

**MINUTES  
COUNCIL WORKSHOP  
MAY 10, 2016 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 May 10, 2016.

**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 type="checkbox"/> Scot Stokes             |
| <input checked="" type="checkbox"/> Tom Nelson      | <input type="checkbox"/> Bill Mountsier          |

**OTHERS PRESENT:**

Heidi Jensen, CAO  
Noel Eaton, City Planner

**Public Input**

There was no public input.

**General items**

There were none.

**Executive Review**

- Resolution - Preliminary Plat application of Lot 1, Block 1, Amended Entertainment Park Subdivision (Public hearing on May 17, 2016)

Noel Eaton read the staff report regarding the Preliminary Plat application of Lot 1, Block 1, Amended Entertainment Park Subdivision. This contains two lots on approximately 6.202 acres of land for highway commercial development. The subject property is located southwest of the intersection of East Railroad Street and Juniper Avenue. The property is located within the city limits of Laurel. The Laurel City-County Planning Board has recommended approval of the preliminary plat with staff recommended conditions of approval, findings of fact and associated staff report.

A copy of the staff report is attached to these council workshop minutes.

- Resolution - Franchise Agreement with Charter Communications

Heidi explained that the contract was negotiated between Charter Communications and the city attorney. The agreement is for 5 percent of the gross revenues that will be paid to the City of Laurel 45 days after each calendar quarter ends.

- Council Issues:
  - Lease Task Force update

Heidi recently talked to the city attorney about the buildings in Riverside Park. She will send the city attorney the documents that Irv Wilke submitted and wait to hear back from him.

Heidi spoke regarding the requirement for the council to approve letting the city to go out for quotes, the need for health statements to be completed very quickly in order for the Management Budget to be completed, the fact that the city would continue with Blue Cross Blue Shield if the council chose not to go out for quotes, and issues with the Health Insurance Committee.

Tom and Bruce, the council members on the Health Insurance Committee, stated their opinions regarding going out for quotes and the committee's structure and purpose. There was a very lengthy discussion.

- Cell phone use in city limits

Heidi distributed information regarding cell phone use in the city limits, as Council Member Stokes recently asked regarding a cell phone use policy for drivers within the city limits. The information included the cell phone policies in Great Falls, Helena, Billings and Bozeman. Heidi asked the council to review them and give feedback as to whether the policy should be pursued.

#### Review of draft council agenda for May 17, 2016

- Public Hearing: Preliminary Plat application of Lot 1, Block 1, Amended Entertainment Park Subdivision

#### Attendance at the May 17, 2016 council meeting

All council members present will attend.

#### Announcements

Tom stated that the Cemetery Commission passed a motion for a change to the Cemetery Policy and Procedure Manual. He asked for the item to be on the next council workshop agenda.

Emelie stated that last night's Public Works Committee meeting was concise because the Public Works Director was informed during the meeting that a manhole had blown off at the sewer plant. The Public Works Department is busy and gearing up to have a very full construction and improvement season this year.

#### Recognition of Employees

- |                     |   |                          |
|---------------------|---|--------------------------|
| • Bruce Lefler      | 35 years of service on April 6 <sup>th</sup>  | City Shop                |
| • Tim Reiter        | 30 years of service on April 2 <sup>nd</sup>  | Utilities Superintendent |
| • Cindy Allen       | 18 years of service on April 17 <sup>th</sup> | Council Secretary        |
| • Kelly Strecker    | 11 years of service on April 11 <sup>th</sup> | Clerk's Office           |
| • Brenda Sell       | 11 years of service on April 28 <sup>th</sup> | Police Dispatch          |
| • Jim Huertas       | 9 years of service on April 18 <sup>th</sup>  | Police Officer           |
| • Les Deines        | 35 years of service on May 19 <sup>th</sup>   | WWTP                     |
| • Michelle Steffans | 22 years of service on May 31 <sup>st</sup>   | Police Dispatch          |
| • Cynthia Caswell   | 1 year of service on May 11 <sup>th</sup>     | City Shop                |

Mayor Mace recognized the employees for their years of service.

Council Workshop Minutes of May 10, 2016

The council workshop adjourned at 7:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cindy Allen".

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.**



## LAUREL CITY-COUNTY PLANNING DEPARTMENT

### STAFF REPORT

TO: Laurel City Council  
FROM: Noel Eaton, City Planner  
RE: Lot 1, Block 1 Amended Entertainment Park Subdivision  
HEARING  
DATE: May 17, 2016

#### INTRODUCTION

Stephen Diefenderfer applied for preliminary plat approval for Lot 1, Block 1 Amended Entertainment Park Subdivision which contains 2 lots on approximately 6.202 acres of land for highway commercial development. The subject property is located southwest of the intersection of East Railroad St. and Juniper Ave. The property is located within the city limits of Laurel.

#### RECOMMENDATIONS

- The Laurel City County Planning Board has recommended approval of the preliminary plat with staff recommended conditions of approval, findings of fact and associated staff report.

#### VARIANCES REQUESTED

No variances were requested.

#### PROPOSED CONDITIONS OF APPROVAL

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact:

1. All public improvements shall be built to Montana Public Work Standards and to the specifications made in the Subdivision Improvements Agreement provided with the application for preliminary plat.
2. To minimize effects on local services, utility easements shall be provided on the final plat.

3. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Department to clarify the documents and bring them into the standard acceptable format.
4. To minimize the effects on the natural environment, a weed management plan and property inspection shall be approved by the County Weed Department, prior to final plat approval.
5. The final plat shall comply with all requirements of the Laurel-Yellowstone City-County Planning Area Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Laurel, and the law and Administrative Rules of the State of Montana.

#### PROCEDURAL HISTORY

- A pre-application meeting was conducted with Planning Staff for the proposed subdivision on January 25, 2016
- The preliminary plat pre-application sufficiency and completeness review was done and submitted to the owners agent
- The City County Planning Board had a public hearing on April 7, 2016 at their regularly scheduled meeting.

#### PLAT INFORMATION

|                           |   |
|---------------------------|---|
| General location:         | Southwest of the intersection of East Railroad St. and Juniper Ave                      |
| Legal Description:        | Lot 1, Block 1, Entertainment Park Subdivision ¼ Section NW 15, Township 2S, Range 24E. |
| Subdivider and Owner:     | Stephen Diefenderfer  |
| Engineering and Surveyor: | Bryan Alexander, Sanderson Stewart  |
| Existing Zoning:          | Highway Commercial  |
| Existing Land Use:        | Vacant Land Urban   |
| Proposed Land Use:        | Highway Commercial  |
| Gross Area:               | 6.202   |
| Proposed # of Lots:       | 2   |

Lot Sizes: 3.2 and 3.0 acres

Parkland Requirements: Parkland requirement was satisfied with initial subdivision.

**PROPOSED FINDINGS OF FACT**

The Findings of Fact for the preliminary plat of Lot 1, Block 1 Amended Entertainment Park Subdivision have been prepared by the Laurel City-County Planning Department staff for review by the City/County Planning Board. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Laurel-Yellowstone City-County Planning Area Subdivision Regulations.

**A. What are the effects on agriculture and agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat and public health and safety? (76-3-608(3)(a), MCA) (Section 3 (C)(3)(a), LYCCPASR)**

**1. Effect on agriculture and agricultural water user facilities.**

The proposed subdivision will have no impact on agriculture. The 6.202 acre subdivision site is currently vacant land. It is surrounded by highway commercial zoning to the west, interstate 90 to the south and light industrial to the north and east of the property.

**2. Effect on local services**

a. The subdivision improvements agreement has provided detailed information regarding:

- Water
- Sanitary sewer
- Storm drainage
- Streets

**3. Effects on the natural environment**

The proposed subdivision is proposed as a 2 lot amended subdivision with no current plans for development. The site is zoned Highway Commercial and surrounded by commercial and industrial zoning.

**4. Effects on wildlife and wildlife habitat**

There are no known endangered species or critical game ranges on site. Due to close proximity to Interstate 90 and adjacent industrial zoning, it provides little wildlife habitat. Little cover and shelter is available for wildlife species in the area.

**5. Effects on public health and safety**

There are no adverse effects on public health and safety. A geotechnical was provided with the application. There were no significant findings.

**B. Was an Environmental Assessment Required? (76-3-603, MCA)(Section 16.9 LYCCPASR)**

An environmental assessment was not required with the application.

**C. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? (76-3-608 (3)(b), MCA)**

The subdivision, with proposed conditions, satisfies the requirements of the Montana Subdivision and Platting Act and conforms to the design standards specified in the LYCCPASR. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

**D. Does the subdivision conform to sanitary requirements? (Section 3(C)(3)(e), LYCCPASR)**

The existing subdivision is already connected to city services.

**E. Does the proposed plat provide easements for the location and installation of any utilities? (76-3-608(3)(C), MCA)**

Utility easements shall be provided on the face of the final plat.

**F. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? (76-3-608 (3)(d), MCA)**

Legal and Physical access to all lots has been provided and is shown on the preliminary plat. If future subdivision of proposed lots 1A and 1B occur, a 67ft wide access and utility easement is provided for the purpose of allowing access to lots 1A, 1B, and subsequent subdivision lots thereof.

**CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of Lot 1, Block 1 Amended Entertainment Park Subdivision does not create any adverse impacts that warrant denial of the subdivision.
- With the proposed conditions, Lot 1, Block 1 Amended Entertainment Park Subdivision is in compliance with the Montana Subdivision and Platting Act, LYCCPASR and the City of Laurel Growth Management Plan.

**ATTACHMENTS**

A: Preliminary Plat and Associated Documents

## Heidi Jensen

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**From:** Sam Painter - Thompson Painter Law <sam@thompsonpainterlaw.com>  
**Sent:** Tuesday, May 10, 2016 3:44 PM  
**To:** Heidi Jensen  
**Subject:** Committee Restructure

Heidi,

My suggestion to prepare a written proposal based on the discussion the Council had in conjunction with the Local Government Center. Once the written proposal is prepared, I suggest we circulate it to the Council and all existing committees and committee members for discussion at the next council workshop.

Based on the discussion, the Council can indicate whether they want to move forward with implementing the plan, constituting an implementation plan to revise necessary sections of the LMC and possible modification of existing Resolutions to effectuate the changes.

At some point before getting to far, I would suggest a public hearing would be advisable to determine if there would be an outrage or objections by members of the public or possibly committee members. Based on the public hearing, the Council could choose to move forward with the suggested changes through either or both the resolution and ordinance change process.

Thank you Heidi, please let me know how the Council advises to proceed.

Best regards,

*Sam S. Painter*

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