

# MINUTES OF THE CITY COUNCIL OF LAUREL

February 20, 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 February 20, 2007.

COUNCIL MEMBERS PRESENT:           Emelie Eaton           Doug Poehls  
  Kate Hart               Mark Mace  
  Gay Easton             Chuck Dickerson  
  Vonda Hotchkiss       Norm Stamper

COUNCIL MEMBERS ABSENT:           None

OTHER STAFF PRESENT:               Mary Embleton           Chad Hanson, ME&A  
  Sam Painter              Pat Murtagh, ME&A  
  Perry Asher  
  Mark Richards

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 special meeting of February 6, 2007, as presented, seconded by Alderman Mace. There was no public comment or council discussion. A vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

Motion by Alderman Dickerson to approve the minutes of the regular meeting of February 6, 2007, as presented, seconded by Alderman Stamper. There was no public comment or council discussion. A vote was taken on the motion. All seven aldermen/women present voted aye. Motion carried 7-0.

## **CORRESPONDENCE:**

Montana League of Cities and Towns: Letter of January 23, 2007 regarding Montana's Subdivision and Surveying Laws and Regulations – 19<sup>th</sup> Edition (Blue Book).

Alderwoman Hotchkiss arrived at the council meeting at 6:36 p.m.

## **PUBLIC HEARING:**

- Public Hearing regarding the Laurel Storm Water Study

Chad Hanson, Montana Engineering & Administration, gave a PowerPoint presentation on the City of Laurel's Storm Water Study. The Storm Water PER presentation included the following items: Evaluation of Existing System; Alternative Development; Selection of Preferred Alternative; and Funding and Implementation Plan.

Chad explained the existing storm water facilities. The irrigation ditches running through portions of the community included the Big Ditch, the High Ditch, and the Cove Ditch. There are three distinct storm sewer systems: Eighth Avenue Storm Sewer; West Storm Sewer; and East Storm Sewer. The Laurel Drain and the Nutting Drain are the two major drain ditches.

The Laurel Drain experiences reoccurring flooding at the City Maintenance Yard, First Avenue South, and north of Interstate 90. Storm flows from the Italian Drain reaching the Laurel Drain were determined to contribute heavily to the flooding. The South Laurel Business District is experiencing rapid commercial growth and currently has no storm water facilities. Runoff from the area eventually joins flooding on the Laurel Drain north of Interstate 90. The Nutting Drain is a source of

frequent flooding, particularly east of Village Subdivision. The Nutting Drain District Board recently reformed and is working to improve the performance of the drain.

The Eighth Avenue Storm Sewer drains the western edge of the community and discharges into the Laurel Drain. Plans are currently being completed through the Montana Department of Transportation to reconstruct Eighth Avenue from Main Street to Ninth Street, including the storm sewer system, under the MDT project STPU 6905(2), 8<sup>th</sup> Avenue – Main to 9<sup>th</sup> – Laurel. When the project is complete, no problems with the storm sewer are anticipated.

Overall, the West Storm Sewer is in excellent condition. Observations of City personnel indicate the East Storm Sewer functions adequately. Irrigation ditches run parallel to Alder Avenue through a residential neighborhood. The ditches overtop the banks during large precipitation events and cause localized flooding in the surrounding neighborhood.

Chad explained the Alternative Development options for the Italian Drain, the Laurel Drain, the South Laurel Business District, the Nutting Drain, the West Storm Sewer, the East Storm Sewer, and Alder Avenue. Chad also explained the selection of the preferred alternative, including the ranking criteria and weighting, the decision matrix, and the priority rankings.

Improvements to the Italian Ditch and Laurel Drain ranked number 1 and 2, demonstrating their importance. Unfortunately, circumstances exist that would significantly delay these improvements. The Italian Ditch Company owns and operates the Italian Drain, and an agreement between the Ditch Company and the City would be necessary before beginning a project. Funding for improvements on the two drains would be a major obstacle until the City can create a storm water district.

Constructing a storm sewer in the South Laurel Business District ranked third. The proposed project would be fairly straightforward to design and construct. The improvements would be in existing right-of-way owned by the City. Area business owners have demonstrated openness to the idea of forming a Special Improvements District (SID) to finance the improvements. For these reasons, this alternative, which includes constructing a new storm sewer in the South Laurel Business District, is recommended as the preferred alternative. It is also recommended that the additive alternative to upsize the pipe diameter to allow for the future connection of a storm sewer in First Avenue South be included.

Chad explained the potential SID Fees. The SID fees would be calculated based upon square footage of property within the proposed SID boundaries. Assuming the City contributed \$100,000 toward the project and financed the remaining capital costs for twenty years at an annual percentage rate of 4.0 percent, the SID fees necessary to cover the debt repayment schedule and an O&M budget of \$500 per year would be \$12.30 per 1,000 square feet per year. The estimated total cost of the preferred alternative would be \$1,188,169.

Several Laurel residents attended the public hearing. There was a lengthy discussion regarding the proposed project.

**CONSENT ITEMS:**

- **Clerk/Treasurer Financial Statements for the month of January 2007.**
- **Approval of Payroll Register for PPE 02/11/2007 totaling \$134,754.45.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of February 6, 2007 were presented.

--Council Workshop minutes of February 13, 2007 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 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 Volunteer Ambulance Service:

Motion by Alderman Poehls to approve the appointments of Jason Ness and Tryn Benzing as Attendants for the Laurel Volunteer Ambulance Service, 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. R07-11: Resolution authorizing the Mayor to execute an agreement with “Beartooth RC&D Economic Development District.”**

Motion by Alderwoman Eaton to approve Resolution No. R07-11, 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. R07-12: Resolution authorizing the Mayor to appoint a local insurance representative for the City of Laurel and to execute the documents required by the Montana Municipal Insurance Authority “MMIA” to effectuate the appointment.**

Motion by Alderwoman Hart to approve Resolution No. R07-12, 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. R07-13: A resolution transferring certain insurance funds of the City of Laurel, Montana.**

Motion by Alderman Easton to approve Resolution No. R07-13, 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. R07-14: A resolution approving the Preliminary Plat of Canyon Creek Station Subdivision within the City of Laurel, Montana.**

Motion by Alderwoman Hotchkiss to approve Resolution No. R07-14, 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.

**ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):** None.

**COUNCIL DISCUSSION:**

Alderman Mace said that everyone wants water, but Laurel has too much and it is expensive to get rid of the water. He stated his appreciation for the residents that attended the public hearing tonight. Alderman Mace thinks this is the right way to go. A citywide assessment will be more difficult, but something needs to be done. Otherwise, the residents will continue to drive around corners and see lakes. Alderman Mace stated that it is necessary to get rid of the culverts, whether it is for liability purposes or just plain unsightliness.

Mayor Olson stated that water is one of the biggest culprits for streets. Whenever water is allowed to stand on streets, it increases the ability of the water to go underneath that pavement and erode the sub base of the street. When that is allowed to happen, money is being thrown away. There has not been a master plan for the city’s storm water. This council always has taken the position that issues need to be addressed, and the city needs a water and storm water management program. Right now,

five or six possible storm water systems are not tied together. In order for Laurel to grow, the city needs to incorporate all the systems into one and remove part of the deterrent for maintaining streets. This is the beginning of a process of studying the options.

Alderman Dickerson echoed Alderman Mace's opinions. The council will have to make some tough decisions in the coming months and years. It will be a challenge. He thinks that if any council has ever been up to it, this council is up to it and is going to be a part of it.

Alderwoman Hotchkiss commented on the water by the Subway, and she agrees that the issue needs to be addressed.

Alderman Easton recognized the staff, especially Larry McCann and his associates, for the work done on this preliminary study. Pat Murtagh and his associates did a tremendous amount of work on it. Alderman Easton remembers the 100-year flood, which occurred in 1937 and 1938. If there is another 100-year flood, the consequences would be worse. He thinks this is a positive step forward in really bringing this town together in a good comprehensive manner for a good flood system. Laurel was put in a bad position when the railroad was built and put a barrier in between the natural flows. He again thanked the staff for the comprehensive plan.

Alderwoman Hart commented that the installation of the water meters is going well, and she appreciates the way it has been done.

Mayor Olson mentioned that the process of integrating the meters has been a challenge for some staff, but the project will vastly improve the city's efficiency and service to the community. The staff should be commended. This was another difficult decision that this council reviewed and approved for the betterment of the community.

Alderwoman Eaton stated that the recent windstorms caused more damage to the asphalt plant. Additional strapping of the sheeting was being done today, and it looked vastly improved.

Mayor Olson stated that the council has an obligation to continue to address the issues at the asphalt plant for the health and safety of the community.

An invitation was received from Yellowstone Valley Electric Co-op for a city representative to attend a Businessperson's Breakfast on Tuesday, March 13<sup>th</sup>, at 7:30 a.m. Mayor Olson asked any interested council members to respond soon.

Mayor Olson will meet with Dr. Ken Weaver and Judy Mathre in Bozeman this week regarding the council retreat, which is scheduled for Saturday, March 24<sup>th</sup>. Roles and responsibilities of the council will be the discussion topic at the retreat. Dr. Weaver will also address funding mechanisms and the CIP process will be discussed. Breakfast will be provided for the eight council members, the mayor, and the two guest speakers. There was discussion regarding the location of the March 24<sup>th</sup> meeting. Past meetings have been held at the library, the FAP, the Super 8 Motel, and in the council chambers. The final location for the retreat will be determined soon.

Alderman Dickerson mentioned that recent wind storms have damaged some of the city's flags. He suggested that an assessment of the flags be done and that the tattered flags be replaced.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Alderman Stamper to adjourn the council meeting, 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.

There being no further business to come before the council at this time, the meeting was adjourned at 7:54 p.m.

---

Cindy Allen, Secretary

Council Minutes of February 20, 2007

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

---

Kenneth E. Olson, Jr., Mayor

Attest:

---

Mary K. Embleton, Clerk-Treasurer