

MINUTES OF THE CITY COUNCIL OF LAUREL

September 20, 2005

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 Ken Olson at 6:30 p.m. on September 20, 2005.

COUNCIL MEMBERS PRESENT: Dick Fritzler Doug Poehls
 Kate Stevenson Mark Mace
 Gay Easton Daniel Dart
 Jennifer Johnson Norm Stamper

COUNCIL MEMBERS ABSENT: None

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

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

MINUTES:

Motion by Alderman Dart to approve the minutes of the regular meeting of September 6, 2005, as presented, seconded by Alderman Stamper. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

CORRESPONDENCE:

Montana Department of Labor and Industry: Letter of August 31, 2005 regarding Board of Professional Engineers & Professional Land Surveyors.

Laurel High School: Letter of September 12, 2005 regarding 2005 Homecoming activities.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of August 2005.**
- **Approval of Payroll Register for PPE 09/11/2005 totaling \$129,571.91.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of August 16, 2005 were presented.

--City-County Planning Board minutes of September 1, 2005 were presented.

--Council Workshop minutes of September 13, 2005 were presented.

--Laurel Airport Authority minutes of January 25, 2005 were presented.

--Laurel Airport Authority minutes of March 23, 2005 were presented.

--Laurel Airport Authority minutes of April 26, 2005 were presented.

--Laurel Airport Authority minutes of May 24, 2005 were presented.

--Laurel Airport Authority minutes of June 28, 2005 were presented.

--Laurel Airport Authority minutes of July 19, 2005 were presented.

--Laurel Airport Authority minutes of August 23, 2005 were presented.

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

Motion by Alderman Mace to approve the consent items as presented, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Public Works Committee:

Mayor Olson appointed Norm Stamper to the Public Works Committee.

Motion by Alderman Poehls to approve the appointment of Norm Stamper to the Public Works Committee, seconded by Alderman Dart. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

Cemetery Commission:

Mayor Olson appointed Norm Stamper to the Cemetery Commission as co-chairman.

Motion by Alderman Fritzler to approve the appointment of Norm Stamper to the Cemetery Commission, seconded by Alderwoman Stevenson. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Ordinance No. O05-06: Ordinance amending Chapter 10.20 of the Laurel Municipal Code relating to restricted speed zones.** Second reading.

Motion by Alderwoman Stevenson to adopt Ordinance No. O05-06, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Ordinance No. O05-11: Ordinance amending Chapter 17.40 of the Laurel Municipal Code to eliminate the off-street parking requirement in the central business district zone of Laurel.** First reading.

Motion by Alderman Easton to adopt Ordinance No. O05-11, seconded by Alderman Dart. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

The public hearing of Ordinance No. O05-11 will be on the council agenda on October 18, 2005.

- **Ordinance No. O05-12: Ordinance repealing Chapter 17.64 of the Laurel Municipal Code which provides for a Board of Adjustment.** First reading.

Motion by Alderwoman Johnson to adopt Ordinance No. O05-12, seconded by Alderman Stamper. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

The public hearing of Ordinance No. O05-12 will be on the council agenda on October 18, 2005.

- **Resolution No. R05-99: Resolution of the City Council granting a variance from the existing city zoning ordinance allowing a resident to build a garage that exceeds the current lot coverage restriction contained in the Laurel zoning ordinance.**

Motion by Alderman Stamper to approve Resolution No. R05-99, seconded by Alderman Dart. There was no public comment.

Alderman Fritzler recognizes that this item was submitted to the city council with the Planning Board's recommendation of approval on the basis of a hardship. However, he read the minutes of the Planning Board's last meeting on this issue and suggested that a couple of things need to be considered. First, variances deal with land and not the people that own the land. Secondly, the Laurel Municipal Code 17.08.12 states that "variance means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone." He thinks the council should think about this as it goes forward with this resolution.

Alderwoman Johnson stated that a lot of existing properties were built to exceed lot coverage. There are big garages and buildings on existing lots. The council is considering Granny Flats and small commercial stores in residential areas. She thinks there will always be a need for this type of property and someone will want to buy it if they chose to sell it sometime. Alderwoman Johnson thinks this is a worthwhile project.

Alderman Poehls understands Alderman Fritzler's point. However, he does not think this item should be sent back to the Planning Board again. He thinks the request should be approved because of the special personal need and because some of the lots around his house have more than thirty percent lot coverage.

A vote was taken on the motion. Motion carried 7-1, with Alderman Fritzler voting nay.

- **Resolution No. R05-100: A resolution approving an agreement between the City of Laurel and Yellowstone Boys and Girls Ranch, said agreement relating to fire protection.**

Motion by Alderman Dart to approve Resolution No. R05-100, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R05-101: A resolution approving Alderwoman Stevenson's temporary absence from the City of Laurel.**

Motion by Alderman Mace to approve Resolution No. R05-101, seconded by Alderman Dart. There was no public comment or council discussion. A vote was taken on the motion. Motion carried 7-1, with Alderman Poehls voting nay.

- **Resolution No. R05-102: Resolution of annexation of Amended Tracts "A" and "B" of corrected Certificate of Survey No. 2039 to the City of Laurel, Yellowstone County, Montana.**

Motion by Alderman Poehls to approve Resolution No. R05-102, seconded by Alderwoman Stevenson. There was no public comment.

Alderwoman Johnson stated that this proposal would fit right into the present neighborhood.

A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R05-103: A resolution adopting revisions to the City of Laurel Personnel Policy Manual.**

Motion by Alderman Fritzler to approve Resolution No. R05-103, seconded by Alderwoman Stevenson. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

The Yellowstone Valley YMCA is planning a telephone fundraising campaign in early November.

Alderman Dart has been coaching a six-to-seven-year-olds flag football team sponsored by the YMCA. He stated that the YMCA puts on a nice program.

Alderman Stamper's scout troop displayed American flags for the last two holidays.

Alderman Johnson recently attended the Community Wildfire Protection Plan meeting. Gary Colley, Jim Ziegler, and Lloyd Weber also attended the meeting. A list of needs was compiled for Broadview, Laurel, the greater Billings area, and Huntley/Shepard/Worden/Custer. Laurel's list includes a new ambulance and a new substation off Airport Road in the northern part of Laurel. A community meeting is scheduled for October 3rd at 7:00 p.m. at the fire hall in Laurel.

Alderman Johnson mentioned the local newspaper's article regarding Iron Horse Station Subdivision. The article stated that the petitions of protest regarding the zone change requests have not been completely retracted. She stated that, at a recent council workshop, Bob Robinson said that the residents had met with the developer and the St. John's representatives and are satisfied with the proposed plan. There was discussion regarding whether the residents need to submit a letter retracting their opposition to the zone changes. Public hearings for the Iron Horse Station Subdivision zone change requests are scheduled for October 4th and the residents will be able to speak at the public hearings. Sam Painter stated that the protestors could write a letter of retraction if they chose to withdraw the protest. Mayor Olson stated that a document would be needed for the record.

Alderman Stevenson reported that the Board of Health provides services to the City of Laurel, which is supported by the Town of Broadview, the City of Billings, and the City of Laurel. These services include the Deering Clinic, Hospice, Home Health Care, the Air Pollution Control Board, and the inspections of restaurants. The Board of Health recently took over the residency program at the Deering Clinic so that it is under one entity.

Alderman Fritzler welcomed Alderman Stamper to the Cemetery Commission.

Mayor Olson mentioned that Laurel did not receive a federal grant for web page development. Since an updated website is needed, the administrative assistant and clerk/treasurer will present a proposal to the Budget/Finance Committee to fund the development of the city's web page.

Mayor Olson attended the Disabled American Veterans' recent flag presentation at the library.

UNSCHEDULED MATTERS:

Alderman Dart will not be available to attend the Emergency Services Committee meeting on Monday, September 26th. Alderman Poehls will chair the meeting.

The council retreat is scheduled for November 18th, 19th, and 20th. Mayor Olson requested that facilitating the city council's committees and task forces be an agenda item. Any additional agenda items should be submitted to the administrative assistant soon.

ADJOURNMENT:

Motion by Alderman Stevenson to adjourn the council meeting, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:05 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 4th day of October, 2005.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer