

MINUTES OF THE CITY COUNCIL OF LAUREL

May 4, 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 May 4, 2004.

COUNCIL MEMBERS PRESENT: Dick Fritzler Doug Poehls
 Kate Stevenson Mark Mace
 Gay Easton Daniel Dart
 Vacant seat 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 Oakes to approve the minutes of the regular meeting of April 20, 2004, as presented, seconded by Alderman Poehls. Motion carried 7-0.

CORRESPONDENCE:

Cable Montana: Service Reports for March 2004

Laurel Chamber of Commerce: May 2004 newsletter

Daniel T. Mears: Letter of April 8, 2004, regarding resignation as Ward 4 Alderman.

Montana Department of Transportation: March 2004 *Newsline*.

Montana Department of Commerce: Letter of April 23, 2004 regarding Environmental Release of Funds for the 2004 CDBG Public Facilities Contract for the Laurel Wastewater Collection System Improvements Project.

PUBLIC HEARING:

Ordinance No. O04-02: Ordinance amending Chapter 12.04 of the Laurel Municipal Code for the provision of maintenance and improvements to streets located within the previously established Street Maintenance District in the City of Laurel, Montana.

Mayor Olson opened the public hearing.

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

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

Mayor Olson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of April 2004 in the amount of \$128,665.18.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 04/18/2004 totaling \$93,067.39.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of March 31, 2004 were presented.

--Budget/Finance Committee minutes of April 1, 2004 were presented.

--Budget/Finance Committee minutes of April 5, 2004 were presented.

--Council Workshop minutes of April 27, 2004 were presented.

• **Resolutions.**

Resolution No. R04-36: A resolution to modify the City’s Insurance and Benefit Committee contained in the Personnel Implementation and Instruction Guide for the City of Laurel.

Resolution No. R04-37: Resolution adopting a Purchasing Policy and Procedures for the City of Laurel.

Resolution No. R04-38: A resolution accepting the bid and authorizing the Mayor to sign a contract with Wheatland Fire Equipment for thirty-three sets of new fire bunker gear.

Resolution No. R04-39: A resolution accepting the bid and authorizing the Mayor to sign a contract with COP Construction for Phase I of the Wastewater Improvements Project.

Resolution No. R04-40: A resolution authorizing the Mayor to sign a Construction Agreement with the Montana Department of Transportation for the Urban Highway Pilot Program Main Street Improvements Project.

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

Motion by Alderman Mace to approve the consent items as presented, seconded by Alderwoman Stevenson. Motion carried 7-0.

CEREMONIAL CALENDAR:

Mayor Olson read the following proclamation:

35TH ANNUAL MUNICIPAL CLERKS WEEK, MAY 2-8, 2004

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, country and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Kenneth E. Olson, Mayor of the City of Laurel, Montana, do recognize the week of May 2 through May 8, 2004, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Mary K. Embleton, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Mayor Olson read the following proclamation:

POPPY DAY PROCLAMATION

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers;

WHEREAS, Millions who have answered the call to arms have died on the field of battle;

WHEREAS, A nation at peace must be reminded of the price of war and the debt owed to those who have died in war;

WHEREAS, The red poppy has been designated as the symbol of sacrifice of lives in all wars; and,

WHEREAS, The American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower;

THEREFORE, I, Kenneth E. Olson, Jr., Mayor of the City of Laurel, County of Yellowstone, Montana, do hereby proclaim this 21st day of May, 2004, as Poppy Day and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Laurel, Montana, this 4th day of May, 2004.

Mayor Olson stated that both of the proclamations are very important. The first one is to our municipal clerk, of which her staff aids her a great deal. It is appropriate now during the budget season to pay tribute to those who work so hard so that the city fathers have guidance through these hard times.

Mayor Olson stated that the times that our country is in presently alludes to the fact that the poppy is the symbol of our dedication to our past brothers and sisters who have paid the ultimate price for our freedoms.

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

Budget/Finance Committee:

Mayor Olson appointed Alderman Poehls to the Budget/Finance Committee.

Insurance and Benefit Committee:

Mayor Olson appointed Cheryl Lund, Chris Shay, and Mike Nieskens as the non-union representatives on the Insurance and Benefit Committee.

Mayor Olson explained the recommendation to have a council member attend the Insurance and Benefit Committee meetings and the Labor Management Cooperation Committee meetings as a liaison for the council. The Labor Management Cooperation Committee meets on the second Tuesday of each month from 12:45 to 3:30 p.m. Mayor Olson encouraged the council to consider the two opportunities.

- **Ward 4 Council vacancy.**

Motion by Alderman Poehls to nominate Jennifer Johnson for the Ward 4 council seat for the term ending December 31, 2005, seconded by Alderman Dart. Motion carried 7-0.

Judge Jean Kerr performed the swearing in ceremony for Jennifer Johnson as the Ward 4 alderwoman.

Mayor Olson welcomed Alderwoman Johnson to the council.

- **Letter of Support for the Montana Public Power Authority.**

Motion by Alderman Dart to authorize the mayor to submit a letter of support for the effort of the Montana Public Power Authority to acquire the transmission and distribution assets of the NorthWestern Corporation in Montana, seconded by Alderwoman Stevenson. Motion carried 8-0.

- **Laurel Chamber of Commerce:** Request for permission to hold the Chief Joseph Run at 7:00 a.m. and the annual Chamber Grand Parade at 11:00 a.m. on Sunday, July 4, 2004.

Motion by Alderman Oakes to approve the request from the Laurel Chamber of Commerce to hold the Chief Joseph Run at 7:00 a.m. and the annual Chamber Grand parade at 11:00 a.m. on Sunday, July 4, 2004, seconded by Alderman Mace. Motion carried 8-0.

- **Ordinance No. 004-03:** An ordinance of the City of Laurel, Montana, to amend and supercede Laurel City Ordinance No. 001-05, and to approve an Interlocal Agreement: (1) between the City of Laurel, Montana, the City of Billings, Montana, and Yellowstone County, Montana, creating a multi-jurisdictional service district named Yellowstone City-County Health Department; and (2) between the City of Laurel, Montana, the City of Billings, Montana, the City of Broadview, Montana, and Yellowstone County, Montana, creating an Air Pollution Control Program to be administered under the auspices of the Yellowstone City-County Health Department. First reading.

Motion by Alderman Easton to adopt Ordinance No. 004-03, seconded by Alderman Oakes. A roll call vote was taken on the motion. All eight alderman/woman present voted aye. Motion carried 8-0.

The public hearing of Ordinance No. 004-03 will be on the council agenda of May 18, 2004.

Mayor Olson mentioned that Stewart Kirkpatrick and Michelle Reed attended the council meeting as representatives of the Yellowstone City-County Health Department.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

- Alderman Poehls stated that a constituent approached him regarding the house at 301 West 1st Street, which could be rented as office and training space for the ambulance department.
- Alderman Mace welcomed Alderman Poehls to the Budget/Finance Committee.
- Alderman Easton mentioned the drought conditions.
 - Early opening of the ditches has resulted in infiltration problems into the city's wastewater system before COP completed their project.
 - Mayor Olson mentioned that the city is fortunate to have qualified personnel to provide protection in the dry conditions.
- Mayor Olson stated that Donna Kilpatrick expressed her appreciation for the city's help during clean up day.
- Review of Committee Minutes: None.
- Review of Monthly Reports: Police, Fire, Ambulance, and Code Enforcement: None.

UNSCHEDULED MATTERS:

- Letter from council regarding TSEP Grant.
 - Mayor Olson read a letter of support that he signed regarding the TSEP Grant.
 - Mayor Olson asked the council to sign a similar letter after the council meeting.
- Council Workshop on May 11, 2004

- Mayor Olson is scheduled to speak at an Aviation and Technology Week dinner scheduled for 6:00 p.m. on Tuesday.
- President Easton will conduct the council workshop meeting until Mayor Olson arrives at the meeting.
- Special council meeting scheduled for Wednesday, May 19, 2004 at 5:30 p.m.
 - Nathan Tubergen will present the 2004-2005 Preliminary Budget.
- Alderman Dart's comments:
 - Alderman Dart expressed apologies to Alderman Poehls and Alderwoman Stevenson regarding the letter that was sent to the lease administrator at Washington Corporation.
 - Alderman Dart's understanding of the original intent of acquiring the lease was to address the safety issue of the corner.
 - During the discussion at the April 20th council meeting regarding sending the letter, Alderman Dart had questioned the intent of the language in the letter pertaining to putting in a bakery, coffee shop, and some parking.
 - Alderman Dart did not call for a motion, and the letter went out as originally intended.
 - Mayor Olson stated that it is early in the discussion with MRL and BNSF, and there will be additional opportunities for discussion as the process moves forward.

ADJOURNMENT:

Motion by Alderwoman Stevenson to adjourn the council meeting, seconded by Alderman Dart. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:05 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 18th day of May, 2004.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer