

# MINUTES OF THE CITY COUNCIL OF LAUREL

April 20, 2010

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 20, 2010.

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

COUNCIL MEMBERS ABSENT:       None

OTHER STAFF PRESENT:           Bill Sheridan           James Caniglia  
  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.

Mayor Olson removed item 20. c., Ordinance No. O10-02, from the scheduled matters.

## MINUTES:

Motion by Council Member Poehls to approve the minutes of the regular meeting of April 6, 2010, as presented, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

## CORRESPONDENCE:

Local Emergency Planning Committee: Minutes of March 11, 2010; Agenda of April 8, 2010.

Laurel Chamber of Commerce: Minutes of March 25, 2010; Agenda of April 8, 2010.

Montana Department of Revenue: Letter of April 1, 2010, regarding Application for Corporate Structure Change of Montana Retail On-Premises Consumption Beer and Wine License No. 03-044-9135-301, MONTANA LIL'S CASINO OF LAUREL, 306 South 1<sup>st</sup> Avenue, Laurel, Yellowstone, County, Montana.

Local Emergency Planning Committee: Minutes of April 8, 2010; Agenda of May 13, 2010.

**PUBLIC HEARING:** None.

## CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of March 2010.**
- **Approval of Payroll Register for PPE 04/04/2010 totaling \$162,390.31.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of April 6, 2010 were presented.

--Cemetery Commission minutes of April 8, 2010 were presented.

--City-County Planning Board minutes of April 8, 2010 were presented.

--Council Workshop minutes of April 13, 2010 were presented.



--Tree Board minutes of March 2, 2010 were presented.

--Laurel Urban Renewal Agency minutes of March 15, 2010 were presented.

--Laurel Public Library Board of Trustees meeting of September 8, 2009 were presented.

--Laurel Public Library Board of Trustees meeting of October 13, 2009 were presented.

--Laurel Public Library Board of Trustees meeting of November 10, 2009 were presented.

--Laurel Public Library Board of Trustees meeting of December 8, 2009 were presented.

--Laurel Public Library Board of Trustees meeting of January 12, 2010 were presented.

--Laurel Public Library Board of Trustees meeting of February 9, 2010 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 eight council members present voted aye. Motion carried 8-0.

**CEREMONIAL CALENDAR:** None.

**REPORTS OF BOARDS AND COMMISSIONS:** None.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):** None.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments:** None.

- **Update on the Bus Transit System.**

Bill Sheridan stated that work still needs to be done on the Bus Transit System. The State of Montana requires a contract between the State and the City of Laurel. The city assumed that MDT would provide a contract, but MDT informed the city that it needs to prepare and submit a contract to them. The city attorney will prepare the contract. An agreement needs to be established between the City of Laurel and the Laurel Senior Center. The city will continue to work on the two agreements in order to get started with the Bus Transit System. In addition, MDT requires Bill and James to attend a two-day bus transit meeting in Bozeman later this week. The expectation is that by the middle of the summer, the City of Laurel will have an acceptable bus transit service operation. The city is working with the Laurel Senior Center, which is expected to be part of the city's transit system operation. Bill stated that the dispatch will be done from the city, and will include dispatching the bus that is owned and operated by the Senior Center. Bill asked James Caniglia to present additional information.

James stated that it became imperative for the city to work with the Yellowstone Council on Aging and the Laurel Senior Center to provide forty hours of service. They already provide twenty hours of service. If they come under the city's wing, the city would need to provide an additional twenty hours. Currently, the Yellowstone Council on Aging does not get any grant money for their operations and they would be involved with the city. The city would basically fund twenty hours of service and the Council on Aging would continue its twenty hours of service as well. The City of Laurel would provide at least ten round trips a week to Billings, Monday through Friday, twice a day. James stated that the meeting with MDT on Thursday should provide more information regarding getting the program started within the next couple months.

Bill asked James if it is his opinion, as it is Bill's opinion, that the city would not spend any money out of the General Fund.

James stated that it would be very minimal if money was spent out of the General Fund. The Council on Aging's budget provides twenty hours of service a week for about \$32,000 a year. If the city can be around that figure, 54 percent of those costs are reimbursable, as the operating expenses are reimbursable by the State and 80 percent of the capital. The city would also get reimbursed for labor, which is part of the operating expense. Having any city employee involved would allow

reimbursement from the State. James recently talked with the individual that does advertising for the MET System, and the city will get something going there. Randy Swenson is interested in a small contract to provide service for his residents at TenderNest. The city will try to contract with a major employer in Billings, such as Exxon or the Billings Clinic, to provide a certain number of rides for their workers per week. James stated that, when all things are combined, the service should be very affordable, and hopefully no General Fund money will be needed.

Mayor Olson stated that, at the beginning of the endeavor to provide an affordable service to the community, it was thought that there would be an encumbrance to the General Fund and the city would be ill-advised to go forward because of the impact. Bill and James have spent many hours of hard work to provide this service for the community and Mayor Olson thanked them.

- **Resolution No. R10-38: A resolution of the City Council authorizing the donation of millings to the Laurel School District for the completion of a handicap parking lot within Thomson Park.**

Motion by Council Member Eaton to approve Resolution No. R10-38, seconded by Council Member Hart. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-39: A resolution authorizing the Mayor to sign an Engagement Letter with Dorsey & Whitney, LLP, as bond counsel for the issuance of Special Improvement District bonds for the West Main Street Special Improvement District.**

Motion by Council Member Dickerson to approve Resolution No. R10-39, seconded by Council Member Stamper. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-40: A resolution accepting the bid and authorizing the Mayor to negotiate and execute a contract with Castlerock Excavating, Inc. for the West Main Street water line extension.**

Motion by Council Member Rodgers to approve Resolution No. R10-40, seconded by Council Member Wilkins. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-41: A resolution accepting the bid and authorizing the Mayor to sign a contract with Kirkness Roofing, Inc. for roof replacement at the City of Laurel's Library.**

Motion by Council Member Stamper to approve Resolution No. R10-41, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-42: A resolution of the City Council authorizing the Mayor to sign a General Contract for Services and a HIPAA Business Associate Agreement with Healthcare Billing, Inc. for the city's ambulance billing services.**

Motion by Council Member Wilkins to approve Resolution No. R10-42, seconded by Council Member Rodgers. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-43: A resolution of the City Council authorizing the Mayor to sign a contract with Covert Cleaning, Inc., for the city's janitorial services.**

Motion by Council Member Poehls to approve Resolution No. R10-43, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R10-44: Budget amendment resolution to increase appropriations for Enhanced 9-1-1 equipment upgrade purchases.**

Motion by Council Member Hart to approve Resolution No. R10-44, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

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

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

**COUNCIL DISCUSSION:**

Council Member Poehls received a call regarding transients and the junk they left by a constituent's rental house on the south side of Laurel. When the individual called the Laurel Police Department, he was told that it was out of Laurel's jurisdiction and that was the end of the phone call. Council Member Poehls asked for an explanation of the policies and procedures regarding how such a call is addressed by the department and if the complaint would be passed on to the Yellowstone County Sheriff's Department. This item will be on the April 27<sup>th</sup> council workshop agenda.

Council Member Mace has received calls regarding the city's plans for a water standpipe. This item is on the April 27<sup>th</sup> council workshop agenda.

Council Member Mace mentioned that the curb and gutter was poured at the intersection of Main Street and South 1<sup>st</sup> Avenue. This project was supposed to be completed by the end of December. He questioned why an ADA ramp was not installed at this location, as it would be required with a crosswalk.

Mayor Olson stated that the city would look into that.

Council Member Stamper stated that it has been difficult to drive a school bus around Laurel the last couple days, but he does not mind since work is being done. This past weekend, he attended the Montana State Convention of the Knights of Columbus and spent two days in committee meetings, voting on resolutions, and electing officers. He came back with a greater appreciation of how efficiently the city and the council do business.

Mayor Olson stated that the president of the Miles City Council, who recently attended a Laurel City Council meeting, expressed appreciation for the way Laurel conducted its business at that meeting.

Council Member Rodgers stated that concrete is being poured in the gathering site at the cemetery.

Mayor Olson stated that Norm Stamper, Chuck Rodgers, and the Cemetery Commission have taken extra time to make sure the cemetery projects are completed. It will be great to have some things accomplished by Memorial Day on May 31<sup>st</sup>.

Council Member Stamper mentioned that the Cemetery Commission will meet on Thursday at 5:30 p.m. to finalize the flag poles so flags can be flown on Memorial Day.

Council Member Hart received a phone call about a large storage container on the street at the corner of 6<sup>th</sup> Street and 5<sup>th</sup> Avenue. Public Works will look into it and the item will be on the April 27<sup>th</sup> council workshop agenda.

Council Member Eaton received a call today from LaVerne Ivie, who is the administrative secretary for the Yellowstone Conservation District. LaVerne called in response to a call from Bob Graham, who attended the council meeting about the water rate increase for water haulers. Mr. Graham contacted LaVerne in an effort to gain a water right along the Yellowstone so he could use that water as opposed to accepting the increase in rates that will go into effect June 1<sup>st</sup>. LaVerne felt that there would probably be many more calls along those lines and asked Council Member Eaton to share the requirements for the public record. First, the water right is given only for agricultural uses, and second, the water right is only given to people who live along the Yellowstone River. The Yellowstone Conservation District is not in the water piping business or the water hauling business, and LaVerne really did not want to have to field any more calls along those lines. Council Member Eaton stated that she did her due diligence to make sure the information became part of the public record.

The Elected Officials Workshop is scheduled on May 6<sup>th</sup> and 7<sup>th</sup> in Billings and registrations are due by April 23<sup>rd</sup>. Mayor Olson hopes to attend the Mayor's gatherings on Wednesday and Thursday evenings.

Mayor Olson stated that the council recently approved an agreement that provided a payment of \$6,000 to clean the sedimentation basins in exchange for use of city property. The city went out for bids and found a successful bidder for under \$5,000. Mayor Olson has signed the contract and the work will go forward in the next couple weeks.

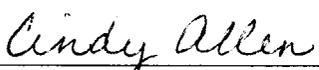
Mayor Olson stated that there are five Tuesdays in June and no regular council meeting would be scheduled on June 22<sup>nd</sup>. He asked if the council would consider scheduling a tour of the water treatment and wastewater treatment plants on that date. The majority of the improvements should be completed by then, and the council could tour the updated facilities. This will be discussed further at next Tuesday's council workshop.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Council Member Mace to adjourn the council meeting, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:58 p.m.

  
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Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 4<sup>th</sup> day of May, 2010.

  
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Kenneth E. Olson, Jr., Mayor

Attest:

  
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Cathy Gabrian, Deputy Clerk