

MINUTES OF THE CITY COUNCIL OF LAUREL

June 18, 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 7:12 p.m. on June 18, 2002.

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

COUNCIL MEMBERS ABSENT: Dan Mears

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

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

MINUTES:

Motion by Alderman Dart to approve the minutes of the regular meeting of June 4, 2002, as presented, seconded by Alderman Mace. Motion carried 7-0.

CORRESPONDENCE:

MT/WY Association of Railroad Passengers: April 2002.

Laurel Chamber of Commerce: June 2002.

ME&A: Letter of June 6, 2002 regarding CIP Priorities & Grant Funding.

Montana Department of Transportation: *Share the Road* Bulletin.

Yellowstone County Air Pollution Control: Letter of June 11, 2002, regarding new Program Director.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of May 2002.**
- **Approval of Payroll Register for PPE 5/26/02 totaling \$82,689.35.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of May 20, 2002 were presented.

--City Council Committee of the Whole minutes of June 4, 2002 were presented.

--City-County Planning Board minutes of June 6, 2002 were presented.

--Insurance Committee minutes of July 12, 2001 were presented.

--Insurance Committee minutes of December 12, 2001 were presented.

- **Resolutions.**

Resolution No. R02-29: A resolution raising park fees at Riverside Park.

Resolution No. R02-30: Authorizing the Mayor to sign a resolution form for the State and Federal Surplus Programs.

Resolution No. R02-31: A resolution authorizing the Mayor to sign a cooperative agreement with the United States Attorney General for a DEA Task Force.

Resolution No. R02-32: A resolution authorizing the Mayor to sign an agreement with the City of Billings for animal control services.

Resolution No. R02-33: A resolution authorizing the Laurel Volunteer Ambulance to raise their rates.

Resolution No. R02-34: A resolution authorizing the Mayor to sign a contract with Big Sky Economic Development Authority for home loan grants.

Resolution No. R02-35: A resolution accepting a grant from the Montana Department of Transportation for radar equipment and authorizing the Mayor to sign said grant.

Resolution No. R02-36: A resolution authorizing the creation of a Public Utilities Department.

Resolution No. R02-37: A resolution renewing Cable TV franchise pursuant to Title 5, Chapter 52, Laurel Municipal Code, for a period of 15 years.

Resolution No. R02-38: A resolution authorizing the reimbursement of EMT-B course fees.

Resolution No. R02-39: Resolution of intent to vacate public right of way (alley), located west of 12th Avenue between 9th Street and Maryland, alley runs 116.63 feet on north side of Lot 14, Willow Creek Subdivision.

The mayor asked if there was any separation of consent items.

Alderman Van Roekel separated item 5.d.8), Resolution No. R02-36, from the consent agenda. This item was placed under Items Removed From the Consent Agenda.

Motion by Alderman Olson to approve the consent items, except item 5.d.8), Resolution No. R02-36, as presented, seconded by Alderman Poehls. Motion carried 7-0.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Mayor Johnson stated that several responses were received from the published advertisement for the committee and board vacancies. Vacancies still remain on the Board of Adjustment, the Board of Appeals, and the City-County Planning Board.

Laurel Airport Authority:

Mayor Johnson appointed Bob Wiens to the Laurel Airport Authority for a five-year term.

Motion by Alderman Easton to approve the appointment of Bob Wiens to the Laurel Airport Authority for a five-year term ending June 30, 2007, seconded by Alderman Olson. Motion carried 7-0.

Library Board:

Mayor Johnson appointed Clair Killebrew to the Library Board for a five-year term.

Motion by Alderman Oakes to approve the appointment of Clair Killebrew to the Library Board for a five-year term ending June 30, 2007, seconded by Alderman Mace. Motion carried 7-0.

- **Jeanne Stabelfeldt.**

Jeanne Stabelfeldt, Peggy Cook, and Ruth Bathurst attended the meeting to request a cat control ordinance in Laurel. Jeanne stated that Peggy Cook would be the spokesperson. Peggy Cook stated that Dave Klein, the supervisor at the Billings Animal Shelter, was present at the meeting to provide some information. The council received copies of three different cat control ordinances. The examples were from the City of Coon Rapids, Minnesota, the City of Rapid City, South Dakota, and the Town of Lovell, Wyoming.

Peggy stated that they preferred the example from Coon Rapids, but had highlighted items of interest in the other examples. Rapid City and Lovell charge fees for neutered and unneutered cats. Lovell charges up to a \$750 fee plus costs for action taken against noisy and disruptive cats.

Vickie Brester, of the Animal Welfare League, told Peggy that she is in favor of a cat control law would like it to state that all cats be confined to their owner's property.

Peggy introduced Dave Klein at this time. Mr. Klein stated that the City of Billings would be looking at a cat control law in July. The Billings Animal Shelter currently handles about 5,400 animals a year, and the cat reclaim rate is only about two per cent. Billings has a cat licensing law, but forms of identification are not required for cats. The Animal Shelter has started micro-chipping cats as they are adopted by new homes. He stated that cats will roam if allowed to do so, but there are no good reasons to let cats run loose. Dave stated that owners should be responsible for their pets. The problems of cat bites, cats with rabies, diseases carried in the feces and urine of cats, annoyances caused by cats and dogs, and examples of illnesses from cats were also discussed.

Peggy stated that an individual in Laurel is trapping cats with a leg trap, and cats have been killed after drinking antifreeze.

Mayor Johnson stated that the information would be presented at the Emergency Services Committee meeting on Monday, June 24th. Animal control issues in the City of Laurel are addressed through this committee.

Alderman Easton stated that there have been problems with cats being poisoned in the past. He commended the individuals for their efforts regarding this issue.

Alderman Dart mentioned that there is a problem with cats in the area of Alder Avenue to Yard Office Road and up to Airport Road. This is an important issue to address as Laurel grows and there is increased subdivision growth.

- **Laurel Volunteer Fire Department: Request for permission to display fireworks on July 4, 2002.**

Motion by Alderman Olson to grant the Laurel Volunteer Fire Department permission to display fireworks on July 4, 2002, seconded by Alderman Poehls. Motion carried 7-0.

- **Accepting staff recommendation for water intake design.**

Motion by Alderman Easton to accept the recommendation of the Public Utilities Department to install protected passive screens as the second intake system, seconded by Alderman Van Roekel. Motion carried 7-0.

- **Ordinance No. O02-31: Community Entryway Zoning District.** First reading. Set public hearing for July 16, 2002.

Motion by Alderman Olson to set the public hearing for Ordinance No. O02-31 for July 16, 2002, seconded by Alderman Van Roekel. Motion carried 7-0.

Motion by Alderman Olson to adopt Ordinance No. O02-31, 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 for Ordinance No. O02-31 will be on the council agenda on July 16, 2002.

- **Ordinance No. O02-32: City of Laurel Municipal Sign Code.** First reading. Set public hearing for July 16, 2002.

Motion by Alderman Van Roekel to adopt Ordinance No. O02-32, seconded by Alderman Olson. A roll call vote was taken on the motion. All seven aldermen present voted aye. Motion carried 7-0.

Motion by Alderman Van Roekel to set the public hearing for Ordinance No. O02-32 for July 16, 2002, seconded by Alderman Dart. Motion carried 7-0.

The public hearing for Ordinance No. O02-32 will be on the council agenda on July 16, 2002.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

- **Resolution No. R02-36: A resolution authorizing the creation of a Public Utilities Department.**

Motion by Alderman Olson to approve Resolution No. R02-36, seconded by Alderman Poehls.

Alderman Van Roekel asked for an explanation of the resolution. Mayor Johnson explained that, in the past, there has been a public works director and a deputy public works director. A maintenance superintendent and a utilities superintendent worked under the public works director. The needs of the city with regard to the water treatment plant, the wastewater treatment plant, and the distribution and collection system, indicated that more input was needed. The net result was the proposal to create another department. However, there will be three positions instead of four positions: public works director, public utilities director, and maintenance superintendent. Steve Klotz will be the public works director; Larry McCann will be the public utilities director; and Mike Nieskens will be the maintenance superintendent. With the restructuring, the leaner system will allow a fresh look at the situation. Larry McCann brings a world of information and enthusiasm to the position of public utilities director. Larry has been very involved with the water intake situation over the last several years, and the change will allow him to give more attention to it.

Matt Erikson explained that the resolution creates the Public Utilities Department. The present Public Works Department is being split into two departments. There is already a provision for a Public Utilities Director in the city ordinances. The position is there but had not been filled.

A vote was taken on the motion to approve Resolution No. R02-36. All seven aldermen present voted aye. Motion carried 7-0.

Appointments of Public Works Director, Public Utilities Director, and Maintenance Superintendent:

Mayor Johnson appointed Steve Klotz as the Public Works Director, Larry McCann as the Public Utilities Director, and Mike Nieskens as the Maintenance Superintendent.

Motion by Alderman Oakes to approve the appointments of Steve Klotz as the Public Works Director, Larry McCann as the Public Utilities Director, and Mike Nieskens as the Maintenance Superintendent, seconded by Alderman Easton. Motion carried 7-0.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Alderman Easton recently attended the Soil Conservation District meeting and will attend a meeting with the Corps of Engineers on Wednesday.

Alderman Olson attended the Drug and Alcohol Task Force meeting. The school board members have changed since the election.

Alderman Olson stated that a meeting would be scheduled in an effort to begin construction of the restroom facilities at the soccer field. Funding possibilities are being researched for further development of the park. Alderman Poehls asked that the Laurel YMCA be notified regarding the discussions.

Mayor Johnson was invited to attend the meetings of the Yellowstone Coalition, a group that has been working on some legislation that all of the bodies in Yellowstone County could support.

Alderman Oakes attended the Planning Board meeting in Billings last Tuesday. Alderman Oakes thanked Mayor Johnson for the steps that are being taken to move forward in the City of Laurel.

Alderman Dart stated that Laurel Rod & Gun Club purchased a mower to maintain the grass around their building at Riverside Park. He questioned whether the club could use the irrigation pipes to water the grass.

Alderman Easton stated that MMIA is scheduled to attend the Public Works Committee meeting on Monday, July 8th, to discuss the liability and lease agreements for the clubs. The club should contact Eugene Tuka, the manager of the park.

Alderman Mace mentioned the Insurance Meeting that is scheduled for Thursday, June 20th, at 7:00 p.m. in the Laurel Library. Several companies will be represented to present information and answer questions for the city employees.

Alderman Mace stated that the Cemetery Board needed to address several complaints and some issues regarding the funding of the perpetual care monies. A Cemetery Board meeting will be scheduled.

Alderman Poehls also attended the Planning Board meeting in Billings last week.

Alderman Poehls presented a schedule of the activities in Laurel on July 3rd and 4th.

Wednesday, June 19th, is the deadline to submit agenda items for the Joint City-County Meeting scheduled for Thursday, June 27th and the Billings Airport.

Mayor Johnson thanked Alderman Mace for his reminder of the Insurance Meeting on Thursday. He encouraged everyone to be part of the process.

UNSCHEDULED MATTERS:

There being no further business to come before the council at this time, the meeting was adjourned at 7:59 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 2nd day of July, 2002.

John E. Johnson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer