

MINUTES OF THE CITY COUNCIL OF LAUREL

March 1, 2005

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 March 1, 2005.

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

COUNCIL MEMBERS ABSENT: Jennifer Johnson

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 February 15, 2005, as presented, seconded by Alderman Poehls. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

CORRESPONDENCE:

Montana Department of Commerce: Letter of February 9, 2005 regarding TSEP preliminary engineering grant application.

Beartooth RC&D: Annual Report 2004.

The Prudential Spirit of Community Awards: Letter of February 8, 2005 regarding Courtney Atwood of Laurel being named as one the Montana's top two youth volunteers for 2005.

Cable Montana: Service Reports for January 2005.

Morrison-Maierle Systems Corp.: Information regarding web services firm

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims for the month of February 2005 in the amount of \$127,160.82.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 02/13/05 totaling \$121,812.60.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of February 1, 2005 were presented.
 - Swimming Pool Committee minutes of February 10, 2005 were presented.
 - Council Workshop minutes of February 22, 2005 were presented.

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 Alderman Dart. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

CEREMONIAL CALENDAR: The Prudential Spirit of Community Awards – Courtney Atwood

Mayor Olson read the following Statement of Commendation to Recognize Courtney Atwood in the Prudential Spirit of Community Award:

However effective government may be in serving the needs of its citizens, the soul of our city and its vitality as a place to live and work depends on the relationship of families, friends and neighbors.

Strengthening those bonds is not as much in the hands of institutions or governments as it is in the hearts of the people – individuals who volunteer to help people of all ages, races and religions cope with illnesses, overcome hardships and barriers, adjust to social changes, and fulfill their potential. These volunteers are the unrecognized, unsung heroes of our society.

Courtney Atwood, recently named as one of our state's top honorees in The Prudential Spirit of Community Awards program, exemplifies the value of volunteer community service and is a role model to other youth, as well as adults in our community.

A surprising number of volunteers in communities across the nation are like Courtney, a student contributing time without expectation of reward, other than the gratification that comes from helping others. Some of these young people work in established groups; others seek new and unique ways to help others on their own.

Recognizing these young volunteers and encouraging others to follow their example is the aim of this nationwide program conducted by Prudential Financial and the National Association of Secondary School Principals. Its aim is to reach into every community, in all 50 states, the District of Columbia and Puerto Rico, to identify and honor these unsung heroes locally, state-by-state, and then nationally, in the hopes that their recognition will serve to stimulate others to volunteer service.

As Mayor of the City of Laurel, and on behalf of our city, I commend Courtney Atwood, our Prudential Spirit of Community Award honoree, for her outstanding volunteer contribution to others and our community.

Mayor Olson congratulated Courtney Atwood on receiving the Prudential Spirit of Community Award. Courtney will receive a \$1,000 award, an engraved silver medallion, and a trip to Washington, D.C., April 30 to May 3 for a series of national recognition events.

Courtney stated that volunteering was a lot of fun. She mentioned that when a person gives to someone else, somehow it will come back to the one who volunteers.

REPORTS OF BOARDS AND COMMISSIONS: Yellowstone Historic Preservation Board

Jolene Rieck, Chairman of the Yellowstone Historic Preservation Board, mentioned the names of the board members. The board members this year are Stephanie Kralovic, the county's designee, Annand Lohof, Virginia Smith, Paul Daniels, David Green, Paul Whiting, and the Crow Tribe position is vacant. Dr. Don Woerner, who has served as Laurel's representative, is term limited and a replacement is needed for the Laurel area. Mike Scaher, a downtown Billings property owner, has served the past year and is also term limited. The board members have been hard at work doing historic preservation. Jolene distributed the Yellowstone Historic Preservation Board's Work Plan for 2005. She stated that the work plan is very ambitious, and she feels passionate about expanding their services, not only within Billings, but also to Yellowstone County and the Laurel area. The Walking Tour booklet done for Laurel is a great testament to the work that they can do for a community.

The annual Historic Preservation Roundtable is scheduled for March 15th at 7:30 a.m. at the Billings Depot. At this event, historic preservation groups have three minutes to talk about their activities. It has been a very successful format, and Jolene invited the council to attend.

Kevin Kooistra-Manning gave a PowerPoint presentation regarding the projects of the Historic Preservation Board. In the past year, they had the opportunity to work with children and business/property owners in Laurel to develop "A Walking Tour of Historic Downtown Laurel, Montana" brochure. The Board represents the City of Laurel, the City of Billings, Yellowstone County, and the Crow Tribe. The Historic Preservation Board is probably the most unique certified local government program in the State of Montana because of the partnership with the four entities.

The Board's responsibilities include building reviews, architectural surveys, walking tour brochures, adopting standards for new construction in the historic district, and submittal of nominations to the National Register.

Kevin also mentioned the Historic Preservation Roundtable scheduled for Tuesday, March 15th. Special activities are planned during Historic Preservation Month in May 2005.

Mayor Olson thanked Kevin for the informative presentation.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Local Government Review Commission:

Mayor Olson appointed Doug Poehls as the ex-officio member on the Local Government Review Commission.

Motion by Alderwoman Stevenson to approve the appointment of Doug Poehls to the Local Government Review Commission, seconded by Alderman Fritzler. Motion carried 7-0.

- **Clerk/Treasurer: Mid-Year Review**

Mary Embleton presented the 2004-2005 Mid-Year Budget Review for the following funds: General Fund, Lighting Districts Funds, Street Maintenance Fund, Sweeping District Fund, State Gas Tax Fund, Water Fund, Sewer Fund, and Solid Waste Fund.

The report compares two separate issues: budgeted revenues and appropriations to actual revenues and expenditures for the current fiscal year; and actual revenues and expenditures for the current fiscal year compared to last year's actual revenues and expenditures for the same six-month period. A complete copy of the report is available for review in the clerk-treasurer's office.

Charts and graphs included in the Mid-Year Budget Review showed the revenues, expenditures, and cash flows for each fund for the first six months of the 2003-2004 fiscal year and the first six months of fiscal year 2004-2005. The charts showed how revenues and expenses affect the cash flow.

General Fund revenue as of December 31, 2004 totaled \$1,203,424, as compared with \$1,298,142 on December 31, 2003. General Fund expenditures as of December 31, 2003 totaled \$1,352,815, as compared with \$1,230,134 on December 31, 2003.

Maintenance assessments received as of December 31, 2004 were \$292,098. This compares to \$75,880 as of December 31, 2003, an increase of \$216,218. The new assessment put into effect this year is responsible for this increase. Operating expenditures for the same period were \$280,822.16 as of December 31, 2003. The increase of \$201,342 is mainly due to the additional street work, such as the Alder Avenue and the West 6th Street projects.

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, 2004, was \$1,016,496, as compared to \$967,940 as of December 31, 2003. The increase of \$48,556 is due to the 6 percent rate increase done in May 2004.

Sewer charges revenue for the first six months was \$450,743, as compared to \$459,868 as of December 31, 2003. The rate increase adopted in November 2004 will be implemented with the February 2005 billing cycle.

Collection revenues in the Garbage Fund totaled \$250,158 as of December 31, 2004, as compared to \$247,400 as of December 31, 2003. A rate adjustment for commercial customers will be implemented in the near future. Operating expenses through December 31, 2004 totaled \$250,088, as compared to \$424,725 on December 31, 2003, which included the purchase of a new garbage truck.

The STIP interest rate on the city's investments was 1.98 percent as of December 31, 2004, as compared to 1.12 percent on December 31, 2003.

The city recently completed the audit of fiscal year ending June 30, 2004. The city met the new requirements for the first year for GASB 34 compliance.

Preparations are underway for the 2005-2006 budget.

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

Mayor Olson thanked Mary for her presentation.

- **Resolution No. R05-21: A resolution of the city council to accept the bid and approve the purchase of a new police car from Fichtner Chevrolet.**

Motion by Alderman Poehls to approve Resolution No. R05-21, seconded by Alderman Dart. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-22: Resolution of the city council authorizing the mayor to sign a contract with Wright Express (WEX) providing for the City of Laurel's enrollment and participation in the State of Montana's Public Vehicle Fueling Program.**

Motion by Alderman Mace to approve Resolution No. R05-22, seconded by Alderman Oakes. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-23: The City of Laurel, Montana, hereby elects to be and remain a city of the third class.**

Motion by Alderman Dart to approve Resolution No. R05-23, seconded by Alderwoman Stevenson. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-24: A resolution to amend Resolution No. R02-05 to extend the agreement with Technical Edge Consulting, LLC, for computer network administration services for one year ending January 31, 2006, and authorizing the mayor to sign said contract for the City of Laurel.**

Motion by Alderman Oakes to approve Resolution No. R05-24, seconded by Alderman Poehls. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-25: A resolution authorizing the disposal of city records.**

Motion by Alderman Poehls to approve Resolution No. R05-25, seconded by Alderman Mace. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-26: A resolution authorizing the Mayor to sign Change Order No. 6, the reconciliation change order for the CDBG Project.**

Motion by Alderman Easton to approve Resolution No. R05-26, seconded by Alderman Oakes. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-27: Resolution authorizing the mayor to sign a contract with Four Beers, Inc., to install a water line on Main Street from 1st Avenue to 3rd Avenue.**

Motion by Alderwoman Stevenson to approve Resolution No. R05-27, seconded by Alderman Fritzier. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-28:** A resolution authorizing the mayor to execute a one-year contract for the procurement and administration of the City of Laurel's 2005 Community Transportation Enhancement Program "CTEP".

Motion by Alderman Fritzler to approve Resolution No. R05-28, seconded by Alderwoman Stevenson. A roll call vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

- **Resolution No. R05-29:** Resolution of the City Council authorizing the Mayor to prepare, sign and submit a loan application to the Montana Department of Natural Resources (DNRC) for the construction of the East First Street project.

Motion by Alderman Poehls to approve Resolution No. R05-29, seconded by Alderman Mace.

Alderman Poehls asked for an explanation of the State Revolving Fund for the East First Street project.

Mary explained that the DNRC uses the State Revolving Fund Loan Program, which includes some Federal funding, to assist communities with water and sewer line replacement. Because we are digging up the whole street to replace the water and sewer lines, the City of Laurel can apply for a SRF loan to help do the streets. The city will pledge some of the Street Maintenance assessment monies to pay back the loan. Debt service is estimated at about \$120,000 a year for twenty years at a rate of about 3.75 percent. The application is still being completed, and draft copies were distributed to the council. This application is even more complicated than normal because the whole project has to be shown to the DNRC.

A roll call vote was taken on the motion to approve Resolution No. R05-29. All seven aldermen/women present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Alderman Poehls mentioned that he attended the Local Government Review Commission meeting last night.

Alderman Fritzler stated that the Cemetery Commission is scheduled to meet on Thursday, March 3rd, at 5:00 p.m. to hear an engineering presentation regarding a request for proposal for a sprinkler system for the cemetery.

- Review of Monthly Reports: Police, Fire, Ambulance, and Code Enforcement: None.

UNSCHEDULED MATTERS:

Alderman Oakes spoke regarding the new condominiums built on East Maryland Lane. The buildings are beautiful buildings, the parking lots are beautiful, but the landscaping has not been finished and the perimeter of the property is an absolute eyesore. The fence around the junkyard is worse than the junk cars in the junkyard. Alderman Oakes questioned how the contractors get away with leasing the buildings or selling the homes before the project is completely finished. Twenty years ago when he found out that Santa Fe Drive would not be finished, he asked why, and was told that it did not go anywhere. He thinks Laurel should bring their standards up a long ways, and he stated that contractors and builders here get away with some of the sloppiest work in the state. Although he does not know who is responsible for accepting these unfinished projects, he thinks it should come to a screeching halt.

Mayor Olson stated that the city should make sure that projects that are intended to enhance and beautify our city are completed. He stated that Alderman Oakes' comments were noted and would be investigated.

ADJOURNMENT:

Motion by Alderman Mace to adjourn the council meeting, seconded by Alderman Poehls. All seven aldermen/women present voted aye. Motion carried 7-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:27 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15th day of March, 2005.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer