

MINUTES OF THE CITY COUNCIL OF LAUREL

April 5, 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 April 5, 2011.

COUNCIL MEMBERS PRESENT:

Kate Hart	Doug Poehls
Chuck Rodgers	Mark Mace
Tom Nelson	Chuck Dickerson
	Norm Stamper

COUNCIL MEMBERS ABSENT:

Emelie Eaton

OTHER STAFF PRESENT:

Sam Painter	Terry Ruff
Shirley Ewan	Nancy Schmidt

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 Rodgers to approve the minutes of the regular meeting of March 15, 2011, as presented, 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.

CORRESPONDENCE:

Montana Department of Transportation: Letter of March 10, 2011 regarding 2011-2015 Draft Statewide Transportation Improvement Program.

Montana Department of Transportation, Rail, Transit & Planning Division: March 2011 *Newsline*.

Laurel Chamber of Commerce: Letter of March 24, 2011, regarding Grand Parade and Chief Joseph Run on July 4, 2011.

MSU Local Government Center: 2011 Municipal Elected Officials Workshop information.

PUBLIC HEARINGS:

Mayor Olson read the rules governing the public hearings and stated that the rules applied to all of tonight's public hearings.

- **Budget amendment for Library and Fire Department**

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.

- **Budget amendment for FAP building**

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.

- **Ordinance No. O11-04: An ordinance amending Section 12.32.050 titled "Creation and establishment of a City Tree Board" and Section 12.32.060 of the Laurel Municipal Code titled "Term of office" located at Title 12 of the Laurel Municipal Code. (First reading – 03/15/2011)**

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. O11-04 will be on April 19, 2011 council agenda.

- **Ordinance No. O11-05: An ordinance amending Section 5.44.030 titled "Exceptions to provisions" located at Title 5 of the Laurel Municipal Code. (First reading – 03/15/2011)**

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. O11-05 will be on the April 19, 2011 council agenda.

CONSENT ITEMS:

- **Claims for the month of March 2011 in the amount of \$223,038.41.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 03/20/2011 totaling \$157,355.01.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of March 15, 2011 were presented.
 - Cemetery Commission minutes of March 14, 2011 were presented.
 - Health Insurance Committee minutes of March 28, 2011 were presented.
 - Council Workshop minutes of March 29, 2011 were presented.
 - Tree Board minutes of February 17, 2011 were presented.
 - Laurel Airport Authority minutes of February 22, 2011 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 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Laurel Ambulance Service:

Mayor Olson appointed Darci Waldo and Dave Miller to the Laurel Ambulance Service.

Motion by Council Member Hart to approve the Mayor's appointments of Darci Waldo and Dave Miller to the Laurel Ambulance Service, 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.

Laurel Fire Department:

Mayor Olson appointed Brandon Rogge, Henry Fox and Jason Molm to the Laurel Fire Department.

Motion by Council Member Poehls to approve the Mayor's appointments of Brandon Rogge, Henry Fox and Jason Molm to the Laurel Fire Department, seconded by Council Member Mace. There was no public comment.

Terry Ruff introduced Jason Molm to the council. Henry Fox and Brandon Rogge were introduced at the council workshop last week.

Mayor Olson thanked Jason for his willingness to serve on the Laurel Fire Department.

A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

Police Commission:

Mayor Olson appointed Mike Kirschenmann to the Police Commission for a term ending December 31, 2013.

Motion by Council Member Mace to approve the Mayor's appointment of Mike Kirschenmann to the Police Commission for a term ending December 31, 2013, 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.

Health Insurance Committee:

Mayor Olson appointed Kurt Markegard, Chuck Rodgers and Tom Nelson to the Health Insurance Committee.

Motion by Council Member Dickerson to approve the Mayor's appointments of Kurt Markegard, Chuck Rodgers and Tom Nelson to the Health Insurance Committee, seconded by Council Member Mark. 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. R11-24: Budget amendment resolution to increase appropriations in the General Fund for equipment for the Library and Fire Departments for fiscal year 2011.**

Motion by Council Member Stamper to approve Resolution No. R11-24, 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.

- **Resolution No. R11-25: Budget amendment resolution amending appropriation distribution for various funds for fiscal year 2011.**

Motion by Council Member Nelson to approve Resolution No. R11-25, 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.

- **Resolution No. R11-26: A resolution of the City Council authorizing Laurel Legion Baseball and Laurel Little League to construct a Dugout Addition at Thomson Park in the City of Laurel.**

Motion by Council Member Rodgers to approve Resolution No. R11-26, 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. R11-27: A resolution approving Amendment No. 4 to the previously adopted Task Order No. 16 of the Agreement for Professional Services dated June 5, 2007 between the City of Laurel and Great West Engineering, Inc., for assessing and correcting problems with one of the Wastewater Treatment Plant's digesters and coordinating sludge dewatering services at the Wastewater Treatment Plant as part of the Wastewater System Improvement Project.**

Motion by Council Member Hart to approve Resolution No. R11-27, 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.

- **Resolution No. R11-28: A resolution authorizing the Health Insurance Committee to seek competitive bids pursuant to the City's Purchase and Procurement Policy for the City's Employee Benefits Program.**

Motion by Council Member Hart to approve Resolution No. R11-28, 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. R11-29: A resolution authorizing CHS, Inc. to install a groundwater monitor on City property, as identified on the attached Figure 1-1, resulting from the discovery of potential contamination of groundwater during construction of Phase 2A1 of the City's Wastewater Improvements Project.**

Motion by Council Member Poehls to approve Resolution No. R11-29, 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.

- **Motion – Local 303 Union Mediated Settlement Proposal**

Motion by Council Member Stamper to approve the Local 303 Union Mediated Settlement Proposal, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. Council Members Mace, Dickerson, Stamper, Nelson, Rodgers and Hart voted aye. Council Member Poehls voted nay. Motion carried 6-1.

- **Ordinance No. O11-06: An ordinance amending Chapter 8.16 titled "Fireworks" located at Title 8 of the Laurel Municipal Code. First reading.**

Motion by Council Member Mace to adopt Ordinance No. O11-06, seconded by Council Member Poehls. There was no public comment.

Council Member Dickerson thanked the Emergency Services Committee and Chairman Poehls for their efforts and hard work with this ordinance.

Council Member Mace also thanked the committee and Chairman Poehls for their work on the fireworks ordinance.

Council Member Poehls thanked Sam for making the changes to the ordinance.

Mayor Olson commented that, as the council goes forward with this well-crafted ordinance, there will be an opportunity for public input at the public hearing. He stated that the council should recognize that some portions of the ordinance might give more exposure than needed. He stated that placement of fireworks in the right-of-way is something that needs a strong look to see if the city wants to allow it within the public right-of-ways, which are an accepted mode of transportation. He asked the council to keep open minds and thoughts going forward. Mayor Olson thanked the Emergency Services Committee for their work.



A roll call vote was taken on the motion to adopt Ordinance No. O11-06. All seven council members present voted aye. Motion carried 7-0.

The public hearing of Ordinance No. O11-06 will be on the council agenda on May 3, 2011.

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 Stamper stated that the Park Board would not meet on April 7th.

Mayor Olson stated that Jerry Grebenc and Kate Miller, of the Montana Department of Commerce, will present information regarding annexation and water distribution at a seminar on Monday, April 11th, at 6:30 p.m.

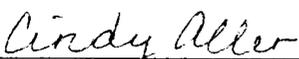
Mayor Olson stated that the department heads will give their budget presentations to the council during the month of May. Presentations will begin at 5:30 p.m., prior to the regular council workshops at 6:30 p.m. and also on May 24th, which is the fourth Tuesday of a five-Tuesday month.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

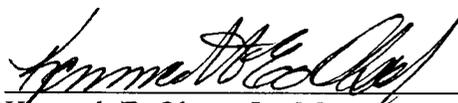
Motion by Council Member Dickerson to adjourn the council meeting, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:56 p.m.



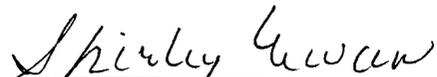
 Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 19th day of April, 2011.



 Kenneth E. Olson, Jr., Mayor

Attest:



 Shirley Ewan, Clerk/Treasurer