

MINUTES OF THE CITY COUNCIL OF LAUREL

July 1, 2014

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 Mark Mace at 6:30 p.m. on July 1, 2014.

COUNCIL MEMBERS PRESENT: Emelie Eaton Doug Poehls
 Bruce McGee Richard Herr
 Chuck Dickerson Bill Mountsier

COUNCIL MEMBERS ABSENT: Tom Nelson Scot Stokes

OTHER STAFF PRESENT: Monica Plecker

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

Mayor Mace asked the council to observe a moment of silence.

MINUTES:

Motion by Council Member McGee to approve the minutes of the regular meeting of June 17, 2014, as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CORRESPONDENCE:

Laurel Chamber of Commerce: Minutes of June 12, 2014; Agenda for June 26, 2014.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

PUBLIC HEARING.

CONSENT ITEMS:

- **Claims for the month of June 2014 in the amount of \$1,134,013.91.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 06/22/2014 totaling \$170,492.30.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of June 17, 2014 were presented.
 - Council Workshop minutes of June 24, 2014 were presented.
 - Tree Board minutes of April 17, 2014 were presented.
 - Laurel Urban Renewal Agency minutes of June 16, 2014 were presented.

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

Motion by Council Member Eaton to approve the consent items as presented, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

Mace

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Russ Kepferle introduced Beth Olson, who is scheduled for appointment to the Laurel Ambulance Service tonight.

Beth Olson stated that she recently moved to Billings, works for Eagle Ambulance, which does mostly long distance transports, and wants to work with the Laurel Ambulance Service.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Laurel Ambulance Service:

Mayor Mace appointed Beth Olson to the Laurel Ambulance Service.

Motion by Council Member Poehls to approve the Mayor’s appointment of Beth Olson to the Laurel Ambulance Service, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R14-39: A resolution adopting and approving a wage increase for the City Judge for the City of Laurel.**

Motion by Council Member McGee to approve Resolution No. R14-39, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. Council Member McGee voted aye. Council Members Poehls, Herr, Mountsier, Dickerson and Eaton voted nay. Motion failed 5-1.

Council Member Poehls asked that the judge’s salary adjustment be placed on the July 8th council workshop agenda.

- **Resolution No. R14-41: A resolution of the City Council authorizing the Mayor to sign a contract with the Montana Department of Transportation for the TransADE Program.**

Motion by Council Member Herr to approve Resolution No. R14-41, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R14-42: A resolution of the City Council authorizing the Mayor to sign a Memorandum Agreement with the Montana Department of Transportation for the TransADE Program.**

Motion by Council Member Mountsier to approve Resolution No. R14-42, seconded by Council Member Herr. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Ordinance No. O14-02: An ordinance amending Chapter 12.18.6 of the Laurel Municipal Code to update the City’s Special Events Ordinance within the City of Laurel. First reading.**

Motion by Council Member Eaton to adopt Ordinance No. O14-02, seconded by Council Member Poehls. There was no public comment or council discussion. A roll call vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

- Review of Monthly Reports: Police, Fire, Ambulance, and Code Enforcement

MAN

Council Member Poehls wished everyone a happy and safe 4th of July.

Council Member Dickerson also wished everyone a safe 4th of July.

Council Member Eaton asked that several items be placed on the next council workshop agenda. Someone asked her what the fenced off area is for in the southeast corner of the Veterans' Cemetery on the city's side of the cemetery. Mayor Mace will ask staff to address this at the next workshop.

Council Member Eaton has received comments from people with regard to Schessler's, as they line up their cement trucks with the business end of the truck facing the street. This apparently upsets some people as it appears that the back ends of the trucks are leaning onto the roadway. People swerve and it has caused a bit of a traffic concern. She will take a picture for the next workshop so the council can have a visual of the situation.

Council Member Eaton stated that the weeds and grass are still a problem at the asphalt plant. The grass on the railroad property was cut last week.

Council Member Eaton asked for a discussion on the next workshop agenda regarding the process for a special permit to shoot off fireworks outside of the three days fireworks are allowed in the ordinance and what is done when someone blatantly violates it.

Council Member Eaton mentioned the Public Works Committee meeting on Monday, July 7th. The committee will discuss four sub-items regarding recycling.

Mayor Mace mentioned that he spoke with Dave Mumford, the Public Works Director in Billings, regarding the possibility of a recycling program in Laurel.

UNSCHEDULED MATTERS:

- **Temporary cell phone tower**

Mayor Mace asked Planning Director Monica Plecker to present an unscheduled item.

Monica presented an application for a temporary use permit to approve a temporary cell phone tower specifically for the 4th of July celebration. The code is very unclear on how to handle temporary structures like a cell phone tower. LMC includes a whole chapter in zoning that is dedicated to telecommunications and towers, but it does not address any sort of temporary tower. Monica talked with the city attorney about this request, it was decided to have the applicant submit a temporary use permit. The application and the standards that apply are designed for a building as opposed to a structure to provide a service, so it is more of a formality for the application. Monica explained the two potential concerns of the city attorney. One concern was if the cell phone tower would create noise or light that would be disturbing to any of the nearby residences. The applicants said that there is no light associated with the cell phone tower. As far as noise, the generators make no more noise than a residential house HVAC system would make with a central air system. The attorney's other concern was about security around the tower site, and there will be a fence to secure the tower so people cannot climb on the structure. With those answers, the city attorney was satisfied and thought the best way to move forward would be to bring the matter to council under Unscheduled Matters for a vote.

Council Member Dickerson asked if there is a quiet zone period in the City of Laurel.

Monica stated that there is not a noise ordinance in the City of Laurel.

Council Member Dickerson asked if the coolants would be running 24 hours a day.

Monica answered that it was not stated in the application so she could not answer that.

Council Member McGee asked if the Federal Aviation Administration would be notified about the 50-foot tower and where it would be located.

Monica stated that the tower will be located in the Laurel Middle School parking lot. The tower has to be 50 feet high so it can actually have the height to extend over to the Thomson Park area to reach the highest density of people.

Council Member McGee stated that the tower is needed because cell service is overwhelmed during the 4th of July. He does not think 50 feet creates an obstruction to be concerned about for an airplane, but it is something new going up and is temporary so proper notification should be made.

Monica mentioned that the Planning Board has been discussing the airport affected area and the importance of getting an updated set of regulations. With the elevation of the city limits versus the airport and the protected space they need, there would rarely be trouble with height limits in the city limits.

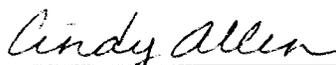
Council Member McGee said that he believed that.

Motion by Council Member Dickerson to approve the temporary use permit from Digital Skylines for the period of June 30, 2014 through July 7, 2014 in the area of the Laurel Middle School, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

ADJOURNMENT:

Motion by Council Member Dickerson to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

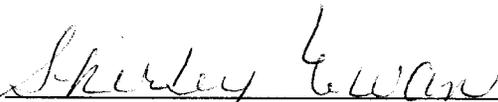
There being no further business to come before the council at this time, the meeting was adjourned at 6:53 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15th day of July, 2014.


Mark A. Mace, Mayor

Attest:


Shirley Ewan, Clerk/Treasurer