

MINUTES OF THE CITY COUNCIL OF LAUREL

March 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 March 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: Mary Embleton Sam Painter
 Perry Asher Cal Cumin

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 Poehls to approve the minutes of the regular meeting of March 7, 2006, as presented, 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.

CORRESPONDENCE:

Montana Engineering & Administration: Letter of March 3, 2006 regarding Draw/Report #1 for 2006 Wastewater Improvements Project

Montana Department of Commerce: Letter of Mach 8, 2006 regarding Proposed Cut in CDBG Program Funding for Federal Fiscal Year (FFY) 2007.

Tim Burton: E-mail of March 14, 2006 regarding March 24th DEQ/TMDL meeting in Helena.

MAYOR'S PROCLAMATION:

At Mayor Olson's request, members and coaches of the Laurel Girls' Basketball Team attended the council meeting, and he invited them to the front of the council chambers.

Mayor Olson read a proclamation of congratulations to the Laurel Lady Locomotives and coaches for winning the Montana State Class "A" Girls' Championship recently. As the names of the coaches and team members were read, Mayor Olson presented each individual with a signed copy of the proclamation.

Congratulatory comments were made by Alderman Dickerson, Alderman Easton, and Mayor Olson.

There was a five-minute recess at this time.

Mayor Olson called the meeting back into session at 6:50 p.m.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of February 2006.**
- **Approval of Payroll Register for PPE 03/12/2006 totaling \$130,862.02.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of February 21, 2006 were presented.

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

--Council Workshop minutes of March 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:

Mayor Olson removed item 10.f, Resolution No. R06-27, from the council agenda.

- **Confirmation of Appointments.**

Laurel Police Reserves:

Mayor Olson appointed Brian Haun to the Laurel Police Reserves.

Motion by Alderman Dickerson to approve the appointment of Brian Haun to the Laurel Police Reserves, 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.

- **Resolution No. R06-23: Budget amendment resolution to increase revenues and appropriations for Fire Department equipment purchases.**

Motion by Alderman Stamper to approve Resolution No. R06-23, 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.

- **Resolution No. R06-24: A resolution approving an agreement between the City of Laurel and Qwest Corporation relating to the provision of Enhanced 9-1-1 services for the City of Laurel.**

Motion by Alderwoman Johnson to approve Resolution No. R06-24, 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. R06-25: A resolution authorizing the Mayor to execute a one-year extension to the contract for the procurement and administration of the City of Laurel's 2005 Community Transportation Enhancement Program "CTEP."**

Motion by Alderman Easton to approve Resolution No. R06-25, 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. R06-26: A resolution to approve a conditional use allowing Jered Scherer, owner of Smith Funeral Home located at 315 East Third Street, to expand the parking lot for said funeral home north to include the property at 314 Pennsylvania in the City of Laurel.**

Motion by Alderwoman Hart to approve Resolution No. R06-26, 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.

- **Resolution No. R06-28: A resolution approving a small construction contract between the City of Laurel and KC Interiors providing for flooring improvements to the lobby of the city hall for the City of Laurel.**

Motion by Alderman Poehls to approve Resolution No. R06-28, 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. R06-29: A resolution approving a small construction contract between the City of Laurel and ACE Electric, Inc., providing for lighting improvements to the City Council Chambers for the City of Laurel.**

Motion by Alderman Mace to approve Resolution No. R06-29, 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. R06-30: A resolution approving a small construction contract between the City of Laurel and ACE Electric, Inc., providing for lighting improvements to the lobby and the Administrative Assistant's office located in city hall for the City of Laurel.**

Motion by Alderman Dickerson to approve Resolution No. R06-30, 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.

- **Resolution No. R06-31: A resolution approving a small construction contract between the City of Laurel and ACE Electric, Inc., providing for lighting improvements to the Building Division area of city hall for the City of Laurel.**

Motion by Alderman Stamper to approve Resolution No. R06-31, seconded by Alderman Dickerson. 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.

Mayor Olson removed item 10. k., Resolution No. R06-32, from the council agenda.

- **Resolution No. R06-33: A resolution to approve amending the Subdivision Plat of Laurel Business Park Subdivision, First Filing, in the City of Laurel.**

Motion by Alderman Easton to approve Resolution No. R06-33, seconded by Alderwoman Hart.

Cal Cumin stated that there was a slight modification to the resolution and asked if it was part of the approval.

Perry Asher wrote a memorandum of explanation regarding the proposed change in condition number twelve (12) of the Conditions of Plat Approval for the property on which Wal-Mart proposes to construct a Wal-Mart Superstore. Condition number twelve (12) is stated as:

“Wal-Mart shall incorporate in its building and Outparcel construction design the bare pine log design similar to Laurel Ford and ACE Hardware.”

The proposed change for condition number twelve is: “Wal-Mart shall incorporate in its building and Outparcel construction design elements of the bare pine log design similar to Laurel Ford and ACE Hardware.”

Preliminary drawings of the incorporation of the pine log design were distributed to the council.

Alderman Poehls stated that he is impressed with the log design proposed by Wal-Mart.

Motion by Alderman Poehls to amend the conditions for plat approval, item number twelve, to read “Wal-Mart shall incorporate in its building and Outparcel construction design elements of the bare pine log design similar to Laurel Ford and ACE Hardware,” seconded by Alderman Dickerson. A vote was taken on the motion to amend item number twelve (12) of the conditions for plat approval. All eight aldermen/women present voted aye. Motion carried 8-0.

A vote was taken on the motion to approve Resolution No. R06-33. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R06-34: Resolution relating to \$162,000 SID No. 111 bonds, awarding the sale thereof and approving certain matters with respect thereto.**

Motion by Alderwoman Hart to approve Resolution No. R06-34, seconded by Alderman Stamper. There was no public comment.

Mary Embleton explained that the bid opening for the bonds was held today at noon and four bids were received from two bidders. Yellowstone Bank submitted three different bid scenarios and the Montana Municipal Corporation submitted one bid. The bids were submitted on a bid form prepared by Dorsey & Whitney. After the bids were opened and tabulated, they were faxed to Dorsey & Whitney for review. MaeNan Ellingson prepared a memorandum, and copies were distributed to the council. She recommends that the bid be awarded to Montana Municipal Cooperative, as they submitted the lowest interest rate of 5.48 percent. The memo explained where the differences were on the other bids that were submitted. Bid option number three submitted by Yellowstone Bank had a lower overall interest cost, but it was in a different format and did not spread the payments evenly over all the years of the life of the bond. That option could be considered if the council wanted to see what Montana Municipal Cooperative would submit with the same format.

There was a brief discussion regarding the estimated interest rates for the bonds, which were based on six percent.

Alderwoman Hart questioned why the council should request a new bid from Montana Municipal if the point is to have the homeowners pay the same rate the entire length of the bond.

Mary explained that the only point is that it would be an overall savings to the city. It might not be an overall savings to the property owners because, with the scenarios submitted by Yellowstone Bank, the property owners would pay more at the beginning of the bond issue and less at the end. Therefore, there would be a shorter timeframe and an overall interest savings. There would be no overall principle savings. Since some property owners will have a difficult time affording this special improvement district, the affordability was at issue. It is MaeNan’s recommendation that the affordability is considered better by keeping at the same level over the life of the bond versus high payments in the beginning and lower payments at the end.

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

- **Request from the Department of Commerce to send letters to congressional representatives and the administration to ask them to prevent drastic cuts in CDBG funding**

Motion by Alderman Fritzler to authorize the mayor to send letters to congressional representatives and the administration, 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: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

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

Alderman Poehls stated that the Local Government Review Commission has completed its work and the final report has been submitted to Mayor Olson.

Mayor Olson thanked Alderman Poehls for his work on the Local Government Review Commission.

Alderman Stamper informed the council regarding the Land and Water Conservation Fund, which is federal funding that helps build local parks, playgrounds, swimming pools, and other recreational facilities. The fund is administered through Montana Fish, Wildlife, and Parks. This fund is in danger of being cut, but there is some funding available in the 2006 appropriations. There was further discussion. Perry will review the information.

Alderwoman Johnson and Alderman Poehls reported on the Foundations for Future Economic Success Seminar presented by Larry Swanson last week. Swanson focused on recent economic trends and made suggestions for how to develop a community plan for sustained development.

The Tree Board plans to plant a tree in Veterans' Park, the triangular park on East First Street and Colorado Avenue, on Arbor Day, April 28th. The flag pole will be replaced and lighting will be installed. Additional information will be available soon.

Alderwoman Johnson attended the Yellowstone Historic Preservation Board's Roundtable discussion today. Laurel resident Ed Thurner received an award for renovation of a building in downtown Billings.

Alderman Easton attended a Soil Conservation workshop today. He briefly explained information regarding watersheds, the effects of water through irrigation uses, and the infestation of salt cedar.

Alderman Easton, who serves on the Board of Directors for the Beartooth RC&D, distributed copies of the Annual Report to the council. Beartooth RC&D provides loans to small urban businesses.

Beartooth RC&D and the Laurel Development Corporation plan to use grant funding to sponsor a seminar for Laurel business owners. Patrick McGaughey, an international consultant, will speak on Succeeding in a Big Box World. More information will be available soon.

An engineer from Interstate Engineering recently contacted Alderwoman Hart regarding donors for funding the swimming pool.

Mary reminded the council of the Elected Officials' Workshop in Billings on May 10th through 12th. The Clerks' Institute is scheduled for May 7th through 12th. The Local Government Center has asked Mary to participate in a panel discussion on office technologies. MMIA will sponsor the three-day workshop for the city attorneys.

Alderman Poehls will contact the department heads to determine if an Emergency Services Committee meeting is needed on March 27th.

Cal Cumin stated a representative from Wal-Mart arrived at the meeting at 7:00 p.m., which was after the resolution was presented. Blair Warhime, the civil engineering consultant for Wal-Mart, attended the meeting to answer questions from the council.

There was a brief discussion regarding the proposed elevation and color scheme for the Wal-Mart store.

Mayor Olson recently attended a pre-meeting with Wal-Mart, and the representatives were professional and willing to meet the standards required by the City of Laurel.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Alderman Poehls 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 7:41 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 4th day of April, 2006.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer