

# MINUTES OF THE CITY COUNCIL OF LAUREL

February 21, 2006

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 21, 2006.

COUNCIL MEMBERS PRESENT:        Dick Fritzler                Doug Poehls  
   Kate Hart                    Mark Mace  
   Gay Easton                Chuck Dickerson  
   Jennifer Johnson        Norm Stamper

COUNCIL MEMBERS ABSENT:        None

OTHER STAFF PRESENT:            Sam Painter  
   Mary Embleton  
   Perry Asher

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 February 7, 2006, 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.

## CORRESPONDENCE:

Montana Municipal Insurance Authority: Risk Management Bulletin #09-06

Morrison Maierle, Inc.: Letter of February 15, 2006 regarding 2006 Wastewater Improvements Project.

**PUBLIC HEARING:** None.

## CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of January 2006.**
- **Approval of Payroll Register for PPE 02/12/2006 totaling \$130,709.80.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of January 17, 2006 were presented.

--City-County Planning Board minutes of February 2, 2006 were presented.

--Council Workshop minutes of February 14, 2006 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 Alderwoman Hart. 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:** None.
- **Resolution No. R06-11: A resolution approving the Racial Profiling Policy as Section 11.1 of the Laurel Police Department Policy and Procedures.**

Motion by Alderman Stamper to approve Resolution No. R06-11, seconded by Alderman Mace. 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. R06-12: A resolution adopting the Emergency Operations Plan.**

Motion by Alderman Easton to approve Resolution No. R06-12, seconded by Alderwoman Hart. 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. R06-13: A resolution extending the Preliminary Plat of the Laurel Business Park Subdivision, Second Filing, for one year.**

Motion by Alderwoman Hart to approve Resolution No. R06-13, seconded by Alderman Fritzler. There was no public comment.

Alderman Dickerson suggested that a procedure should be changed. At a recent council workshop, a large map was used to give an explanation regarding the request involved in Resolution No. R06-13. Alderman Dickerson asked that the council receive individual maps of a subdivision or area in question in order to clearly review the subject being discussed.

Mayor Olson stated that this could be addressed in order to provide information available to the council.

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

- **Resolution No. R06-14: Resolution relating to \$162,000 Special Improvement District No. 111 Bonds; authorizing the issuance and calling for the public sale thereof and authorizing the pledge of the Revolving Fund to the security thereof.**

Motion by Alderman Dickerson to approve Resolution No. R06-14, 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.

- **Ordinance No. O06-01: Ordinance amending the zoning map of the City of Laurel, Montana, relating to Elena Subdivision, Second Filing, an Addition to the City of Laurel.** Second reading.

Motion by Alderman Poehls to adopt Ordinance No. O06-01, seconded by Alderman Mace. There was no public comment.

During council discussion, it was stated that the ordinance was listed incorrectly on the council agenda as Ordinance No. O06-02, but it is Ordinance No. O06-01.

A vote was taken on the motion to adopt Ordinance No. O06-01. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Application for conditional use at 314 Pennsylvania to allow expansion of Smith Funeral Home parking lot:** Set public hearing for March 7, 2006.

Motion by Alderman Mace to set the public hearing for the conditional use permit at 314 Pennsylvania for March 7, 2006, 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.

- **Bids for sewer trunk line project**

Mayor Olson stated that there is a letter from Morrison-Maierle which indicates that the bid for the construction was about \$400,000 higher than the engineer's estimate. The recommendation from Morrison-Maierle is that the bids be rejected and re-bid in the summer. It is also the recommendation from our staff to the council.

Motion by Alderwoman Hart to accept Morrison-Maierle's recommendation that all bids for the sewer trunk line project be rejected and that the project be re-bid in the summer, seconded by Alderman Fritzler. There was no public comment.

Alderman Mace spoke regarding the bid tabulation for the sewer trunk line project. The difference between the contractors' bids shows inconsistencies with some items. He thinks it would benefit the engineer and the city staff to have an opportunity to review those figures. With his knowledge of construction, he thinks it would be beneficial to schedule construction in late fall.

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

- **Approval of the Committee List**

Motion by Alderwoman Hart to approve the Committee List, seconded by Alderman Fritzler. 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:** None.

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

**COUNCIL DISCUSSION:**

Alderman Poehls thanked the council members that attended the YMCA function last evening.

There will be no Emergency Services Committee meeting on Monday, February 27<sup>th</sup>.

Alderman Mace stated that the old asphalt plant on the south side of the railroad tracks has had a lot of wind damage and general decay from lack of maintenance. Alderman Poehls has also expressed concern in the past. Alderman Mace would like the council to address the safety and nuisance issues with this property.

Mayor Olson stated that the staff could look at options to present to the council at the next council workshop. Public input would be valuable on this issue.

Alderman Dickerson asked Perry or Sam to prepare an explanation of flag pole annexations in order for council members to intelligently respond to questions and concerns raised by the public.

Mayor Olson stated that the information would be available at the council workshop next week.

Alderman Easton reported on a recent Project HELP meeting. Project HELP is working to provide playground equipment at Kiwanis Park. Many volunteers are needed to install the equipment during the first week of May, and another organizational meeting will be scheduled.

Mayor Olson explained that the playground equipment is made by Leathers, Inc. in New York. Some time ago, the council approved a resolution allowing Project HELP to install playground equipment in a specific area in Kiwanis Park.

Alderman Fritzler stated that a comprehensive proposal for the cemetery plan was received from Interstate Engineering, Inc. today. The information will be reviewed in the next few weeks, and a Cemetery Commission meeting will be scheduled soon. The item will be on the council workshop on March 14<sup>th</sup>.

Alderman Easton reported on the recent meeting of the Park Leases Task Force. MMIA was contacted regarding the items of concern, which include: the leases for the clubs; the outdoor shooting range; the mixture of different uses of the park; the city's determination to establish

reasonable rates; the city's determination to end all shooting activities in the near future; and annexation of the park. Bob Worthington indicated that many communities in Montana are facing similar issues, and it is a good idea for Laurel to annex the property and to end all shooting in the park. It is understandable for the city to provide a reasonable period of time for the shooting facilities to find a more appropriate location before cutting permission for its activity. In the meantime, every effort is encouraged to manage the risk involved, including a requirement that the clubs provide the city with insurance documents that the city is held harmless. Meetings will be scheduled with the clubs to explain the situation and work out the agreements.

Mayor Olson thanked the task force for addressing this issue, which has been a concern for several years.

Alderman Johnson commented on the trash located near the shooting range at Riverside Park.

Alderman Easton explained that the backfill from the new intake was placed in this location.

Mayor Olson stated that updated information regarding this issue will be provided at the next council workshop.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Alderman Johnson to adjourn the council meeting, seconded by Alderman Hart. 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 7:07 p.m.

---

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 7<sup>th</sup> day of March, 2006.

---

Kenneth E. Olson, Jr., Mayor

Attest:

---

Mary K. Embleton, Clerk-Treasurer