

**MINUTES
COUNCIL WORKSHOP
JULY 8, 2014 6:30 P.M.
COUNCIL CHAMBERS**

A Council Workshop was held in the Council Chambers and called to order by Mayor Mark Mace at 6:30 p.m. on July 8, 2014.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Doug Poehls
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Chuck Dickerson	<input checked="" type="checkbox"/> Scot Stokes
<input checked="" type="checkbox"/> Tom Nelson	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Heidi Jensen	Jean Kerr
Monica Plecker	Undersheriff Kevin Evans
Keith Kolstad	Sgt. Jason Valdez

Public Input (three-minute limit):

Dan Koch, 320 Colorado Avenue spoke about recycling and the need to have a container where people can drop off their plastic, glass, tin, etc. He stated that the Public Works Committee previously discussed the need to change the code in order to allow recycling, and he thinks the city should go forward with the change. The trucks will not ruin the city's streets any more than the city's trucks ruin the streets. He is concerned about having a place to drop off recyclable materials, which will save money. Dan asked for a container for the public to place their recycling.

General items

There were none.

Executive Review:

- Discussion – Jail labor force for city projects

Judge Kerr introduced Undersheriff Evans and Sgt. Valdez, who are with Yellowstone County Sheriff's Office, and attended to present the Sheriff Labor Detail (SLD) program.

Undersheriff Evans gave a PowerPoint presentation that highlighted information regarding the Sheriff Labor Detail (SLD) program, the 2013 and 2014 statistics for the SLD, the participation contract, the crew supervisor standards, the crew request form and the contact information. A copy of the presentation is attached to these minutes.

Following the presentation, there was discussion regarding the program, agencies that use the program, examples of the typical offenses committed by the inmates in the program, the training program for the partners, and the cost to the inmates.

- Discussion – Community Hope's request

Monica stated that the council discussed Community Hope's variance request at the previous council workshop. The council received copies of several items and Monica reviewed the information. These included the letter that Community Hope wrote requesting reconsideration of the conditions of approval, the original 1994 resolution that listed the conditions of approval, Monica's staff report, and Community Hope's application, initial letter, and their plans to expand. The council minutes of February 1, 1994 and March 1, 1994, were also distributed, as that is when the public hearing for the special review to allow Community Hope was held. The March 1, 1994 council minutes included the motion made with the conditions of approval.

At the previous workshop, the council asked questions about Community Hope's site and their request that the fence requirement be taken out of the conditions of approval. Monica reviewed the eight conditions included in the resolution the council approved in December 2013:

1. The variance is effective for a period of 3 years from the date this resolution is approved.
2. The applicant shall apply for and obtain a building permit from the City;
3. The property must be kept free of noxious weeds;
4. All storm water must remain or be kept on the property;
5. The half-moon made by the turn around on the property shall be landscaped with, at a minimum, three deciduous trees of at least three inch diameter and three low, ground cover, juniper bushes.
6. A six foot, solid cedar fence shall be provided from both sides of the back building line to the alley and along the alley.
7. The alley fencing must allow for dumpster access from the alley.
8. A drive through gate shall be provided on the north end of the alley fence; this gate shall remain closed and locked when Community Hope is not open.

The variance is effective until December 2016. The applicant has not applied for and obtained a building permit from the City since the conditions of approval have not been met. Monica showed pictures of the half-moon that requires three deciduous trees of at least three inch diameter and three low, ground cover, juniper bushes. Community Hope is not asking for this to be changed. Regarding conditions 6 and 7, Monica stated that the 6-foot fence from both sides of the back building line to the alley and along the alley would have been against the city's fence ordinance at that time. Number 7, the alley fencing must allow for dumpster access from the alley, does not say where the dumpster access needs to be, but it would be somewhere along the alley at the discretion of Community Hope.

Monica explained that there has been an amended plat or an abandonment of right-of-way since the conditions were approved in 1994. South Second Street is no longer a right-of-way and is now Community Hope's property. At the time when there was right-of-way there, perhaps the 6-foot fence on that side coming straight back from the building seemed more plausible, but Community Hope has since acquired more property to the north.

Regarding condition 8 that a drive through gate shall be provided on the north end of the alley fence and the gate shall remain closed and locked when Community Hope is not open, Community Hope has explained that the back space is used for staff parking. Visitor parking is in the front of the building. They are looking for more building space.

Keith Kolstad, Code Enforcement Officer, took some pictures for Monica recently. She showed the pictures to give the council a ground level view of where a fence would need to extend from the rear of the building and along the alley.

Monica explained that, since this is a reconsideration as far as bringing in new evidence, the council needed to consider the information.

There was discussion regarding the alley fencing, dumpster access from the alley, the type of gate required, the consideration that some logistics that made sense in 1994 might not make sense now, the request to remove the conditions related to fencing, Chuck's request in 1994 to get a performance bond until the conditions were met, and documentation of complaints in 1994 versus current complaints.

Monica stated that she has received no complaints about Community Hope not having a fence in the two years she has worked here. Keith Kolstad also stated that he has received no complaints.

There was further discussion regarding the parking restrictions that will result from a fence. Community Hope's main argument is that they need that space for employee parking. Community Hope's letter stated that condition 6 would "provide more harm than good in the following ways: it would not allow for ample parking for the volunteers; it would restrict access for the delivery and pickup of food; it would restrict access for the recycling agency; removal of snow would be almost impossible; it would limit the access for the police and fire departments in an emergency and or burglary; it would increase the amount of dumping of items over the fence; access for the city garbage truck; a sight hazard, not being able to see clearly; garbage and leaves will continue to blow and be stuck under the fence."

Tom questioned why the council was discussing this and whether it should go back to the City-County Planning Board for review and a recommendation to the council.

Monica explained that the City-County Planning Board makes recommendations but the council is the deciding group, and the appeals process brings it back to the council without new review from the Planning Board. The council is supposed to reconsider based on the same information it had the first time. This is just elaborating on the conditions and showing what would be seen at the location.

Doug stated that he lives very close to Community Hope and was adamant last time this came up. Since then, he has looked at the Community Hope building closely. He stated that the fence is really kind of immaterial. The city does not have the transient issue it had in the past, as some things were done to relieve the transient problem. Some trees were removed in the Y between the railroad tracks, which is where the transients used to camp, but that does not happen anymore. He stated that Community Hope keeps the property picked up. If there is a pile of stuff outside the front of the building that people dropped off overnight, it is usually picked up quickly. Trash and refuse is not an issue in the back of the building. Doug stated that, in his opinion, it is not a big deal one way or the other to him.

Tom asked Monica to email the PowerPoint presentation to him for further review.

- Resolution – Amend contract with Sanderson Stewart for the TIFD plan (Resolution No. R14-24)

Heidi stated that the item would be rescheduled.

- Resolution – Contract with Sanderson Stewart for traffic engineering and planning services for the TIFD

Monica explained the resolution regarding a traffic study, which was presented to the council on June 24th. A section of the contract was amended to address the parking issue that was discussed by the council. Sanderson Stewart removed three of the intersections that had already been evaluated as part of the Transportation Plan, and the parking review was added to the contract. Parking will be evaluated specifically in the downtown area in a seven block area from Main Street, four blocks east and three blocks west of First Avenue. The contract is for \$19,000 and will be paid out of the Tax Increment Finance District.

- Discussion – Judge’s salary adjustment

Doug explained his proposal to give the judge the same increase that will be given to the city’s department heads.

Heidi stated that all non-union employees will receive an increase of \$.80 per hour. If the council chooses to do that for the judge, the council would still have to do it on a yearly basis via resolution since the next calendar year adjustment is determined each year. She could inform the council of the proposed increase each year and a resolution would be needed annually to increase the judge’s salary.

Doug explained his thought that then the judge would be treated like the department heads regarding the pay increase, so the council could be informed during the budget cycle and prior to approval of the Management Budget.

Tom asked if this is a salaried position that would be based on 2080 hours for a 40-hour workweek.

Heidi stated that was correct.

Mayor Mace asked if the council was ready to draft a resolution for this issue.

There was discussion regarding changes to the ordinance versus a resolution, whether it would be retroactive, if the department heads were already receiving the \$.80/hour increase, and how this would help alleviate miscommunication about the judge’s salary issue.

Heidi explained that the ordinance states that the judge’s compensation is done by resolution. If the council chooses to make the increase retroactive to July 1st, 2014, the resolution must include language to that effect. The \$.80/hour increase for non-union employees went into effect on July 1st when the Management Budget was passed.

Tom asked if there were any other issues with department heads in treating the judge like other department heads regarding wages or if this could just be tied to wages. He also asked if judges in other municipalities receive longevity pay.

Heidi stated that all non-union employees received the \$.80/hour increase, not just department heads. Non-union employees include the department heads, the employees in the clerk’s office, administration and public works office. She explained that the city has not done a great job of following the Personnel Policy Manual and doing evaluations. She is working with Avitus Group to get the new Personnel Policy Manual completed so that evaluations can be done and raises could be based more on merit instead of just across the board so that employees who are performing above

what is expected with their position are rewarded. Department heads would do the evaluations. Heidi stated that Judge Kerr has provided the council with information that other judges in the state receive longevity.

Chuck asked whether department heads are evaluated in order to get an hourly increase or how that is determined.

Heidi stated that department heads are given a yearly evaluation, but it was the previous mayor's policy that everyone received the increase regardless of what turned up in the evaluation. This year everyone has received the \$.80/hour increase.

Chuck asked if the evaluation process would be done on an elected official if they are treated as a department head.

Heidi stated that the judge is not an employee and she cannot evaluate the judge.

Chuck questioned whether the judge would get an automatic \$.80/hour raise if that is the norm for that year.

Heidi explained that the council would have to approve the judge's salary increase by resolution. She would present the proposed amount of the increase for non-union employees to the council so the council could decide what to give the judge.

Doug asked if the council wanted to have a resolution prepared for consideration.

Chuck stated that a resolution is needed for the council to make a decision on how to handle this instead of doing nothing, which would not be fair to Judge Kerr.

Doug suggested that the proposal provides a formula to start the process so the council can look back next year, get the information from the CAO, and have something on which to base a salary increase for the city judge.

Tom agreed with Doug. He stated that, with the next budget cycle and before the budget process is put on paper, if the judge was interested in petitioning the council again for longevity, the council could discuss it and decide then whether or not to move that forward. He stated that settling the current issue with a yea or nay vote would only be fair to the judge and to the process.

A resolution will be prepared for the July 29th council workshop.

- Ordinance – Amend LMC 17.20.010

Monica stated that the proposed changes in the zoning chapter of the Laurel Municipal Code were in a table attached to the ordinance. The Planning Board reviewed the changes, held a public hearing, and recommended the changes to the council.

Monica explained the changes. "Storage, compartmentalized storage for commercial rent" is for the typical storage units, such as those on the east and west ends of town. The second change is to "Storage and warehouse yards." Looking at where these types of activities are allowed and taking into consideration the best uses for the vacant properties in the city's business zoned districts, staff

recommended and discussed with the Planning Board that these changes be made. There is not much vacant space in the city's Community Commercial and Highway Commercial districts. By definition, those districts are meant to serve offices, or neighborhood like services. Laurel is a small town, so there are not little suburbs, but when looking at commercial property and what the community hopes to get back from a commercial investment, storage units do not do it. Also, there are a lot of storage units in town already. The proactive planning approach is to restrict where storage units can go. This proposal suggests that storage units would be allowable only by special review in Light and Heavy Industrial properties. Storage units would not be allowed in Community Commercial, Neighborhood Commercial, and Highway Commercial districts.

As far as storage and warehouse yards, the Central Business District is not an appropriate place for those. The Central Business District is meant to be a downtown, a vibrant kind of retail serving people as opposed to storage of whatever somebody wants to put on their property. The proposal would not allow storage and warehouse yards in the Central Business District. They would be allowable by Special Review in Light Industrial and would be allowed in Heavy Industrial, because a storage yard is appropriate for Heavy Industrial.

The third change is not related to storage. The bottom section of the table in the municipal code addresses how dwellings in the Central Business District, or any commercial zoning district, revert to Residential Limited Multi-Family. Residential Limited Multi-Family has many requirements in comparison to those for commercial businesses. In the Central Business District, there can be 100 percent lot coverage, so someone could build on every square inch of the property. If someone wanted to build a duplex on a lot in the Central Business District, they would have to have a certain number of square footage in the lot and they could only do 30 percent lot coverage. They would have to have 20-foot yard setbacks in the front and 20-foot setbacks on the side if adjacent to a street. Basically, it restricts the lot and the ability to put a dwelling there. There have been some discussions with people interested in remodeling and turning some of the buildings in the Central Business District into multi-family units or apartment complexes. The current zoning code does not address high density housing. The city's growth policy clearly states that Laurel does not have enough housing. With the TIFD Master Plan process, just because it is a commercial district does not mean it cannot serve people with places to live. One and two single family dwellings would remain as Residential Limited Multi-Family, and anything greater, such as a tri-plex, four-plex, or apartment complex, would have the same requirements of the zoning it is in. This would allow people that want to do residential development in commercial areas the ability to utilize the lot much better than they can now.

Bill asked for clarification of the acronyms.

Monica explained the zoning designations: AG – Agricultural; RP – Residential Professional; NC – Neighborhood Commercial; CBD – Central Business District; CC – Community Commercial; HC – Highway Commercial; LI – Light Industrial; HI – Heavy Industrial; and P – Public.

Tom asked if the proposal is to strike "Allowed" from "Storage, compartmentalized storage for commercial rent" in the Community Commercial.

Monica explained that storage units would only be allowed by Special Review in Light or Heavy Industrial zones and not allowable anywhere else.

Tom asked regarding a recent variance request for storage units in on East Main where the old motel is located.

Monica explained that the variance was for setbacks, not for the use. Storage units were allowed on this lot. Monica talked with the property owner, as the Planning Board wanted that addressed before making a recommendation to the council. The property owner still has plans to proceed and is almost ready to apply for demo and building permits. The variance is only good for three years, and this particular property owner has completed the first year of his three years. The permit will be issued before the ordinance change is effective. Staff has worked with the property owner to make sure there would be no negative impact to his plans that have already come before the council.

- Council Issues:

- Recycling (Emelie Eaton)

Emelie stated that she optimistically thought that she would be bringing a summary of what the committee decided, but there has been a humongous communication failure between her as chair of that committee and the Public Works Director. In the last 24 hours, they have exchanged several lengthy emails and begun to resolve the communication issue. She stated that Mr. Koch initially brought recycling to the committee, and the committee was thinking small while the Public Works Director was planning huge. They will gather the needed information for the next Public Works Committee meeting on August 11th. After the next meeting, Emelie hopes to present information to the council regarding whether or not the city will have a bin to accept recycling that people are currently collecting and hauling into Billings.

Rick stated that the code should be rewritten to allow the recycling company to provide alley pickup corresponding to the city's garbage pickup zones. The recycling company would do the work, collect the money, and the city would not be involved.

Emelie responded that she would discuss that in her ongoing communications with the Public Works Director, but she would allow him to wait until the next Public Works Committee meeting and bring that up as a totally separate item so they are not mixing apples and kumquats.

- Fenced area in the Veterans' Cemetery (Emelie Eaton)

Emelie inquired about the activity at the cemetery and the storage area for earthmoving equipment.

Heidi explained that the national veterans' cemetery is not allowed to store any equipment on site. The cemetery has an agreement with the County to store their equipment in the County's one-acre fenced area.

- Schessler's Ready Mix (Emelie Eaton)

Emelie had planned to take pictures of the cement trucks lined up at Schessler's, but she was unable to get pictures. She stated that two components inspired this complaint. The first is that, when the cement trucks are lined up along Railroad Street, they are perceived by some elderly individuals as approaching too close to the road, so they tend to swerve out to the left side of the road. The second component is the potholes in that area and there have been some near misses when people swerve to miss the potholes. She cannot prove that the trucks are too close to the road because she monitored it last week and has not seen the trucks parked there. She suggested that fixing the potholes might alleviate the need for drivers to swerve to the left.

- Weeds and grass around the Asphalt Plant (Emelie Eaton)

Emelie stated that the weeds and grass have been taken care of and it looks fantastic. She thanked whoever took care of it.

Doug stated that the fence at the asphalt plant is falling apart and asked if the city had any recourse to address that. Since code enforcement attended tonight's meeting, he brought up the subject as the property looks pretty trashy.

Mayor Mace stated that staff will check into it.

- Fireworks (Emelie Eaton)

Emelie stated that, after the June 24th council workshop, the firemen set off test fireworks at the city shop, but it sounded like they were at the pond. She stated that the regulations in LMC do not allow setting off fireworks on city property, which includes the parking lot at the city shop. LMC states that anyone that wants to set off fireworks in other than the designated times set in the ordinance must get permission from the mayor, which was not done.

Mayor Mace stated that the CAO had some information.

Heidi explained that she received multiple complaints from council members and the mayor directed her to look into it. She talked to the fire chief and the fire marshal and they both apologized profusely. Some old members of the fire department, who in the past had set off test shots at the city shop, were unaware of the new ordinance and did not believe they were in any violation since they called dispatch. Heidi provided the fire department with a copy of the new ordinance and explained that they did not have permission to do and everyone follows the same rules. The fire chief assured her that this would not happen again and that the department was sorry for causing such concern. A lot of people in the community were concerned that the loud booms were something other than fireworks.

- Lease Task Force update

Heidi had nothing to report.

- Update on 2011 Yellowstone River flooding event

Heidi explained today's conference call with FEMA. FEMA is struggling to determine whether they will pay for the emergency work the city did on the bank two months ago. FEMA is trying to find the ties to the original 2011 event. Great West has assured FEMA that it is tied to the event, that the project was not closed, that the project is still under budget, and that the city is within the approved budget. Great West explained that to FEMA again today and asked whether the District 8 Office has read the correspondence they sent. No one had read the information, so Great West asked them to stop making comments until they have read the correspondence to understand why it is tied to the 2011 event, that the bank project is still open, and that they should fund it. The conference call included discussion about the long-term solution. The Environmental Review is almost completed. Once that is done, the city can start applying for permits and doing some advertising and, hopefully, there will be some forward momentum on the permanent solution soon.

Other items

Doug was contacted by a constituent who lives behind the library to the east. His issue is the increased traffic that goes in and comes out of the library parking lot and down the alley that separates

his property and the library property. It has become a horrible pothole situation and, even though it gets graded periodically, it is a dusty mess. He asked if road millings could be put down to alleviate the situation, because it is by a public facility and causes issues with dust.

Mayor Mace will have staff check into it.

Review of draft council agenda for July 15, 2014

- Public Hearing: 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.

Bruce asked if the resolution for the judge's salary would be added to the agenda.

Heidi stated that it would be on the August 5th council agenda.

Attendance at the July 15, 2014 council meeting

Emelie and Bill will not attend.

Announcements

Scot asked for council discussion to give the city judge guidance for fines for dog owners whose dogs poop in the parks. The Park Board recommended \$150, \$300 and \$500 for first, second and third offenses.

Heidi will review the Park Board minutes and determine what needs to be presented.

Tom asked for discussion regarding the recent motion for the cell phone tower for the 4th of July. He has questions concerning the mechanics of how that came together and would like to discuss it at the next workshop.

Bruce asked when there would be discussion on the Riverside Park buildings, as he has some thoughts about what could be done with those buildings.

Tom plans to attend the Park Board meeting on August 7th to present his concerns regarding the park buildings and would like the item placed on a council workshop after the Park Board meeting.

Heidi explained that the buildings continue to be a problem, as the city received a written public complaint about lead in the indoor shooting range. She has been advised by the city attorney that the building will probably have to be shut down. Heidi is trying to find someone to do air lead testing, she cannot find anyone to work on the roofs, and the problems just keep compounding.

Bruce stated that the problem has not been resolved and the council needs to tackle it. He has some concepts and ideas to share with the council about how it might be done. He thinks there should be a commitment to discussion about the situation in order to try to rectify it.

Rick mentioned that there were campers and a wedding in Riverside Park recently. He also stated that there is a lot of lead outside the building from the shotgun shooters.

Heidi stated that they did not have permission and the police department asked the campers to leave.

Emelie thanked Doug for giving the information the constituent shared about the alley by the library, as the constituent also contacted her.

Recognition of Employees

- Sheri Phillips – 17 years of service on July 1st
- Fran Schweigert – 16 years of service on July 6th
- Nathan Herman – 14 years of service on July 10th
- H.P. Nuernberger – 12 years of service on July 3rd
- Calvin Lovshin – 2 years of service on July 6th
- Patty McGahan – 1 year of service on July 1st

Mayor Mace recognized the employees for their service to the City of Laurel.

Chuck asked if the list could include the employee's department and in what capacity they serve.

Mayor Mace agreed that would be good information.

The council workshop adjourned at 8:12 p.m.

Respectfully submitted,



Cindy Allen
Council Secretary

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



Statistics

As of 07/07/2014

- 2013
 - Total Participants- 78
 - Days Sentenced by Court- 565
 - SLD Days Completed- 284
 - Violations- 11
 - No Show- 9
 - Alcohol-1
 - Walk Away-1



Statistics

- 2014
 - Total Participants- 141
 - Days Sentenced by Court- 1043
 - SLD Days Completed- 520
 - Violations- 9
 - No Show- 6
 - Alcohol- 1
 - Other- 2



Statistics

- 2013
 - Average Days Sentenced by Court- 7.2
 - Average Days in SLD- 3.6
- 2014
 - Average Days Sentenced by Court- 7.4
 - Average Days in SLD- 3.7
 - Hours Worked- 4160



Statistics

- \$54 per day to house
- 2013
 - Days Sentenced- 565
 - Amount Saved- \$30,510
- 2014
 - Days Sentenced- 1043
 - Amount Saved- \$56,322
- TOTAL SAVINGS- \$86,831
- Fees Collected- \$30,601.50



SHERIFF LABOR DETAIL



Information

- Low risk/ non-violent offenders.
- Credit for 2 days of jail time for one 8 hour SLD day.
- Offender paid program (Paid in advance).
- \$25 Administrative Fee/ \$25 per day.
- \$25 Rescheduling fee.
- No refunds for violations of the program.
- Complete medical questionnaire.



Information

- Implemented September 1, 2013.
- Judges sentence inmates to the Sheriff's Office who determines if they are eligible to participate.
- If eligible, inmates are scheduled for work days.
- If not eligible, inmates are scheduled for jail time to run consecutive.
- Work with Partners in the community
 - Government entities
 - Non-profit organizations



Participation Contract

- No trace of alcohol or drugs.
- Must wear appropriate clothing for weather. (Hats, gloves, coat, sunscreen, etc.
- Must wear long pants, shirts and closed toed shoes.
- No sandals, shorts or sleeveless shirts.
- Must wear SLD safety vest throughout the day.
- No pocketknives, leathermans, fingernail clippers or any other sharp items that may be used as weapons. No purses, backpacks or bags.



Participation Contract

- No Cellphones or other electronic devices.
- Smoking permitted only during breaks and in designated areas.
- No personal visits or phone calls. In case of emergency, contact YCDF.
- Participant is responsible for controlling their behavior. No swearing, anger outbursts or negative comments.



Participation Contract

- Participant must obey all orders from the officer/ supervisor. This includes all work assignments and safety requirements.
- If their work effort does not meet the standards or they act in an unsafe manner, they will not get credit for that day.
- Lunch and water is provided. May not bring any other foods or drink, EXCEPT WATER.



Participation Contract

- Participant may not tamper with any tool, equipment or another person's property.
- Being unsafe around highways is forbidden. Do not walk in traffic. Supervisor will tell them when to cross.
- May not trespass on private property.
- If injured, they must immediately notify the supervisor and a report completed.



Crew Supervisor Standards

- Driver must be at least 18 years of age.
- Endorsed by an organization that currently uses or is planning to use SLD labor.
- All felony convictions or withheld judgments will be reviewed by the SLD Sergeant for approval.
- General misd. Convictions will be reviewed on a case by case basis; however no convictions of PFMA, child abuse, stalking or "peeping tom" type crimes.
- No DUI convictions or driver's license suspensions in the last three years.



Crew Supervisor Standards

- No illegal drugs use in the past three years.
- Must complete Prison Rape Elimination Act (PREA) training within first 60 days if approved by the YCSO.
- Will agree to enforce the YCSO policy, procedures and rules of the SLD Program.
- Will treat offenders with respect regardless of the crime for which they are service time.
- Must have a valid D/L if transporting offenders.



Crew Supervisor Information

- Must be at YCDF at 7:30 a.m. to pick up the crew.
- Crews must be returned between 3:30 and 4:00 p.m.
- One inmate will be assigned to pick up lunches for the crew.
- Safety vests must be worn and be visible at all times.
- No incentives. They are there to work. Treat them with respect. They should be held accountable for their work and complete daily tasks assigned without incentives or coercion. Liability issues.



Crew Supervisor Information

- Safety is priority number one. Provide instructions for tasks they are to complete. Inform them of safety precautions that need to be taken.
- If the inmate is not completing their tasks or not following guidelines, contact YCDF.
- No swearing, negative comments, verbal or physical abuse will be tolerated.



Crew Supervisor Information

- If an inmate reports an injury of any type, notify YCDF whether they seek medical attention or not. Report all injuries no matter how minor. At the end of the day an informational report will be completed at YCDF.



Crew Request Form



Yellowstone County Sheriff's Office
SLD Crew Request

CALL DATE: CALL TIME: CALLER:

PRIMARY JOB DATE: JOB TIME:

ALTERNATE JOB DATE: JOB TIME:

PHONE NUMBER: AGENCY:

DESCRIPTION OF JOB:

LOCATION OF JOB:

HOW MANY PEOPLE NEEDED? TOOLS NEEDED?

PRIMARY ON-SITE SUPERVISOR? PHONE:

ALTERNATE ON-SITE SUPERVISOR? PHONE:

WE DO NOT HAUL OFF WASTE MATERIAL. WE DO NOT PROVIDE TRASH BAGS.

MUST BE PUBLIC PROPERTY, GOVERNMENT ENTITY, NOT FOR PROFIT, NO KIDS PRESENT. COORDINATOR



- **Contact Information:**
 - **Undersheriff Kevin D. Evans-** Program Administrator
 - Office: (406)256-2947 Cell: (406) 208-0542
 - Email: kevans@co.yellowstone.mt.gov
 - **Sgt. Jason Valdez-** Program Supervisor
 - Office: (406) 256-2762 Cell: (406) 208- 0570
 - Email: jvaldez@co.yellowstone.mt.gov
 - **Larry Estill**
 - Office: (406) 254-7916 Cell: (406) 208-0548
 - Email: lestill@co.yellowstone.mt.gov
 - **Johnny Rogers**
 - Office: (406) 256-6881 Cell: (406) 208-0527
 - Email: jrogers@co.yellowstone.mt.gov



Thank you for partnering with the Yellowstone County Sheriff's Office and the Sheriff's Labor Detail.

QUESTIONS?????

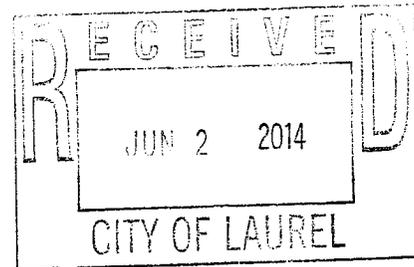
COMMUNITY HOPE, INC.

P.O. Box 524 • 204 Cedar Ave.
Laurel, MT 59044

(406) 628-7281
community.hope@yahoo.com

City of Laurel
Mayor Mike Mace
City Council Members

Laurel, Mt 59044



Dear Mr. Mayor & City Council Members:

The Community Hope Board and the Director are requesting an official appeal of Resolution R13-95, Variance LMC 17.56.030, and conditions numbered 6, 7, & 8, dated December 3, 2013. These conditions were originally initiated during a city council meeting on March 1, 1994 during the initial construction and planning of Community Hope.

The current Board of Directors had no prior knowledge of these conditions, or why they were never completed during the building of Community Hope. The conditions requesting appeal from the December 3, 2013 meeting are as follows:

- #6 A six foot, solid cedar fence shall be provided from both sides of the back building line to the alley and along the alley.

This condition would provide more harm than good in the following ways:

- it would not allow for ample parking for the volunteers
- it would restrict access for the delivery and pick up of food
- it would restrict access for the recycling agency
- removal of snow would be almost impossible
- it would limit the access for the police and fire departments in an emergency and or burglary
- it would increase the amount of dumping of items over the fence
- access for the city garbage truck
- a sight hazard, not being able to see clearly
- garbage and leaves will continue to blow and be stuck under the fence

These are only a few reasons stating the harm the fence will provide Community Hope. If # 6 is removed as an original condition, there will be no reason for conditions 7 and 8 to remain as part of the variance, since they are conditions of each other. Community Hope has no intention of limiting access, or blocking the area running on the north side of the building; therefore access will still be possible.

OUR MISSION: *Community Hope is a non-profit organization serving the people of Laurel and the outlying areas by assisting them with basic living necessities during times of need.*

COMMUNITY HOPE, INC.

P.O. Box 524 • 204 Cedar Ave.
Laurel, MT 59044

(406) 628-7281
community.hope@yahoo.com

The Board of Directors understands the reason the original conditions were issued, the City Council Members of 25 years ago were concerned that Community Hope would draw in a Transient Traffic, with a building that was isolated with no neighbors. We assure the Council that in the 25 years we have not had any issues of this kind.

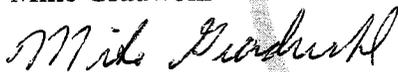
We respectfully request you grant our appeal

Sincerely



Lisa Foreman
Director

Mike Gradwohl



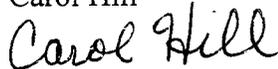
President

Doris Hill



Secretary

Carol Hill



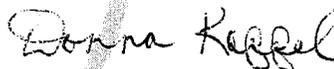
Treasurer

Janice Lehman



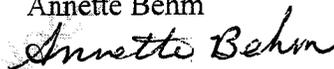
Board Member

Donna Kappel



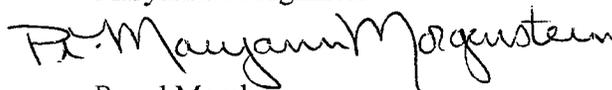
Board Member

Annette Behm



Board Member

Maryanne Morganstern



Board Member

Peggy Cook



Board Member

OUR MISSION: *Community Hope is a non-profit organization serving the people of Laurel and the outlying areas by assisting them with basic living necessities during times of need.*

RESOLUTION NO. R13-95

**A RESOLUTION OF THE CITY COUNCIL GRANTING A
VARIANCE FROM THE CITY ZONING ORDINANCE THAT
RESTRICTS PROPERTY OWNERS FROM EXPANDING
THEIR EXISTING NON-CONFORMING USE.**

WHEREAS, the property located at 204 Cedar Avenue is currently zoned Residential Limited Multifamily (RLMF) that does not allow commercial businesses within the residential zone; and

WHEREAS, the City Council previously allowed the property owner to construct and operate a commercial business at 204 Cedar Avenue through a special review process in 1994; and

WHEREAS, the property owner, Community Hope, Inc, utilizes the property located at 204 Cedar Avenue to provide assistance to individuals and families in the area who are in need of assistance; and

WHEREAS, the City Ordinance LMC 17.56.030 provides "no building used for a non-conforming use shall be enlarged, extended, reconstructed, or structurally altered;" and

WHEREAS, Community Hope, Inc, desires to construct an outdoor covered storage facility as an addition to the existing structure, however the proposed construction would constitute an enlargement or expansion of their existing non-conforming use; and

WHEREAS, Community Hope, Inc. has applied for a variance recommendation from the Laurel-Yellowstone City-County Planning Board, sitting as the Zoning Commission. The Zoning Commission conducted a public hearing on November 7, 2013 and no protests were heard; and

WHEREAS, the Laurel-Yellowstone City-County Planning Board, sitting as the Zoning Commission, considered all of the documentary evidence in the applicant's file and the testimony of the owners and recommends the approval of the variance with conditions suggested by City Staff; and

WHEREAS, the City Council held a public hearing concerning this matter on December 3, 2013. No objections were noted or received into the record.

WHEREAS, 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 variance 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.

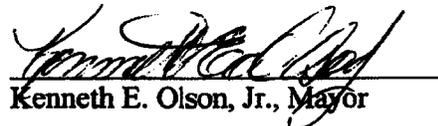
NOW THEREFORE, BE IT RESOLVED that the property owner's request for a variance from City Ordinance LMC 17.56.030 that prohibits the expansion of an existing non-conforming use is hereby approved for the property located at 204 Cedar Avenue with the following conditions:

1. The variance is effective for a period of 3 years from the date this resolution is approved;
2. The applicant shall apply for and obtain a building permit from the City;
3. The property must be kept free of noxious weeds; and
4. All storm water must remain or be kept on the property.
5. The half-moon made by the turn around on the property shall be landscaped with, at a minimum, three deciduous trees of at least three inch diameter and three low, ground cover, juniper bushes.
6. A six foot, solid cedar fence shall be provided from both sides of the back building line to the alley and along the alley.
7. The alley fencing must allow for dumpster access from the alley.
8. A drive through gate shall be provided on the north end of the alley fence: this gate shall remain closed and locked when Community Hope is not open.

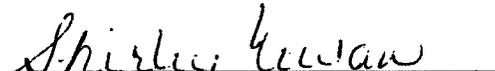
Introduced at a regular meeting of the City Council on December 3, 2013, by Council Member Dickerson.

PASSED and APPROVED by the City Council of the City of Laurel, Montana this 3rd day of December, 2013.

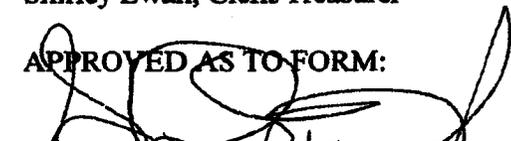
APPROVED BY THE MAYOR this 3rd day of December, 2013.


Kenneth E. Olson, Jr., Mayor

ATTEST:


Shirley Ewan, Clerk/Treasurer

APPROVED AS TO FORM:


Sam S. Pabster, Civil City Attorney

TO: Laurel City Council

FROM: Monica Plecker, City Planner

RE: Community Hope

Date: December 3, 2013

MEMO

City-County Planning Department

Community Hope is located at 204 Cedar Avenue. It is considered a nonconforming use and the property is currently zoned Residential Limited Multi Family.

In 1994 Community Hope was allowed by special review. The following conditions have not been met as a result of the special review permit:

Landscaping:

1. The half-moon made by the turn around on the property shall be landscaped with, at a minimum, three deciduous trees of at least three inch diameter and three low, ground cover, juniper bushes.

Fencing:

1. A six foot, solid cedar fence shall be provided from both sides of the back building line to the alley and along the alley.
2. The alley fencing must allow for dumpster access from the alley.
3. A drive through gate shall be provided on the north end of the alley fence: this gate shall remain closed and locked when Community Hope is not is not open.

Sprinkling:

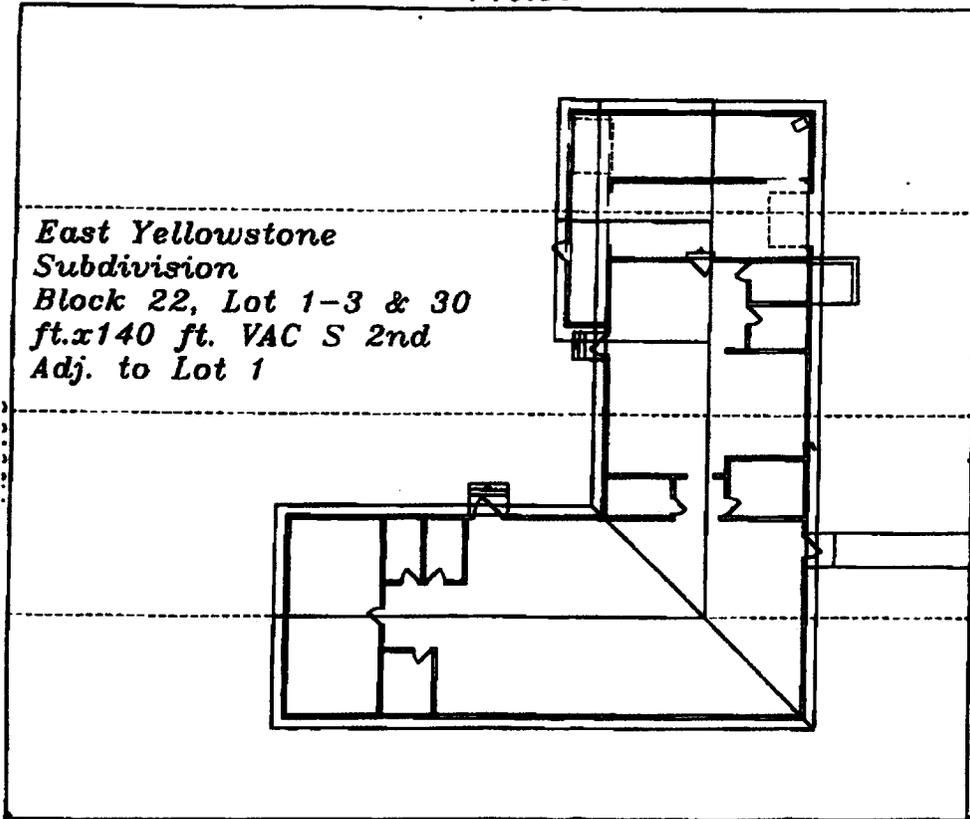
1. The building shall be sprinkled as required by the City Fire Department. (There is discussion that follows the conditions section which suggest that condition was removed due to the separate unloading facility)

Staff suggests considering including the landscaping and fence conditions as a part of the current variance request. The sprinkler system would not be required based on current building codes so it is not a suggested condition.

SITE PLAN
SCALE: 1/8" = 1'



140.00'



*East Yellowstone
Subdivision
Block 22, Lot 1-3 & 30
ft.x140 ft. VAC S 2nd
Adj. to Lot 1*

120.00'

CEDAR AVE

140.00'

This plan drawn in accordance with the:

- 2006 International Residential Code
- 2009 International Mechanical Code
- 2009 International Fuel Gas Code
- 2009 International Energy Conservation Code
- 2009 Uniform Plumbing Code
- 2008 National Electrical Code

* General Contractor is expressly responsible for code adherence

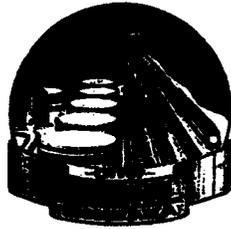
IMPACT
DRAFTING & DESIGN, INC.
DPO Center
2110 Avenue C, Ste. 2
Bozeman, MT 59717-2209-2110

Project No. 012-0014
Scale: 1/8" = 1'

COMMUNITY HOPE
301 CEDAR AVE
LAUREL, MT 59044

LISA FORBMAN

Site Plan
Lot 2021



LAUREL CITY-COUNTY PLANNING DEPARTMENT

STAFF REPORT

TO: Laurel City Council
FROM: Monica Plecker, Laurel Planner
RE: Variance for 204 Cedar Avenue
HEARING
DATE: December 3, 2013

DESCRIPTION/LOCATION:

Mike Gradwohl has submitted an application for variance on behalf of Community Hope, Inc. The request is to expand a nonconforming use. The property is legally described as East Yellowstone Subdivision, S16 T02S, R24E, Block 22, Lot 1-3 & 30 Ft. X 140 Ft. Vac S 2nd adj. to Lot 1 (96)

The property is currently zoned Residential Limited Multifamily.

STAFF FINDINGS:

1. The applicant is requesting a variance from Laurel Municipal code 17.56.030 to enlarge a nonconforming use. LMC 17.56.030 states that "no building used for a nonconforming use shall be enlarged, extended, reconstructed, or structurally altered".
2. The property is currently used as a location to provide assistance to those individuals of Laurel and surrounding area who are in need. For zoning purposes, commercial businesses are not allowed in the RLMF zoning classification. In 1994 City Council allowed the construction by special review.
3. A map identifying the property and letter of application are attached.
4. The applicant wishes to add a "500 sq. ft. addition to the present structure. This addition will enclose an area that is used for outside storage on the north and west side of (the) existing facility."
5. The applicant did not include a detailed justification as it relates to LMC 17.60.020

6. As per the requirements of LMC 17.72.070, a public hearing on the matter shall be held before the zoning commission before being heard by the Laurel City Council. As per B. of the section, public notice was published in the Laurel Outlook and adjacent property owners were notified by certified mail more than 15 days prior to the public hearing.

STAFF UPDATE:

7. The Laurel City/County Planning Board held a public hearing on November 7, 2013. The board has recommended approval of the variance.
8. Per item number 5, the planning board requested the applicant or applicants agent to speak to LMC 17.60.020, and excerpt from the planning minutes is included below:
- a. Unless the denial would constitute an unnecessary and unjust invasion of the right of property;
Lisa felt that # 1 did not apply.
 - b. Unless the grant relates to a condition or situation special and peculiar to the applicant;
Lisa stated that because they are dealing with the special situation that many people in the community are in need of food assistance and there is no space for them to store the food.
 - c. Unless the basis is something more than mere financial loss to the owner;
Lisa felt this did not apply.
 - d. Unless the hardship was created by someone other than the owner;
Lisa felt this did not apply.
 - e. Unless the variance would be within the spirit, intent, purpose, and general plan of this title;
Lisa felt this did not apply.
 - f. Unless the variance would not affect adversely or injure or result in injustice to others;
and
Lisa feels that the addition will not affect adversely or injure or result in injustice to others.
 - g. Ordinarily unless the applicant owned the property prior to the enactment of this title or amendment.
Lisa feels that this does not apply

ZONING COMMISSION CONSIDERATIONS AND RECOMMENDATION:

The Zoning Commission shall review and make determinations on the following chapters and sections of the Laurel Municipal Code (LMC):

1. According to Chapter 17.60.020 of the LMC the Zoning Commission may not recommend granting a land use variance:
 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 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.

2. As per LMC 17.72.060 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.

STAFF SUGGESTED CONDITIONS:

If the Planning Board recommends approval of the land use variance, the following conditions are suggested:

1. The variance shall be good for 3 years from approval on unimproved property.
2. The applicant shall apply for a building permit.
3. Property shall be kept free of noxious weeds.
4. All stormwater must be kept on site.



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: COMMUNITY HOPE INC
2. Name of Applicant if different from above: _____
3. Phone number of Applicant: 406-628-7281
4. Street address and general location: 204 CEDAR AVENUE
5. Legal description of the property: EAST YELLOWSTONE SUBD, S16 T02 S, R24 E,
BLOCK 22, LOT 1-3 + 30FT X 140FT VAC S 2ND
ADJ TO LOT 1 (96)
6. Current Zoning: RESIDENTIAL-MULTI FAMILY RESTRICTED
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: Michael P. Trachard

Date of Submittal: 9-12-2013

COMMUNITY HOPE, INC.

P.O. Box 524 • 204 Cedar Ave.
Laurel, MT 59044

September 28, 2013
(406) 835-7287
communityhope2003@yahoo.com

Laurel City-County Planning Board
City-Council Chambers
115 W. 1st Street
Laurel, Mt 59044

Council Members:

Community Hope, Inc. is requesting a variance referring to Laurel Municipal code chapter 17.56.020.

We are requesting this variance to be permitted to add a 500 square foot addition to our present structure. This addition will enclose an area that is used for outside storage on the north and west side of our existing facility.

This addition will not violate provisions of this chapter with an increase in cubical contents. This addition will be solely used for additional storage space, the same purpose as the present space is used.

The addition will be used in accordance with the city building, plumbing, electrical codes, as well as following all fire prevention codes. The addition plans have been drawn by a certified architect, and stamped for approval by a license structural engineering firm as requested by the City of Laurel.

The use of this structure will only be used for the original purpose intended by Community Hope, Inc., furthermore any maintenance or repairs to this addition shall not increase the original area.

Evident by the construction plans, and subsequent plot map, it is clear to see that the present structure and the addition will not compromise either the structural integrity or safety of the structure, nor will it have any effect on the existing parking.

Our reason for this request, is we need additional covered space to store the additional food now required for us to continue to provide assistance to those individuals of Laurel and surrounding area who are in need.

On behalf of the Board of Directors, I submit this request.



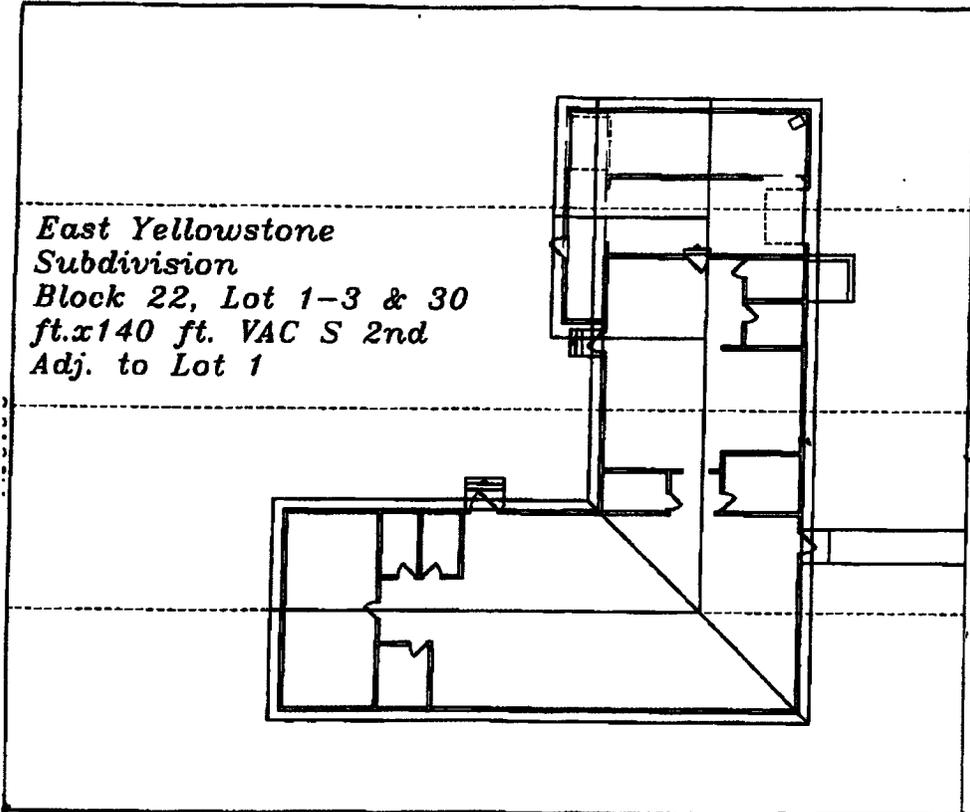
Mike Gradwohl
President
Board of Directors
Community Hope

OUR MISSION: *Community Hope is a non-profit organization serving the people of Laurel and the outlying areas by assisting them with basic living necessities during times of need.*

SITE PLAN
SCALE: 1/8" = 1'



140.00'



*East Yellowstone
 Subdivision
 Block 22, Lot 1-3 & 30
 ft.x140 ft. VAC S 2nd
 Adj. to Lot 1*

120.00'

CEDAR AVE

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This plan drawn in accordance with the:

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- 2009 International Mechanical Code
- 2009 International Fuel Gas Code
- 2009 International Energy Conservation Code
- 2009 Uniform Plumbing Code
- 2008 National Electrical Code

* General Contractor is expressly responsible for code adherence

IMPACT
 CHARTERS & DESIGN, INC.
 2110 ...
 ...



Project No.
 BL13-0013-1
 Scale:
 1/8" = 1'

COMMUNITY HOPE
 204 CEDAR AVE.
 LAREDO, TX 79404

LISA FURBER
 ARCHITECT

IMPACT

Site Plan
 1st 2008

Minutes of the City Council of Laurel

February 1, 1994

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 Charles Rodgers at 7:00 p.m., on February 1, 1994.

COUNCIL MEMBERS PRESENT: Lonnie Kellogg Gay Easton
 Albert Ehrlick Bob Graham
 John Minch Ron Marshall
 Donna Kilpatrick Chuck Dickerson

COUNCIL MEMBERS ABSENT: None

INVOCATION: Invocation was given by Alderman Kellogg.

MINUTES:

Motion by Alderman Marshall to approve the minutes of the regular meeting of January 18, 1994, as presented, seconded by Alderman Graham. Motion carried 8--0.

CORRESPONDENCE:

Bob Gauthier prepared the mid-year budget message for the council's review.

Received the 2nd quarter and 1st half of the fiscal year hours from the Laurel Police Reserve.

A copy of a letter to the Montana Water Quality Bureau from Mayor Rodgers, was made available to the council for their review and information.

Received a letter from the Montana Department of Transportation regarding TranPlan 21.

Received a letter from the Montana Department of Transportation regarding Community Transportation Enhancement Program funds for 1994.

CLAIMS:

Claims for the month of January were reviewed by the Budget/Finance Committee and recommended that they be paid.

Motion by Alderwoman Kilpatrick to approve all claims in the amount of \$ 385,281.68 for the month of January 1994, seconded by Alderman Ehrlick. Motion carried 8--0.

PUBLIC HEARING - COMMUNITY HOPE - SPECIAL REVIEW:

This being the time and place advertised, a public hearing was held.

The City Clerk distributed informational copies from the City-County Planning Board file.

PROPOSERS

Charles Fisher, Vice-President of Community Hope, has been involved with Community Hope for 1 1/2 years and his wife has been involved for ten years. Community Hope is a non-profit organization which helps serve human needs. Members that work there are all volunteers, receiving no pay for their time.

Monetary donations come from the Laurel community but they do receive other help from United Way and the Food Bank in Billings. Charles said the money that is given for bills, rent and such, all comes from our community.

Charles said the present building that Community Hope is in is too small and crowded to serve the needs of the people adequately.

The proposed plan is for a residential style building to be located on Cedar Avenue and it would have 3200 square feet and the plan includes a driveway.

The committee is trying to develop a plan that the Planning Board would recommend. They have addressed such issues as parking and a circle driveway that will keep the traffic flowing from their property onto Cedar Avenue and either South 4th Street or South 1st Street.

Minutes of the City Council of Laurel

Page 2

Council Meeting of February 1, 1994

donated to Community Hope for a building site and the money for the building will come from donations and grants. Charles said individuals have volunteered their labor to help cut costs.

OPPONENTS:

Judy Milliron, 207 Yellowstone Avenue, said she is opposed to the proposed location of Community Hope for several reasons and she has many concerns about it. She has a notarized letter from Pam Kimmell who has lived across from the present Community Hope location for several years. The letter outlines several occasions and several incidents that have happened to her that she feels are directly related to the location of her home to Community Hope.

She is concerned about the transient traffic to the store. Laurel has a few transients that come through in the summer and stay in the trees by the railroad tracks, but for the most part, we do not have a problem with them yet. With Community Hope coming into their neighborhood, there is a strong possibility that the transient traffic will increase a lot. Judy said Laurel is becoming a popular spot for transients. Community Hope is saying that the proposed location would eliminate the transients by the trees and this may be so during business hours, but where will they go when the store is closed in the evening and on the weekends? Judy said some may go back to the trees but others will come into her neighborhood.

Judy said she is alone during the week and does not cherish the thought of going out to her garage some morning to go to work and finding a transient in her vehicle, which is what Pam Kimmell has found.

Judy questioned whether any SID's would be required for this plan and would the south side residents be responsible for them.

Is Community Hope considered a commercial property where a sprinkler system would be required in the building?

Judy said in the drawing of the plan, it appears that there is parking in back, off the alley and a gate goes into the Community Hope area. Is the gate going to be locked all the time or is it going to be open just during the hours the store is open? Judy questioned if the parking in back is just for volunteers who are working and whether the patrons are to use the Cedar Avenue entrance.

Judy said the area has a lot of elderly residents and children. A lot of people she has talked to are concerned about the children. She feels her neighborhood is very quite and very seldom do you see police patrolling the area. She is concerned whether or not police protection will be increased because of the amount of transients in the area.

Community Hope is saying the drop off point will be maintained. They have a garage area where day drops can be made now but the new plans call for a night depository. Judy said she has been past Community Hope many times in the years she has lived in Laurel and the outside has always been a trashy mess where people make drop-offs. It wasn't until they came to the Planning Board for their building, that they started to clean it up and keep it that way. It does look great now and has for the past couple of months, but how can she be sure that it will be maintained like this all the time.

Darlene Thormahlen, 208 Woodland, said she is very concerned about the children and the elderly in the neighborhood. The kids play on dirt hills which are close to the proposed building site and she doesn't feel her kids would be safe going there without adult supervision.

Darlene said she has a husband who has had surgery and will probably be disabled shortly. She does not feel he would be safe going out by himself.

Another concern is about police protection and the fact that the railroad tracks are sometimes blocked off. If there was ever a fire it could threaten the neighborhood because the houses are so close. Darlene stated that she shares all of Judy's concerns.

Albert Ehrlick questioned why Community Hope has not addressed the traffic on South 4th Street since it is such a narrow street. He also stated that he nicks up pallets early in the morning from the Laurel

Minutes of the City Council of Laurel

Page 3
Council Meeting of February 1, 1994

Bob Graham has a concern that goes back to the Board of Adjustments and it is the same concern that Gerry Shay had. As Bob understands it, the council's purpose tonight is not to approve or disapprove Community Hope because the council does not have that right.

Albert Ehrlick said that is a shame because the aldermen are elected by those people and we should be able to have our opinions.

Since this is out of the council's hands, Bob said the council's job is to set the regulations, qualifications and standards that this building would be built under. He cautioned himself and the rest of the council to be careful in setting standards for them so we don't just make it a punitive issue, based on the fact that the council cannot vote for or against it. Let's keep this in mind and be reasonable in what we ask the people to do who are trying to build Community Hope, regardless of whether we are for or against it. Bob said he feels as frustrated as Albert that the aldermen cannot express their vote.

In regard to the narrow street on the south side, Albert said he has had a lot of people run into his yard as they are coming off of Cedar Avenue onto Fourth Street and someone even hit his garage door and knocked the wall out six inches.

Bob asked everyone to look at the map of the proposed area. One concern was regarding the turn-around in front of the building which Bob feels is inadequate. Cal Cumin has another drawing of what Community Hope has since proposed and it better addresses the turn-around in regard to safety and parking. On Cal's map, the driveway will come close to the building which will make a safer turn-around area which is not so sharp. This will also facilitate more parking in the area. Bob would like the council to request that they build the driveway as shown on Cal's map, address the additional parking this would create and landscape the front area.

Another concern of Bob's is the night drop-off which could be a real fire hazard. If they do have a night drop, Bob feels they should be required to have a sprinkling system in the building.

Darrell McGillen said that in Billings, they have had numerous occasions where there are fire problems at drop-off points that are not manned 24 hours a day. He recommended that if they have a 24 hour drop-off and some of those hours are not being manned, that a sprinkling system be installed. If they don't have the sprinklers, they should not allow round the clock drop-offs.

Charles Fisher said the drop-off point will be 15 feet away from the building.

Claude Ingraham said that if no drop-off point is provided, people will still drop stuff off anyway.

A lady in the audience said that from her experience of living else where, you will not be happy with a 24 hour drop-off because you can get anything in them. She cannot speak for Laurel but she assumes it would be the same here as it is in other cities.

Darrell and Bob said they were not aware that the drop-off point would be separate from the building. Darrell said he understood that the drop would be directly into the building for security reasons and the comments he made were done so with this understanding in mind.

Darrell said that if the drop is into a separate container, outside and away from the building, he does not foresee a problem.

More discussion and it was stated that there are several different options for locating the drop-off container.

Donna questioned what would be taken away if the turn-around area is enlarged. It was stated that there would be less lawn in front of the building, it would not effect the building at all.

Ron asked the Fire Chief how far away from the building should the drop-off container be located. Darrell said that would fall under the building codes, depending on what type of container it is.

Darrell stated the Fire Department has never had any problems with the

Minutes of the City Council of Laurel

Page 4
Council Meeting of February 1, 1994

Being a business man in the location of Community Hope, he knows they have drop-offs around the clock. Darrell said he is just as guilty as anyone because on the weekend, if he decides to clean his garage and he doesn't want to put an item in the dumpster, he'll haul it to Community Hope and drop it off.

Darlene questioned the fact that Bob said the council cannot vote for or against it. She and her husband wanted to have a place in this same area where they could store sprinkler system parts and they were denied this because of the increased traffic. What is the difference? Darlene said they were denied and others have been and yet the council cannot control who is over there?

Cal Cumin said the difference is that Darlene's request would be for commercial use. Under the existing zoning ordinance in the City of Laurel, there are certain uses that are provided for in certain zones. But, they are only provided for, subject to having to go through a special review process. That special review process then says you are allowed to be here but you have to put up a six foot fence, sprinkler system, cul-de-sac, etc. Under normal zoning, if someone comes in and wants to change their back yard into a pipe storage area, the city will say you cannot do that because it violates the zoning. It does not provide that if you put up a six foot fence, you can just do it. You can't do that under your zoning.

This process we are going through is called a special review. It is different. The use is allowed in the zone, but the city has the right to say that if it goes in here, we want all these things done. You cannot do that with the zoning itself.

Darlene said the zoning was not the topic. The main problem at that time was the increased traffic in a residential area.

Cal said it was a zoning issue because Darlene would have had to go before the Zoning Board or Board of Adjustments and the issue they were dealing with was changing the zoning.

Darlene questioned what the open area in back is going to be used for.

Jim Flisrand said the area in back on the drawing is just a lawn area, nothing more. There will also be optional storage and this would be sheds or whatever would fit the building codes for additional storage.

Cal Cumin said he would like to give the council and the Mayor suggestions for getting through this process. He said they have a good understanding of what they are confronted with here. No decision has to be made tonight because this is just a public hearing where you receive input and this can be delayed for 30 days.

He suggested that the Mayor appoint a committee with members from the council, both sides of the issue, and from the public at large to sit down and work out the standards that we are going to require. He is concerned that if it gets approved or denied, that we will not know what width the street is, how big the drop-off container is, where it will be located, what it will be made out of or where the sprinkling system will go, etc. Cal said we need to get all this stuff worked out so when it is done, all this information is in the official record that this was approved subject to these requirements. Cal said he would be glad to participate in such a committee.

It was the consensus of the council that this is a good idea. The Mayor said he would appoint three council members, three proponents, three opponents and Cal Cumin as a member at large.

The council members appointed were Ron Marshall, Albert Ehrlick, and Bob Graham. The proponents from Community Hope will be Jim Flisrand, Steve Cosner, and Mary Elsenpeter. The opponents are Judy Milliron, Darlene Thormahlen; and Mike Mathis.

The meeting was set for Monday, February 14th at 7:00 p.m. in the council chambers.

Motion by Alderman Graham to close the public hearing, seconded by Alderman Ehrlick. Motion carried 8--0.

The meeting recessed at 7:42 p.m. for a short break and reconvened at 7:49 p.m.

Minutes of the City Council of Laurel

March 1, 1994

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 Charles Rodgers at 7:00 p.m., on March 1, 1994.

COUNCIL MEMBERS PRESENT: Ron Marshall Gay Easton
 Albert Ehrlick Bob Graham
 John Minch Lonnie Kellogg
 Donna Kilpatrick

COUNCIL MEMBERS ABSENT: Chuck Dickerson

INVOCATION: Invocation was given by Alderman Kellogg.

MINUTES:

Motion by Alderman Marshall to approve the minutes of the regular meeting of February 15, 1994, as presented, seconded by Alderwoman Kilpatrick. Motion carried 7--0.

CORRESPONDENCE:

Received a Risk Management Bulletin from the Montana Municipal Insurance Authority regarding Public Entities Safety Training Library MACo/MMIA/WCRP.

Received a letter from Rail Link regarding Laurel railroad crossings serving the south side of Laurel.

Received a letter from Ken Feyhl regarding annexation for Lot 1, Block 3 and Lot 6, Block 2 of Laurmac Subdivision.

Cal Cumin stated that if the request for annexation is for an area that is less than a city block in size, the council has to consent to the annexation. If it is adjacent to the city limits, it can be annexed. The council would have to consent to it, then the owners could start to prepare their application for annexation which has requirements for a public hearing, advertising and presenting a plan.

Cal said you cannot annex anything that is less than a city block in size unless the City deems it is in the best interest of the City to do so.

This was referred to the Planning Board and Cal will review it.

CLAIMS:

Claims for the month of February were reviewed by the Budget/Finance committee and recommended that they be paid.

Motion by Alderwoman Kilpatrick to approve all claims in the amount of \$ 237,776.84 for the month of February, 1994, seconded by Alderman Ehrlick. Motion carried 7--0.

SPECIAL REVIEW - COMMUNITY HOPE:

Cal stated the Community Hope Review Committee met on February 14th to discuss conditions for allowing Community Hope to relocate to Lots 7,8, and 9, Block 22, Laurel East Yellowstone Subdivision. As delineated by City ordinance, the City cannot deny such a charitable use in this residential zone but can impose conditions to make it more compatible with the existing neighborhood.

The various issues that have been discussed seem to fall into three broad categories of concern: cleanliness and appearance, transient traffic and vehicular traffic. The following conditions are recommended allowing Community Hope to locate as desired: these are additional requirements to the proposal and building plans as outlined by Community Hope which are also made a part of this recommendation (where Community Hope proposed specifications conflict with City of Laurel recommendations, the latter shall apply):

SITE/FACILITY CLEANLINESS AND APPEARANCE

LANDSCAPING:

1. The half-moon made by the turn around on the property shall be landscaped with, at a minimum, three deciduous trees of at least three inch diameter and three low ground cover juniper bushes

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Council Meeting of March 1, 1994

2. The rest of half-moon area will be rock landscaped or other similar landscaping material acceptable to the City but not requiring irrigation.
3. Similar landscaping shall be provided in the south area between the half-moon driveway and the building where the sign is proposed.
4. The rock or similar landscaping will also be provided along the sides of the building extending from the front building line to the rear fence.
5. A French drain shall be provided in the rear yard.

LIGHTING:

Two security lights shall be provided in the back yard as well as the one security light in front plus one motion detector light at the drop off facility.

FENCING:

1. A six foot, solid cedar fence shall be provided from both sides of the back building line to the alley and along the alley.
2. No fence is required along the sides or the front.
3. The alley fencing must allow for dumpster access from the alley.
4. A drive through gate shall be provided on the north end of the alley fence: this gate shall remain closed and locked when Community Hope is not open.
5. Employee access shall be from the alley and parking for them will be provided in the back yard.

SPRINKLING:

The building shall be sprinkled as required by the City Fire Department.

DROP-OFF FACILITY:

An eight foot wide by four foot deep by six foot long, covered structure, matching the outside material and texture of the main building and open to the east, shall be provided north of and between the half-moon drive and the drive through to/in the north side of the building.

OTHER:

Detailed building specifications not specified here shall be as proposed by Community Hope (and hereto attached) and include lap masonite siding (or other as approved by the City), t-lock asphalt roof shingles, 2x6" framing, R19 insulation in walls and R38 insulation in the ceiling, and everything to code.

TRANSIENT TRAFFIC

1. No access shall be allowed by Community Hope for clientele to/from rear of facility.
2. The City should expedite the removal of the trees on the railroad property (within the 75-foot right-of-way) and the trees (about three) on the Italian Ditch--which is City property (tax code B1403).

VEHICULAR TRAFFIC

1. A twenty-four foot wide, asphalt or concrete, circular driveway (forming a half moon design from the public street) providing ten foot parking along one side and a fourteen foot drive lane with small header curbs on both sides shall be installed.
2. An asphalt driveway shall also extend from the circular driveway to the building drive through on the north side of the main structure.

OTHER

The City of Laurel should require some sort of completion/compliance bond from Community Hope to insure compliance with the review and approval stipulations required by the City.

In regard to sprinkling, Ron said that the Fire Chief stated it should be required with the understanding that the drop-off point would be in the building. When he realized that it would be a separate building, he did not feel it was necessary.

Cal said that would be up to the council.

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Chuck asked Charlie Fisher if the Community Hope group had any problem with these stipulations and he said he did not think so. The only thing he has a problem with is the sprinkling system in the building. There are only two buildings in town that are equipped with sprinkler systems and both contain highly flammable material.

Lonnie Kellogg said that if the drop-off area is outside the main building, it will not have to be sprinkled, according to the Fire Chief.

Motion by Alderman Graham to adopt the Community Hope Review Committee's report and approve their recommendations, seconded by Alderwoman Kilpatrick. Motion carried 6--1 with Alderman Ehrlick voting, "NO".

Chuck said it is his understanding that Community Hope can proceed with these restrictions.

Chuck said that at this time, we do not have a certified building inspector. Dick Larson, a state inspector, told Chuck that he would be interested in assisting us in any way for the time being. He is also interested, in the future, of contracting with the City for plan reviews.

Chuck said that when Community Hope gets to the point of starting activity, they will need a performance bond and they need to let us know and we will arrange for inspections so they are clear all the way.

Joe Leckie stated that he spoke to a gentleman with Hoiness LaBar Insurance regarding bonding. It would require someone putting an estimate on the cost of these particular provisions and then getting a compliance bond in the amount of these costs. If the provisions were not completed, the City could collect on the bond and have those provisions completed.

CREATE A CAPITAL PROJECTS FUND FOR LAND PURCHASE AND CONSTRUCTION OF PUBLIC BUILDINGS:

RESOLUTION NO. R94-10

A RESOLUTION TO CREATE A CAPITAL PROJECTS
FUND FOR THE PURPOSE OF PURCHASING LAND
AND CONSTRUCTION OF PUBLIC BUILDINGS

Motion by Alderwoman Kilpatrick that Resolution No. R94-10 be passed and adopted, seconded by Alderman Ehrlick. Motion carried 7--0.

AGREEMENT WITH BOB WASSON RELATING TO RIGHT-OF-WAY ON SOUTH FIFTH STREET:

RESOLUTION NO. R94-11

A RESOLUTION APPROVING AN AGREEMENT BETWEEN
THE CITY OF LAUREL AND BOB WASSON, SAID
AGREEMENT RELATING TO RIGHT-OF-WAY

Motion by Alderman Ehrlick that Resolution No. R94-11 be passed and adopted, seconded by Alderman Graham.

It was stated that we will be purchasing the right-of-way by following what we are agreeing to. Instead of payment in hand, we would be providing certain services. The street would be the full width, in line with what is around it.

A vote was taken on the motion. Motion carried 7--0.

CHANGE REAR-SET BACKS IN RESIDENTIAL MOBILE HOME ZONES:

ORDINANCE NO. O94-5 (first reading)

AMENDING SECTION 17.16.020 AND TABLE 17.16.020
OF THE LAUREL MUNICIPAL CODE, TO CHANGE REAR-
SET BACKS IN RESIDENTIAL MOBILE HOME ZONES
FROM TEN (10) FEET TO FIVE (5) FEET

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It was stated that in mobile home courts, they often times do not have an alley so there has to be a distance of 10 feet between two trailers.

Cal Cumin said that currently in residential zones, we require a five feet side setback for each home so this makes a distance of ten feet between buildings.

A roll call vote was taken and all aldermen present voted, "YES". Motion carried 7--0.

COMMITTEE REPORTS:

--Budget/Finance Committee minutes of February 15, 1994 were presented and reviewed.

Motion by Alderwoman Kilpatrick to enter the Budget/Finance Committee minutes of February 15, 1994, into the record, seconded by Alderman Graham.

In regard to the contract from Olsen Construction, Bob said the Budget/Finance Committee told him to revise his contract to include the words, "completion as approved by the City". Bob said the contract did not mention the waiver or worker's comp. and Joe Leckie recommended that the City not sign the contract with Olsen Construction until we receive the waiver or the worker's comp. policy in our hands.

A vote was taken on the motion. Motion carried 7--0.

--City Council Committee of the Whole minutes of February 15, 1994 were presented.

Motion by Alderman Marshall to enter the City Council Committee of the Whole minutes of February 15, 1994, into the record, seconded by Alderman Kellogg. Motion carried 7--0.

--Special City Council Committee of the Whole minutes of February 22, 1994 were presented and reviewed.

Motion by Alderman Ehrlick to enter the Special City Council Committee of the Whole minutes of February 22, 1994, into the record, seconded by Alderman Marshall.

Chuck stated that he has contacted Richard Larsen and he will review our organizational structure and he would like to meet with the City Council Committee of the Whole on March 17, 1994 at 7:00 p.m.

In regard to the fees, Chuck said we really don't know but they will be relatively minor to start with. He will do the review and come back to us and then we will decide in what direction we need to go.

A vote was taken on the motion. Motion carried 7--0.

--Garbage Committee minutes of February 16, 1994 and the Garbage Sub-Committee minutes of February 22, 1994 were presented and reviewed.

Bob read the two sets of minutes and explained about the nitrate problem and how we do not feel it is coming from the landfill that we are trying to close, but rather from outside sources. We are asking the State to allow us to have another well drilled and this may determine where the problem is and it could save the City a lot of money in the future.

Motion by Alderman Graham to enter the minutes of February 16th and February 22, 1994, into the record, seconded by Alderman Marshall. Motion carried 7--0.

--Parks Committee minutes of February 24, 1994 were presented and reviewed.

Motion by Alderwoman Kilpatrick to enter the Parks Committee minutes of February 24, 1994, into the record, seconded by Alderman Minch. Motion carried 7--0.

--Street and Alley Committee minutes of February 17, 1994 were