

# MINUTES OF THE CITY COUNCIL OF LAUREL

January 16, 2007

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 January 16, 2007.

COUNCIL MEMBERS PRESENT:            Vacant seat                    Doug Poehls  
   Kate Hart                        Mark Mace  
   Gay Easton                      Chuck Dickerson  
   Vacant seat                      Norm Stamper

COUNCIL MEMBERS ABSENT:            None

OTHER STAFF PRESENT:                Mary Embleton                Perry Asher  
   Mark Richards

Mayor Olson asked the scout master of Boy Scout Troop 414 to introduce four troop members that attended the meeting: Ryan Caron, Justin Kostelecky, Brett Wilder, and Dustin Connolly.

Dustin Connolly led the Pledge of Allegiance to the American flag.

Mayor Olson asked the council to observe a moment of silence.

## MINUTES:

Motion by Alderman Easton to approve the minutes of the regular meeting of January 2, 2007, 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.

Mayor Olson stated that the city's legal counsel was unable to attend the council meeting.

## CORRESPONDENCE:

Montana Department of Revenue: Letter of December 29, 2006 regarding Application for Transfer of Location License No. 03-044-9496-002, CEDAR RIDGE CASINO, 315 South 1<sup>st</sup> Street, Laurel, Yellowstone County, Montana.

*Newsline:* December 2006 Newsletter of the Montana Department of Transportation

Montana Association of Railroad Passengers: January 2007 Newsletter

## PUBLIC HEARINGS:

- **Intent to adopt an Official Schedule of Fees and Charges for the City of Laurel.** (Resolution No. R06-130 approved 12/19/2006; public hearing held 01/02/2007; public hearing continued to 01/16/2007)

Mayor Olson asked Mark Richards to present the issue to the council.

Mark stated that, in follow-up to last week, Alderman Mace followed his lead and investigated the findings for the City of Billings and Yellowstone County. Mark asked Alderman Mace to explain what he found to the council. Mark distributed a two-page list which showed the current and proposed planning fees and what was done for free. Some fees have increased, some remain the same, and several were lowered. Mark feels very comfortable with the fee schedule. He asked Alderman Mace to explain his findings.

Alderman Mace stated that the city's planning department fees need to reflect what it costs to do planning in Laurel. When he questioned some of the fees at the council workshop on January 9<sup>th</sup>, he wanted to make sure the city was not jumping so fast that it was deterring people from asking for some of the services and whether the fees could be justified. The City of Laurel's Planning

Department is in a different situation from the City of Billings and Yellowstone County because the city does not have the staff to go out to check things. Alderman Mace had a printed copy of the comparison of the fees for the council to review.

Mark Richards referred to the two-page list that he had previously distributed to the council. He asked the council to notice many things that were done for free. He stated that he had to consider effective utilization of his time. He stated that many people call and want to sit down for two hours and have him basically design a subdivision for them. As of now, he is doing this for free and is not getting paid by them to be an engineer on their project. In order to have the city get reimbursed for the time and expertise that he is providing, he thinks the fees are proper. With the fees, people will take more initiative on their own to finish their own project, which will help streamline things in the office. Mark stated that no comments have been received regarding the schedule of fees and charges.

Alderman Stamper commented that the fees were obviously not free. The taxpayers were paying for it, and he thinks the fees are a good thing.

Alderman Mace asked if the fee schedule would be mailed to engineering firms and developers.

Mark stated that he has been informing the engineers and developers of the new fee schedule. His good correspondence is part of the reason why he has four subdivisions on his desk now. The developers and engineers are trying to beat the rate increase and have been adjusting their schedules accordingly. The schedule of fees and charges will be available at the counter. Mark stated that the city will not be able to actually initiate the fees until he finishes the subdivision ordinance. Then it would be the proper time and place. The planning department will use the current rate structure until the ordinance to adopt the new subdivision regulations is completed, which Mark stated would be about forty-five days.

Alderman Dickerson asked Mark how often the fees would need to be reviewed in order to keep up with the cost so there is not such a dynamic increase the next time.

Mark stated that he does not foresee any increases for up to three years. Some of the things could be decreased and he wants to see how that works. Mark is comfortable saying that he would not come back for any rate increases for a minimum of three years. It would not be something that would be in front of the council in sticker shock every January.

Alderman Stamper pointed out that the fee schedule is reviewed annually anyway. Mayor Olson agreed that is correct.

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.

- **Ordinance No. O06-15: An ordinance modifying Title 15, Chapter 15.40.130(I) of the Laurel Municipal Code in order to provide clarity and consistency of the rules regarding freestanding signs.** (First reading – 12/19/2006)

Mayor Olson asked Perry Asher to present the issue to the council.

Perry stated that his introduction of the issue would be brief because of what was probably a typo in the ordinance that was discovered by the public works director. It created a situation where a business was not able to put up a freestanding sign on their property. Perry stated that the ordinance says “and/or” and it should be “and”. This modification clarifies the language in the ordinance and eliminates the problematic area.

(NOTE: The explanation was incorrectly stated, as the current ordinance says “and” and will be amended to “and/or”. The ordinance will be modified as follows: “Freestanding signs which are not on-premise and/or which do not address interstate traffic as determined by the director may be installed to a maximum height of twenty-four feet and may have a maximum size of one hundred fifty square feet.”)

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 December 2006.**
- **Approval of Payroll Register for PPE 12/31/2006 totaling \$142,253.23.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of January 2, 2007 were presented.

--City-County Planning Board minutes of January 4, 2007 were presented.

--Council Workshop minutes of January 9, 2007 were presented.

--Laurel Airport Authority minutes of November 28, 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. 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 Mathew Caudill, Randall Gibson, Frederic Gregory, and Andrew Arneson to the Laurel Police Reserves.

Motion by Alderman Poehls to approve the appointments of Mathew Caudill, Randall Gibson, Frederic Gregory, and Andrew Arneson to the Laurel Police Reserves, 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. R07-02: A resolution approving Change Order No. 2 with COP Construction LLC, for additional materials and services on the 2006 Laurel Wastewater Improvement Project and authorizing the Mayor to execute the attached Change Order No. 2 on the City's behalf.**

Motion by Alderwoman Hart to approve Resolution No. R07-02, 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.

- **Resolution No. R07-03: A resolution amending Resolution No. R05-66 extending the contract with Olness and Associates for auditing services through fiscal year ending June 2007 and authorizing the Mayor to sign said contract for the City of Laurel.**

Motion by Alderman Stamper to approve Resolution No. R07-03, seconded by Alderwoman Hart. There was no public comment.

Alderman Easton asked if this is a three-year contract and which year the city is currently in. This is the second year of the three-year contract with Olness and Associates.

A vote was taken on the motion. 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:**

Alderman Easton attended the Aviation and Technology Week meeting today. A two-star general from Miles City will be the keynote speaker for Aviation and Technology Week, which is scheduled for May 7<sup>th</sup> through 10<sup>th</sup>. About 20,000 students are expected to attend the event.

Mayor Olson thanked Alderman Easton, Chuck Rodgers, Jack Bayne, and Druann Kerns for their involvement in Aviation and Technology Week. Laurel is receiving widespread recognition for the event.

Mayor Olson and Aldermen Dickerson and Mace attended the Laurel Chamber of Commerce Distinguished Service Awards Banquet last night. After the event, a member of the Billings Chamber of Commerce, who is involved in some construction projects in Laurel, mentioned that he is impressed with how things are done in Laurel.

Mayor Olson attended the TSEP Grant hearings in Helena last week. The City of Laurel is ranked number thirty on a list of thirty-one entities to receive funding for projects. If the city is awarded the grant, the \$750,000 will be used for the next phase of the wastewater treatment plant project. The total cost for the project is estimated to be \$4.2 million.

Mayor Olson and Commissioner Bill Kennedy visited regarding the veterans' cemetery while in Helena last week. Krayton Kerns' bill passed out of committee with a 13-6 vote and is going forward.

While in Helena last week, Mayor Olson gave information to Senator McGee regarding the Firefighters' Memorial Park.

**UNSCHEDULED MATTERS:**

Alderman Poehls asked regarding the appointments to the vacant council seats. Two letters of interest have been received for Ward 1 and one letter of interest has been received for Ward 4. Alderman Poehls suggested that the process should be to have the applicants do a presentation at the council workshop on January 30<sup>th</sup>, allow the council a week to consider the applicants, and schedule the council's vote at the regular meeting on February 6<sup>th</sup>. He would rather exceed the thirty days allowed by statute and give the council time to consider the applicants.

Mayor Olson stated that he would look into it to see if this would be an acceptable practice. He will get back to the council as soon as possible.

**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 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 7:08 p.m.

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Cindy Allen, Secretary

Council Minutes of January 16, 2007

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 6<sup>th</sup> day of February, 2007.

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Kenneth E. Olson, Jr., Mayor

Attest:

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Mary K. Embleton, Clerk-Treasurer