

MINUTES OF THE CITY COUNCIL OF LAUREL

December 6, 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 December 6, 2005.

COUNCIL MEMBERS PRESENT: Dick Fritzler Doug Poehls
 Kate Stevenson Mark Mace
 Gay Easton Daniel Dart
 Jennifer Johnson Norm Stamper

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 Fritzler to approve the minutes of the regular meeting of November 15, 2005, as presented, seconded by Alderman Mace. There was no public comment.

Alderswoman Johnson stated that she wanted to clarify a statement on page six of the council workshop minutes.

Mayor Olson explained that she should remove the council workshop minutes from the consent agenda for further discussion under Items Removed from the Consent Agenda.

A vote was taken on the motion to approve the minutes of the regular meeting of November 15, 2005. All eight aldermen/women present voted aye. Motion carried 8-0.

CORRESPONDENCE:

CHS, Inc.: Notice of Permit Application and Public Meeting.

Single Tree Consulting: Letter introducing Julie Jones and her new business.

Montana Department of Commerce: Memo of November 15, 2005 regarding CDBG Program.

Laurel Senior Celebration 2006 information.

Montana Department of Natural Resources and Conservation: Letter regarding water right legislation.

Montana Municipal Insurance Authority: Letter of November 18, 2005 regarding Occupational Safety and Health Training Institute.

Alderman Easton stated that the water rights legislation is very important and he asked if someone was following through on this issue. Mayor Olson stated that he would check into it.

PUBLIC HEARINGS:

- **Ordinance No. O05-15: An ordinance creating Title 14 and amending Title 15 of the Laurel Municipal Code for the purpose of updating the codes adopted and enforced by the City of Laurel.** (First reading – 11/01/2005)

Mayor Olson asked City Attorney Sam Painter to present the issue to the council.

Sam stated that the State of Montana requires the city to have certain building codes, fire codes, and construction codes adopted in a separate section from the general building codes enforced by the City of Laurel. Basically, this ordinance will clean up the existing city ordinances by creating a new

Title 14 section for the State-mandated codes and amending Title 15 to keep the codes that the city enforces. The ordinance has been reviewed and approved by the State building code people.

Mayor Olson opened the public hearing.

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.

The second reading of Ordinance No. O05-15 will be on the council agenda on December 20, 2005.

- **Ordinance No. O05-16: An ordinance modifying Title 3, Chapter 3.08 of the Laurel Municipal Code, to comply with changes both in State law and the City's adoption of a Purchasing and Procurement Policy.** (First reading – 11/01/2005)

Mayor Olson asked Sam Painter to present the issue to the council.

Sam stated that there is a resolution on this agenda to adopt a new Purchase and Procurement Policy for the City of Laurel. Some minor revisions had to be made to the existing Laurel Municipal Code ordinance, Title 3, Chapter 3.08, in order to comply with the change in the State law which increased the bid amount from \$25,000 to \$50,000.

Mayor Olson opened the public hearing.

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.

The second reading of Ordinance No. O05-16 will be on the council agenda on December 20, 2005.

CONSENT ITEMS:

- **Claims for the month of November 2005 in the amount of \$203,794.86.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 11/20/2005 totaling \$130,078.76.**
- **Approval of retroactive union pay increases totaling \$26,850.13.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of November 1, 2005 were presented.
 - City-County Planning Board minutes of November 3, 2005 were presented.
 - Council Workshop minutes of November 29, 2005 were presented.

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

Alderman Johnson removed item 6.d.3), the Council Workshop minutes of November 29, 2005, from the consent agenda.

Motion by Alderman Mace to approve the remaining consent items as presented, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

HOME Program Advisory Board:

Mayor Olson appointed Robin Herman to the HOME Program Advisory Board.

Motion by Alderwoman Johnson to approve the appointment of Robin Herman to the HOME Program Advisory Board, seconded by Alderwoman Stevenson. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

Big Sky Economic Development Authority Nominating Committee:

Mayor Olson appointed Gay Easton to the Big Sky Economic Development Authority Nominating Committee.

Motion by Alderwoman Stevenson to approve the appointment of Gay Easton to the Big Sky Economic Development Authority Nominating Committee, seconded by Alderman Poehls. There was no public comment.

Alderman Easton stated that seven applications have been received for the two vacancies on the Advisory Board, and he will keep the council informed.

A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Ordinance No. O05-13: Ordinance amending Table 17.16.020 (setbacks) of the Laurel Municipal Code relating to corner residential lots.** Second reading. (First reading – 10/18/2005; public hearing – 11/15/2005)

Motion by Alderman Easton to adopt Ordinance No. O05-13, seconded by Alderwoman Stevenson. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R05-113: A resolution adopting pay increases for non-union employees of the City of Laurel.**

Motion by Alderman Poehls to approve Resolution No. R05-113, seconded by Alderman Dart. There was no public comment.

Alderwoman Johnson stated that she wanted to go on record in these minutes that she is not opposed to any of the proposed raises, including the three percent, the continuing year, and the additional compensation. She is objecting to the process that has been gone through to get to this point. There have been several changes. She was disturbed by the last memo received from the administrative assistant that said “in the course of developing a new salary schedule, I had taken the liberty of changing some of the pay grades. While the standard procedure is to base pay grades on a formula tied to the requirement, duties, and responsibilities of each position, I was forced to recommend some additional compensation adjustments before there was time to perform a full analysis.” Alderwoman Johnson stated that he is asking the council to approve this. Then she continued reading, “By the time salaries need to be reviewed as part of the budget process for next [fiscal] year, I will have the full analysis completed. Though there may yet be some minor adjustments needed at that time, I firmly believe that they will be minimal.”

Alderwoman Johnson stated that, if the council is going to pass something, they should have the analysis done. Changes in the pay grades were listed in one memo and then removed in the next memo. She does not think the council needs to rush through this or feel forced to vote for this before a full analysis is completed. She thinks that the process should be corrected. Alderwoman Johnson stated that it is not a matter that the employees are not deserving of a raise, but it is the matter that it is being done this way rather than in a more thorough manner.

Mayor Olson informed the council that the administrative assistant did not attend the meeting because of illness. Perry has discussed this issue with the mayor. Perry is confident that the procedure he followed can be backed by the experience he has garnered as an administrative assistant in other locations. Mayor Olson understands Alderwoman Johnson's concerns, but he stands behind Perry's presentation.

Alderman Mace also understands Alderwoman Johnson's concerns. In most cases, it would be wise instruction. He thinks that the administrative assistant has been here such a short period of time that there were probably some adjustments that needed to be made in order to understand the jobs better and the positions on the classification. It was a learning experience. We do not know whether the positions were placed correctly by the company that did not know the workers involved and did not know what the union employees were making and certain conditions that the changes in the union contract have made on everyone else. He thinks this has to be looked at it in some respect as a new process for the city and the administrative assistant.

Alderwoman Stevenson stated that, if the numbers had not been so close to the cost of living estimate raises every year, she would agree with Alderwoman Johnson and say that a re-evaluation was needed but she is comfortable with voting on the proposal.

Mayor Olson stated that, with the increases to the union contract, there was an immediate impact on the supervisor/worker relationship. This is an attempt to recognize that important issue.

A vote was taken on the motion to approve Resolution No. R05-113. Aldermen Poehls, Mace, Dart, Stamper, Fritzler, Easton, and Alderwoman Stevenson voted aye. Alderwoman Johnson voted nay. Motion carried 7-1.

- **Resolution No. R05-114: Resolution of the City Council to adopt a Purchase and Procurement Policy for the City of Laurel.**

Motion by Alderman Stamper to approve Resolution No. R05-114, seconded by Alderwoman Stevenson. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R05-115: A resolution revising the City of Laurel's Personnel Policy Manual removing employees' birthdays as a paid holiday in accordance with the recently adopted union contract.**

Motion by Alderman Mace to approve Resolution No. R05-115, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA:

- **Council Workshop minutes of November 29, 2005**

Alderwoman Johnson stated that she did not remember her exact statement at the council workshop last week. The minutes read: "Jenny stated that not every town has complaints regarding the police department." Alderwoman Johnson clarified her statement by stating that "not every town has a reputation of having an excessively forceful police department." She did not mean that not every town has complaints, because that would not be true.

Mayor Olson stated that the clarification of the statement would be reflected in these council minutes. Although the recording of the council workshop will be reviewed, the clarification will only be written in the council minutes.

Motion by Alderwoman Stevenson to approve the Council Workshop minutes of November 29, 2005, seconded by Alderman Poehls. There was no public comment or further council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Larry Tanglen wished the council a Merry Christmas.

COUNCIL DISCUSSION:

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

Alderwoman Johnson distributed copies of “Living with Fire, A Guide for the Great Plains Homeowner” and “General Defensible Space Guidelines for Homeowners”. Four Laurel firemen and Alderwoman Johnson attended the recent defensible space training seminar, and she reiterated some interesting facts learned at the seminar.

Alderwoman Johnson distributed the Big Sky Economic Development Authority’s 2005-2006 First Quarter Report. Ron Sexton is the new chairman of the Big Sky EDA board. They are working on the purchase of a block of land west of the College of Technology in order to expand the campus for future purposes. The Big Sky Economic Development Authority and the Big Sky Economic Development Council have each donated \$25,000 toward the purchase.

Mayor Olson thanked Alderwoman Johnson for her comprehensive reports on these items.

There was a brief discussion regarding general defensible space guidelines and wild lands interface. Laurel has applied for grant money under the Wildfire Protection Plan to use to educate citizens regarding how to set up defensible space. This would be worthwhile as it would save money in firefighting if people were educated regarding this.

Mayor Olson asked if the council had received any public comments regarding the East First Street Project as it is now. The council has not received comments from the public. Mayor Olson mentioned that Larry Tanglen wrote a nice article regarding Steve Klotz’s report to the community. The article mentioned that comments and concerns should be directed to Steve, who can contact the appropriate people if repair work is needed. He thanked the newspaper for bringing the information to the public. Mayor Olson is looking forward to completion of the project in May 2006.

Alderman Fritzler also mentioned that the article in the *Laurel Outlook* was well done.

Alderman Mace stated that it is good for the council to look at the variables that a contractor considers as far as time commitment and splitting up a project over the winter, which is not usually done. Some contractors, including this contractor, want to do the work in a timely manner so the businesses can return to normal. He thinks the council is not getting complaints because the contractor did the work quickly. People are thinking that was good even though more work has to be done next spring. This is something to consider when projects are planned. When a project is torn up and left that way, such as with some past issues, there are more complaints.

Mayor Olson and Perry Asher would like to schedule a council retreat in January 2006 for the purpose of discussing the budget. There was discussion regarding scheduling the retreat on a Friday evening or a Tuesday evening following a council workshop.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Alderman Dart to adjourn the council meeting, seconded by Alderman Stamper. There was no public comment or council discussion. A vote was taken on the motion. All eight aldermen/women present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:13 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 20th day of December, 2005.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer