

MINUTES OF THE CITY COUNCIL OF LAUREL

April 1, 2003

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 Bud Johnson at 6:30 p.m. on April 1, 2003.

COUNCIL MEMBERS PRESENT: Lauren Van Roekel Doug Poehls
 Ken Olson Mark Mace
 Gay Easton Daniel Dart
 Dan Mears John Oakes

COUNCIL MEMBERS ABSENT: None

Mayor Johnson asked the council to observe a moment of silence.

Mayor Johnson led the Pledge of Allegiance to the American flag.

Mayor Johnson removed Resolution No. R03-30 from the agenda.

MINUTES:

Motion by Alderman Mace to approve the minutes of the regular meeting of March 18, 2003, as presented, seconded by Alderman Van Roekel. Motion carried 8-0.

CORRESPONDENCE:

Cable Montana: Letter of March 6, 2003 regarding Service Reports for February 2003.

Laurel Chamber of Commerce: Letter of March 18, 2003 requesting permission to hold the Culpepper & Merriweather Circus on Friday, June 13, 2003 at the lot across from Laurel Ford.

Laurel Chamber of Commerce: Letter of March 18, 2003 requesting permission to hold the annual Chamber Grand Parade on July 4, 2003 and the 4th of July Chief Joseph Run at 7:00 a.m.

PUBLIC HEARING RELATING TO A COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE CITY OF LAUREL.

Mayor Johnson opened the public hearing.

Mayor Johnson asked Pat Murtaugh to make his presentation.

Pat Murtaugh, of Montana Engineering & Administration (ME&A), passed a sign-up sheet around for signatures of those present at the meeting. The CDBG Program requires two hearings: one hearing to get input from the community and a second hearing before the CDBG Grant application is actually submitted.

The purpose of this hearing is to inform the public as to the various funding programs offered by CDBG and to discuss how such programs can best serve the community, particularly in regard to persons of low to moderate income.

CDBG Programs include the following:

1. The CDBG Economic Development Program (administered by the CDBG Economic Development Division).
2. Public Facilities Projects Program (administered by the Montana Department of Commerce).
3. Housing Projects Program (also administered by the MT DOC).

CDBG is funded by the federal government, but administered by the State of Montana. Since 1982, CDBG has awarded more than \$110,000,000 to Montana municipalities. As a city, Laurel may apply for up to \$500,000 for a public facility's project, and an additional \$500,000 for a housing project each year.

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The recent income survey found that the population in Laurel is 56% low to moderate income (LMI).

In Economic Development Projects, CDBG typically provides funds to be administered through the city in the form of loans to private businesses. The business typically uses the funds to finance projects and promote jobs for LMI (low to moderate income) persons.

In housing rehab projects, CDBG funds are used to make low or no interest loans to low and moderate income families to allow them to rehab homes that are in substandard condition. CDBG funds can also be lent to landlords to rehab units that they will rent to LMI families.

CDBG funds can also be used to finance or subsidize the construction of new permanent, residential units where a local nonprofit organization sponsors the project. CDBG housing projects can also include site improvements or provision of public facilities to publicly-owned land or land owned by a nonprofit organization to be used or sold for new housing.

Projects designed to provide temporary, short-term housing (e.g. transitional housing, homeless shelters, and emergency shelters) must be submitted under the Housing category. "Temporary, short-term housing" is defined as housing designed for an average stay per person of less than one year.

CDBG provides funding for public facilities such as water and sewer improvements as well as for other facilities that would be used primarily by LMI persons. These other facilities would include nursing homes, senior centers, Head Start centers, or mental health centers.

The City may also apply for additional grants to supplement the CDBG grant, using such programs as the Treasure State Endowment Program (TSEP) for a \$500,000 grant, and the DNRC for a \$100,000 DNRC grant for use in a water or wastewater project.

Some funds from a CDBG Housing or Public Facilities Project may be used to promote community revitalization. A community may take some of its grant for use with revitalization.

Recent history has demonstrated that the revitalization program is generally viewed as lower need than the public facilities portion of a project.

A community may apply for technical assistance grants. This grant is generally used for assistance in funding engineering studies, capital improvement plans, needs assessments, and grant writing. Grants up to \$20,000 are possible, but usually require a dollar-for-dollar match by the community. Laurel ranked in the top three of the planning grant applications submitted this year. That grant funded the needs assessment and will pay for a capital improvements plan and CDBG public facilities or housing grant application. It is desired that the needs assessment also be careful to address the future growth policy of the city and county.

The City of Laurel's \$15,000 Treasure State Endowment Program (TSEP) Grant has an expiration date of May 1, 2003 and needs to be extended.

The city has distributed over fifty copies of the 2000 Needs Survey and results were posted around city hall after the survey was completed. As no surprise, the city listed "street repairs" as the highest priority. The city has since completed a comprehensive study of conditions of the roads and is reviewing a capital improvements plan for long-term maintenance.

Water-related issues ranked second, and the city is currently constructing a new intake structure, though other improvements are also needed. Drug control ranked number three and there were many comments emphasizing the drug problem and the need for more teen recreation. Quality of education ranked number four. Attracting new business ranked number five. Write-in comments often called for a discount store such as Wal-Mart or K-Mart, though some respondents felt such stores would harm the "homey" feeling of Laurel. A store that carried clothing was often noted as a need.

The police force was noted as the sixth priority, and there are many comments relating to why this ranked so high. The need for teen recreation ranked number seven, and there were also many comments made in this regard. School structures (buildings) ranked number eight with many respondents noting the need for a new middle school.

Beyond need for improvements to the school structures, the number of points dropped sharply. Street lighting ranked number ten, though work toward establishing a lighting improvements district was not supported during a hearing in that regard. Fire protection ranked number eleven and housing ranked number twelve.

Although wastewater system improvements ranked number eighteen of the thirty-four possible improvements, the city is considering seeking a CDBG grant to support badly needed improvements in wastewater. The city realizes that the cost of water and sewer is very high and feels that using CDBG funds to help offset the cost of wastewater system improvements would be the best way to benefit the low-to-moderate income persons in Laurel.

Pat Murtaugh reviewed an e-mail that he received from Scott Murphy of Morrison-Maierle. In the e-mail, Scott noted that the plant drain pump station at the wastewater treatment plant is in very poor shape and requires complete replacement at a cost of about \$85,000. He recommends replacing a portion of an 18-inch trunk main and short lateral near the interstate. He noted that this would correct a severe infiltration problem during the summer irrigation season that sends up to a million gallons per day in excess water to the wastewater treatment plant. Not only does that extra million gallons per day affect the quality of the effluent, but the city is paying for the electricity and everything else to treat this water that is simply coming in from infiltration. Scott also noted that there are several mains that need replacement, but costs were not available yet and was not sure how far we could go with the available money.

Pat Murtaugh asked for input regarding how the community and the council feel CDBG funds may best be used to help low to moderate income persons.

Mayor Johnson asked twice if there were any other comments.

Alderman Olson stated his support for the work being done for the wastewater treatment plant. It has been documented many times by other surveys and other planning that has come before the council that the infiltration is a major addition to our expenditures. Any plan that could eliminate that would definitely be an asset. Also, there are several pipes that cause problems within the trunk and the transmission, and those pipes require monthly jet rodding. Alderman Olson commented that the lift stations on the east end of the city are supposed to be automatic, but someone has to be there to make them automatic. Consequently, continuation of the present program is eating at our expenditure pocket. He can see many things that could be accomplished through a grant for a wastewater facility. Throughout the last several months, the amount of need that is required for the wastewater facilities has been brought to the council's attention, and he certainly goes on record by supporting something of that nature.

Alderman Mace questioned whether sidewalk and wheelchair accessibilities in low-income areas would be covered. Pat stated that it would be better to look at CTEP for sidewalk or curb ramps.

Alderman Poehls mentioned that the lines that require regular jet rodding are located in the older sections of town, where low to moderate income persons generally reside. The lift stations, which are past the normal lifetime, are also located in those areas. It is still possible to flush your toilet and have it work now, but who knows how long that will continue. When that stops, it will be a major concern. The situation is something that must be seriously considered.

Mayor Johnson asked for further comment.

There were no opponents to the CDBG project and no other suggested uses for CDBG funds to best benefit Low to Moderate Income persons.

Mayor Johnson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of March 2003 in the amount of \$355,191.00.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 03/16/03 totaling \$113,134.46.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of March 4, 2003 were presented.

--Council Workshop minutes of March 25, 2003 were presented.

• **Resolutions.**

Resolution No. R03-31: Resolution adopting HIPAA Policy and Procedures for the Laurel Ambulance Service.

Resolution No. R03-32: Resolution authorizing the Mayor to sign contracts with all entities relating to the implementation of HIPAA.

Resolution No. R03-33: Authorizing the Mayor to sign an agreement with Laurel Public Schools, District 7 and 7-70, for the School Resource Officer (SRO) Program.

Resolution No. R03-34: Resolution relating to certain matters not to be placed in receptacles.

Resolution No. R03-35: Resolution regarding a Cooperative Purchasing Agreement with the State of Montana.

Resolution No. R03-36: A resolution authorizing the Mayor to sign a Task Order with Morrison-Maierle, Inc., to complete a Water Facilities Plan.

Resolution No. R03-37: Resolution of annexation of Lots 1-5 of Block 1 of Mathis Subdivision, Yellowstone County.

Resolution No. R03-38: Resolution of annexation of Lot 1 of Block 6 of High Point Subdivision, Yellowstone County.

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

Motion by Alderman Olson to approve the consent items as presented, seconded by Alderman Mace. Motion carried 8-0.

REPORTS OF BOARDS AND COMMISSIONS: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

• **Confirmation of Appointments.**

- **Current Board/Committee vacancies:** Board of Appeals – two positions
Police Commission – one position

- **Laurel Volunteer Fire Department Officers for 2003-2004:**

Fire Chief – Terry Ruff; 1st Assistant Chief – Scott Wilm; 2nd Assistant Chief – Rob Harris; 3rd Assistant Chief – John Meeks; Fire Marshal – Gary Colley; Training Officer – Kent Kulesa; Safety Officer – Mike Zuhoski

Motion by Alderman Van Roekel to approve the appointment of the Laurel Volunteer Fire Department Officers for 2003-2004, seconded by Alderman Mears. Motion carried 8-0.

- **Ordinance No. O03-01: Ordinance amending Chapter 17.49 of the Laurel Municipal code relating to temporary uses in nonresidential zoning districts.** Second reading.

Motion by Alderman Easton to adopt Ordinance No. O03-01, seconded by Alderman Olson. A roll call vote was taken on the motion. All eight aldermen present voted aye. Motion carried 8-0.

- **Ordinance No. O03-02: Ordinance amending Chapter 8.04 of the Laurel Municipal Code relating to certain matter not to be placed in receptacles.** Second reading.

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Motion by Alderman Mears to adopt Ordinance No. 003-02, seconded by Alderman Dart. A roll call vote was taken on the motion. All eight aldermen present voted aye. Motion carried 8-0.

- **Laurel Chamber of Commerce: Request for permission to hold the Culpepper & Merriweather Circus on Friday, June 13, 2003, at the lot across from Laurel Ford.**

Motion by Alderman Oakes to approve the request from the Laurel Chamber of Commerce for permission to hold the Culpepper & Merriweather Circus on Friday, June 13, 2003 at the lot across from Laurel Ford, seconded by Alderman Dart. Motion carried 8-0.

- **Laurel Chamber of Commerce: Request for permission to hold the annual Chamber Grand Parade on July 4, 2003, at 11:00 a.m.**

Motion by Alderman Dart to approve the request from the Laurel Chamber of Commerce to hold the annual Chamber Grand Parade on July 4, 2003, at 11:00 a.m., seconded by Alderman Mears. Motion carried 8-0.

- **Laurel Chamber of Commerce: Request for permission to hold the 4th of July Chief Joseph Run at 7:00 a.m. on July 4, 2003.**

Motion by Alderman Mace to approve the request from the Laurel Chamber of Commerce to hold the 4th of July Chief Joseph Run at 7:00 a.m. on July 4, 2003, seconded by Alderman Poehls. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Lorraine Craig, 313 Pennsylvania Avenue, distributed and read the following statement to the council:

Concerning parking time limits applicable to all streets, City Ordinance 10-48-070:
Could the ordinance be amended to allow a vehicle that is currently licensed and operable but rarely used to be parked in the street in front of the registered owner's residence without the five-day restriction? This would still address the abandoned and junk vehicles that are not licensed or operable. Due to the limited on-street parking (less than 150-foot radius), her vehicle will be parked in the same place regardless of use.

Mayor Johnson stated that the issue is scheduled for discussion at the Public Works Committee meeting on Monday, April 7th.

Mayor Johnson explained the recent change in the nature of the Public Works Committee and the Emergency Services Committee. The committees will be used as a mechanism to gather information, to provide an opportunity for public input, and to work through issues. Committee chairmen would need to ask Mayor Johnson to request staff attendance at the committee meetings.

COUNCIL DISCUSSION:

Registrations need to be submitted for the Elected Officials Workshop in Billings on May 7-9th. Submit registration forms to Mary Embleton.

Alderman Van Roekel thanked the police department for their good work on a recent case in his neighborhood. He also mentioned the money that was recently received from a Drug Task Force sale.

Alderman Olson commented on the gravel removal from the streets. A four-way stop intersection in his neighborhood accumulates sand and gravel during the winter. As soon as weather permitted, the street was swept and clean up, and he said that a fine job was done.

Alderman Olson stated that the Drug and Alcohol Task Force is actively looking for an individual who is interested in the chairmanship of the group, as Carolyn Boyd will no longer serve as chairman. Carolyn Boyd has done a tremendous job as chairman of the task force.

Alderman Easton reported on the progress at the water intake. The engineer, the construction foreman, and the city meet every Thursday at 3:00 p.m., and a progress report of the previous week's work and the schedule for the next week are presented at the meetings. Removal of the berm started on Monday and is still in progress. All the piling has been taken out from the intake south out to the new intake, and they should start laying pipe into the other side by Thursday. COP Construction should be out of the river by the middle of April. Alderman Easton stated that they have been real good to work with, and they have willingly answered questions.

Alderman Easton encouraged the council to attend the fundraiser spaghetti dinner at the Laurel Senior Center on Thursday, April 10th, at 5:00 p.m.

Alderman Mears also mentioned that the street sweeping on Maryland was well done.

Alderman Mace mentioned the countywide siren test scheduled for April 16th at 6:05 p.m. Alderman Mace asked Larry Tanglen if a notice would run in the newspaper to make the public aware of the siren test. The police department should also be aware of the siren test.

Alderman Poehls mentioned the City-County Planning Board meeting scheduled for Thursday, April 3rd, at 7:00 p.m.

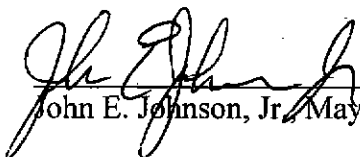
The YMCA Hawaiian Luau Auction is scheduled for Sunday, April 6th. Alderman Poehls thanked those that had contributed donations for the auction.

UNSCHEDULED MATTERS: None.

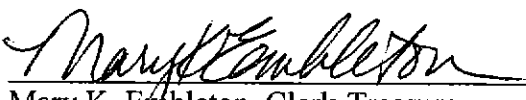
There being no further business to come before the council at this time, the meeting was adjourned at 7:06 p.m.


Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15th day of April, 2003.


John E. Johnson, Jr., Mayor

Attest:


Mary K. Embleton, Clerk-Treasurer