



would be very restrictive and would cost a great deal of money. She asked the council to give consideration to each individual requirement. Professional landscaping is usually included in a building architectural plan, but Joyce stated that it is too expensive to hire a landscaper every time the shrubberies are updated. The motel just received a waiver from Howard Johnson to enclose the garbage cans because the garbage service does not open gates and empty garbage. Joyce asked the council to consider the costs involved.

Mayor Johnson set out copies of information on the Entryway Zoning District ordinance and the Sign Code ordinance for the audience to review.

Tim Ballou, 2246 George Street, represents Burger King. Tim stated his concern regarding the maximum of 1.5 foot-candles allowed for cutoff lights. There are a lot of mature trees on the site and shading is a concern. A general feeling of security around the drive-thru area is needed. During the winter season, adequate lighting is needed especially during the dinner hours. Tim also questioned the landscape berm requirement, which states a minimum of three feet in height for a berm. This would preclude a one- or two-foot berm or any type of gentle sloping. He asked if this could be adjusted or changed on a case-by-case basis.

Mayor Johnson asked Tim for a recommendation on the site lighting. Tim stated that Burger King currently uses at least 3-foot candles. A football stadium or a car dealer uses 6- to 10-foot candles. Burger King does not need that much lighting, but the 1.5 foot-candle is too low to provide adequate lighting for entrances, exits, and the drive-thru area. Tim suggested allowing 3- or 3.5 foot candles for the lighting requirement or a similar compromise.

Mayor Johnson asked Tim for a recommendation on the berm requirement. Tim stated that there is no allowance for a one or two-foot berm. He suggested that gentle berming or contouring should not require a maximum length.

Tim stated that Burger King has a very narrow parking lot, especially toward the entrance of the building. Landscape islands located in the middle of the parking lot would restrict access in the lot and for backing up vehicles. The requirement that "the maximum horizontal or vertical unbroken length shall be limited to one hundred feet" would affect the drive-thru lane. Access would be restricted if they were required to add landscaping in that area. Tim stated that Burger King would be glad to meet the spirit of the requirements by completing additional landscaping in the front of the building or the lot, but some of the requirements would be difficult as currently written.

Ryan Burrows, Edward Jones Investments, is the vice-president of the Chamber of Commerce. Ryan suggested that the business owners proposed a meeting to work through the various issues that need to be changed. The business owners are not against making Laurel look nice, but the restrictions need to be reviewed. Cost and time are a factor for small businesses. Ryan stated that the Chamber proposed scheduling a working lunch with city representatives to discuss these issues.

Mayor Johnson asked if there were any other comments. There were none.

Mayor Johnson closed the public hearing.

- Ordinance No. O02-32: City of Laurel Municipal Sign Code (first public hearing held on July 16, 2002; additional public hearing set on August 6, 2002 for August 20, 2002; continued from August 20, 2002)

Mayor Johnson opened the public hearing.

Mayor Johnson asked if anyone wished to speak on the Sign Code ordinance.

Joyce Bratlund, Howard Johnson Inn, suggested that members of the Chamber of Commerce or other small businesses should meet with the city regarding the sign ordinance. This would allow business owners to have a better idea of the effects of the sign code on their business.

Mayor Johnson encouraged the audience to review the information available. He stated that the entryway zoning district ordinance would not be used to retrofit existing businesses but would be used as the city moves forward after approval of the ordinance. Mayor Johnson stated that an open forum has been available for the public to give their input, but consideration will be given to scheduling a meeting with various representatives.

Mayor Johnson stated that the council is considering the possibility of separating the two ordinances so that the timelines are different for the entryway zoning district and the sign code.

Mayor Johnson asked if anyone else wished to speak regarding the sign code.

Gary Franklin, 620 West Main, is the president of the Chamber of Commerce. As was suggested regarding the entryway zoning district, Gary proposed that business owners and the city should meet to discuss the sign code. He also asked the council to delay voting on the sign code until the businesses and the Chamber of Commerce have reviewed the changes.

Mayor Johnson stated that the proposed timeline of the ordinance addresses the perceived thought that the public hearing would be continued until no one attends to speak and then the council would adopt the ordinance. The council has continued the public hearings in order to give adequate time for public input before a decision is made. At the last workshop, the council reviewed the information, which is available to the public. Mayor Johnson asked for feedback from the business owners.

Mayor Johnson asked if there were any other comments regarding the sign code.

Tim Ballou, representing Burger King, stated that their large sign addresses highway traffic. The sign code allows only one sign per parcel, so they would have to choose between that one and the one on First Avenue South. He asked if there would be any exceptions.

Mayor Johnson asked Tim for a specific recommendation for the council's review. Tim offered to do so at the next meeting.

Mayor Johnson asked if there were any other comments regarding the sign code.

Mark Lynde, Epcon Sign Company, was involved with development of the sign code on Montana Avenue in Billings. Mark also provided input on development of sign codes in Riverton and Gillette, Wyoming. Mark offered his services to address the sign code issues.

Mayor Johnson asked if there were any other comments regarding the sign code.

Mike Nardella, past president of the Chamber of Commerce, is a CPA in Laurel. In his year with the Chamber, they worked very hard to keep businesses here in Laurel. Mike agreed that a meeting with business owners and the city, as Ryan Burrows suggested, is a good idea. He does not want the rules to become too stringent.

Mayor Johnson asked if there were any other comments regarding the sign ordinance. There were none.

Motion by Alderman Mears to continue the public hearing on the City of Laurel Municipal Sign Code to November 19, 2002, seconded by Alderman Dart. Motion carried 7-0.

- Ordinance No. O02-34: Ordinance amending Chapter 10.20.10 of the Laurel Municipal Code relating to School Zone (continued from August 20, 2002)

Mayor Johnson opened the public hearing.

Mayor Johnson asked twice if any individuals wished to speak. There were none.

Mayor Johnson closed the public hearing.

- Zone Change from Agricultural to Residential Tracts for proposed Pheasant Brook Subdivision (Planning Board recommends denial.)

Mayor Johnson opened the public hearing.

Mayor Johnson read the names of individuals who had written letters regarding the zone change. Letters of opposition were received from the following individuals:

- Duane and Stephanie Hons, 1505 West Ramshorn Drive
- Ed and Cindy Dimich, 2607 North Ramshorn Drive
- Dennis and Laurie Lonsbery, 2642 North Ramshorn Drive

Keith Sorg, 2649 North Ramshorn Drive  
Vi Hills, 2707 North Ramshorn Drive  
Elmer E. Hawkinson, 2550 North Ramshorn Drive  
Lee and Beverly Alt, 2579 Buffalo Horn Drive  
Steve and Shelly Jansma, 2618 North Ramshorn

A letter of support was received from Doug and Lila Carpenter, 1303 Deerhorn Drive.

Mayor Johnson introduced Rick Leuthold, President of Engineering, Inc., to provide some background information. Pat Davies, the project engineer, and one of the clients, Alan Lees, also attended the meeting.

Rick stated that water and how it impacts Montana Meadows is the big issue. The zone change was submitted on June 1, 2002. The preliminary plat was submitted on July 1<sup>st</sup>, and the zoning hearing was held on July 10<sup>th</sup>. The wells for monitoring and testing in the area were drilled between July 5<sup>th</sup> and 10<sup>th</sup>. The hearing was continued to August 1<sup>st</sup>, and the report regarding the artificial recharge of the underlying aquifer was submitted on July 26<sup>th</sup>. Because water is a dominant issue, the information in the report has been put together on some tried and true facts. There are national standards for artificial groundwater recharge. Rick stated that the city council is probably founding some new policies and procedures tonight that he thinks might be adopted up and down the valley because it is an important aspect for all subdivisions to consider.

Rick explained the multiple terraces in the land beginning at the river. In geological terms, 0 to 20 feet from the river is called Terrace 1. Terrace 2 is the area near the railroad tracks, between the river and the bluff that steps up to Montana Meadows. Terrace 3, the area of Montana Meadows and Pheasant Brook, is overlain by colluviums. Terrace 4 is the next step up the bench to the northwest. The contours in the area, as shown on the maps in the booklet produced by Engineering, Inc., are levels of uniform groundwater contour. By monitoring the wells in that area, it shows that the groundwater level is falling from northwest to southeast. That is the predominant groundwater flow in this area. Agricultural recharge is a huge supplier of groundwater in this area. Studies will indicate that agricultural recharge is as much as 90 per cent of the groundwater recharge in areas like this where there are unconfined aquifers, gravelly areas that water perks into the ground and continues to recharge. Agricultural sources of recharge are not necessarily the most efficient, but it is the primary way that the groundwater and wells are serviced in Montana Meadows. It is important to keep an eye on development and how it impacts groundwater. Montana Meadows consists of about 144 lots, which were platted from 1973 to 1977. Some of those lots were actually platted before the subdivision regulations were developed. There are some quarter-acre lots in the southern portion, and that would no longer be allowed by subdivision and by non-degradation and Department of Environmental Quality rules and regulations. They monitored 111 of the wells in this area for levels and historic levels. Excellent information was provided from one of the wells that was included in a valley-wide groundwater study.

The proposed Pheasant Brook Subdivision has 73 lots. Sixty-two lots are located above the Big Ditch and twelve lots are below the ditch. All of this property in certain ways is serviced with irrigation. However, the topography of the land allows some of this to be actively farmed and some is used for pasture. The challenge is how to bring the subdivision on line without impacting the aquifer. There are some complexities, but it really is just a simple water balance as to what occurs with the groundwater.

A large portion of the recharge that occurs in the area is from agricultural use. We also have to take into account the water that this subdivision will take out of the ground. If seventy-three lots drill wells, they will also be drawing on the groundwater aquifer. First, the demands for the subdivision must be quantified. Engineering, Inc., estimates that about 68,333 cubic feet of water per day must be replaced over a 120-day period. That takes into account that this is taken out during agricultural usage and that homes are drawing on the water aquifer 365 days a year. The recharge rates in these types of soils are anywhere between one and ten feet per day. If water is put on the site, it will soak in one to ten feet per day. They used a conservative stance of one foot. They figured that a domestic household uses 100 gallons per day/per person and the irrigation use is about 1,000 gallons per day/per person for 120-day period. This is an average of about 430 gallons per day for 365 days per year. With the 144 lots available in Montana Meadows, that would mean about 56 million gallons would be used per year in that subdivision. Pheasant Brook Subdivision would use about 28 million gallons. If nothing is done with the aquifer and the subdivision is constructed, the aquifer would be impacted by about 1.8 feet throughout a full water year. That is similar to what has happened in Montana Meadows over the years, as the water table has dropped as more homes have been built and

wells have been drilled over the years. They do not want to allow the water table to drop any further.

The property currently has water rights to 35 shares out of the High Ditch and 35 shares from the Big Ditch. Each share of water irrigates about 2.5 acres. The available water from the water shares averages about 20 to 26 million gallons. Based on the water needs of about 68,000 cubic feet per day for 120 days, about 9.6 million gallons are needed. About twice as much water is available from the ditches as is needed if replacing irrigation for irrigation and water use. The rights of the individuals in Montana Meadows are important, and residents are concerned about their water rights and well rights. Rick explained a letter written by Marty Van Cleve, a water resource specialist with the DNRC. The letter indicated that any of the properties could drill a well up to 35 gallons per minute or less. He indicated that the priority date is important. Under the DNRC, the water wells in Montana Meadows would have a priority date in time, and therefore they have a more senior position on the water rights than the Pheasant Brook property. Rick informed the Montana Meadows residents that they could get copies for their files. If the new wells adversely impact the water, the senior right holders have precedence. The present agricultural water rights use would need to be changed to well rights.

The question is how to put the water back in the ground and keep the water level from dropping that 1.8 feet. A conceptual design has been proposed for the artificial water recharge system. Water would be taken out of the Big Ditch about mid-subdivision. The water would then go through a settling basin to filter out the sediments. Three infiltration basins, or ponds, are proposed to be located in the park in the northwest corner of Montana Meadows Subdivision. The park area is approximately 3.45 acres in size. A wetted area of 68,333 square feet or 1.57 acres would be required for the surface infiltration system based on a 68,333 cubic foot per day recharge rate and one-foot per day infiltration rate. Discussion at the Planning Board meeting revealed that residents might not want the park to be encumbered. Rick stated that there was enough area to locate the ponds in the proposed subdivision. The ponds do not necessarily need to be a rectangular shape, and the redundant system would allow operation of two of the three ponds.

Rick stated that this system is designed to maintain the groundwater level at its existing levels in Montana Meadows Subdivision. Some residents have asked if the water levels could be raised and brought back up to historic levels. Rick said that the system could do that, but the caution would be that a higher water level might require some residents to deal with water in basements. Wells will be drilled in order to monitor the groundwater levels. The valley study shows that historic data indicates that seasonal irrigation in this area as it rises and falls are within tenths of a foot.

Rick spoke about the maintenance issue. There is a lot of open space in the design of the overall subdivision layout. The recharge capabilities of some water amenities have not even been taken into account. Some open drain space tracks one of the drainages from the properties to the west. This is an open drain space with some trails along the Big Ditch. Some trail system is located around the perimeter of the development for people to walk on, ride on, or to use horses on. Some larger acre tracts would allow for a horse or two, but it is not intended to be a livestock community. Mr. Lees and his covenants will limit the number and type of animals, but it is intended to allow a hobby place with horses. This would be maintained under a Parks Maintenance District. As these areas are maintained through the Parks Maintenance District and assessment on the properties, so will be the recharge system in order to have an ongoing method of maintenance and control.

The zoning commission recommended denial for the zone change, but then recommended approval for the plat at the next public hearing. He found it interesting for the same members to take that position. At the close of the meeting, Rick talked to some of the members about that reasoning. Rick understood that the members felt that the subdivision is an excellent subdivision, is a good use of the property, and that the recharge system was a good way to maintain groundwater. Currently, the subdivision is not platted and there are no covenants on it. If it were taken out of agricultural production tomorrow, a large percentage of the recharge would be lost. There is no control on it right now. Through the subdivision process, the Subdivision Improvements Agreements and the CCNRs can stipulate that the recharge system is in place and is maintained in perpetuity for the system. The board had no problem with the subdivision, and it was approved and moved forward to the commissioners. With regard to the zoning, there were more fundamental issues, not just regarding this particular piece of property. Several of the members said they have a real problem going anywhere outside our jurisdiction and beginning to zone property for residential subdivisions.

Mr. Leuthold addressed Mr. Sorg's letter. In the letter, Mr. Sorg had questioned the degradation of the quality of groundwater. The 73 lots in Pheasant Brook are going through substantially more

stringent septic tank approval, non-degradation review submittals, than were done in Montana Meadows or Little Dudes. Because of the degradation issues, quarter-acre lots cannot be done. Requirements need to be met in order not to degrade the groundwater. There is a ten part per million limit by the Federal EPA for nitrates. This is good ground water, and their position is that when the system is put in, the state will not allow them to degrade the water any further. That is part of the submittal that goes in with the subdivision process through non-degradation review and approval. Percolation from the ponds will replace the lost groundwater, and Rick took exception to the statement in Keith Sorg's letter. Livestock will be limited.

Regarding the park issue, the developers are willing to locate the park in Montana Meadows. A gentleman in the subdivision currently mows the park area. Kids ride bikes and motorcycles in this park. There are no improvements in the park. The loadings of the ponds are designed not to sit and stagnate, but will perk into the ground and should not create a mosquito haven.

Rick addressed the second paragraph in Mr. Sorg's letter. Rick stated that the groundwater levels and elevations could be controlled through the recharge systems. They do not want to put more water in the ground to a point where they are impacting people's basements and foundations. They simply want to replace the 1.8 feet that will be impacted with Pheasant Brook. That can be done and monitored. Rick commended the council for taking a look at the issue, and suggested that they are paving the way for this to be done throughout the valley. The zoning that the council is considering would allow them to continue to pursue the subdivision platting, which puts these things in place as it is carried forward. Mr. Lees has had good interest on the property and is excited about moving forward to finalize design and start improvements in order to have occupancy of facilities in the spring. Rick respectfully requested that the council look favorably on the zone change in order to go forward to the commissioners with a preliminary plat.

Rick offered to answer questions from the council. Mayor Johnson asked who would enforce the senior water rights issue for the residents of Montana Meadows. Rick stated that it is enforced through the Department of Natural Resources.

Alderman Oakes asked when the agricultural water rights override the subdivision water rights. Agricultural water rights would supersede domestic water rights in both Montana Meadows and Pheasant Brook Subdivisions. In the event of a really dry season, there is the potential that water rights could be denied. Rick stated that the potential is possible for water rights and is faced even by the City of Laurel.

Alderman Mears asked if they would be willing to locate the three ponds in the Pheasant Brook Subdivision instead of in Montana Meadows. Rick stated that would be agreeable. He said that the layout is conceptual based on some of the input they had. Some folks have wanted to see an amenity down there. Rick explained that the water system near Homestead Business Park in Billings, Creekside Buildings, is the storm drain system. The system is charged off of Hogan's Slough, and aesthetic water flows through it, and the storm drainage runs into it. A similar amenity could be created in Montana Meadows or in Pheasant Brook. One of the Planning Board members asked that the ponds be moved into Pheasant Brook.

Mayor Johnson asked if there were any other comments regarding the zone change.

Keith Sorg, 2549 North Ramshorn, stated that the proposed pond would be located approximately fifty yards from his house. If the water level rises, he will have water in his basement. He is also concerned whether or not his septic tank will work if the water level rises. Mosquitoes are another big concern. Keith works at KULR-8 in the Homestead Park, and a pond is located right behind the building. The water in the pond is stagnant and there are many mosquitoes. If ponds are not maintained, they are ugly, and that is his concern. Keith suggested that the pond should be put in the new subdivision and not next to his house.

Elmer Hawkinson, 2550 North Ramshorn Drive, mows the park in Montana Meadows. Elmer questioned Mr. Leuthold's statement that the water in the ponds would move and would not be stagnant, but there was no explanation as to what would be done with the water. If the water is sitting there, it will be stagnant and he asked how and where it would be moved in order to keep the mosquitoes under control.

Joe Moore, 2534 North Ramshorn Drive, is not opposed to the subdivision or the site of the park. However, he wanted to make sure that they are not financially responsible for the park. Nobody can guarantee that the land will stay in production. A comprehensive plan has been presented to show

that water would be available to the residents. If a favorable plan is worked out, he would be in favor of having the park in the Montana Meadows Subdivision, or he would be in favor of locating the park in the new subdivision.

Steve Jansma, 2618 North Ramshorn Drive, stated that 90% of the recharge is from flood irrigation. By taking this proposed subdivision out of agriculture use, one two-acre pond is proposed for that park, instead of flood irrigating over one hundred acres. He does not believe the recharge would be the same as it is currently. He is against having the pond in Montana Meadows and giving them the responsibility of the pond. He asked the council to deny the zone change, as was recommended by the City-County Planning Board.

Lee Alt, 2579 Buffalo Horn Drive, stated that the issues of policing the groundwater levels and the quality of the water are a concern. He questioned how the residents would obtain information regarding quality and water levels and what kind of litigation would be necessary if the water rights to the Big Ditch were shut off and the ponds went dry and the water table dropped. He questioned how they would enforce the fact that they had an earlier dated water right. If the questions could be answered satisfactorily, he would not be opposed to the subdivision. Lee stated that they do not want stagnant water in the subdivision. If ponds are needed to replenish the aquifer, the ponds should be placed in the Pheasant Brook Subdivision.

Shelly Jansma, 2618 North Ramshorn Drive, questioned how the schools could handle the additional students if seventy-four new homes were built in this subdivision.

Lila Carpenter, 1303 Deerhorn, has been fighting new subdivisions since 1995 because of the water issue. After listening to Mr. Leuthold's presentation at the City-County Zoning Board meeting, she changed her mind. She thinks that the new subdivision is going to be the only way that Montana Meadows has a chance to get some water back into the aquifer. Her end of the subdivision is running out of water. The new homes on North Ramshorn, the new part of their subdivision, caused their water table to drop. She thinks that Pheasant Brook is in the perfect location right next to the canal to do these recharge phases, and she thinks that Montana Meadows would be better off in the long run.

Mayor Johnson stated that Mr. Leuthold would be able to answer some of the questions that were asked. He asked if anyone else wished to speak.

Charlie Hamwey, 1010 Grand Avenue in Billings, represents the owners of the property. Mr. Hamwey had a copy of the contract for the subdivision available for review. He has been on the Yellowstone County Planning Board for over ten years. This is the first time that he has seen an intense program proposed for recharging of water. The same thing has been faced in other areas where agricultural land has been changed to subdivisions. In some subdivisions, the water table has dropped tremendously. Charlie stated that this is the first time that a way to protect the subdivisions has been presented, and the Board wants Engineering, Inc., to make a similar presentation at one of their meetings. Charlie stated that recharging is the key to the whole issue so that the subdivisions know that water will be available.

Mayor Johnson asked if there were any other comments. There were none. Mayor Johnson asked Rick Leuthold to respond to the questions.

Mr. Leuthold stated that the Montana Meadows residents voiced excellent comments. The comments were addressed through the application in the booklet or can be addressed through the Subdivision Improvements Agreement in the planning process.

Rick addressed the stagnant water issues. He agreed that the ponds behind KULR-8 and Willow Creek are stagnant. Water has to flow through the ponds in order to keep them viable, or they do go stagnant and become a mosquito haven. Whether the ponds are proposed in Pheasant Brook or in the park in Montana Meadows, they must be designed with flowing features. The water from the water source for recharge would flow through the system and then drop into the waste ditches and continue to flow on by the system. Rick explained that the council and the commissioners are not approving the design now. Full plans and specifications for the roads, the storm drain systems, the aquifer recharge system will come after platting and be submitted to the governing bodies for review and approval. The reviews and approvals would be necessary before construction. The land use issue is being presented this evening. Rick mentioned that no one said that the land use was not compatible, but the dominant issue has been regarding the water recharge.

If 90 % of the aquifer recharge comes from agricultural irrigation of the 160 acres where Pheasant Brook sits now, how would that be taken down to the two and three acre parcels. That question was addressed on page 15 of the booklet prepared and distributed by Engineering, Inc. Flood irrigating an agricultural parcel is very inefficient as far as putting water back into the ground. The park area is about 3.45 acres in size. A wetted area of 68,333 square feet or 1.57 acres will be required for the surface infiltration system based on an 68,333 cubic foot per day recharge rate and a 1-foot per day infiltration rate.

Rick explained the policing issue. He stated that a subdivision platting process includes a Subdivision Improvements Agreement, and that process has gone through the City-County Planning Board and is to the Commissioners. The Park Maintenance District will take care of the facility and will be responsible to maintain records on the wells. The SIA is the agreement between the county and the subdivider and is the legal document that maintains the teeth and the enforceability. The DNRC and the Bureau of Mines will track and monitor to verify the aquifer recharge.

Rick stated that schools, roads, impacts, and traffic are subdivision issues that go with the SIA. With regard to schools, there is a certain absorption rate. Houses that are being built around the community all impact the school system. The school system has to be prepared to deal with the changes. Since all seventy-three units would not be built at the same time, a student count on those units would not necessarily affect the school system all at once. When the total count of plats is submitted, one goes to the school board for their review.

Mayor Johnson stated that a copy of the study prepared by Engineering, Inc. is available for review. Requests for copies of specific pages can be made to the council secretary. Rick stated that copies are also available at his office.

Mayor Johnson asked if there were any further comments. There were none.

Mayor Johnson closed the public hearing.

**CONSENT ITEMS:**

- **Claims for the month of August 2002.**

A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.

- **Approval of Payroll Register for PPE 08/18/02 totaling \$112,360.55.**
- **Receiving the Committee Reports into the Record.**

- Budget/Finance Committee minutes of August 5, 2002 were presented.
- City Council Committee of the Whole minutes of August 20, 2002 were presented.
- Laurel Airport Authority minutes of May 28, 2002 were presented.
- Laurel Airport Authority minutes of June 25, 2002 were presented.
- Emergency Services Committee minutes of August 26, 2002 were presented.
- Council Workshop minutes of August 27, 2002 were presented.

- **Resolutions.**

**Resolution No. R02-59: Resolution accepting an agreement with Beartooth RC&D Economic Development District.**

**Resolution No. R02-60: A resolution authorizing the Mayor to enter into a buy-sell agreement authorizing the City to purchase additional land for the Cemetery.**

**Resolution No. R02-61: Resolution for diagonal parking on Colorado Avenue, Montana Avenue, and Second Avenue from Main Street to First Street.**

**Resolution No. R02-62: Authorizing the Mayor to sign a contract between the City of Laurel and Laurel Public School for management of the soccer field.**

**Resolution No. R02-63: Authorizing the Mayor to pay certain bills in relation to the water treatment facility.**



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

Motion by Alderman Mears to approve the consent items as presented, seconded by Alderman Poehls. Motion carried 7-0.

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):** None.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments.**

To clarify the appointments from the beginning of Mayor Johnson's term, the appointments as of January 1, 2002 are as follows:

City Attorney, Matt Ereksen – Acting  
Clerk-Treasurer, Mary K. Embleton – Acting  
Public Works Director, Larry McCann – Acting  
Chief of Police, Rick Musson – Acting

To clarify the appointments of the Public Works Director and the newly-created Public Utilities Director as of June 18, 2002:

Public Works Director, Steve Klotz – two-year term ending December 31, 2003  
Public Utilities Director, Larry McCann – two-year term ending December 31, 2003

Motion by Alderman Easton to approve the appointments as listed, seconded by Alderman Mears. Motion carried 7-0.

Board of Appeals: one position – unspecified length of term (no appointment was made)

Ambulance Reserves:

Mayor Johnson appointed Jodi Macumber, Kevin Schwartzkopf, Shara Overstreet, Linda Overstreet, and Brandon Wooley to the Ambulance Reserves.

Motion by Alderman Dart to approve the appointments of Jodi Macumber, Kevin Schwartzkopf, Shara Overstreet, Linda Overstreet, and Brandon Wooley to the Ambulance Reserves.

- **Ordinance No. O02-33: Ordinance amending Chapter 2.10 of the Laurel Municipal Code relating to Agenda.** Second reading.

Motion by Alderman Van Roekel to adopt Ordinance No. O02-33, seconded by Alderman Mace. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

**ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):** None.

**COUNCIL DISCUSSION:** The council discussion was held during the Committee of the Whole.

**UNSCHEDULED MATTERS:**

- **Community Entryway Zoning District public hearing.**

Motion by Alderman Dart to reconsider the closing of the public hearing on the Community Entryway Zoning District, seconded by Alderman Van Roekel. Motion carried 7-0.

Motion by Alderman Mears to continue the public hearing on the Community Entryway Zoning District to September 17, 2002, seconded by Alderman Dart. Motion carried 7-0.

- **League of Cities and Towns Meeting**

Council Minutes of September 3, 2002

Mayor Johnson reminded the council that reservations needed to be made for the meeting in Butte in October. He asked the council to inform Mary Embleton, the Council Secretary, or the Mayor if they planned to attend.

There being no further business to come before the council at this time, the meeting was adjourned at 8:32 p.m.

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Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 17<sup>th</sup> day of September, 2002.

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John E. Johnson, Jr., Mayor

Attest:

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Mary K. Embleton, Clerk-Treasurer