

planned a 25-foot structure; however, in this particular neighborhood, they felt that spreading the project over a larger footprint was going to be adverse to the neighborhood more than a smaller and taller footprint. They chose to build a design that is three stories. The Crossings will consist of basically three components. One will be an independent living center, which will be mainly featured in marketing to this community. It will consist of 24 units on the first and third floors of the three-story building. Sandwiched in the middle of the three-story building will be a twelve-unit assisted living center for folks who need a little help. It will be marketed and communicated as being independent living with supportive services. The third component to The Crossings project will be a twelve-bedroom cottage. This cottage will be a free-standing structure within the Block 7 property and will be basically a large house with 7,600 square feet. The bedrooms will be surrounded by a common living area, kitchen, and dining space. The residents in this cottage will primarily be folks with memory issues, including dementia or Alzheimer's disease and it will be a secure, safe environment. The three-story building will be larger on the first floor than the second and third floors.

David thanked the council and stated that they are honored to be part of the Laurel community.

Mayor Olson read the procedure for public hearings.

Mayor Olson opened the public hearing.

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

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

Mayor Olson closed the public hearing.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of April 2006.**
- **Approval of Payroll Register for PPE 05/07/2006 totaling \$131,234.31.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of April 18, 2006 were presented.
 - Tree Board minutes of April 24, 2006 were presented.
 - City-County Planning Board minutes of May 4, 2006 were presented.
 - Council Workshop minutes of May 9, 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 Alderman Poehls. There was no public comment or council discussion. A 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 Poppy Day Proclamation, which proclaimed Friday, May 26th, as Poppy Day in the City of Laurel.

REPORTS OF BOARDS AND COMMISSIONS: Marvin Carter, Beartooth RC&D

Mayor Olson introduced Marvin Carter, the Chairman of the Beartooth RC&D.

Marvin stated that the RC&D is a Resource Conservation and Development group that meets on the third Thursday every other month. Alderman Easton represents the Yellowstone Soil Conservation District and Marvin has represented the city for many years on the board. The City of Laurel contracts with the Beartooth RC&D for services. Marv mentioned some of the projects with which the RC&D has assisted the city. Beartooth RC&D assisted with the park after the theatre burned

down, assisted the firemen with the memorial park, and assisted with the swimming pool design. They also assisted the Airport Authority with their web site. Those things have not brought in a lot of money, but they are on the edge of maybe bringing some good money to the Laurel area. There is a possibility of a bio-diesel plant coming in to the Laurel area, which would be a \$10 to \$20 million project. Since it would not be located in the downtown area, the city might not see a lot of tax revenue from that, but there would be some from the county. State Commerce is working on locating a \$15 to \$30 million liquid nitrogen project in the Laurel area. Beartooth RC&D also assisted the Laurel Development Corporation with the Solid Foundations project. The City of Laurel pays \$1,400 per year for their services. When they write grants for the city, they receive money from the grants which helps them continue working and does not raise the city's fee. The RC&D participates in a RLF, revolving loan fund. These include the meat plant on Thiel Road and the business in the old Ford garage. The meat plant is not in operation right now, but the people are repaying the loan. The Beartooth RC&D is available to assist the city.

The RC&D covers the City of Billings, Yellowstone, Big Horn, Carbon, Sweet Grass, and Stillwater Counties. There are other RC&D districts in Hamilton, Sidney, Havre, Bozeman, and the Butte-Dillon area. RC&D tries to keep abreast of programs that are important to the city and the community and hopes to go into the economics of it. In the past few years, Hardin has been the big player with the electrical generating plant, the ethanol plant, a highway to bring the coal into the generating plant, and talk about the prison. RC&D is in the process of trying to get a wind generation around the Big Timber area. RC&D is currently headquartered in Joliet and is considering relocation in Laurel.

Alderwoman Johnson asked Marv how he feels about Big Sky EDA taking over some of the administration of the loans.

Marv explained that Beartooth RC&D is not excited about it. They met with the County Commissioners regarding Big Sky EDA today and reached a mutual agreement to remain the same for six months. If the success has not improved by then, some changes might be made at the end of the year. Marv stated that he did not know what Big Sky EDA has done for Laurel.

Alderwoman Johnson stated that Big Sky EDA was instrumental in the new coker unit at Cenex. Cenex is building something that is so big that Pat Kimmet agreed to be on the Big Sky EDA Board and they financed a huge amount of money for Cenex.

Marv stated that he never read that and thinks the \$300 million project is all financed from Cenex Harvest States. Beartooth RC&D is hoping that one of the \$10 million projects he mentioned earlier could be shirrtailed in at the refinery. If Cenex does not want it, it might go to Hardin. Beartooth RC&D partners with Big Sky EDA on projects.

Mayor Olson stated that Beartooth RC&D assists whenever possible to make projects progress. They do not finance, but the agency helps find the financing and tries to help entrepreneurs and cities with projects.

Marvin stated that RC&D was very instrumental in the Trans Tech development and the Sysco operation. The Trans Tech businesses have provided millions of dollars of tax valuation to Yellowstone County.

Marvin gave the Memorandum of Understanding with Beartooth RC&D to the clerk-treasurer.

Mary Embleton voiced support for the Beartooth RC&D. They perform a vital function in the City of Laurel with the monthly homebuyer classes. The City of Laurel has partnered with them with the HOME grant program. That service is used as part of the city's match and Big Sky EDA also contracts with the city for the HOME Program. This partnership has helped a lot of people to purchase homes in Laurel.

Marvin stated that thirty-one people attended homebuyer education last week. Between 1,600 and 2,000 people have received training, and sixty percent have been fortunate to get into homes through the Homebuyer Education. It would be a big loss if the program was lost.

Cal stated the importance of the RC&D. He works with three of the five counties that RC&D covers. They have an excellent record, are very effective, and are at the grass roots level of things. He thinks it is incumbent on this community to support the RC&D, especially in six months when they will be evaluated again.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Darrell Johnson indicated that he wished to speak; however, he agreed to wait until Resolution No. R06-54 was presented under Scheduled Matters.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Laurel Police Reserves:

Mayor Olson appointed Mike Atkinson to the Laurel Police Reserves.

Motion by Alderman Poehls to approve the appointment of Mike Atkinson to the Laurel Police Reserves, seconded by Alderman Mace. There was no public comment.

Alderman Dickerson asked to have the record corrected to show that it is Mike Atkinson, Jr., as stated on the May 9th council workshop agenda, that is being appointed and not Mike Atkinson.

Mayor Olson stated that, at the council workshop on May 9th, Chief Musson indicated that it should not be Mike Atkinson, Jr.

A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Ordinance No. O06-04: Ordinance amending the Laurel Municipal Code to provide the city council the authority to establish and adopt the city's fees and charges for services it provides by annual resolution.** Second reading.

Motion by Alderman Mace to adopt Ordinance No. O06-04, seconded by Alderman Poehls. There was no public comment or council discussion.

Motion by Alderman Poehls to amend Ordinance No. O06-04 to include the changes presented at the council workshop on May 9th,* seconded by Alderman Mace. There was no public comment.

*(The changes added verbiage to the ordinance for the following: for fees and charges to be established by *annual* Resolution *after a public hearing*; for fees and charges to be established *annually* by City Council Resolution *after a public hearing*. A copy of the ordinance, with changes highlighted, is attached to the original, signed council minutes.)

Alderwoman Johnson stated that she does not like the annual requirement and thinks it is wrong for the council to dictate to the city staff that it wants an annual resolution. Whether or not the council approves it, she does not think it is necessary to do the annual resolution for fees for the city.

Alderman Poehls stated that an annual review of fees does not mean there have to be any changes, but he thinks they should be addressed on an annual basis.

A vote was taken on the motion to amend Ordinance No. O06-04. Motion carried 5-1, with Alderwoman Johnson voting nay.

A vote was taken on the motion to adopt Ordinance No. O06-04. All six aldermen/women present voted aye. Motion carried 5-1, with Alderwoman Johnson voting nay.

- **Resolution No. R06-50: Resolution authorizing participation in the Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (INTERCAP Revolving Program), approving the form and terms of the loan agreement and authorizing the execution and delivery of documents related thereto.**

Motion by Alderman Dickerson to approve Resolution No. R06-50, seconded by Alderman Mace. There was no public comment or council discussion. A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R06-51: A resolution approving an agreement between the City of Laurel and Yellowstone Boys and Girls Ranch, said agreement relating to fire protection.**

Motion by Alderman Poehls to approve Resolution No. R06-51, seconded by Alderman Fritzier. There was no public comment or council discussion. A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R06-52: A resolution approving agreements between the City of Laurel and Laurel Fire District No. 5, said agreements relating to fire protection.**

Motion by Alderwoman Johnson to approve Resolution No. R06-52, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R06-53: A resolution approving agreements between the City of Laurel and Laurel Fire District No. 8, said agreements relating to fire protection.**

Motion by Alderman Mace to approve Resolution No. R06-53, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R06-54: A resolution approving a lease agreement between the City of Laurel and the Laurel Rifle Club providing for the use of city-owned property.**

Motion by Alderman Fritzier to approve Resolution No. R06-54, seconded by Alderman Dickerson.

Darrell Johnson, 671 Teepee Trail, Billings, is the president of the Laurel Rifle Club. He lives in Billings and works for Cenex in Laurel. He thanked the council and mayor for trying to get this resolved. The club is growing and has about ninety young shooters right now. The Laurel Rifle Club hosts the State Games in their club every year, and it draws quite a crowd. The local youth do quite well in the State Games. The building needs a lot of repair and Darrell has applied for some NRA grants for that purpose. In order to receive the grants, the club needs a viable long-term lease. The grant would provide over \$8,000 for improvements to the building. The lease will guarantee that the program will continue many more years, and the club plans to apply for another grant next year. Darrell stated his appreciation for the work on this.

Marvin Carter, 307 Sixth Avenue, mentioned that the Beartooth RC&D could provide assistance to the Laurel Rifle Club.

Alderman Easton asked Darrell if he had read the lease agreement. Darrell had read a draft that Mayor Olson presented to him previously. Alderman Easton mentioned that this lease is only for the Laurel Rifle Club and does not address the other entities at Riverside Park. He expressed his support for the work of the club.

Mayor Olson recognized the work of the task force that addressed the club leases.

A vote was taken on the motion to approve Resolution No. R06-54. 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:

The Yellowstone Valley YMCA annual dinner auction is scheduled for Saturday, May 20th, at the Laurel Rod and Gun Club. Alderman Poehls asked the council members to support the fundraising event. The goal is to raise \$20,000 for the YMCA.

Alderman Johnson attended the Yellowstone Historic Preservation Board meeting today. She explained information about the Preserve America Designation, which will be on the council workshop agenda on May 30th.

Western Heritage Center is having a special presentation on Teddy Roosevelt at noon on Thursday, May 18th.

A reception for the Governor's Historic and Cultural Advisory Council will be hosted by CTA Architects, on May 22nd, from 5:00 to 6:30 p.m.

On Wednesday, May 17th, Big Sky EDA and EDC have scheduled a presentation on the local option tax at the MSU-Billings downtown campus.

Alderman Easton mentioned that the Yellowstone Conservation District is trying to further the study on the groundwater in the West Billings development and wants to hire the Bureau of Mines to continue this study. Wells were drilled through this area three or four years ago, and they want to do a study to see the effect of new development on the aquifers and what the water solutions might be. They are asking the City of Laurel for a letter of support for the \$75,000 grant. The grant application deadline was May 15th, but letters of support can be submitted through August. The letter of support for the Yellowstone Conservation District will be added to the May 30th council workshop agenda.

Mayor Olson sent a letter granting the Laurel Volunteer Fire Department permission to set off fireworks on July 4, 2006. The police chief approved the Chamber of Commerce's request for the Grand Parade and the Chief Joseph Run.

Mayor Olson will participate in a workshop panel on May 23rd during the Governor's Conference. The discussion will be on homeland security and how its effects are being dealt with by communities.

Mayor Olson stated that the preliminary budget for the General Fund will be presented at a council workshop on Tuesday, May 23rd, at 6:30 p.m.

Alderman Dickerson asked that the lights for the Kids' Kingdom be included on the May 30th council workshop agenda.

Mayor Olson recently attended a gathering of the coordinators of the Kiwanis playground equipment project. He told them that the council would like to give recognition to the participants soon.

UNSCHEDULED MATTERS: None.

Mary Embleton attended the District 11 Montana League of Cities and Towns meeting in Billings today. She will distribute some information to the council tomorrow. Representatives from Hardin, Bridger, Broadus, Lodge Grass, Laurel, Columbus, and Billings attended the meeting. Local option taxes were the main topic of discussion. There will be some interesting developments on how we are going to partner up with our big neighbor to the east because there was some expression of not wishing to include any revenue sharing if a local option tax or resort tax passes. There was good discussion. Alec Hansen will take this back to the legislative committee and board to prepare for the legislative session.

Alderman Dickerson stated that the Municipal Clerks banquet was enjoyable and Mary did an excellent job.

Mary expressed thanks for the kind words and mentioned that it was one of the biggest Institutes so far. Ken Weaver and Judy Mathre were extremely surprised and appreciative of being honored at the banquet. Mary thanked the council and mayor for their support and encouraged them to attend the fall conference in West Yellowstone in October.

Alderman Mace reported on the budget sessions at the Institute. Ken Weaver gave a presentation on trends in budgeting. Communities are starting to track five and ten-year trends, and Ken Weaver suggested that communities post a graph to show progress made budget wise. Alderman Mace expressed thanks to Mary for doing an excellent job.

Mayor Olson mentioned that those who attend the meeting get a lot of insight by mingling with people from other communities with similar problems.

ADJOURNMENT:

Motion by Alderman Easton to adjourn the council meeting, seconded by Alderman Poehls. There was no public comment or council discussion. A vote was taken on the motion. 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 7:35 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 6th day of June, 2006.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer