

MINUTES OF THE CITY COUNCIL OF LAUREL

January 18, 2011

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 18, 2011.

COUNCIL MEMBERS PRESENT: Emelie Eaton Doug Poehls
 Kate Hart Mark Mace
 Chuck Rodgers Chuck Dickerson
 Tom Nelson

COUNCIL MEMBERS ABSENT: Norm Stamper

OTHER STAFF PRESENT: Sam Painter Rick Musson

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 Poehls to approve the minutes of the regular meeting of January 4, 2011, as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CORRESPONDENCE:

Bresnan Communications: Letter of December 29, 2010, regarding programming and channel changes.

Laurel Chamber of Commerce: Invitation to Annual Meeting on January 13, 2011.

Montana Department of Transportation, Rail, Transit & Planning Division: December 2010 *Newsline*.

PUBLIC HEARING:

- Intent to adopt an official Schedule of Fees and Charges.

Mayor Olson introduced the item to the council. The public hearing is for the intent to adopt the official Schedule of Fees and Charges. Resolution requires that the city have a public hearing after reviewing the schedule of fees and charges every year, and the public hearing was advertised.

Mayor Olson asked if the council had any questions on this issue. There were none.

Mayor Olson opened the public hearing and read the rules governing the public hearing.

Mayor Olson asked four times if there were any proponents. There were none.

Mayor Olson asked four times if there were any opponents. There were none.

Mayor Olson closed the public hearing.

The resolution to adopt the official Schedule of Fees and Charges will be on the February 1, 2011, council agenda.

CONSENT ITEMS:

- Clerk/Treasurer Financial Statements for the month of December 2010.



- **Approval of Payroll Register for PPE 01-09-2011 totaling \$168,286.84.**

- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of January 4, 2011 were presented.

--Public Works Committee minutes of December 13, 2010 were presented.

--Emergency Services Committee minutes of January 3, 2011 were presented.

--City-County Planning Board minutes of January 6, 2011 were presented.

--Council Workshop minutes of January 11, 2011 were presented.

--Laurel Urban Renewal Agency minutes of October 18, 2010 were presented.

--Laurel Urban Renewal Agency minutes of December 20, 2010 were presented.

--Laurel Public Library Board of Trustees minutes of September 14, 2010 were presented.

--Laurel Public Library Board of Trustees minutes of October 19, 2010 were presented.

--Laurel Public Library Board of Trustees minutes of November 9, 2010 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 Poehls. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Laurel Police Reserves:

Chief Musson introduced the applicants for the Laurel Police Reserves and stated that another applicant would be presented at the next council meeting. The appointees started school as soon as they left the council meeting.

Mayor Olson appointed Daniel Shreffler, Anthony Tabadisto, Aleesha Chaney, Zechariah Roth, Christopher Baldwin, Tom Becker, and Michael Colvin to the Laurel Police Reserves.

Motion by Council Member Dickerson to approve the Mayor's appointments to the Laurel Police Reserves, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Ordinance No. O10-05: An ordinance amending Section 10.52.020 of the Laurel Municipal Code titled "Reserved parking at city hall – Parking by non-city employees prohibited" to create three reserved parking spaces adjacent to the Fire, Ambulance and Police (FAP) building for EMS employees located at Chapter 10 of the Laurel Municipal Code. Second reading.**

Motion by Council Member Poehls to adopt Ordinance No. O10-05, seconded by Council Member Dickerson. There was no public comment or council discussion.

Motion by Council Member Hart to amend Ordinance No. O10-05 to “create *four* reserved parking spaces” as described in New Section, B. 1. as “*two* reserved parking spaces on West 2nd Street, near the intersection of West 2nd Street and 3rd Avenue and two reserved parking spaces on 3rd Avenue near the intersection of 3rd Avenue and West 2nd Street. All *four* reserved spaces shall be adjacent to the FAP Building and posted with appropriate signs pursuant to Section 10.48.040(C), seconded by Council Member Nelson. There was no public comment or council discussion. All seven council members present voted aye. Motion carried 7-0.

A roll call vote was taken on the motion to adopt Ordinance No. O10-05, as amended. All seven council members present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Larry Tanglen, *Laurel Outlook*, stated that he has the opportunity to write a fun story every now and then. As he was driving along East Main this past week, he came to Eleanor Roosevelt Drive and wondered how there was an Eleanor Roosevelt Drive in Laurel. Eleanor Roosevelt Drive turns into East 8th Street and the name is out of character for the rest of the streets in the area. After making several phone calls to get advice, he thinks he solved the mystery, which can be read about in this week’s edition of the *Laurel Outlook*.

Larry explained that the Nutting Subdivision, Plat 2, was filed with the Yellowstone County Clerk and Recorder in 1919. That plat designates East 8th Street and shows it going from Alder to Mulberry. In 1940, there was a 3rd Filing of the Nutting Subdivision. In that filing, the section of road from Mulberry to where it joins East Main was designated as Eleanor Roosevelt Drive. Larry stated that the public works director searched the old council minutes and only found four references to Eleanor Roosevelt Drive, none of which had anything to do with the naming of the street. The street was only referenced in the minutes, probably because Eleanor Roosevelt Drive is in the county and has never been in the city. It was a county dedicated subdivision, and it remains that way to date. On the county tax rolls, the properties east of Mulberry have East 8th Street addresses, even though they are in the county and East 8th Street does not really exist there. Larry contacted Carl Brenden, whose family still owns property in that area. Carl remembered his mother, Mable Brenden, telling him that people in the area along Eleanor Roosevelt Drive were solid supporters of FDR and the New Deal back in 1940 when the 3rd Filing was filed for the subdivision. Carl also said that his mother was an ardent supporter of Eleanor Roosevelt, who was one of the first early advocates for women’s rights. Larry stated that this turned out to be a fun story, and as Paul Harvey would say, “now you know the rest of the story.”

COUNCIL DISCUSSION:

Council Member Poehls stated that work is being done in the Asphalt Plant, as he saw a big tanker, a bobcat and another truck on the property this week.

Council Member Mace reported on last week’s MDT meeting regarding the Laurel to Rockvale project. The meeting at the high school auditorium was well attended, especially by property owners along the affected property. The Highway Department plans to start the project in 2013 and complete it in three sections. The first section will start at Riverside Park and continue past the underpass at Dennis Kroft’s house. MDT will remove the BN underpass and put tracks across the top and the highway will go over the top of the tracks. This would take up a large amount of property there. Council Member Mace spoke with Dennis Kroft, who told him that MDT has not yet conferred with him on payment. Another individual informed him that MDT will start negotiations with the affected property owners soon since the road alignment has finally been determined. The rest of the project will be done in two sections, making it three different projects. At each end where the road intersects with current Highway 212, there will be a high speed turn that goes from one road to the other road. Instead of the sharp corners, there will be a clover leaf type on each end to get on or off the highway. A comment sheet is available for any comments for MDT regarding the project. Council Member Mace stated that there was discussion about water rights and who will maintain the culverts and such underneath the road. A map showing the profile of the road throughout the alignment was distributed to the council.

Mayor Olson thanked him for bringing back the information.



Council Member Rodgers stated that a Cemetery Commission meeting is scheduled on Thursday, January 20th, at 5:30 p.m.

Council Member Rodgers stated that the interview committee for the city planner position met with a candidate today and several more interviews are scheduled.

Council Member Eaton noted that, at this January 18th meeting, everyone in the audience stood up and spoke under Community Announcements.

Mayor Olson contacted the Local Government Center regarding dates for a council retreat. The proposed dates are: February 26th, March 5th or March 26th. There will be further discussion at the next council workshop. The dates will be e-mailed to the council members so they can review their calendars.

Mayor Olson mentioned that the auditors are at city hall this week, and staff has been available to answer questions and provide information. He stated that the semi-annual budget report will be presented to the council in two weeks.

Mayor Olson stated that someone contacted him about the Eighth Avenue project and the school's loading and unloading zones. Last Wednesday, Mayor Olson and Kurt Markegard met with the school superintendent, the school maintenance director, and the principals from West and Graff Schools. At that time, it was decided to set up a meeting with Stefan Streeter of MDT to discuss ideas regarding loading and unloading of students at West School. Discussion with Stefan Streeter will also include accommodations for the area on Eighth Avenue and Sixth Street, ownership of the underpass, questions regarding the height of the manholes on SID 112, and a couple areas on Main Street that need to be repaired. Kurt will contact Stefan Streeter to set up a meeting.

UNSCHEDULED MATTERS:

Council Member Rodgers stated that several concerned citizens contacted him about the ice on the roads around the churches. They wanted to know if the city could help those areas by putting down some sand, as it is difficult to cross from one side of the road to the other side. One example of concern is at the Methodist Church. Bill Sorg, a member of that church, passed away last night so there could be a funeral there soon. Council Member Rodgers does not know how people are going to get in and out. Someone tried to throw some rough gravel around there today. He stated that people do not feel safe even going to regular Sunday services because of the ice and the ruts and having to cross the roadways and intersections. Citizens have asked that the city come up with a short-term solution and then also address it in the future.

Council Member Eaton stated that it is a concern to her, as she walks regularly and is aware of the condition of the sidewalks and streets. The city cannot afford to sand every single intersection, but she recently encouraged a concerned homeowner to put down some sand where needed on their property.

Mayor Olson encouraged residents to do so if they can. He mentioned that another Laurel resident, Mr. Hergett, also passed away, so there could be a funeral at another church. He stated that it is almost impossible to get underneath the ice, but he hopes the city can address the rights-of-way close to the churches. He will speak to the public works director regarding the concerns.

Council Member Dickerson asked if, at the same time the city looks for a way to resolve the current issue, it could look at a way of keeping the situation from reoccurring in the near future when there is more snow and to keep these areas from such a dire need of immediate attention.

Council Member Mace stated that Billings has the same problem that happens everywhere after the freeze/thaw cycles. Cities have elected to leave the residential areas without plowing because they cannot afford to do it all. Billings has spent a lot of money to try to knock out some of the ruts, but right now it cannot be touched with a blade. People have to realize that the situation is caused by this year's unusual winter and it would cost a lot of money to straighten it out. Everyone is waiting for the sun to come out and melt the ice off. Council Member Mace stated that, if there is a particular incident or a funeral of a long-time friend of the city and the schools, he would like to see something done for that purpose.

Mayor Olson agreed and stated that it has been an unusual winter, similar to the winters of 1978 and 1979, and the city will try to assist in the areas where a vast majority of people would be benefitted.

ADJOURNMENT:

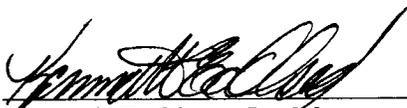
Motion by Council Member Eaton to adjourn the council meeting, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:10 p.m.



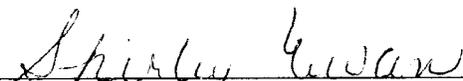
Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 1st day of February, 2011.



Kenneth E. Olson, Jr., Mayor

Attest:



Shirley Ewan, Clerk/Treasurer