILDING CODE, 2018 EDITION

NEW SECTIONS:

14.12.030 – Modifications to the International Building Code

- A. Section 101.1 – Insert: City of Laurel – So that it reads: These regulations shall be known as the Building Code of City of Laurel, hereinafter referred to as “this code.”
- B. Section 1612.3 – Insert: Yellowstone County, Montana and Incorporated Area and November 6, 2013 – So that it reads: “The Flood Insurance Study for Yellowstone County, Montana and Incorporated Area dated November 6, 2013, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto.

14.12.040 – Violation – Penalty

Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

Chapter 14.16 - INTERNATIONAL RESIDENTIAL BUILDING CODE, 2018 EDITION

NEW SECTIONS:

14.16.030 – Modifications to the International Residential Building Code

- A. Section R101.1 – Insert: City of Laurel – So that it reads: These provisions shall be known as the Residential Code for One- and Two-family Dwellings of City of Laurel and shall be cited as such and will be referred to herein as “this code”.

14.16.040 – Violation – Penalty

Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

Chapter 14.18 - INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION

NEW SECTIONS:

14.18.030 – Modifications to the International Existing Building Code.

- A. Section 101.1 – Insert: the City of Laurel – So that it reads: These regulations shall be known as the Existing Building Code of the City of Laurel, herein referred to as “this code”.

14.18.040 – Violation – Penalty

Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

Chapter 14.22 - INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION

NEW SECTIONS:

14.22.030 – Modifications to the International Energy Conservation Code.

- A. Section C101.1 – Insert: the City of Laurel – so that the section reads; This code shall be known as the Energy Conservation Code of the City of Laurel, and shall be cited as such. It is referred to herein as “this code”.
- B. Section R101.1 – Insert: the City of Laurel – so that the section reads: This code shall be known as the Energy Conservation Code of the City of Laurel, and shall be cited as such. It is referred to herein as “this code”.

14.22.040 – Violation – Penalty

Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

Chapter 14.23 - INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION

NEW SECTIONS:

14.16.030 – Modifications to the International Swimming Pool and Spa Code

A. Section 101.1 – Insert: The City of Laurel – So that it reads: These regulations shall be known as the Swimming Pool and Spa Code of the City of Laurel, hereinafter referred to as “this code”.

B. Section 105.6.2 shall be amended to read – The fees for work shall be as established in the fee schedule adopted by resolution of the City Council.

14.16.040 – Violation – Penalty

Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

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 March 23, 2021, by Council Member Wilke.

PASSED and ADOPTED by the Laurel City Council on second reading this 13th day of April 2021, upon motion of Council Member _____.

APPROVED BY THE MAYOR this 13th day of April 2021.

CITY OF LAUREL

Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter, Civil City Attorney