

# MINUTES OF THE CITY COUNCIL OF LAUREL

January 15, 2002

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 Bud Johnson at 7:00 p.m. on January 15, 2002.

COUNCIL MEMBERS PRESENT:            Lauren Van Roekel    Doug Poehls  
   Ken Olson                Mark Mace  
   Gay Easton             Daniel Dart  
   Dan Mears

COUNCIL MEMBERS ABSENT:            None

Mayor Johnson asked the council to observe a moment of silence in behalf of the family of Miranda Fenner.

Jake Waddell led the Pledge of Allegiance to the American flag.

## MINUTES:

Motion by Alderman Olson to approve the minutes of the regular meeting of January 2, 2002, as presented, seconded by Alderman Mace. Motion carried 7-0.

## CORRESPONDENCE:

- a.        *Montana Taxpayer* – December 2001.
- b.        Firewise Communities information.
- c.        Montana Municipal Insurance Authority: Memo of January 4, 2002 regarding new address.
- d.        Local Government Center: Letter of January 7, 2002 regarding the Roles and Responsibilities Workshop for the City Council on January 19, 2002.

**PUBLIC HEARING:** Planning Board recommends a six-month moratorium for interim zoning 300 feet either side of the interstate to create an entryway zoning district.

Mayor Johnson opened the public hearing.

Mayor Johnson asked if there were any proponents or opponents.

Larry McCann asked if the public hearing was regarding zoning on South First Avenue from Railroad Street to the interstate. Mayor Johnson stated that they were two different issues.

Mayor Johnson asked twice if there were any other proponents or opponents. There were none.

Mayor Johnson closed the public hearing.

## CONSENT ITEMS:

- a.        **Clerk/Treasurer Financial Statements for the month of December 2001.**
- b.        **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of December 17, 2001 were presented.

--City Council Committee of the Whole minutes of January 2, 2002 were presented.

--City-County Planning Board minutes of January 3, 2002 were presented.

--Public Works Committee minutes of January 7, 2002 were presented.

**c. Resolutions.**

- 1) **Resolution No. R02-1:** Collection of annual service fee for all water users, pursuant to the Public Water Supply Program.

**RESOLUTION NO. R02-01**

**COLLECTION OF ANNUAL SERVICE FEE FOR ALL WATER USERS,  
PURSUANT TO THE PUBLIC WATER SUPPLY PROGRAM.**

- 2) **Resolution No. R02-2:** Authorizing the adjustment in sewer billing rate for Bill Bernhardt from 10 units to 7 units.

**RESOLUTION NO. R02-2**

**AUTHORIZING THE ADJUSTMENT IN SEWER BILLING RATE  
FOR BILL BERNHARDT FROM 10 UNITS TO 7 UNITS.**

- 3) **Resolution No. R02-3:** Authorizing the Public Works Department to tear down the old bathrooms for the baby pool.

**RESOLUTION NO. R02-3**

**AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO TEAR  
DOWN THE OLD BATHROOMS FOR THE BABY POOL.**

- 4) **Resolution No. R02-4:** Authorizing the City Clerk-Treasurer to do a budget amendment and add \$100,000 to the Water Plant budget to do engineering design of the water intake.

**RESOLUTION NO. R02-4**

**AUTHORIZING THE CITY CLERK-TREASURER TO DO A BUDGET  
AMENDMENT AND ADD \$100,000 TO THE WATER PLANT BUDGET  
TO DO ENGINEERING DESIGN OF THE WATER INTAKE.**

- 5) **Resolution No. R02-5:** Authorizing the Mayor to sign an agreement with Technical Edge Consulting, LLC for Computer Network Administration Services. (Selection Committee unanimously recommends Technical Edge.)

**RESOLUTION NO. R02-5**

**AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH  
TECHNICAL EDGE CONSULTING, LLC FOR  
COMPUTER NETWORK ADMINISTRATION SERVICES.**

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

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

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):**

**a. Olympic Torch.**

Alderman Olson explained the events while the Olympic Torch is in the City of Laurel on Monday, January 28<sup>th</sup>. A ceremony and a reception will be held at the Laurel High School. Shilloy Lowe and Jack Bayne were selected as the local Olympic Torch runners. Alderman Olson invited everyone to attend this special event.

**b. Vacant Ward 4 council seat.**

Alderman Easton stated that the council advertised for the vacant Ward 4 council seat. One individual who expressed interest in the seat has since declined the position.

**SCHEDULED MATTERS:**

**a. Confirmation of Appointments.**

Emergency Services Committee:

Mayor Johnson appointed Alderman Dart as the chairman of the Emergency Services Committee. Mayor Johnson thanked Alderman Olson for the years he served as chairman of the committee.

Big Sky Economic Development Nominating Committee:

Mayor Johnson appointed Alderman Easton to the Big Sky Economic Development Nominating Committee.

Motion by Alderman Olson to approve the appointment of Alderman Easton to the Big Sky Economic Development Nominating Committee, seconded by Alderman Mace. Motion carried 7-0.

**b. Planning Board has reviewed the proposed zone change from Suburban Residential to Residential Tracts for Little Dude Ranchettes and recommends to the City Council that the proposed zone change be approved and that the City Council hold a public hearing on the proposed zone change. Set public hearing for February 5, 2002.**

Motion by Alderman Olson to set a public hearing for February 5, 2002, for the proposed zone change from Suburban Residential to Residential Tracts for Little Dude Ranchettes, seconded by Alderman Poehls. Motion carried 7-0.

**c. Ordinance No. O02-1: Ordinance amending Chapter 2.12.80 of the Laurel Municipal Code relating to appointment of officers. First reading.**

**ORDINANCE NO. O02-1**

**ORDINANCE AMENDING CHAPTER 2.12.80 OF THE  
LAUREL MUNICIPAL CODE RELATING TO  
APPOINTMENT OF OFFICERS.**

Motion by Alderman Easton to adopt Ordinance No. O02-1, seconded by Alderman Van Roekel. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

The public hearing and second reading of Ordinance No. O02-1 will be on the council agenda on February 5, 2002.

**d. Ordinance No. O02-2: Ordinance amending Chapter 1.24.020 of the Laurel Municipal Code relating to execution of fine. First reading.**

**ORDINANCE NO. O02-2**

**ORDINANCE AMENDING CHAPTER 1.24.020 OF THE  
LAUREL MUNICIPAL CODE  
RELATING TO EXECUTION OF FINE.**

Motion by Alderman Poehls to adopt Ordinance No. O02-2, seconded by Alderman Easton. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

The public hearing and second reading of Ordinance No. O02-2 will be on the council agenda on February 5, 2002.

**e. Ordinance No. O02-3: Ordinance amending Chapter 1.28.040 of the Laurel Municipal Code relating to implementation of technical codes. First reading.**

**ORDINANCE NO. 002-3**

**ORDINANCE AMENDING CHAPTER 1.28.040 OF THE  
LAUREL MUNICIPAL CODE  
RELATING TO IMPLEMENTATION OF TECHNICAL CODES.**

Motion by Alderman Poehls to adopt Ordinance No. 002-3, seconded by Alderman Olson. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

The public hearing and second reading of Ordinance No. 002-3 will be on the council agenda on February 5, 2002.

- f. **Ordinance No. 002-4:** Ordinance amending Chapter 1.36.010 of the Laurel Municipal Code relating to imposition of fines. First reading.

**ORDINANCE NO. 002-4**

**ORDINANCE AMENDING CHAPTER 1.36.010 OF THE  
LAUREL MUNICIPAL CODE  
RELATING TO IMPOSITION OF FINES.**

Motion by Alderman Van Roekel to adopt Ordinance No. 002-4, seconded by Alderman Dart. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

The public hearing and second reading of Ordinance No. 002-4 will be on the council agenda on February 5, 2002.

- g. **Ordinance No. 002-5:** Ordinance amending Chapter 1.40.010 of the Laurel Municipal Code relating to prisoner labor. First reading.

**ORDINANCE NO. 002-5**

**ORDINANCE AMENDING CHAPTER 1.40.010 OF THE  
LAUREL MUNICIPAL CODE  
RELATING TO PRISONER LABOR.**

Motion by Alderman Easton to adopt Ordinance No. 002-5, seconded by Alderman Olson. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

The public hearing and second reading of Ordinance No. 002-5 will be on the council agenda on February 5, 2002.

Mayor Johnson explained that these ordinances have resulted from suggestions that were received from Book Publishing Company. At the mayor's request, the city attorney is currently reviewing those suggestions and preparing ordinances to implement some of the housekeeping matters.

**ITEMS REMOVED FROM THE CONSENT AGENDA:**

None.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):**

None.

**UNSCHEDULED MATTERS:**

- a. **Review of day care at 313 Forrest Avenue.**

During the Council as a Whole meeting, Cal Cumin reminded the council of the six-month review for the day care at 313 Forrest Avenue. The special review was granted on July 17, 2001, with a six-month review of the stipulations required by the Planning Board. Tacy Desjairlais, the owner, attended the council meeting for the review, which was not scheduled for this agenda. Alderman Olson asked for clarification of the situation. Cal requested placement of the review on the February

5<sup>th</sup> agenda and stated that Tacy Desjairlais would return to that meeting for the review. Mayor Johnson stated that the item would be placed on the February 5<sup>th</sup> council agenda.

**c. Agenda format.**

Alderman Dart voiced his approval of the new agenda format and stated that it was a good reflection of progressive ideas for the council.

Cal Cumin also stated his approval of the new agenda format. He suggested that requiring the public to fill out a card in order to speak might prevent them from doing so. Mayor Johnson stated that the cards were necessary for record keeping purposes, but individuals would not be denied the right to speak based on the cards.

**d. Council Retreat on Saturday, January 19, 2002.**

Alderman Mace reminded the council of the retreat on Saturday, January 19<sup>th</sup>. The council and department heads will meet in the Old Council Chambers at 8:00 a.m. Ken Weaver and Jane Jelinski from the Local Government Center in Bozeman will be the guest speakers. Due to personal reasons, Judy Mathre will probably be unable to attend the retreat.

There being no further business to come before the council at this time, the meeting was adjourned at 7:20 p.m.

---

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 5<sup>th</sup> day of February, 2002.

---

John E. Johnson, Jr., Mayor

Attest:

---

Mary K. Embleton, Clerk-Treasurer