

**MINUTES
COUNCIL WORKSHOP
APRIL 14, 2015 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 April 14, 2015.

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 type="checkbox"/> Chuck Dickerson	<input checked="" type="checkbox"/> Scot Stokes
<input type="checkbox"/> Tom Nelson	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Heidi Jensen, CAO
Monica Plecker, Planning Director

Public Input

Irv Wilke, 1017 Seventh Avenue, stated that he did not see an agenda item regarding the Park Board's recommendation to the city council on what to do with the Rod and Gun Club building.

Heidi explained that she met with the mayor, city attorney and public works director to discuss the item. A recommendation for the city to proceed will be on the workshop agenda on April 28th.

General items

There were none.

Executive Review

- Discussion – Access issues to the south area of Laurel

Mayor Mace asked Trent Kale to introduce himself to the council.

Trent Kale, 3339 John O. Groats Road in Billings, Montana, is a representative of BNSF Railway.

Mayor Mace stated that some council members have question, as the council and the emergency services departments have concerns about when the railroad crossings in the city, sometimes both crossings, block off access to the south side of Laurel. He hoped for discussion between the railroad and the city as to what could be done to alleviate that concern.

Trent Kale introduced Jeff Bensen, who is an MRL railroad superintendent in Laurel.

Doug stated that MDT is scheduled to redo the underpass this summer, so the underpass will be closed periodically and will limit access to the interstate from the north side of town. With the length of coal trains that coming through town and the frequency of how often trains block Fifth Avenue and the crossings at Railroad and South 4th Street, it is a great concern.

Trent questioned what "periodically" means at this point.

Doug stated that he understands that MDT will try to work on the underpass at night.

Mayor Mace stated that MDT assured him that the project will start after the last day of school and will be completed before school starts in August.

Doug questioned if MDT stated that half of the underpass would remain open.

Mayor Mace did not think they were going to do that, as MDT wanted to get it done.

Doug stated that the concern is having three months without the underpass.

Trent asked if there was concern about other specific crossings being blocked.

Doug stated that Fifth Avenue is the most important, but there is also concern on West Railroad Street and on South Fourth Street.

Trent explained that, as a matter of standard operating procedure in and around Laurel, BNSF does not park trains on any of the crossings. Their only concern will be trains traversing the crossing. There is no situation, other than some sort of emergency or accident, that the crossings would be blocked. In order to further alleviate concerns, he offered to share the phone numbers for a desk that is monitored 24 hours a day. The numbers are 628-3272 and 628-3269.

Doug stated that the phone numbers should be accessible to the emergency dispatch.

Trent stated that he is the BNSF liaison for MRL. Montana Rail Link follows the same rules that BNSF follows and MRL will not block any crossings. If they do, it is an exception and something went horribly wrong. He hopes the phone numbers will not need to be used, but they are available in case they are needed.

Emelie stated that she does not think there is such a concern about the crossings being blocked as the time that it takes for a train to go to or from the Greybull turn. They are typically long trains and they are slower because of the big turn in town. With the underpass potentially being closed, the concern is because all the traffic off of Southeast First from IGA and Taco John's will be diverted to Railroad Street. If a train is blocking the access to the south side, traffic will literally be snarled from the interstate access and could prohibit emergency access. She suggested coordinating something so the trains would not come through at a high traffic time, such as when the refinery is releasing workers and the 5:00 p.m. traffic comes off the interstate. Without the underpass, traffic will be horrendous.

Trent appreciated her concern and explained that the Greybull Line carries about two trains a day, one each way. On a big day, there could be three trains. Other than that, they go out to the refinery twice a day, but those are smaller cuts. Trent stated that a typical freight train is anywhere from 5,000 to 6,000 feet long and that would run twice a day. As a matter of common practice, they do not block the crossing. It is virtually impossible and not sustainable for the railroad to say that a train would not run between 17:00 and 18:00, for example. The best thing he could say was that they will not block the crossing outside of exceptions and there are typically only two trains within a 24-hour period.

Jeff Bensen said that the trains go out at 2:00 a.m. and at 2:00 p.m., so nothing is scheduled to depart at 5:00 p.m.

Trent asked if there are crossings that are problematic right now.

Doug stated that every so often a train will flip a switch, the arms come down and the arms could be down for 30 to 40 minutes. It is illegal to go around the arms, so it balls up traffic. It does not happen very often, but he lives close enough to hear them ding for 30 to 40 minutes at a time.

Trent suggested that would be a good time to call one of those numbers. After a train has stopped in the circuit, that aggravates the gates. After a certain time where there is no movement, the gates should come up. If the gates do not go up, something is wrong.

Doug stated that MDT is considering putting in a west interchange off of Golf Course Road. MDT is not funding a south exit off the interchange and does not plan to go over the railroad tracks south of the railroad. Doug asked Trent if someone from BNSF and MRL could help influence MDT to put a south exit there, as that would solve many emergency and access issues.

Trent explained that would be a joint venture between MRL and BNSF, so the city would have to deal with both railroads. Trent suggested that the city contact Barbara Ranf, the BNSF representative in Helena.

Mayor Mace thanked Trent and Jeff for attending the meeting.

- Ordinance – LMC 17.26.030 Entryway Zoning District

Monica Plecker explained the ordinance change for the city's entryway zoning, which is an overlay district currently in the city limits. A map detailing the entryway zoning showed a stretch where it is not connected and excludes some properties along Southeast Fourth Street that are really intended to be in the Entryway Zoning District. Examples are properties like Fitchner Chevrolet and O'Reilly Auto Parts. Even though they are right along the interstate, the way the initial ordinance was written did not capture them in the entryway zoning. The Planning Board held a public hearing and recommends changing the language in the ordinance to reflect that entryway zoning will continue 300 feet on either side of the interstate and connect through that area. Residential properties are excluded from the requirements of entryway zoning. Some Light Industrial properties on the south side of the interstate will be affected. The intent of entryway zoning is to protect the view shed right off the interstate and through the main arteries going through town, so it makes sense to change the boundary.

- Ordinance – Southeast 4th Street Overlay District

Monica mentioned that she previously presented a recommendation from the Planning Board to implement a Downtown Overlay District, and this is the second part of that. The Southeast 4th Street Overlay District follows the south side of the railroad following the TIFD boundary. It is an overlay district, just like the Entryway Zoning District, and it works in addition to existing zoning.

Monica stated that the intent of the Southeast Street Overlay District is to:

- Promote a physical landscape to make the District an attractive place to live and work;
- Encourage creativity in design and quality site planning;
- Promote development patterns in coordination with the goals and objectives of the City's Growth Management Plan; and

- Provide consistency to land uses and design that will protect the investment of property owners in the District.

Buildings in the Overlay District are reviewed in the regular permit process, so it is not an additional application or additional fee. The requirements are reviewed at the building level and the building official would be responsible.

Requirements for the properties include exterior materials that are sufficiently durable to ensure stability, maintainability, and long life. There is already a rustic western design theme down in the Southeast 4th Street area. Buildings shall be finished with a minimum of 40 percent log or rock on their front façade. Buildings not located on Southeast 4th just need some sort of wood timber added to the front façade, as that would be an easy way to bring the District together as a whole.

There are some connectivity and landscaping requirements for parking lots. ACE Hardware and CVS did a great job with parking lot connectivity. Landscaping is currently a requirement of entryway zoning. If a property is located in the Southeast 4th Street Overlay District and the Entryway Zoning District, the parking and landscape requirements of the Entryway Zoning would apply.

Monica state that the Planning Board held a public hearing and recommended approval to the council.

- Resolution – Engagement Letter with Dorsey & Whitney

Monica explained that the city has used Dorsey & Whitney as bond counsel for the last few special improvement districts. Dorsey & Whitney proposed a fee of \$6,000 to perform their services for a proposed SID of \$196,000 in conjunction with a capital project along 8th Street and Pennsylvania Avenue. A map of the proposed district was distributed. The next item is the resolution of intent to create the SID.

Monica stated that this is the same fee Dorsey & Whitney charged for the last two districts, and it is for their services related to bond counsel and to securing the Intercap funds.

- Resolution of Intent – Create SID No. 117 (8th and Pennsylvania)

Monica explained the steps to create a special improvement district. The resolution of intent to create the district is needed to start the process. The proposed SID is for sidewalk replacement in conjunction with a capital project along 8th Street and Pennsylvania. The resolution of intent will trigger a notice period to provide people with an opportunity to protest. There are 23 property owners in the proposed district, with the largest being the school district. Staff has talked with the school district and has the support of the district. If the council passes the resolution of intent, notice will be posted in the paper and a mailing will be sent to all property owners in the district the following Thursday. If over 51 percent of the district supports the SID, the city will move forward with the resolution to create the district.

Mayor Mace asked Monica to give the council an idea of the timing on this project.

Monica explained that, if the council passes the resolution next Tuesday, a notice would be published in the paper on the 23rd and the notice would be mailed to the property owners. There would be a 15-day protest period for the property owners. At the May 12th council workshop, Monica will present the protests and/or the resolution to create the district. The Intercap loan application will be submitted prior

to the district being formed if the resolution of intent is approved next Tuesday so the funding would be available and ready to close on the loan the first week of June.

Mayor Mace asked regarding the timing of the construction project.

Heidi explained that construction should start after school is out in June and be completed before school resumes at the end of August, as the project is in front of the high school. Part of the bidding process will state that no open trenches will be allowed on 8th Street for the 4th of July. At the same time, the sidewalks on the south side of 8th Street will be replaced with CTEP funding.

Monica mentioned that the school portion along 8th Street will be done prior to school starting, but there could still be some construction work on Pennsylvania Avenue.

- Resolution – Special Review for 908 West Main Street

Monica stated that Wood's Powr-Grip submitted an application for special review. Wood's Powr-Grip currently operates a Light Manufacturing business in a Highway Commercial zoned parcel of the city. Light Manufacturing is only allowable by special review in Highway Commercial zoning. In 1990, Wood's received their first Special Review. With the proposed addition to their building, it triggers the need for another special review. The Planning Board held a public hearing at their April meeting and recommended approval of this application. A site plan attached to the application showed the proposed building.

The proposed expansion is an addition to the current building, which requires a special review. Light manufacturing and storage are proposed for the activities to be held in the addition. Two overhead doors will be installed that can serve truck traffic for delivery and unloading, which should actually help offset some of the congestion off of West Main Street.

The Planning Board recommended three conditions of approval: property shall be kept free of noxious weeds; any proposed buildings shall conform to the setbacks identified in LMC 17.10.020; the applicant shall apply for a building permit.

Brad Wood of Wood's Powr-Grip attended the meeting to answer questions. There were no questions.

- Resolution – Special Review for 601 East Main Street

Monica stated that David Bequette submitted an application for special review. Mr. Bequette received a building permit for the property located at 601 East Main Street, which is known as the old Modern Auto, and will be used as High Plains Brewing. According to LMC, breweries are allowable in the Central Business District for brewing beer and bottling beer, and that is not the review before the council. The review is for the sale of alcohol, which requires special review according to LMC. The Planning Board reviewed the application, held a public hearing and recommended approval of the application.

Monica stated that other requirements noted throughout LMC talk about additional requirements for the sale of alcohol. There must be at least so much frontage and there has to be distance between certain uses. Mr. Bequette's property is a good fit. There is no bending of the rules to allow the sale of alcohol there, so he received a positive recommendation from the Planning Board with a few staff suggested conditions of approval.

The conditions of approval include: the property shall be kept free of noxious weeds; any portion of the lot not utilized for the building or hard surfaced parking shall be landscaped; any off-street parking must be paved; any patio area serving alcohol must be fenced in an appropriate fashion; all signs shall comply with LMC 15.40.

Levi Bequette attended the meeting to answer questions. There were no questions.

- Resolution – Contract with R&H Concrete, Inc.

Monica explained the contract with R&H Concrete for \$59,317 to perform work on nine sidewalks that have been approved by council resolution for the Residential Sidewalk Replacement Program. The money is in the Sidewalk Replacement Program Fund.

Monica stated that Keith Kolstad has worked really hard on this project.

- Resolution – Amendment No. 1 to Task Order No. 34 with Great West Engineering

Heidi stated that Task Order No. 34 is for the small caps project on East 8th Street and Pennsylvania. Mr. Staudinger, who lives on the corner, was the person who got staff to look into this area for improvements, but he was not included in the area for the small caps district. The amendment adds the additional area into the project so Great West can survey and do any additional work needed.

Emelie asked about the additional \$21,500 cost in Amendment No. 1 for Great West Engineering.

There was discussion. The compensation includes additional services for the Preliminary and Final Design Phases, the Bidding Phase, and the Construction Phase.

Heidi will provide a map to specifically outline the property included in the task order.

- Council Issues:
 - Update on 2011 Yellowstone River flooding event

Heidi stated that staff is working on getting the 60 percent plans done by the beginning of May. FEMA had some questions regarding changes to the maps when the refinery tore down the old buildings they had against the river, and the questions were deferred to the refinery.

The LOMR, which is the final step with any project that requires a conditional letter of map revision, is being completed and the south bank will be 100 percent done. Heidi encouraged the council to contact any legislator to ask them to continue fighting for funding for Laurel. She explained the status of House Bill 6 and Senate Bill 416. She will keep Mayor Mace updated with the latest developments.

- Lease Agreements

Heidi stated that the Little League has not signed the lease with the city. All conversations with the Little League have been deferred to the city attorney at this point. She has heard from people that Little League has started practicing. The city does not have a copy of their insurance and they have not signed the lease, so they will be receiving a letter from the city attorney and Heidi saying “no lease, no use”.

Heidi has talked with the Chamber regarding a lease, which will be the next lease negotiated and presented to the council.

Bruce stated that the Jaycee’s lease is expired and needs to be done as quickly as possible.

Heidi understands that and has communicated with Howard Rickard.

Other items

There were none.

Review of draft council agenda for April 21, 2015

- Ordinance No. O15-02: An ordinance moving the City of Laurel's Sign Code from Title 15 – Miscellaneous City Requirements for Homes, Buildings and Construction to Title 17 – Zoning of the Laurel Municipal Code. (1st reading – 04/07/2015; 2nd reading – 04/21/2015)

Attendance at the April 21, 2015 council meeting

All council members present will attend.

Announcements

Doug asked regarding the emergency services mill levy.

Heidi stated that the mill levy will be on the April 28th council workshop agenda.

Rick stated kudos to a police officer who stopped to check on him while he was out walking at 5:30 a.m. last Saturday morning.

Bill stated that he thinks a traffic light is needed on the south side of the underpass by Taco John's and IGA, as he sat there for ten minutes waiting to get on First Avenue recently.

Heidi stated that the traffic light was reviewed in the traffic study attached to the Gateway Plan. A traffic study was done on that intersection as a whole, and that is one of the large projects that LURA would like to see undertaken for a bondable project. It would be a very large intersection improvement but it will probably come forward in the next couple years.

There was further discussion regarding whether roundabouts were included for this intersection in the Gateway Plan, the new parking lot on the south side of the refinery, and the council's approval of the special review for the refinery's parking lot.

Emelie stated that the east side of town has been ugly to her to the point that she did not often go down East Main Street. Last Sunday, she had occasion to do so and was amazed at the changes and improvements along East Main Street. She expressed kudos to all of the people who made an effort to improve their property there and to the ongoing efforts.

Emelie asked regarding some job classification information that was in the mailboxes.

Heidi explained that a recommendation regarding the reclassification submittal will be on the council workshop agenda on April 28th. Information explaining the city's perspective of the reclassification, the union's perspective on the reclassification and the vote of the committee will be available at that time.

Recognition of Employees

- | | | |
|----------------|--|--------------------------|
| • Bruce Lefler | 34 years of service on April 6 th | City Shop |
| • Tim Reiter | 29 years of service on April 2 nd | Utilities Superintendent |

Council Workshop Minutes of April 14, 2015

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|------------------|---|----------------------------|
| • Cindy Allen | 17 years of service on April 17 th | Clerk's Office |
| • Kelly Strecker | 10 years of service on April 11 th | Clerk's Office |
| • Brenda Sell | 10 years of service on April 28 th | Police Dispatch |
| • Jim Huertas | 8 years of service on April 18 th | Police Officer |
| • R. O. Volmer | 7 years of service on April 28 th | Wastewater Treatment Plant |

Mayor Mace stated recognition for the employees.

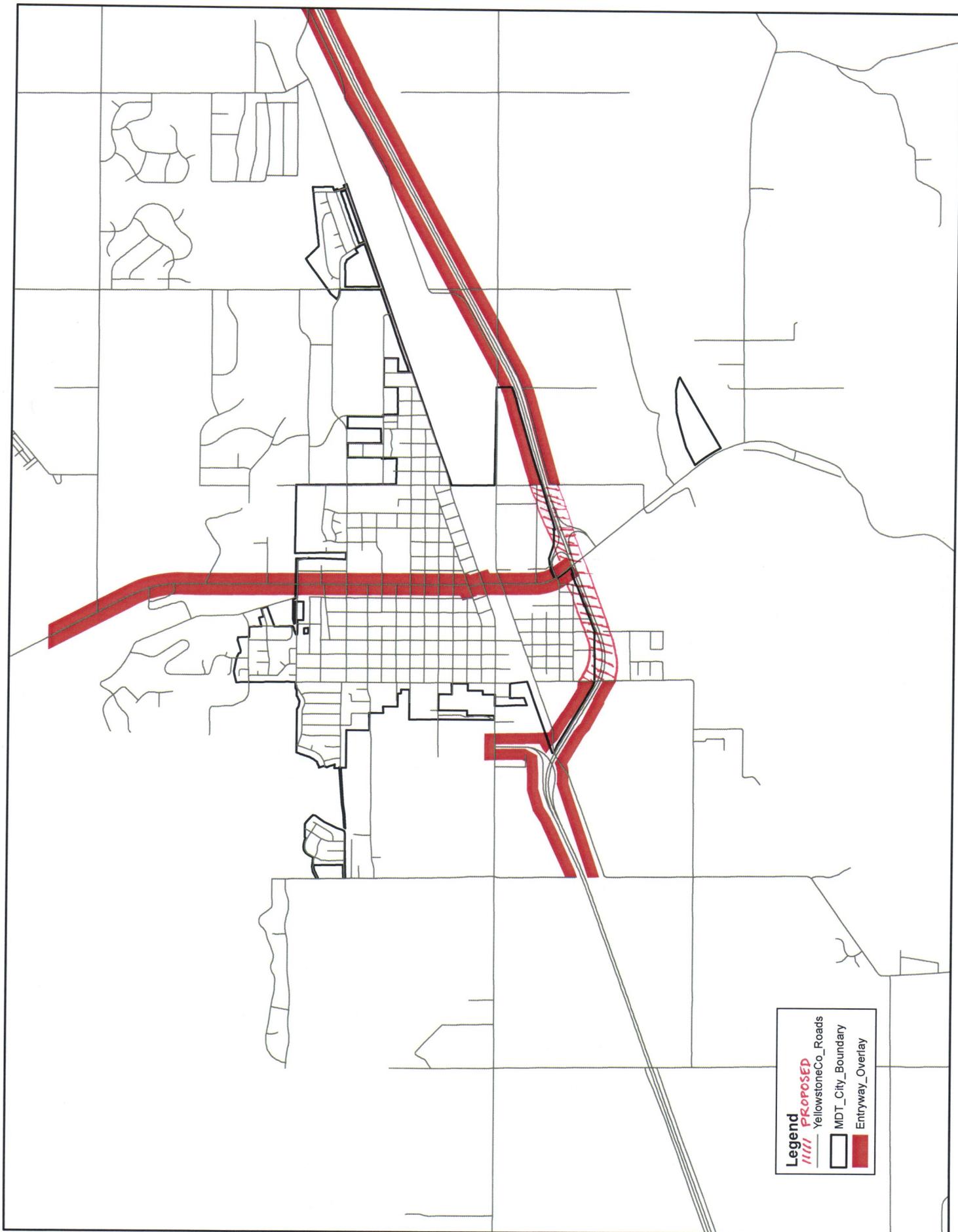
The council workshop adjourned at 7:24 p.m.

Respectfully submitted,



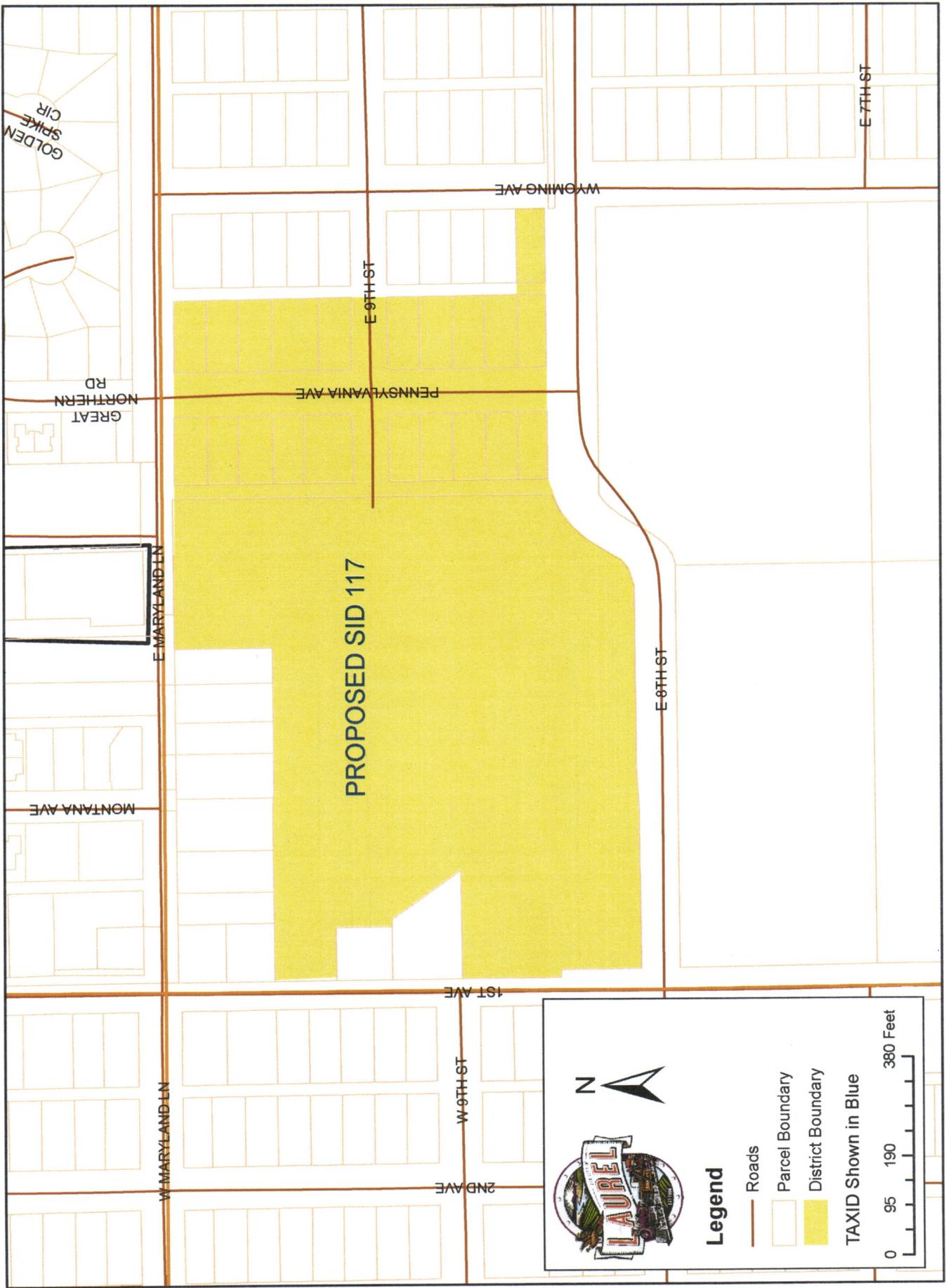
Cindy Allen
Council Secretary

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



Legend

-  PROPOSED
-  YellowstoneCo_Roads
-  MDT_City_Boundary
-  Entryway_Overlay



PROPOSED SID 117



Legend

-  Roads
-  Parcel Boundary
-  District Boundary

TAXID Shown in Blue