

MINUTES OF THE CITY COUNCIL OF LAUREL

February 5, 2008

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 5, 2008.

COUNCIL MEMBERS PRESENT: Emelie Eaton
 Kate Hart Mark Mace
 Gay Easton
 Alex Wilkins

COUNCIL MEMBERS ABSENT: Doug Poehls
 Chuck Dickerson
 Norm Stamper

OTHER STAFF PRESENT: Mary Embleton Jan Faught
 Sam Painter Rick Musson
 Bill Sheridan James Caniglia

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 Eaton to approve the minutes of the regular meeting of January 15, 2008, as presented, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

Motion by Council Member Hart to approve the minutes of the special meeting (1) of January 29, 2008, as presented, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

Motion by Council Member Easton to approve the minutes of the special meeting (2) of January 29, 2008, as presented, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

CORRESPONDENCE:

Cable Montana: Service Reports for October 2007, November 2007, and December 2007.

Paula Saye-Dooper: Letter of January 22, 2008 regarding Montana Hydro Electric, Inc.

PUBLIC HEARING:

- **Ordinance No. 008-01: Ordinance amending Section 2.68.100 of the Laurel Municipal Code, amending the Judge's salary. (First reading – 01/15/2008)**

Mayor Olson stated that the salary was appropriated in the 2007-2008 budget.

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.

The second reading of Ordinance No. O08-01 will be on the council agenda on February 19, 2008.

CONSENT ITEMS:

- **Claims for the month of January 2008 in the amount of \$209,399.62.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 01/13/2008 totaling \$143,624.63.**
- **Approval of Payroll Register for PPE 01/27/2008 totaling \$148,522.62.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of January 15, 2008 were presented.
 - Emergency Services Committee minutes of January 21, 2008 were presented.
 - Cemetery Commission minutes of January 23, 2008 were presented.
 - Council Workshop minutes of January 29, 2008 were presented.
 - Laurel Airport Authority minutes of November 27, 2008 were presented.

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 five council members present voted aye. Motion carried 5-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Emergency Services Committee:

Mayor Olson appointed Scotty Snowden to the Emergency Services Committee.

Motion by Council Member Hart to approve the appointment of Scotty Snowden to the Emergency Services Committee, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

Laurel Ambulance Attendant:

Mayor Olson appointed Lisa McDowall as a Laurel Ambulance Attendant.

Motion by Council Member Wilkins to approve the appointment of Lisa McDowall as a Laurel Ambulance Attendant, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

Insurance and Benefit Committee:

Mayor Olson appointed Chris Rosenberg to the Insurance and Benefit Committee.

Motion by Council Member Easton to approve the appointment of Chris Rosenberg to the Insurance and Benefit Committee, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Election of Council President and Council Vice-President**

Mayor Olson asked for nominations from the floor.

Council Member Mace nominated Gay Easton for president, and Council Member Wilkins seconded.

Mayor Olson asked if there were any other nominations. There were none.

Council Member Eaton closed the nominations.

Mayor Olson stated that by acclamation, the council chose Gay Easton as the council president. He thanked Gay for his dedication and willingness to serve the community.

Mayor Olson stated that nominations were open for vice-president.

Council Member Hart nominated Doug Poehls for vice-president, and Council Member Easton seconded.

Mayor Olson asked if there were any other nominations. There were none.

Council Member Mace closed the nominations.

Mayor Olson stated that by acclamation, the council chose Doug Poehls as the vice-president. He thanked Doug for his service to the City of Laurel.

- **Resolution No. R08-10: A resolution of the City Council accepting the bid for a new water tender vacuum truck from Reberland Equipment, Inc., dba Firovac.**

Motion by Council Member Eaton to approve Resolution No. R08-10, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-11: A resolution approving the attached Task Order No. 5 authorizing Great West Engineering to perform the tasks and duties related to grant administration for Phase Two of the Wastewater Improvements Project for the City of Laurel.**

Motion by Council Member Eaton to approve Resolution No. R08-11, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-12: A resolution approving the attached Task Order No. 6 and authorizing Great West Engineering to perform the tasks and duties related to TSEP Grant application for Water Plant and Water System upgrades for the City of Laurel.**

Motion by Council Member Hart to approve Resolution No. R08-12, seconded by Council Member Mace. There was no public comment.

Council Member Eaton asked three questions pertaining to this resolution. The second page of the task order information referred to replacing the four-inch water mains at a rate of two blocks every year. Council Member Eaton asked if this pertained to a specific area of town.

Mayor Olson asked the representative from Great West Engineering to answer the question.

Patrick Murtagh, 3848 Quarter Circle Drive in Billings, is the principal engineer for Great West Engineering. Patrick stated that the original engineering study called for doing an approximate amount of replacement each year for a ten-year cycle. Great West is looking at first doing a leak

detection program to find out the location of the worst leaks. Once those have been determined, decisions regarding replacement will be made.

Council Member Eaton then asked if, once the leaks have been identified, that has been narrowed down to a specific area of town.

Patrick stated that it has not been determined. There is a lot of cast iron pipe in the city's system in bad clay soils. They do know that some lines are particularly bad, but it is unknown as to which of the four-inch lines are the worst. Since almost all of the lines are cast iron, they are all questionable. Once they actually listen for the leaks, they will be able to determine which ones should be replaced first. While waiting for the TSEP Grant, the city has at least a year to make these decisions.

Council Member Mace stated that a map showing the four-inch lines had been distributed to the council some time ago. He suggested that Council Member Eaton might want a copy of that map.

Council Member Eaton asked regarding the funding for the program and how it is tied to a rate increase.

Patrick stated that when looking at improvements, they figure out what the net increase would be. He did not know yet whether the city would have to raise its rates. The city cannot get a 100 percent grant, but it should be about 40 percent because this is a large project. The amount of the rate increase, if any, would depend on the city's financial status. He assumes that there would be a rate increase for wastewater, because that is a bigger project. A rate increase may not have to be put in place for another two years or at construction.

Mayor Olson stated that the city's application for the grant does not mean that it will receive the grant. If the city does not receive the grant, the city would have to determine exactly how far to progress with the available funding to support the project. There is a long road to go before the city addresses the city's obligation to the ratepayer and subsequent rate increases.

Council Member Mace stated that residents have told the council that the rates are high enough. The council knows that, but the city has to build the system and provide water to folks. The only way to do that is with a rate increase. He hopes that a rate increase will be designed for a succession of years rather than having a big increase at one time. He thinks it should be graduated so folks can expect smaller increases. He stated that it is easier to explain to constituents that there will be a graduated increase rather than big jumps in rates.

Mayor Olson stated that with the feasibility studies for plants, facilities, and distribution centers come the feasibilities for rate increases. The studies that he has read indicate that it is incumbent upon the city to maintain the line between the last increase and the projected projects into the future so there is not stagnation. When he was a council member, there was a proposed garbage rate increase of fifteen or twenty percent. At that time, a resident voiced that he understood the need for a rate increase, but he stated that he would not forgive the council for its neglect for not bringing it forward in smaller increments. Mayor Olson shares Council Member Mace's quest to have the rates reviewed regularly.

A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-13: Resolution authorizing the Mayor to sign an amendment to the previously approved Independent Contractor Service Contract and Agreement with Engineering, Inc. for the reconstruction of the City Public Library parking lot.**

Motion by Council Member Eaton to approve Resolution No. R08-13, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-14: Resolution authorizing the Mayor to execute an agreement with Beartooth RC&D Economic Development District.**

Motion by Council Member Hart to approve Resolution No. R08-14, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-15: A resolution of intent to adopt an official Schedule of Fees and Charges for the City of Laurel, repealing all previous resolutions that set fees or charges that conflict with the schedule attached hereto upon its effective date.**

Motion by Council Member Mace to approve Resolution No. R08-15, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-16: A resolution amending Resolution No. R05-66 to increase the contract price for fiscal year 2007 with Olness and Associates for auditing services through fiscal year ending 2007 and to authorize the Mayor to execute a contract amendment on behalf of the City of Laurel.**

Motion by Council Member Wilkins to approve Resolution No. R08-16, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R08-17: Resolution of the City Council to approve a franchise agreement with LightNex Communications for the operation and maintenance of a cable communication system within the City of Laurel, Montana.**

Motion by Council Member Eaton to approve Resolution No. R08-17, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Ordinance No. O08-02: Ordinance adopting annexation regulations for the City of Laurel for incorporation in Chapter 16 of the Laurel Municipal Code. First reading.**

Motion by Council Member Hart to adopt Ordinance No. O08-02, seconded by Council Member Mace. There was no public comment or council discussion. A roll call vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

The public hearing of Ordinance No. O08-02 will be on the council agenda on February 19, 2008.

ITEMS REMOVED FROM THE CONSENT AGENDA:

Council Member Mace spoke regarding an adjustment to the Claims amount for the month of January 2008. It was determined that there was no need for the adjustment, as it was properly reviewed at the Budget/Finance Committee's meeting tonight.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Member Eaton recently informed a member of the Congregational Church that the *Laurel Outlook* plans to display items at The Crossings during the 100-year celebration this year. Although the Congregational Church decided to wait until August to celebrate the official 100-year anniversary, the individual will see if some of the church's photos could be included in the displays at The Crossings.

Mayor Olson stated that the times and location of the Centennial Committee meetings will be mentioned in the upcoming issue of the *Laurel City Voice*. The major tenant of the committee is to coordinate efforts and the committee looks forward to having any type of information so it can assist in the celebration as it goes forward.

Mayor Olson attended the Mayor's Conference in Bozeman last week. The conference was attended by thirty-five to forty mayors throughout the State of Montana. The conference was sponsored by MMIA and was hosted by a team effort with MMIA and the Local Government Center extension from Montana State University. The forum included several different areas of discussion, some of which he brought forward to the staff. Mayor Olson stated that the council's involvement with goal setting in conjunction with the CIP process will be on the February 12th council workshop agenda. He believes that there is opportunity for the council to bring forward better direction to the department heads, and the council's goals would be a large step in that direction.

Mayor Olson stated that the *Laurel City Voice* is in the process of publication. The newsletter will be published three times a year to maintain connection between the city and the community. He thanked the department heads for submitting articles for the newsletter.

Mayor Olson stated that he is serving on the Centennial Committee, which meets every other Thursday. The committee is in the process of trying to find the best way to celebrate 100 years in the City of Laurel. He encouraged the council to actively participate with the Centennial Committee and its goal to celebrate 100 years.

UNSCHEDULED MATTERS:

Mary Embleton stated that the public hearing for the Schedule of Fees and Charges will be on the February 19th council meeting.

ADJOURNMENT:

Motion by Council Member Easton to adjourn the council meeting, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:17 p.m.

Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 19th day of February, 2008.

Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton, Clerk-Treasurer