

MINUTES OF THE CITY COUNCIL OF LAUREL

August 15, 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 August 15, 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 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 August 1, 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:

Daughters of the American Revolution: Letter of June 5, 2006, regarding use of the flag for the Clark on the Yellowstone Signature Event.

Montana Department of Commerce: Letter of July 27, 2006 to Scott Murphy regarding City of Laurel TSEP grant application.

Department of Natural Resources and Conservation: 2006 Urban Forestry Excellence Award information.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of June 2006 (revised final).**
- **Clerk/Treasurer Financial Statements for the month of July 2006.**
- **Approval of Payroll Register for PPE 07/30/2006 totaling \$148,151.13.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of August 1, 2006 were presented.

--Council Workshop minutes of August 8, 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 Dickerson. There was no public comment or council discussion.

Mary Embleton explained that the July Financial Statements are preliminary, due to some additional changes that will come forward and the fact that the final budget has not been adopted.

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.**

Laurel Airport Authority:

Mayor Olson reappointed John Smith to a five-year term, ending June 30, 2011, on the Laurel Airport Authority.

Motion by Alderman Poehls to approve the reappointment of John Smith to a five-year term, ending June 30, 2011, on the Laurel Airport Authority, seconded by Alderwoman Hart. There was no public comment or council discussion. A vote was taken on the motion. Motion carried 7-1, with Alderman Poehls voting nay.

- **Resolution No. R06-86: A resolution approving the purchase and installation of an exchange server for the City of Laurel's computer system.**

Motion by Alderman Stamper to approve Resolution No. R06-86, seconded by Alderman Dickerson. There was no public comment.

Alderwoman Johnson stated that, since last week's council workshop, she has been asked why the exchange server was going forward when the department budgets were frozen because the final budget has not been approved. She questioned why the exchange server was pushed forward ahead of the process.

Mayor Olson responded that the exchange server will satisfy the majority of the departments within the city. When the web page was presented, the exchange server was also presented as part of the package. As the discussion at the workshop indicated, the efficiency created by this application of funding would greatly enhance the city's computer system. That is why Mayor Olson brought this forward for the council's consideration.

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

- **Resolution No. R06-87: A resolution accepting the bid and authorizing the Mayor to sign a contract with Gray Construction, Inc., for the project known as the Main Street water line replacement project for the City of Laurel.**

Motion by Alderwoman Hart to approve Resolution No. R06-87, seconded by Alderman Fritzler. There was no public comment.

Alderman Stamper mentioned that the bids were under the engineer's estimate, and he was curious if there was any indication why that might be.

Perry stated that there was not a huge spread in the bids, and a couple of them came in around the same amount. Stephanie Seymanski, the project engineer at Morrison-Maierle, reviewed the bids to verify that it was a complete bid.

Mary stated that copies of the bid tabulations prepared by Stephanie would be distributed to the council tomorrow.

Alderman Mace said that the last job Gray Construction did in the City of Laurel was in front of Yellowstone Bank and the city went through about three years of dealing with the trenches that had settled. He questioned what changes have been made and whether Morrison-Maierle would do the inspections on the trenches. He wants to make sure that does not happen again on this state urban route.

Mayor Olson stated that Stephanie Seymanski of Morrison-Maierle would make sure the contractor complies with the standards accepted by the State of Montana, and Steve Klotz will also be involved in the project. Mayor Olson stated that this would go on record as a concern.

Perry said he would make sure to relay this concern.

A vote was taken on the motion to approve Resolution No. R06-87. 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:

Alderwoman Johnson and Alderman Easton plan to submit the Urban Forestry Excellence Award application since the Tree Board planted so many trees this year. With the excellent potential project of the Veterans' Cemetery, they are writing a summary to submit in the application by September 1st. If it is received, the \$1,000 award would be used to plant trees at the Veterans' Cemetery.

Mayor Olson expressed his appreciation for the time and efforts Alderman Easton and Alderwoman Johnson have volunteered on the Tree Board.

Alderman Stamper asked when the landscaping of Veterans' Park would be completed, as it looks like work has stopped there.

Alderwoman Johnson explained that, the last time she asked about it, Steve said JTL was supposed to replace the sprinkler system as part of their contract. The recently planted tree has been hand watered; however, the grass and trees have not been replanted and the existing trees are not being watered until the sprinkler system is in.

Alderman Dickerson asked regarding the roll call vote for ordinances, which was discussed at last week's council workshop. In the discussion, it was explained that ordinances need a roll call because they become a part of the code book. Alderman Dickerson questioned why roll call votes are not taken on resolutions.

Mayor Olson explained that roll call votes were taken on every motion before Alderman Dickerson became a council member. As a matter of tradition, when he was on the council, resolutions were approved by voice vote and ordinances were approved by roll call vote. Going forward, he prefers to have roll call votes for ordinances and maintain the voice vote for resolutions.

Alderwoman Johnson mentioned that it is the council's option to call for a roll call vote on any motion, and she has done so in the past.

Alderman Mace stated that the number of resolutions versus ordinances would have some bearing, as there are not as many ordinances for the council's consideration.

Alderman Poehls stated that the council secretary records the name of the council person voting nay in the council minutes.

Alderman Easton stated that the original intent was because ordinances require a three-quarters majority vote and resolutions require just a majority vote. Roll call votes define whether or not a motion is passed, but a recorder cannot pick that up. That is the way it was done in the past, and he agrees with the mayor that it is a good way.

Alderman Fritzler recalls a discussion about the power of an ordinance, because the ordinance goes into the municipal code book. It apparently is a little more powerful than a resolution and he thinks that was one of the reasons the council was discussing having a roll call vote on ordinances and not on resolutions.

Alderman Dickerson asked why the city's legal counsel was not at this council meeting.

Mayor Olson explained that Sam Painter had to leave town because his father is gravely ill. After reviewing tonight's council agenda, Mayor Olson decided that it was not necessary for Nancy Rohde, the Deputy City Attorney, to attend the meeting.

Alderman Mace stated that the Task Force for Park Hours met briefly tonight. Information regarding a viable solution will be presented at the council workshop on August 29th.

The Emergency Services Committee will meet on Monday, August 21st, at 5:30 p.m. The agenda includes further review of the current dog ordinance and the fire contracts.

Mayor Olson requested that any individuals interested in serving on the Emergency Services Committee should contact him. Letters of interest should be received soon from people that have expressed interest in serving on the City-County Planning Board.

Council members should return their photo selection for the web site to Perry soon.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Alderman Dickerson 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 6:53 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 5th day of September, 2006.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer