

MINUTES OF THE CITY COUNCIL OF LAUREL

August 1, 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 6:35 p.m. on August 1, 2006.

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

COUNCIL MEMBERS ABSENT: Mark Mace Doug Poehls

OTHER STAFF PRESENT: Perry Asher Cal Cumin
 Mary Embleton

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 July 18, 2006, as presented, seconded by Alderman Dickerson. 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.

CORRESPONDENCE:

Montana/Wyoming Association of Railroad Passengers: July 2006 Newsletter.

Montana League of Cities and Towns: Letter of July 11, 2006 regarding 75th Annual Conference on October 4-6 in West Yellowstone.

Montana Department of Commerce: Letter of July 10, 2006 regarding Final Closeout Approval for Contract MT-CDBG-04PF-04: City of Laurel Wastewater Collection Systems Improvements Project.

Montana League of Cities and Towns: Letter of July 10, 2006 regarding salary and utility rate surveys for cities and towns across Montana at the end of FY-2006.

Mayor Olson read the following excerpt from the letter from Frank Kromkowski, CDBG Program Specialist, Montana Department of Commerce:

“As I mentioned in my project monitoring report of April 20, 2005, City Clerk Mary Embleton, Grant Administrator Crystal Bennett, and Public Utilities Director Larry McCann have done a very good job of administering the Community Development Block Grant contract and completing this project and are to be commended.”

Mayor Olson stated that the job was well done.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims for the month of July 2006 in the amount of \$534,776.27.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 07/30/2006 totaling \$149,836.13.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of July 5, 2006 were presented.

--City-County Planning Board minutes of July 18, 2006 were presented.

--Emergency Services Committee minutes of July 24, 2006 were presented.

--Council Workshop minutes of July 25, 2006 were presented.

The mayor asked if there was any separation of consent items. There was none.

Motion by Alderwoman Hart to approve the consent items as presented, seconded by Alderman Fritzler. 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: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Laurel Police Reserves:

Mayor Olson appointed Terrill Bracken to the Laurel Police Reserves.

Motion by Alderman Dickerson to approve the appointment of Terrill Bracken 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 six aldermen/women present voted aye. Motion carried 6-0.

CTEP Administrator:

Mayor Olson appointed Perry Asher as the CTEP Administrator for the City of Laurel.

Motion by Alderman Fritzler to approve the appointment of Perry Asher as the CTEP Administrator for the City of Laurel, seconded by Alderman Dickerson. 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.

Task Force for Park Hours:

Mayor Olson stated that Norm Stamper, Mark Mace, and Kate Hart would serve on the Task Force for Park Hours. After review, the task force will present the council with a recommendation regarding time sets and hours for the parks.

- **Resolution No. R06-82: Resolution authorizing the City Clerk to perform certain and specific budget transfers for the City of Laurel.**

Motion by Alderwoman Hart to approve Resolution No. R06-82, seconded by Alderman Fritzler. 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. R06-83: Budget amendment resolution amending appropriations and revenues for various funds for Fiscal Year 2006.**

Motion by Alderman Easton to approve Resolution No. R06-83, seconded by Alderwoman Hart.

Mary Embleton explained that a slight change had to be made on the attachment of the budget amendments that was presented at the council workshop. The comp insurance fund changed from \$277 to \$300.

There was no council discussion. A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R06-84: Resolution of annexation of Tract B-1 of Certificate of Survey No. 2385 Amended Tract B, to the City of Laurel, Yellowstone County.**

Motion by Alderwoman Johnson to approve Resolution No. R06-84, seconded by Alderman Dickerson.

Cal Cumin stated that this came from the Planning Board with a recommendation of approval. The Public Works and Public Utilities Departments suggested that, if this is approved by the council, it be approved subject to the provision by the applicant of right-of-way in Alder Avenue and East Maryland Lane to the City of Laurel. The city attorney advised Cal that it could be made a condition tonight, and the resolution would be revised accordingly. It will keep moving forward, but it will put the responsibility back on the applicant. The City of Laurel needs the right-of-way and this is the time to get it.

Motion by Alderwoman Hart to amend Resolution No. R06-84 to read subject to the right-of-way on Alder Avenue and East Maryland Lane, seconded by Alderman Fritzler. 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.

A vote was taken on the original motion to approve Resolution No. R06-84. All six aldermen/women present voted aye. Motion carried 6-0.

- **Resolution No. R06-85: Resolution of the City Council accepting, by Quitclaim Deed, a parcel of property conveyed to the City of Laurel by Laurel School District No. 7 and to authorize the Mayor to execute and accept the transfer on the City's behalf.**

Motion by Alderman Stamper to approve Resolution No. R06-85, seconded by Alderwoman Hart. There was no public comment.

Alderman Dickerson asked why the document number was blank on the resolution and the Quitclaim Deed.

Mary explained that it refers to the document number that will be assigned to the plat and the documents once they are filed at the county. The numbers will be inserted once the documents are filed and assigned at the County Clerk and Recorder's Office.

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

- **Ordinance No. O06-05: An ordinance approving the recodification of ordinances adopted by the City Council that have been compiled as the "Laurel Municipal Code" in accordance with MCA § 7-5-107.** Second reading.

Motion by Alderman Dickerson to adopt Ordinance No. O06-05, seconded by Alderman Stamper. 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.

- **Ordinance No. O06-06: Ordinance amending Sections 12.08.070(A), 17.16.020, 17.40.090.J.2 and 17.56.040(A) of the Laurel Municipal Code, as recommended by the City Zoning Commission after public hearing and comment.** First reading.

Motion by Alderman Fritzler to adopt Ordinance No. O06-06, seconded by Alderwoman Hart. 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.

Mayor Olson stated that the public hearing of Ordinance No. O06-06 will be on the council agenda on September 5, 2006.

- **Ordinance No. O06-07: Ordinance amending the zoning map of the City of Laurel, Montana, to approve a zone change from R-7500 to Residential Limited Multi-Family zone for a recently annexed parcel of property to the City.** First reading.

Motion by Alderman Easton to adopt Ordinance No. O06-06, seconded by Alderwoman Hart.

Cal Cumin stated that this requested zone change is for the same parcel that the council just approved the resolution of annexation subject to provision of right-of-way on Maryland Lane and Alder Avenue. The zoning commission held a public hearing on this zone change and received no opposition. The second public hearing that the city requires will be at second reading. This zone change request can move forward independently of whether or not the annexation of the property occurs because the property is within the one-mile zoning jurisdiction. Cal wanted the council to understand that it is not contingent on the annexation and the annexation is not contingent on the zoning. Cal does not know whether the applicant will move forward if they have a problem with the annexation, as the council has conditionally approved it.

There was no council discussion. A vote was taken on the motion. All six aldermen/women present voted aye. Motion carried 6-0.

Mayor Olson stated that the public hearing of Ordinance No. O06-07 will be on the council agenda on September 5, 2006.

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.

Alderwoman Johnson mentioned that the Lewis and Clark celebration at Pompey's Pillar was memorable.

Mayor Olson commended Alderwoman Johnson for her participation and stated that there were several people from Laurel that were active participants in the event.

The Daughters of the American Revolution sent letters of appreciation for the use of the City of Laurel's flag during the Lewis and Clark Signature Event.

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 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 6:58 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15th day of August, 2006.

Attest:

Kenneth E. Olson, Jr., Mayor

Mary K. Embleton, Clerk-Treasurer