

# MINUTES OF THE CITY COUNCIL OF LAUREL

February 17, 2009

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 17, 2009.

COUNCIL MEMBERS PRESENT:           Emelié Eaton           Doug Poehls  
  Kate Hart               Mark Mace  
  Chuck Rodgers         Norm Stamper  
  Alex Wilkins

COUNCIL MEMBERS ABSENT:           Chuck Dickerson

OTHER STAFF PRESENT:           Mary Embleton         Bill Sheridan  
  Sam Painter           Kurt Markegard

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 Mace to approve the minutes of the regular meeting of February 3, 2009, 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.

## CORRESPONDENCE:

Montana Department of Revenue: Letter of February 4, 2009 regarding Application for Transfer of Ownership of Montana All-Alcoholic Beverages License No. 03-044-9140-001, LUCKY LOUIE'S TAVERN & CASINO (formerly LAUREL BOARD OF TRADE), 117½ East Main, Laurel, Yellowstone County, Montana.

**PUBLIC HEARING:** None.

## CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of January 2009.**
- **Approval of Payroll Register for PPE 02/08/2009 totaling \$137,960.95.**
- **Receiving the Committee Reports into the Record.**
  - Budget/Finance Committee minutes of February 3, 2009 were presented.
  - City-County Planning Board minutes of February 5, 2009 were presented.
  - Public Works Committee minutes of February 9, 2009 were presented.
  - Council Workshop minutes of February 10, 2009 were presented.
  - Laurel Airport Authority minutes of November 25, 2009 were presented.
  - Laurel Airport Authority minutes of February 5, 2009 were presented.
  - Tree Board minutes of February 5, 2009 were presented.

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



Motion by Council Member Hart to approve the consent items as presented, seconded by Council Member Eaton. 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:

Mayor Olson appointed Justin Bickford, Byron Johnson, Tony Contreras, Zachary Hurd, and Grant Morrison to the Laurel Police Reserves.

Motion by Council Member Poehls to approve the appointments of Justin Bickford, Byron Johnson, Tony Contreras, Zachary Hurd, and Grant Morrison to the Laurel Police Reserves, seconded by Council Member Mace. 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.

Big Sky EDA, Ex-Officio Member:

Mayor Olson reappointed of Alex Wilkins to a five-year term ending December 31, 2013 as the Ex-Officio member on the Big Sky EDA.

Motion by Council Member Eaton to approve the Mayor's reappointment of Alex Wilkins to a five-year term ending December 31, 2013, as the Ex-Officio member on the Big Sky EDA, 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.

- **Ordinance No. O09-03: Ordinance amending Section 2.68.100 of the Laurel Municipal Code, amending the Judge's salary.** First reading.

Motion by Council Member Stamper to adopt Ordinance No. O09-03, seconded by Council Member Hart. There was no public comment or council discussion. A roll call vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

The public hearing for Ordinance No. O09-03 will be on the March 3, 2009, council agenda.

- **Resolution No. R09-12: Resolution authorizing participation in the Board of Investments of the State of Montana Annual Adjustable Rate Tender Option Municipal Finance Consolidation Act Bonds (INTERCAP Revolving Program), approving the form and terms of the Loan Agreement and authorizing the execution and delivery of documents related thereto.**

Motion by Council Member Rodgers to approve Resolution No. R09-12, seconded by Council Member Wilkins. 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.

- **Resolution No. R09-13: A resolution authorizing the Mayor to sign an Engagement Letter with Dorsey & Whitney, LLP, as bond counsel for the issuance of Water System Revenue Bonds for participation in the State of Montana's Drinking Water State Revolving Fund Program.**

Motion by Council Member Wilkins to approve Resolution No. R09-13, seconded by Council Member Stamper. 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.

- **Resolution No. R09-14: Budget amendment resolution to appropriate funding from the Water Fund for the Phase I Water Project.**

Motion by Council Member Mace to approve Resolution No. R09-14, 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.

- **Resolution No. R09-15: Resolution of the City Council clarifying the funding of the South Laurel Storm Water Project by the Tax Increment Financing District (TIFD) through an inter-fund loan and setting the terms of said loan.**

Motion by Council Member Hart to approve Resolution No. R09-15, seconded by Council Member Eaton. 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.

- **Resolution No. R09-16: Resolution of the City Council to create a new position called the Maintenance Shop Superintendent and to adopt a job description for the Maintenance Shop Superintendent position.**

Motion by Council Member Poehls to approve Resolution No. R09-16, seconded by Council Member Mace. 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.

- **Resolution No. R09-17: An amended resolution of annexation of Lots 2 and 3, Block 1, Ward Subdivision, and Lots 1-5, Block 1, Laurmac Subdivision Amended, to the City of Laurel, Yellowstone County, Montana.**

Motion by Council Member Eaton to approve Resolution No. R09-17, 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.

- **Resolution No. R09-18: A resolution approving Change Order No. 1 to the contract with Dick Anderson Construction, Inc. for the rehabilitation of the surface wash agitators for Phase 1 of the Laurel Water System Improvements Project and authorizing the Mayor to execute the attached Change Order No. 1 on the City's behalf.**

Motion by Council Member Stamper to approve Resolution No. R09-18, seconded by Council Member Rodgers. 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.

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

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

**COUNCIL DISCUSSION:**

Council Member Poehls stated that the Emergency Services Committee meeting is scheduled on Monday, February 23<sup>rd</sup>, at 5:30 p.m.

Council Member Stamper recently spoke with the Chairman of the Boy Scout Board of Directors about picking up trash in Thomson Park and other parks as part of their community service. He thought it was a great idea and will present it at their board meeting this weekend.

Council Member Eaton mentioned some dates for upcoming events. The Montana Museum Association Convention is scheduled on March 12<sup>th</sup> in Billings. The Yellowstone Historic Preservation Board Roundtable is scheduled on March 17<sup>th</sup>. Two annual awards are given out at the Roundtable. The Eugene T. Carroll Award is given to an individual who has done work to preserve an area of history, and the first posthumous award will be given this year. The Best Practices Award acknowledges a renovated building that has been put into use. The March 17<sup>th</sup> meeting will be held at the MSU-B downtown campus building.

Council Member Eaton stated that the Yellowstone Historic Preservation Board is looking for additional members, which are required to have a certain qualifying area of expertise. Currently,

there are three representatives from architectural firms on the board, and an application was recently received from an interior designer. People who have expertise in photography of old buildings have also expressed interest. The Board would like applications from people outside of Billings and outside the area of architects.

Mayor Olson stated that the new fire engine arrived today. The \$273,000 vehicle will be the first responder to interface wild land fires. It has a large capacity for water, a large pump, the ability to pump foam, and has four-wheel drive. Those attributes make it an exceptional vehicle for the rural fires to which the fire department has opportunity to respond. Mayor Olson stated that it is good to see it in the fleet.

Mayor Olson mentioned the tour of the Water Treatment Plant scheduled for Tuesday, February 24<sup>th</sup>, at 5:30 p.m. The Public Works Committee will also be invited to attend the tour. Everyone should meet at city hall.

Public Works Director Kurt Markegard spoke regarding the sewer line under the interstate. Kurt stated that recent discussion has been about replacing the sewer line underneath the interstate. He investigated the situation a little more with the intent to put a camera in the storm water line to see if it actually crossed into the sewer line and would go in the same casement pipe. The city does not have very good maps about where the storm is because it is actually railroad storm water, so the city has no ownership of that storm pipe. Kurt and the crew found a manhole in Juniper Avenue right by the greenhouse. The manhole was about eight feet away from the sewer manhole. Through deductive reasoning, one would hope that, if it is eight feet on this side of the interstate and eight feet on the other side of the interstate, that it would be eight feet apart underneath the interstate. After they found the first manhole, Kurt walked down to the manhole in which the city attempted to get a video camera. Kurt had called Pace earlier in the day to ask how far it was where their camera got stuck. He went down there to see if there was room to dig up the line, expose the bad portion and saw cut the top open, and put a camera in to get past the bad spot. While looking at the one manhole, he saw another manhole against the fence that was upside down and had rings sticking out of the ground. Kurt shined a light down into one of the exposed holes and saw water. They removed all the dirt, pulled it off, and found another manhole there. This was not previously identified as a manhole because it was under snow when it was videoed in January or February. Kurt intended to see if there was room to work in the right-of-way out in the interstate, dig down and expose the line, cut a whole in the casement pipe and send the camera through. When he saw this, he thought there might be a good chance to video again. Pace videoed 239 feet of pipe this morning, and the pipe does not need to be replaced under the interstate, as it is in good condition. They also found another manhole on the other side of the interstate with the camera between the frontage road and the interstate. The manhole is under about a foot and a half of dirt, which is part of the reason the city did not know it was there. There are two drain ditches right beside it coming off the interstate, the median, and culverts coming out the side, and when it is cleaned, they covered over the manhole. There is a dirt pile over the top of the manhole, and a metal detector was used to locate it. Kurt stated that, through what was seen on the video, there is nothing wrong with the pipe underneath the interstate. There is probably still a problem from the manhole just off the frontage road to right on the other side where the new pipe was connected. If anything needs to be done, it is from the frontage road.

Mayor Olson stated that he had a chance to talk to Kurt this morning and he was very excited. His intuitiveness and his inquiries to find out the answers proved very fruitful for the City of Laurel today. Mayor Olson expressed appreciation for Kurt's hard work and the resulting good news.

Council Member Mace asked regarding having as-builts made.

Kurt stated that the city can actually GPS the manholes and add them to the current maps. He thinks that the manholes were installed in 1964 when the interstate went through, but was never documented. There was really no need to have manholes on each side of the interstate except for the issue of trying to get through the interstate. He thinks that the manholes were put in when the interstate and casement pipe were put in.

Kurt stated that the video from Pace will be presented to the council in the future after the video has been edited.

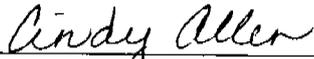
Mayor Olson stated that next week's council workshop agenda is full, but the video would be scheduled on a future agenda.

**UNSCHEDULED MATTERS:** None.

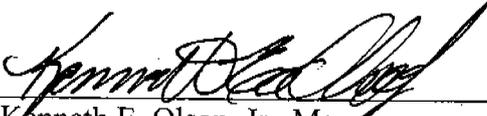
**ADJOURNMENT:**

Motion by Council Member Rodgers to adjourn the council meeting, 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.

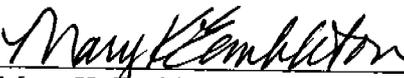
There being no further business to come before the council at this time, the meeting was adjourned at 6:59 p.m.

  
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Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 3<sup>rd</sup> day of March, 2009.

  
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Kenneth E. Olson, Jr., Mayor

Attest:

  
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Mary K. Ambleton, Clerk-Treasurer