

**MINUTES
COUNCIL WORKSHOP
JUNE 30, 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 June 30, 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 checked="" type="checkbox"/> Chuck Dickerson	<input checked="" type="checkbox"/> Scot Stokes
<input type="checkbox"/> Tom Nelson	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Monica Plecker
Kurt Markegard
Chad Hanson
Jan Faught

Public Input:

Richard Klose, 511 Cottonwood Avenue, asked for the city's support to reinstall the light that came down at the American Legion ballfield. He knows there is quite an expense to it, but he would like to find a way that the city and the ball team can figure out how to get the light put back up. He stated that it is important to keep the deficiencies at the ballpark to a minimum because Laurel will host the Regional American Legion Tournament next year. The tournament will draw a lot of people here so businesses will benefit. It is his opinion that we need to put on a good show for the benefit of the ball team and the parents.

Mayor Mace suggested placing the item on the July 14th council workshop agenda. He asked Richard and Zada Stamper to contact Heidi Jensen to work on it so there are some answers for the council at the workshop.

Joe Zimmerman, Jr., 802 First Avenue, stated his concern about overnight truck parking on the lot north of Ricci's. Semis have been parked there overnight quite a few times. They put their placards over because they are hazardous material, and when they leave, they flip them back and head down the road. Joe stated that something needs to be done about that because it is putting everyone in danger in that area. He thinks they should be parking at a safe zone or at a truck stop instead of in a residential area. Some of the drivers inappropriately relieve themselves in the middle of the night and they drop litter and garbage all over the place. When the truckers leave, they take the side roads, not the truck route, and they are tearing up the streets. West 8th Street was just chip sealed, and a trucker left there last night and tore right through the chip seal. Something needs to be done to keep all 18-wheelers from parking there. Joe had a copy of a revised truck route that he received when Bill Sheridan was at the city. It only addressed trucks delivering to the site, not trucks leaving the location. Joe stated that the trucks that are parking there overnight are not making a delivery to Ricci's, but they are just there to park. Joe stated that, when he built the place, Vince Ricci told the

residents that there would be no overnight truck parking there. Joe stated that it is illegal for the truck driver to flip placards on the truck. When you tell the cops, they will not say anything. Code Enforcement told him that it needs to go to the city council to get something done about it.

Mayor Mace stated that he would talk to Code Enforcement about the issue.

Chuck asked for an update at the next council workshop.

General items

- Appointments:

- Laurel Volunteer Ambulance: Nick Kallem and Melissa Burns
Ambulance Director Jan Faught introduced Nick Kallem and Melissa Burns. Nick was on the ambulance crew before and is now returning to the area. Melissa is a new EMT and is eager to be on the crew.

Chuck asked how many volunteers the crew would have with these two appointments.

Jan stated that the two appointments would make 26 attendants on the roster.

- Tree Board: Reappoint Aaron Christiansen to a 3-year term ending June 30, 2018
The reappointment will be on the July 7th council agenda.

Executive Review

- Ordinance – LMC 17.16.020 changes to Residential Multi Family

Monica Plecker spoke regarding the ordinance changes to Laurel Municipal Code 17.16.020 as it relates to the Residential Multi Family zoning. This item originated with the Planning Board. On May 7th, the Planning Board had a discussion regarding the need for more restrictions on Residential Multi Family, mainly due to allowing too many units per acre and that no height restrictions could be detrimental to the residential neighborhoods in the city. The Planning Board used the definition of medium density, which the Laurel Municipal Code identifies as a four-plex, versus what was being allowed under Residential Multi Family as high density, and there was quite a difference if going from a four-plex to potentially 16, 20, 25 units.

In the table in the resolution, the minimum lot size for one unit would remain the same at 6,000 square feet. Then there is additional square footage for 2, 3, 4 or 5 units. Overall, it is not a huge change, but definitely impactful. At the highest end with five units, instead of having a lot size of 11,500 square feet, a lot size of 13,000 square feet will be required. For six units or more, 2,500 square feet would be required for each additional unit.

The Planning Board proposed a maximum height of 40 feet for all buildings. Right now, there is no existing maximum height. The 40 feet height is greater than what is allowed in Residential Limited Multi Family and the other residential zoning. The Board also suggested lowering the required lot coverage from 55 percent to 45 percent.

The Planning Board held a public hearing and received public comment from two individuals who supported the effort. The Planning Board cited reasoning that storm water mitigation would be helpful with a lower lot coverage. They also felt that Residential Multi Family currently allowed for

too many units per acre, which was ultimately too dense for Laurel's small town character. They also cited reasoning that it did not seem to align with other definitions.

The first reading of the ordinance will be on July 7th. Gary Colley will present the matter at the public hearing and second reading on July 21st.

- Resolution – Special review for sale of alcohol at 11 South 5th Avenue (No PH required)

Monica explained the resolution to approve an application for special review that was submitted on behalf of Redneck Pizza. Thomas Barton, the current owner of the business, is applying for a beer and wine license. According to LMC 17.20.020, cocktail lounges, restaurants, bars and taverns which serve alcohol are only allowed in properties zoned Central Business District by special review. The Planning Board held a public hearing and did not recommend holding a subsequent public hearing, as all of the criteria seemed to have been met. The criteria, as required in LMC 17.48.090, states that the parcel of land has to have street frontage of at least 100 feet and a depth of at least 100 feet and a distance of 600 feet between property lines measured in a straight line from any building that is primarily used as a church or school. However, that does not apply, as this property is in the Central Business District. Given the criteria outlined in LMC and the information provided by the applicant, the Planning Board recommended approval. The Planning Board also recommended three staff suggested conditions: that the property shall be kept free of noxious weeds; any patio area serving alcohol must be fenced in an appropriate fashion; and, any signs shall comply with LMC 15.40, which is the Sign Code.

- Resolution – Memorandum Agreement with MDT for the TransADE Program

Monica spoke regarding two resolutions related to the Transit Grant. The City of Laurel participates in the TransADE Program as a part of being a 5311 community, which means that the city serves a certain number of elderly or senior populations. This particular agreement states that \$8,049.93 in TransADE funds will be available to the city. This occurs annually and there were no changes in the language or the number from last year's agreement.

- Resolution – Contract with MDT for the TransADE Program

Monica explained that this resolution is directly for receiving grant funds. A few months ago, the council approved applying for Transit Funds from MDT and the Coordination Plan. The city received \$50,715 for operation this year. The number was substantially higher last year and the year before. MDT has started a new procedure where they take the average spending and average award of what is actually used in a community and then come up with an average. In the past, Laurel always applied for the maximum amount but never used it. Now the city applies for the average amount used so it is more accurate to the operation of the program. If the program grows, changes or needs to exceed the \$50,715, the city has the \$8,049.93 from the 5311 Funds from the previous resolution.

- Resolution – Amendment No. 5 to Task Order No. 26 with Great West Engineering

Chad Hanson spoke regarding the project for the new intake through FEMA. Great West recently submitted 60 percent plans and specifications to FEMA and received a letter approving them, so they can move forward to final design. Amendment No. 5 is to finish the design and carry the project through bidding. Once that stage is reached, Great West will return with an amendment for the construction phase.

- Resolution – Task Order No. 36 with Great West Engineering

Chad stated that staff requested Great West to prepare a task order to install stormwater in Washington Avenue as part of LURA's projects in the Laurel Gateway Plan. Staff hopes to fast track the project and have it built this year, so the engineers will try to complete the design by mid-August and get it out to bid to see if weather permits getting it done this fall.

There was discussion regarding how this stormwater project would relate with the underpass project.

- Resolution – Change Order No. 7 to the WWTP Improvements Project

Chad stated that Change Order No. 7 should be the last set of loose ends for the project. The changes were minor. One of the existing RBC walls leaked and had to be repaired. One of the old valves on the airlines for the aeration system had to be replaced before hooking up the new system to it. An additional set of stairs was built on the northwest corner to help the guys with their operations. Another 4-inch meter was put in the thickener building to give more flexibility with operations. The contractor is prepping to pave everything and there were two soft spots in the sub-grade by the drying beds that had to be over excavated and refilled. Final asphalt quantities exceeded plan quantities by 273 square yards at a cost of \$19.07 per square yard. The change order total is \$22,950.31, which brings the total change orders to \$356,192.54 for the \$6.725 million project. This is still within the project budget, including the contingency, and also includes the major add-on for the new septic receiving station.

Chad mentioned that the contractors are scheduled to pave the week after the 4th of July, finish moving out their equipment, clean up and complete a few punch list items. A ribbon cutting ceremony should be scheduled towards the end of July.

Kurt mentioned that the proposed charge for septic haulers will be presented to the council soon, possibly at the next council workshop.

- Laurel Rod & Gun Club – Request to hold a trap shooting event for the Brotherhood of Locomotive Engineers on August 18, 2015

The request will be on the July 7th council agenda.

- Council Issues:

- Explanation regarding why alleys cannot be paved (Emelie Eaton)

Emelie stated that the issue has been addressed in the past, but she has received calls from a resident requesting that the alley behind his residence be paved. She would like the reasons the city does not pave alleys stated in minutes for the record.

Kurt stated that there are pros and cons to paving alleys. Dust control is not necessary when alleys are paved. The biggest thing about paving alleys is that the heavy garbage trucks drive up them every week. There is not even sufficient base underneath the city's streets, let alone under the alleys, to accommodate the garbage trucks. The city runs the garbage trucks up the alleys so it can blade them, and gravel is a great way to do that. The loads that go up and down those alleys would require very expensive design criteria for paving, and they would have to be built better than the city streets in order to accommodate the garbage trucks.

Storm drainage is a major reason why alleys should not be paved. If they were paved, storm drains would be a big expense. Currently, water runs out of the gravel alleys on West Maryland on a rainy day. If the alleys were paved, the Rock Church would not exist because the water all flows down

onto West 9th Street. The city responded to flooding issues twice at the Rock Church last year, as water was going in their front door and coming out the back door. This past winter, the city cut out the trash racks in the storm inlets because last year's storms would knock the leaves off the trees up in Cherry Hills. The leaves would come down, collect on the inlets and then flood them. The church has not had a problem during the last couple rains because the trash now goes into the ponds by the Rock Church. The city does not even have stormwater capabilities and cannot take the extra water in the city under the current design.

Kurt could not guess how many millions of dollars would be needed to pave every alley in town. Regarding maintenance, the city has three street crew members that are out patching. Paving alleys with asphalt would cause the budget to double. The city's allocation for Gas Tax includes 54 miles of streets and alleys in this town, and about half of those are alleys.

There was a lengthy discussion regarding business owners that have chosen to pave abandoned alleys by their businesses. These include the old IGA building on Fifth Avenue, the former Western Drug building, and the current IGA building,

Kurt stated that there are many reasons not to pave alleys. One of the biggest complaints received after gravel is added to the city's alleys is that the water then runs onto private property, flooding a garage and/or a yard. The alleys would need a valley gutter in the center to direct all of the water down under the right-of-ways. Without having storm drains at every intersection, it would send all of that water downtown. There is only one storm pipe that leaves the south side of town and that is on Maple Avenue, which is already flooded when it rains.

There was further discussion regarding the need for the city to require businesses to maintain their paved alleys to prevent issues for the garbage trucks, the drainage issues with the flat paved alleys, the time the crew spent blading the gravel alleys this spring, the city's maintenance of patching the paved alleys, the suggestion that the TIF District could assist with some needs, the location of the garbage cans at the new Taco Bell, and the issues with the city's request for IGA to tie into the stormwater system.

Kurt stated that paved alleys would require maintenance, including crack sealing and chip sealing. Budgets would have to be increased via increased assessments on the citizens.

There was discussion regarding LURA's \$75,000 Grant Program, the \$30,000 grant Taco Bell received for paving Montana Avenue, the location of the garbage cans behind IGA, the location of the garbage cans for Taco Bell and Cedar Ridge Casino, and the barricade that will be installed to prevent access for parking there.

- Discussion – No lease, no use Policy (Bruce McGee)

Bruce stated that it is in the best interests of the citizens and the city to have leases in place. If the lessees and the city have not completed lease negotiations, the facilities should not be used. This could might springboard competitiveness among individuals or entities that want to lease city property. He thinks it would protect both the city and the lessees if facilities not be used unless leases are signed and in place.

There was discussion regarding adding an addendum to every lease as it is written that a no use policy would go into effect if the lease were not signed by a certain date, the need for a timeframe for the

lessees and the city to start negotiations prior to the expiration of a lease, and the procedure to proceed forward.

Mayor Mace will talk to the city attorney to see how to proceed. An update will be presented under Council Issues, Lease Agreements, at the next council workshop.

- Update on 2011 Yellowstone River flooding event

Kurt explained that Great West Engineering has completed 80 or 90 percent of the plans. Staff is working on negotiations with the landowners of the four properties involved. Meetings are scheduled for next week to discuss land acquisitions. The city had a pre-application meeting with the DNRC last week regarding an additional point of diversion for the city. The city needs to provide the DNRC with an emergency plan for water conservation. DNRC also wants to know how much water the city pulls out of the river and how much water is put back in the river through the sewer system. Because the city sells a lot of water to a large customer that has its own sewer system, the city needs to merge their data with city's data to get a complete understanding of the amounts. In a normal city, it is estimated that 10 percent does not return. The city also provides water to bulk water haulers and a bottling plant, and that water never comes back. The city is working to give the DNRC a consumption rate. Currently, agriculture is the biggest puller off the Yellowstone River. Municipalities are just a fraction of what they actually pull for irrigation. Kurt stated that the DNRC did not think the city would have any problems.

Mayor Mace asked Kurt to speak about the weekend's incident.

Kurt provided a lengthy explanation of the waterline break at CHS Refinery last weekend. On Saturday morning, there was a pressure loss on the system and there was a river running through the refinery's parking lot. One of the 18-inch feeders that feeds the city blew two gaskets in a connection. The line ruptured underneath the fiber optic line that runs the entire refinery and the crude pipeline that comes into the refinery. The water was shut down within 25 minutes. The refinery shut off the treated water and went on complete raw water. They had backup plans being done with their fire teams and made sure they had water going to their buildings. They went into an emergency mode, which was successful, and kept the refinery running. The city did not have to impose any restrictions. A valve by the interstate on the north side has evidently been broken for three years. They spent most of the day hydro-excavating and CHS did the excavation around their crude line and fiber optic line. Work was completed at 10:00 a.m. on Sunday and the water was back on to the refinery. The city is currently addressing the closed valve, met with a contractor this morning, and is getting a plan in place. With the underpass being closed in July, the city hopes to implement the plan in August, as it will involve digging in the street right at the intersection by Town Pump and the former Burger King building.

There was also a waterline break on Forrest Avenue last weekend. The leak was fixed on Monday, and Kurt brought the pipe to city hall so the council could see it.

Kurt provided copies of the Traffic Control Plan for the underpass project. At the meeting with MDT today, MDT informed everyone that the underpass will be completely closed on July 13th. Signs will be posted next week. CHS Refinery will be bringing a couple thousand workers in on the very same day. MDT plans to have flaggers when the traffic gets hectic to keep traffic moving during the peak hours. Kurt stated that this will be the biggest challenge the city has seen in a long time with the

underpass being closed for two weeks. He understands that the project will be 24 hours a day, 7 days a week until it is done.

o Lease Agreements

There was no further discussion.

Other items

There were none.

Review of draft council agenda for July 7, 2015

There were no changes.

Attendance at the July 7, 2015 council meeting

All council members present will attend.

Announcements

Mayor Mace reminded the council that the council members up for reelection need to complete the filing forms in the Elections Department by July 2nd. Council Members Herr, Stokes, Mountsier and Eaton are up for reelection this year.

Rick thanked Kurt for the chip sealing that is going on in the city, as people are happy to see it and it looks good.

Bill is glad to see the project on 8th Street and Pennsylvania has started.

Bruce stated that he is overall impressed with the hard work the city employees do to provide water for everyone. He knows sometimes it is very stressful for leadership to make the money work and the relationships work, but the community has a lot of good things going on and good things taking place. The project on the underpass is going to be a real challenge but it is going to be a big improvement. If we all keep a good attitude about this, he sees wonderful things happening in the community. He stated kudos to everybody.

Emelie stated that she was going to mention something similar to Bruce's comments, so, since he stated it so well, she dittoed his comments.

The council workshop adjourned at 7:42 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.