

week. A certain percentage of those that are currently assigned the volume of 10 or 15 percent of 300 gallons actually produce more than that and would not fit. Steve stated that the businesses would be given the option to see if it works for them and then they would be categorized.

Alderman Poehls asked what would trigger a re-categorization of a business that wants a 100-gallon container.

Steve stated that a user can appeal in writing and be heard by members present at a regularly scheduled meeting of the Public Works Committee.

Alderman Poehls asked if the City of Laurel can make an adjustment if a business uses more than 100 gallons per week.

Steve stated that the rate schedule basically states that the public works director determines a user's volume of use variable and that it may be appealed at any time through the specified appeal process.

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

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

Mayor Olson closed the public hearing.

Mayor Olson stated that the resolution to increase the non-residential solid waste rates will be considered at a special council meeting on Tuesday, May 31, 2005, at 6:30 p.m. The regular council workshop will follow the special council meeting.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of April 2005.**
- **Approval of Payroll Register for PPE 05/08/2005 totaling \$123,496.50.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of April 19, 2005 were presented.
 - City-County Planning Board minutes of May 5, 2005 were presented.
 - Council Workshop minutes of May 10, 2005 were presented.
 - Tree Board minutes of April 18, 2005 were presented.
 - Tree Board minutes of May 3, 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 Poehls. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

CEREMONIAL CALENDAR: Poppy Day Proclamation.

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 the 27th day of May, 2005, 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 17th day of May, 2005.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Tree Board:

Mayor Olson appointed the following members to the Tree Board: Pat Hart, Chairman, two-year term; Gay Easton, two-year term; Jennifer Johnson, one-year term; and Lois Markegard, one-year term.

Motion by Alderwoman Stevenson to approve the appointments of Pat Hart, Gay Easton, Jennifer Johnson, and Lois Markegard to the Tree Board, seconded by Alderman Fritzler. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-45: A resolution approving an agreement between the City of Laurel and Laurel Airport Authority, said agreement relating to fire protection.**

Motion by Alderman Fritzler to approve Resolution No. R05-45, seconded by Alderman Poehls. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-46: A resolution accepting the bid for new playground equipment for the City of Laurel.**

Motion by Alderwoman Stevenson to approve Resolution No. R05-46, seconded by Alderman Fritzler. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

Mayor Olson stated that the timing would allow an opportunity for citizens to enjoy the playground equipment during the festivities on the 4th of July.

- **Resolution No. R05-47: Resolution of the City Council authorizing the Mayor to sign an agreement with Yellowstone County to provide office space at city hall for motor vehicle licensing services for a period of five (5) years.**

Motion by Alderman Easton to approve Resolution No. R05-47, seconded by Alderwoman Stevenson. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-48: A resolution setting the sewer rate as per the last rate increase for Cenex Refinery.**

Motion by Alderman Poehls to approve Resolution No. R05-48, seconded by Alderman Mace. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-49: A resolution adjusting the July and August sewer rates for School District 7's school buildings that have irrigation water going through their main meters.**

Motion by Alderman Dart to approve Resolution No. R05-49, seconded by Alderman Poehls. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-50: Resolution of the City Council to create a position called the Administrative Assistant for the City of Laurel and to adopt a job description for the newly-created position.**

Motion by Alderman Mace to approve Resolution No. R05-50, seconded by Alderman Dart. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

Alderman Poehls stated that this has been long in coming and is a very good move on the part of the city. At this juncture in the City of Laurel's growth, Nathan Tubergen has shown the council that the city has a need for someone with these skills.

Mayor Olson agreed with Alderman Poehls' statements. He believes that the city has a tremendous opportunity to move forward with the assistance of a professional person in this position.

- **Resolution No. R05-51: A resolution to approve a temporary use permit for Montana Italia Espresso and Lee Pitts for location on the northeast corner of Milwalkee Road and Old Highway 10 in the City of Laurel.**

Motion by Alderman Poehls to approve Resolution No. R05-51, seconded by Alderwoman Stevenson. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-52: A resolution authorizing the Mayor to sign a contract with JTL Group, Inc. of Billings to repair drainage on the east side of 1st Avenue between Main Street and 1st Street.**

Motion by Alderman Fritzier to approve Resolution No. R05-52, seconded by Alderman Dart. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R05-53: A resolution authorizing the Mayor to sign a contract with JTL Group, Inc. of Billings to overlay South 8th Avenue between West Railroad Street and the city limits.**

Motion by Alderman Easton to approve Resolution No. R05-53, seconded by Alderwoman Stevenson. A roll call vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Alderman Poehls mentioned the Laurel YMCA Dinner Auction on May 21st at the Rod and Gun Club.

Alderman Easton recently attended the Yellowstone County Commissioners meeting held at the Laurel High School. Discussion at the meeting included the issue of county subdivisions being accepted without having clear knowledge of the depth and quality of the water in the subdivisions.

Commissioner Kennedy wants to coordinate a task force to study the aquifers in the proposed county subdivisions.

Aldерwoman Stevenson stated that the Swimming Pool Committee met last week to view the architect's final PowerPoint presentation of the proposed swimming pool. She stated that it will be a good product to present to the community. The presentation will be made to the council soon.

Alderman Fritzier mentioned that the Cemetery Commission is looking at two affordable options for the irrigation system for the cemetery.

Mayor Olson stated that John Oakes submitted a letter of resignation for the Ward 4 council seat. The council has thirty days to fill the vacancy. The position will then be up for election in November to complete the term, which ends in January 2008. Five council seats will be on the ballot in the November election.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Aldерwoman Stevenson to adjourn the council meeting, seconded by Alderman Fritzier. All six aldermen/women present voted aye. Motion carried 6-0.

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 7th day of June, 2005.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer