

# MINUTES OF THE CITY COUNCIL OF LAUREL

August 7, 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 August 7, 2007.

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

COUNCIL MEMBERS ABSENT:           Vonda Hotchkiss       Doug Poehls

OTHER STAFF PRESENT:               Mary Embleton  
  Sam Painter

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 Council Member Stamper to approve the minutes of the regular meeting of July 17, 2007, as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

## **CORRESPONDENCE:**

Montana Association of Railroad Passengers: June 2007 Newsletter.

United Bank: Invitation to Open House on July 19, 2007.

Tom and Mary Clements: Letter regarding Riverside Park.

Montana League of Cities and Towns Annual Conference letter.

## **PUBLIC HEARING:**

- Ordinance No. O07-08: Ordinance amending the Form of Municipal Government in the City of Laurel, County of Yellowstone, Montana. (First reading – 06/19/2007; Public Hearing – 07/17/2007; Public Hearing continued to 08/07/2007)

The public hearing for Ordinance No. O07-08 was continued from the council meeting on July 17, 2007.

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.

Mayor Olson stated that as per Laurel Municipal Code 2.10.080, “the council shall wait at least one week but not longer than the next regular council meeting before making a decision unless this rule upon motion and second is unanimously waived by the council.”

Motion by Council Member Hart to waive the rule to wait at least one week, but not longer than the next regular council meeting to make a decision on Ordinance No. O07-08, and place the ordinance on the agenda under Unscheduled Matters, seconded by Council Member Stamper. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

**CONSENT ITEMS:**

- **Claims for the month of July 2007 in the amount of \$169,926.82.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 07/15/2007 totaling \$143,214.94.**
- **Approval of Payroll Register for PPE 07/29/2007 totaling \$148,452.87.**
- **Receiving the Committee Reports into the Record.**
  - Budget/Finance Committee minutes of July 17, 2007 were presented.
  - Council Workshop minutes of July 31, 2007 were presented.
  - Laurel Airport Authority minutes of April 24, 2007
  - Laurel Airport Authority minutes of May 22, 2007
  - Laurel Airport Authority minutes of June 26, 2007
  - Laurel Airport Authority minutes of July 24, 2007

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

Motion by Council Member Mace to approve the consent items as presented, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All six council members 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.**

CTEP Administrator:

Mayor Olson appointed Steve Klotz as the CTEP Administrator for the City of Laurel.

Motion by Council Member Hart to approve the appointment of Steve Klotz as the CTEP Administrator for the City of Laurel, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R07-56: A resolution adopting the Water Facilities Plan from Morrison-Maierle, Inc.**

Motion by Council Member Easton to approve Resolution No. R07-56, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R07-57: A resolution authorizing the Mayor to sign a right-of-way agreement with the Montana Department of Transportation granting the State and its contractors a temporary construction permit.**

Motion by Council Member Dickerson to approve Resolution No. R07-57, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R07-58: A resolution transferring certain Insurance Funds of the City of Laurel, Montana.**

Motion by Council Member Eaton to approve Resolution No. R07-58, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R07-59: Resolution authorizing the City Clerk to perform certain and specific budget transfers for the City of Laurel.**

Motion by Council Member Dickerson to approve Resolution No. R07-59, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R07-60: A resolution of the City Council to authorize the Mayor to execute a settlement agreement on the City's behalf to resolve a union grievance.**

Motion by Council Member Eaton to approve Resolution No. R07-60, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R07-61: Resolution to approve a Consultant Contract between the City of Laurel and Local Government Associates, Inc., for the provision of government planning services.**

Motion by Council Member Stamper to approve Resolution No. R07-61, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Ordinance No. O07-05: Ordinance for Laurel Cable Communications.** Second reading. (Postponed June 5, 2007 and July 3, 2007)

Motion by Council Member Mace to postpone the second reading of Ordinance No. O07-05, until August 21, 2007, seconded by Council Member Dickerson. There was no public comment or council discussion. A roll call vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

**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.

Council Member Mace requested that Public Works Director Klotz address a matter regarding installing a barricade at the south end of Eighth Avenue to indicate that there is a ditch on the other side of Main Street. Council Member Mace stated that other cities are required to have barricades, and he would like to know if that would be the state or the city's jurisdiction. The item will be on the August 14<sup>th</sup> council workshop agenda.

Council Member Eaton stated that a constituent would like the city to publish the rules for unmarked intersections and the speed limit in residential areas in the newspaper. The individual lives on a corner lot and is marginally affected by the new stop signs that were installed along Sixth Street. He said some people think the avenues have the right of way the entire length of the avenue since the stop signs were installed and that the three-second pause at a stop sign has increased the rate of speed. The resident does not want to draw this to the police department's attention, but he thought the rules and a reminder to drive safely could be published before school starts this fall.

Mayor Olson stated that the information could be put in the paper. He stated that East 6<sup>th</sup> is a main thoroughfare for vehicles to the schools, but the stop signs were placed to allow safety for the children along the route. He can see how it could be misconstrued that all streets have the right-of-way. Appropriate notification of rules and regulations will be put in the paper.

Council Member Stamper asked for clarification of the Safe to School route at the council workshop on August 14<sup>th</sup>. He stated that two or three intersections on East Sixth Street east of the school are still uncontrolled without stop signs and he thought it was going to be a through street all the way through town. He thinks there is as much traffic or more on the east end than on the west end of town.

Mayor Olson stated that the school's original request for the Safe to School route will be reviewed at the council workshop on August 14<sup>th</sup>.

**UNSCHEDULED MATTERS:**

- **Ordinance No. O07-08: Ordinance amending the form of Municipal Government in the City of Laurel, County of Yellowstone, Montana.**

Motion by Council Member Stamper to adopt Ordinance No. O07-08, seconded by Council Member Hart. There was no public comment.

Sam Painter explained that the original ordinance as adopted at first reading was changed between then and the second reading, as discussed at council workshops. The heading of the ordinance should read: Ordinance proposing to amend the form of Municipal Government in the City of Laurel, County of Yellowstone, Montana. The ballot language in the ordinance should read: FOR adoption of the self-government charter with the council-mayor plan of government for the City of Laurel as proposed by the Mayor and City Council of the City of Laurel. Proper procedure would be to amend the ordinance prior to adopting the ordinance at second reading; otherwise, the ordinance adopted at first reading would be adopted at this second reading and the changes would not be included.

Motion by Council Member Mace to amend Ordinance No. O07-08 as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A roll call vote was taken on the motion. Council Members Mace, Dickerson, Stamper, Easton, Hart, and Eaton voted aye. Motion carried 6-0.

There was no further public comment or council discussion. A roll call vote was taken on the motion to adopt Ordinance No. O07-08, as amended. Council Members Mace, Dickerson, Stamper, Easton, Hart, and Eaton voted aye. Motion carried 6-0.

**ADJOURNMENT:**

Motion by Council Member Hart to adjourn the council meeting, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All six council members 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 6:56 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 21<sup>st</sup> day of August, 2007.

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Kenneth E. Olson, Jr., Mayor

Attest:

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Mary K. Embleton, Clerk-Treasurer