

# MINUTES OF THE CITY COUNCIL OF LAUREL

June 6, 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 June 6, 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

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 Stamper to approve the minutes of the regular meeting of May 16, 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:

Cable Montana: Service Reports for March 2006.

Senator Conrad Burns: Letter of May 1, 2006 regarding Community Development Block Grants (CDBG).

Montana Department of Labor & Industry: Information regarding public hearing on the proposed amendment of ARM 24.17.127 pertaining to prevailing wage rates.

Lincoln Institute of Land Policy: Letter of May 2, 2006 regarding Citizen Planners Resource Kit.

Montana Department of Commerce: Letter of May 11, 2006 regarding *Montana's Growth Policy Resource Book*.

Cable Montana: Service Reports for April 2006.

Montana League of Cities and Towns: Letter of May 22, 2006.

**PUBLIC HEARING:** None.

## CONSENT ITEMS:

- **Claims for the month of May 2006 in the amount of \$407,868.61.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 05/21/2006 totaling \$136,382.90.**
- **Receiving the Committee Reports into the Record.**  
--Budget/Finance Committee minutes of May 2, 2006 were presented.  
--Council Workshop minutes of May 23, 2006 were presented.

--Council Workshop minutes of May 30, 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 eight aldermen/women present voted aye. Motion carried 8-0.

**CEREMONIAL CALENDAR:** Recognition of Project HELP creators and volunteers

At Mayor Olson's request, the creators and volunteers of Project HELP attended the council meeting. He invited them to the front of the council chambers to publicly thank them for their efforts to improve our community. The positive feedback from the project has been great, and people from other towns have come to our community because of this project.

Mayor Olson read a proclamation of congratulations to the Project HELP volunteers for their participation in the creation and building of Kids' Kingdom in Kiwanis Park. As the names of the individuals were read, Mayor Olson presented each individual with a signed copy of the proclamation.

Amy Pollock, Kami Maack, and Carrie Peters were the chairwomen for the project. The other volunteers recognized for their participation include: LuAnne Engh – Volunteers; Lori Hodges – Children's Committee; Peg Olson – Food; Tony and Michelle Maida – Materials; Stasia Pyatt – Child Care; and Curt Westphal – Tools.

Congratulatory comments were made by Mayor Olson, Alderwoman Hart, Alderman Poehls, Alderman Dickerson, and Alderwoman Johnson.

**REPORTS OF BOARDS AND COMMISSIONS:** None.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):** None.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments.**

Police Officer:

Mayor Olson appointed William Brew III as a police officer for the City of Laurel.

Motion by Alderman Dickerson to approve the appointment of William Brew III as a police officer for the City of Laurel, 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. R06-55: A resolution to approve a conditional use allowing St. John's Lutheran Ministries of 3940 Rimrock Road, Billings, Montana, to increase the height of the structure on Lot 7, Block 3, Iron Horse Subdivision in Laurel from the currently allowable twenty-five feet to forty-five feet located on parcels currently zoned Community Commercial to provide the owner the ability to construct buildings up to three stories in height.**

Motion by Alderman Poehls to approve Resolution No. R06-55, 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. R06-56: A resolution approving an agreement between the City of Laurel and the Laurel Airport Authority, relating to fire protection.**

Motion by Alderman Fritzler to approve Resolution No. R06-56, 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. R06-57: Resolution authorizing the Mayor to sign a Management Agreement between the City of Laurel and the Laurel YMCA for management of the swimming pool at Thomson Park.**

Motion by Alderwoman Hart to approve Resolution No. R06-57, seconded by Alderman Fritzler. There was no public comment.

Alderman Stamper stated that he would abstain from voting on this resolution since his wife is a paid employee of the Laurel YMCA.

A vote was taken on the motion. Motion carried 7-0, with Alderman Stamper abstaining.

- **Resolution No. R06-58: A resolution approving an agreement between the City of Laurel and the City of Billings, said agreement relating to solid waste disposal.**

Motion by Alderman Easton to approve Resolution No. R06-58, 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. R06-59: A resolution approving a contract between the City of Laurel and Cotter’s Sewer & Portable Toilet Service, Inc., providing for temporary restroom facilities in Kiwanis Park for the City of Laurel.**

Motion by Alderwoman Johnson to approve Resolution No. R06-59, 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.

- **Resolution No. R06-60: A resolution authorizing the Mayor to sign Change Order No. 1 with JTL Group, Inc. for the East First Street construction project in the amount of \$11,265.70.**

Motion by Alderman Stamper to approve Resolution No. R06-60, 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. R06-61: A resolution authorizing the Mayor to sign Change Order No. 2 with JTL Group, Inc. for the East First Street construction project in the amount of \$13,500.00.**

Motion by Alderman Dickerson to approve Resolution No. R06-61, 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. R06-62: A resolution authorizing the Mayor to sign Amendment No. 1 to the Owner-Engineer Agreement between the City of Laurel and Morrison-Maierle, Inc. for the Main Street water line project authorizing additional engineering services for the additional cost of \$3,465.00.**

Mayor Olson stated that the wording of the resolution is “Main Street water line project” instead of the “Main Street sewer line project”, as listed on the council agenda.

Motion by Alderman Mace to approve Resolution No. R06-62, seconded by Alderwoman Hart. There was no public comment or council discussion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R06-63: Resolution authorizing the Mayor to execute an agreement with Beartooth RC&D Economic Development District.**

Motion by Alderman Poehls to approve Resolution No. R06-63, seconded by Alderman Dickerson. There was no public comment or council discussion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Resolution No. R06-64: A resolution to accompany application for Preserve America Community Designation.**

Motion by Alderwoman Johnson to approve Resolution No. R06-64, seconded by Alderman Dickerson. There was no public comment or council discussion. All eight aldermen/women present voted aye. Motion carried 8-0.

- **Request from the Yellowstone Conservation District for a letter of support.**

Motion by Alderman Fritzler to authorize the mayor to send a letter of support as requested by the Yellowstone Conservation District, seconded by Alderman Poehls. There was no public comment or council discussion. 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.

A meeting with the Yellowstone Development Authority (formerly Big Sky Economic Development Authority) is scheduled for Thursday, June 15<sup>th</sup>, in the Council Chambers at 6:00 p.m. Alderwoman Johnson encouraged council members to attend the meeting in support of economic development in the City of Laurel. The council needs to request that the Yellowstone Development Authority make a presence in Laurel and demonstrate that our tax dollars are being used in the correct way. Alderwoman Johnson thinks it would be good to have a show of interest to prove to them that we do care about economic development and care whether they are involved in the Laurel community.

Alderwoman Johnson asked the council to consider including a specific amount for expenses in the budget for each council member to attend workshops and meetings. Further discussion will be scheduled on the council workshop agenda on June 13<sup>th</sup>.

Since a quorum of the council intends to attend the meeting with the Yellowstone Development Authority on June 15<sup>th</sup>, notice of the meeting should be posted.

Alderman Fritzler met with the three Yellowstone County Commissioners recently regarding the proposed Veterans' Cemetery in Laurel. The commissioners are in agreement with the proposal and the direction and purpose. Another planning meeting will be scheduled in the near future.

Mayor Olson stated that there is an interest in this area to have a veterans' cemetery in Yellowstone County and in Laurel and encouraged Alderman Fritzler to inform the council regarding any needed assistance.

Mayor Olson, Steve Klotz, Carl Anderson and Stephanie Seymanski met recently regarding the East First Street project. At the beginning of the project, Debi Meling and Earl Tufte were to give monthly reports to the city. When they were no longer associated with Morrison-Maierle, the monthly updates did not continue. In discussion at the meeting, it was agreed that Morrison-Maierle would present monthly reports for any future projects.

Perry Asher, Steve Klotz, and Larry McCann recently attended an on-site construction meeting with Morrison-Maierle and JTL Construction regarding the problems with the East First Street project. The discussion was regarding some of the problems with soft spots and whether or not the problems were because of engineering design or faulty installation. From the city's standpoint, the main concern is to get the product paid for at the bid price. Morrison-Maierle and JTL Construction discussed the issues for two hours and came to a conclusion regarding who would pay for what part of the problems. Steve, Larry and Perry spoke up when it was suggested that the customer did not need a one-year warranty, since that is not the direction the City of Laurel wanted the conversation to go. Morrison-Maierle and JTL have come to a resolution on the issues and are moving forward. Three-quarters of the first lift of asphalt is down, and most of the concrete work is finished. A paver will be out here around June 12<sup>th</sup> until the project is done.

Mayor Olson mentioned that they could not put the second lift of asphalt on cured concrete so there is a waiting time period. He expects that the second lift of asphalt will be completed prior to Laurel's 4<sup>th</sup> of July celebration.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Alderwoman Hart to adjourn the council meeting, 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.

There being no further business to come before the council at this time, the meeting was adjourned at 7:10 p.m.

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Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 20<sup>th</sup> day of June, 2006.

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Kenneth E. Olson, Jr., Mayor

Attest:

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Mary K. Embleton, Clerk-Treasurer