

# MINUTES OF THE CITY COUNCIL OF LAUREL

February 17, 2004

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 Ken Olson at 6:30 p.m. on February 17, 2004.

COUNCIL MEMBERS PRESENT:            Dick Fritzler            Doug Poehls  
   Kate Stevenson        Mark Mace  
   Gay Easton            Daniel Dart  
   Dan Mears             John Oakes

COUNCIL MEMBERS ABSENT:        None

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

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

## MINUTES:

Motion by Alderman Poehls to approve the minutes of the regular meeting of February 3, 2004, as presented, seconded by Alderman Mace. Motion carried 8-0.

## CORRESPONDENCE:

Montana Municipal Insurance Authority: Memo of January 27, 2004 regarding 2003 Liability Program Dividend.

Montana Municipal Insurance Authority: Memo of January 27, 2004 regarding 2003 Workers' Compensation Program Dividend.

Laurel Chamber of Commerce: February 2004 Newsletter.

Beartooth Resource Conservation & Development Area, Inc.: Letter of February 6, 2004 regarding support of the Beartooth RC&D Area, Inc.

Montana Department of Commerce: Memo of February 4, 2004 regarding Announcement of Planning Grants Guidelines for the 2004 CDBG Program – Housing & Public Facilities; CDBG Application Guidelines for Federal Fiscal Year 2005 Funds for Public Facilities & Housing Projects; Dates and Locations for 2004 CDBG Public Facilities Application Workshops; Montana Five-Year Consolidated Plan Meeting.

Air Pollution Control: Minutes of January 13, 2004; Agenda of February 10, 2004; Draft Allocation of Agency Activities; Letter of January 30, 2004 to Fox Distribution.

Yellowstone Historic Preservation Board: Letter of January 26, 2004 regarding the 5<sup>th</sup> Annual Historic Preservation Roundtable on March 16, 2004.

## **PUBLIC HEARING: Ordinance No. O04-01: Ordinance amending Chapter 17 of the Laurel Municipal Code.**

Mayor Olson opened the public hearing.

Mayor Olson asked three times if there were any proponents. There were none.

Mayor Olson asked three times if there were any opponents. There were none.

Mayor Olson closed the public hearing.

The second reading of Ordinance No. O04-01 will be on the council agenda on March 2, 2004.

## CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of January 2004.**
- **Approval of Payroll Register for PPE 02/01/04 totaling \$122,821.71.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of January 19, 2004 were presented.

--Council Workshop minutes of February 10, 2004 were presented.

--Laurel Development Corporation, Inc., minutes of January 8, 2004 were presented.

- **Resolutions.**

**Resolution No. R04-12: A resolution adopting the records retention schedules developed by the Montana Local Government Records Committee and identifying the retention periods for all records series created, used, maintained and stored by the City of Laurel.**

**Resolution No. R04-13: A resolution authorizing closure of the Storm Sewer Fund and transferring the remaining cash to the SID Revolving Fund.**

**Resolution No. R04-14: A resolution to close the Expendable Grant Fund and transfer the remaining cash to the Capital Projects Fund.**

**Resolution No. R04-15: A resolution to define and identify the City Council’s goals and objectives for 2004 for the City of Laurel.**

**Resolution No. R04-16: Resolution authorizing the Mayor to execute the Addendum that modifies the previously authorized and executed agreement with Beartooth RC&D.**

**Resolution No. R04-17: A resolution establishing a Capital Improvement Program Policy for the City of Laurel.**

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

Alderman Fritzler separated item 6.c.2), the Council Workshop minutes of February 10, 2004, out of the consent agenda.

Motion by Alderman Mace to approve the remaining consent items as presented, seconded by Alderman Oakes. Motion carried 8-0.

**CEREMONIAL CALENDAR:** None.

**REPORTS OF BOARDS AND COMMISSIONS:** None.

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):** None.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments.**  
 Current Board/Committee vacancies  
     Board of Appeals: three positions – two-year terms to begin immediately  
     Board of Adjustments – two positions to fill terms expiring 06/30/04 and 06/30/05

Laurel Volunteer Firemen:

Mayor Olson appointed Derek Yeager, Corey McIlvain, James Van Nice, and Justin Lee as Laurel Volunteer Firemen.

Motion by Alderman Dart to approve the appointments of Derek Yeager, Corey McIlvain, James Van Nice, and Justin Lee as Laurel Volunteer Firemen, seconded by Alderman Poehls. Motion carried 8-0.

Police Commission:

Mayor Olson reappointed Mike Michunovich to a three-year term, ending December 31, 2006, on the Police Commission.

Motion by Alderman Oakes to approve the reappointment of Mike Michunovich to a three-year term, ending December 31, 2006, on the Police Commission, seconded by Alderman Dart. Motion carried 8-0.

- **Clerk-Treasurer, Mary Embleton: Mid-Year Budget Review**

Mary Embleton distributed copies of the 2003-2004 Mid-Year Budget Review to the council prior to this meeting. The report included the following funds: General Fund, Light District Funds, Street Maintenance District Fund, Sweeping District Fund, State Gas Tax Fund, Water Fund, Sewer Fund, and Solid Waste Fund. A complete copy of the report is available for review in the clerk-treasurer's office.

Mary used the overhead projector to present color charts and graphs that had been included in the Mid-Year Budget Review to clearly show the revenues, expenditures, and cash flows for each fund for the first six months of the 2002-2003 fiscal year and the first six months of fiscal year 2003-2004. The charts showed how revenues and expenses affect the cash flow.

General Fund revenue as of December 31, 2003 totaled \$1,298,142, as compared with \$1,185,839 on December 31, 2002. This reflects a revenue increase of \$112,303. General Fund expenditures as of December 31, 2003 totaled \$1,230,134, as compared with \$1,113,355 on December 31, 2002. This reflects an expenditure increase of \$116,779.

Current mid-year assessment revenues in Light District #2 totaled \$12,178, as compared to \$12,355 as of December 31, 2002. Mid-year expenditures in this fund totaled \$12,189, as compared with \$12,596 as of December 31, 2002. These figures reflect a revenue decrease of \$178 and an expenditure decrease of \$407.

Assessment revenues in Light District #3 as of December 31, 2003 totaled \$6,475, which is an increase of \$610 over the total of \$5,865 as of December 31, 2002. Expenditures decreased by \$625 from \$8,147 as of December 31, 2002, to \$7,522 as of December 31, 2003.

Maintenance assessments are received twice a year for the Street Maintenance District Fund and the Sweeping District Fund. Monthly payments are received from the State of Montana for the Gas Tax Fund. Street Maintenance District revenues decreased by \$1,527 as of December 31, 2003 when compared with revenues as of December 31, 2002. However, expenditures increased by \$8,033. Sweeping District assessment revenues increased by \$528, and expenditures increased by \$490. Gas Tax Fund revenues decreased by \$855 and expenditures decreased by \$113,281.

The Enterprise Funds include the Water Fund, the Sewer Fund, and the Garbage Fund. All operating revenues are based on user fees, which are received monthly.

Metered water revenue as of December 31, 2003, was \$967,940. This compares to \$978,182 as of December 31, 2002, which is a decrease of \$10,242. This is unusual because the 10% rate increase approved in May 2003 is included in the December 31, 2003 figure. Expenditures in the Water Fund at mid-year, not including construction costs and debt service, were \$501,452. This compares to \$464,327 as of December 31, 2002, which reflects an increase of \$37,125.

Sewer charges revenue for the first six months was \$459,868, as compared to \$457,263 as of December 31, 2002. Revenues increased by \$2,605. The last rate increase was in March 2001. Expenditures in the Sewer Fund at mid-year were \$320,400, as compared to \$312,027 as of December 31, 2002. Operating expenses increased by \$8,373.

Collection revenues in the Garbage Fund totaled \$247,400 as of December 31, 2003, as compared to \$243,992 as of December 31, 2002. Revenues in the Garbage Fund increased by \$3,408. Operating expenses through December 31, 2003 totaled \$254,850, as compared to \$244,223 on December 31, 2002, which reflects an increase of \$10,627. The purchase of a new garbage truck is reflected in these figures.

Revenues and expenditures are generally within expected projections, and the city's overall cash position has improved over the last twelve months.

Alderman Oakes stated that Mary gave a good presentation.

Mayor Olson thanked Mary for the presentation.

**ITEMS REMOVED FROM THE CONSENT AGENDA:**

- **Council Workshop minutes of February 10, 2004**

Motion by Alderman Fritzler to approve the Council Workshop minutes of February 10, 2004, seconded by Alderman Dart.

Alderman Fritzler stated that reading the Council Workshop minutes regarding the land use variance request prompted him to review section 17.60 of the Laurel Municipal Code. Section 17.60 lists seven points that must be considered when a land use variance is either rejected or approved. He encouraged the council to review the public input, the minutes regarding the land use variance, and this section of the code.

A vote was taken on the motion to approve the Council Workshop minutes of February 10, 2004. Motion carried 8-0.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):** None.

**COUNCIL DISCUSSION:**

- Review of Committee Minutes: None.

**UNSCHEDULED MATTERS:**

There being no further business to come before the council at this time, the meeting was adjourned at 7:08 p.m.

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Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 2<sup>nd</sup> day of March, 2004.

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Kenneth E. Olson, Jr., Mayor

Attest:

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Mary K. Embleton, Clerk-Treasurer